

18th September 2023

54th session of the UN Human Rights Council

Item 3 – Interactive Dialogue with the Working Group on Arbitrary Detention

Defence for Children International (DCI) welcomes the opportunity to speak on behalf of the [NGO Panel on Children Deprived of Liberty](#).

We thank the Working Group for its report and for highlighting that “public health emergencies, such as the COVID-19 pandemic, can never be used to justify the denial of fair trial rights” and for urging “Governments to prioritize the use of non-custodial measures at all stages of criminal proceedings, in the context of the pandemic”. This is especially important when considering children in contact with the justice system and children deprived of their liberty whose rights are violated under Article 37 of the UN CRC.

The NGO Panel remains concerned about the serious negative effects that deprivation of liberty has on the physical and psychological health of children as well as the long-term developmental impacts this will have on them.

Four years after the presentation of the UN Global Study on Children Deprived of Liberty to the UN General Assembly, it is important to continue to build on, and to use, good practices on alternatives to custodial measures, and gain momentum towards ending the deprivation of liberty of children¹.

We call on Member States:

- To establish dedicated child justice systems, including specifically trained police, prosecutors, judges, social workers, and establish effective referral pathways between police, the justice sector and child protection services;
- To implement accessible and high-quality diversion programmes to prevent children getting into contact with the criminal justice system;
- To work on prevention identifying and addressing root causes for risks that potentially lead to children getting in conflict with the law;
- and; to implement the recommendations of the [UN Global Study on Children Deprived of Liberty](#)².

¹ See [Roadmap for action on justice for children and deprivation of liberty, Nov. 2022, Nouakchott-Mauritania](#).

² United Nations Global Study on Children Deprived of Liberty, 2019 <https://childrendeprivedofliberty.info/wp-content/uploads/2020/01/Full-Global-Study-Nov-2019.pdf>