DEFENCE FOR CHILDREN INTERNATIONAL
DÉFENSE DES ENFANTS INTERNATIONAL
DEFENSA DE NIÑAS Y NIÑOS INTERNACIONAL
THE WORLDWIDE MOVEMENT FOR CHILDREN'S RIGHTS

NGO Panel on
Children Deprived of Liberty

OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON
VIOLENCE AGAINST CHILDREN

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Children deprived of liberty

2023-2024 Roadmap for Action

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Introduction

Background

The Global Forum on Justice for Children and Deprivation of Liberty, held in Nouakchott, Mauritania, on 8-9 November 2022, represented an opportunity to take stock of the work achieved on justice for children and deprivation of liberty, whilst mobilising key stakeholders to take action in front of unprecedented challenges. The UN Global Study on Children Deprived of Liberty (GSCDL) identified for each form of deprivation of liberty good practices of prevention and non-custodial solutions as well as structural and system changes that prevent deprivation of liberty and facilitate the implementation of alternatives. Looking forward, it is important to continue to build on, and to use, the wealth of information and data collected, and recommendations provided to gain momentum towards ending the deprivation of liberty of children.

Goal of the Roadmap for action

As the main outcome to the Global Forum on Justice for Children and Deprivation of Liberty, it was agreed to adopt a roadmap for action to provide and document a framework for the follow-up activities being carried out by various stakeholders on the Global Study and more broadly on deprivation of liberty.

The timeframe of the action plan is 2023-2024, which leads up to the five-year anniversary of the UN Global Study on Children Deprived of Liberty, when there will be an opportunity to assess the progress made and define the next steps.

Each chapter of the roadmap starts with a reminder of either the toolkit for the particular chapter or, in the absence of a toolkit, the GSCDL Recommendations for that chapter, to frame the roadmap actions. The purpose of the roadmap is not to address all the Study recommendations in an exhaustive manner, but rather to maintain a focus and gain momentum on their implementation.

The roadmap for action describes the collaborative efforts of a variety of stakeholders integrating a cross-sectoral and multistakeholder approach which is key to ending deprivation of liberty.

It will be updated monthly. Should your organisation wish to add actions/partnerships or otherwise contribute to implementation of the Global Study, please write to: globalstudy@defenceforchildren.org

Cross-Cutting Principles To Be Embedded In All Roadmap Chapters And Actions: Non-Discrimination, Access To Justice And The Right To Remedies And Reparations, Gender Dimension, Child Participation And Child Safeguarding

For all actions set out below, five cross-cutting principles should be embedded.

1. In Chapter 5 of the Global Study, children described their experiences of **discrimination** and stigma as connected to different factors including ethnicity, economic status, (dis)ability, sex or sexual orientation. Chapter 9.4.2c of the Global Study reports on the criminalisation of racial and ethnic minorities and their over-representation in situations of deprivation of liberty. In conceptualising and implementing roadmap actions, we are committed to contribute to **addressing discrimination across all chapters of the Global Study**, particularly on the basis of race, ethnicity, religion, political opinion, sex, gender identity, sexual orientation and disability.

2. **Access to justice[1] and the right to remedies and reparations:** All actions should be grounded in a child rights approach[2] and **for all areas covered by the Global Study; actions that improve children's access to justice and help realise the right to remedies and reparations** are particularly important. We include in this principle **monitoring activities** that apply to all chapters (monitoring conditions of detention,

[1] Access to justice in the context of all chapters of the GSCDL includes the following components: respect for the rule of law, incorporation of the CRC into national law, children's legal standing, protection from discrimination, access to effective independent complaints mechanisms, access to information, legal assistance and free legal aid, justice systems adapted to the needs of children including mandatory interdisciplinary training for all professionals interacting with children, multidisciplinary approaches in assessing the child's situation, respect for the following rights: right to be heard, dignity (treated with care, sensitivity, fairness and respect), right to review and appeal, non-custodial measures, substitutions to the deprivation of liberty, communication with parents while in detention, prohibition of torture, treatment with dignity and humanity, reintegration programmes to prevent recidivism.

[2] Para 59 GC No 13 of the UN Committee on the rights of the child:

A child rights approach is one which furthers the realization of the rights of all children as set out in the Convention by developing the capacity of duty bearers to meet their obligations to respect, protect and fulfil rights (art. 4) and the capacity of rights holders to claim their rights, guided at all times by the rights to non-discrimination (art. 2), consideration of the best interests of the child (art. 3, para. 1), life, survival and development (art. 6), and respect for the views of the child (art. 12).

monitoring access to justice, and involvement of the appropriate mandated monitoring authorities [eg NHRIs]).

3. As described in Chapter 8 of the Global Study, the **gender dimension** must be recognised and addressed (e.g. discrimination against boys and their over-representation in all situations of deprivation of liberty, the failures to address the needs of girls in a system designed primarily for men, the failure to address the rights of children perceived or identifying as LGBT+, the discrimination against girls resulting in the detention of girls for: status offences, trafficking offences against migrant girls, pregnancy, abortion, behavioural problems deriving from abuse at home, violations of loitering and public safety laws, not carrying proper identification, unlawful gatherings for purposes of intelligence, sexual exploitation during armed conflict, gender identity, sexual orientation [LGBT+], disability).

4. Implementation of the Study recommendations provides opportunities to, as a minimum, improve **respect of children's participation rights** (as set out in the various Study chapters: ensure that all children are guaranteed the right to be heard in all decisions concerning them and that their views are given due weight in accordance with their age and maturity. Every effort should also be made to **work with children as agents for change and further empower them to claim their rights**.

5. **Child safeguarding** means organisations taking all the necessary steps so that the children they are in direct or indirect contact with are protected from all forms of violence and that measures are in place to respond if an incident occurs. The Keeping Children Safe "International Child Safeguarding Standards" focusing on policy, people, procedures and accountability provide a good framework.

DRAFTING GUIDANCE FOR ROADMAP INCLUSIONS

1. Identify good practices and joint actions for the implementation of the recommendations of the Global Study.

2. Identify events, initiatives and forthcoming activities where the different stakeholders (governments, NGOs, UN agencies, academia, child-led organisations, practitioners, Independent Children's Rights Institutions, National Human Rights Institutions …) can join hands and achieve progress.

3. Data collection and monitoring of children deprived of their liberty: it is key that snapshot data is regularly collected to understand how the phenomenon of child deprivation of liberty is evolving and what areas require better attention.

4. As stated above, integrating children's views - across all roadmap chapters and actions, diverse children's voices including those with lived experiences of different types of deprivation of liberty is essential and is preferably embedded in all actions (not stand alone "child participation" actions).

CHILDREN DEPRIVED OF LIBERTY IN THE ADMINISTRATION OF JUSTICE (Chapter 9 GS)

ACTION AREAS AND OBJECTIVES

Extracted from the Administration of Justice toolkit.

Action Area 1: Review existing legislation, procedures and structures

Under this policy area, it is recommended that States should:

1. Ensure comprehensive human rights frameworks, by ratifying the CRC/Optional Protocol, OPCAT and CRPD.
2. Review existing legislation to make them comply with standards that ensure principles of last resort and shortest period of time.
3. Establish dedicated child justice systems, including specifically trained police, prosecutors, judges, social workers, health workers and establish interface structures for exchange and cooperation between police, the justice sector and child protection services.
4. Apply child justice principles for a transition period also to young adults.
5. Set the age of criminal responsibility at 14 years as a minimum.
6. Set the minimum age for deprivation of liberty at 16 years (or above).
7. Limit police custody for children to 24 hours.
8. Limit pre-trial detention for children to 30 days/6 months until judgment.
9. Prohibit capital punishment and life-long sentences for children; radically reduce maximum prison sentences.
10. De-criminalise child-typical conduct, review/abolish status offences, petty crimes and 'immorality' offences in relation to children.
11. Ensure (child-specific and general) legal/procedural safeguards available and accessible to children.
12. Raise awareness among children, parents and communities about child justice mechanisms and reasons and requirements for non-custodial measures.
13. Set up national focal points for data collection on children deprived of liberty, including in the administration of justice.

Action Area 2: Provide non-custodial measures for children

Under this policy area, it is recommended that States should:

1. Develop a national strategy and action plan for the replacement of detention of children by non-custodial measures.
2. Implement accessible and high-quality diversion programmes to prevent children getting into contact with the criminal justice system.
3. Implement non-custodial solutions, both in pre-trial proceedings and after conviction, e.g. through probation and early release programmes.
4. Implement a restorative justice approach, including victim offender compensation programmes.
5. Assess the potential of informal justice mechanisms, in line with international standards.
6. Implement and adequately fund early and post-release programmes.

Action Area 3: Adopt systemic approach to prevent deprivation of liberty

Under this policy area, it is recommended that States should:

1. Take a systemic approach to prevention of child detention, based on evaluation of the status quo, assessment of impact of existing services and devising holistic strategies for responses.
2. Establish formalised cooperation mechanisms for inter-agency cooperation between families, communities, schools, social services, youth work, health services, local administration, police and the justice sector, in order to create integrated, effective child protection systems.
3. Identify and address root causes for risks that potentially lead to children getting in conflict with the law.
4. Prevent discrimination of groups of children (e.g. based on belonging to ethnic or social minorities, migrants, LGBT+ community, gender), for instance through dedicated policies, staff recruitment strategies, training.

Action Area 4: Ensure adequate treatment during deprivation of liberty

Under this policy area, it is recommended that States should:

1. Ensure adequate, child and gender-sensitive detention conditions and ensure effective internal oversight mechanisms.
2. Ensure that children are separated from adults in detention.
3. Ensure personal contacts of the child to the outside world, including to parents and persons of trust.

4. Provide children with access to quality education, including vocational training and preparation for release.
5. Provide children access to quality health care services, including mental health services and access to therapies.
6. Prevent violence in detention, ban corporal punishment and develop conflict mediation, anti-bullying and child safe-guarding policies for all child justice institutions.

Action Area 5: Monitor implementation and ensure access to justice for children

Under this policy area, it is recommended that States should:

1. Establish effective feedback and complaint mechanisms that are accessible to children, including access to information on such mechanisms in a language they can understand.
2. Establish effective external monitoring mechanisms, including National Preventive Mechanisms with specialisation on monitoring places of detention of children.

Synergies with existing mechanisms

- High-Level Political Forum 2023 (10-19 July 2023, New York)
- World Congress on Justice with Children 2025
- SDG16+ Justice Action Coalition – Justice for children cluster
- Global Alliance of National Human Rights Institutions
- UNODC Crime Congress High Level Policy Forum Side Event

CHILDREN LIVING IN PRISON WITH THEIR PRIMARY CAREGIVERS (Chapter 10 GS)

ACTION AREAS AND OBJECTIVES

Recommendations extracted from the Global Study in the absence of a toolkit.

1. In all matters related to criminal proceedings involving sole or primary caregivers of children, it is essential to ensure recognition of the **affected children as rights holders**.
2. States should establish a system that identifies whether a person in conflict with the law has **child-care responsibilities.**
3. The **best interests of the child** must be taken into account in decisions about possible detention or imprisonment of primary caregivers during pre- and post-trial phases.
4. The fundamental principle of **non-discrimination** must be upheld in all aspects of decision-making connected to and treatment of children with an incarcerated parent.
5. Governments are encouraged to adopt a **gender-sensitive** and **child-sensitive approach** in any policies relating to the detention of primary caregivers.
6. Governments are encouraged to recognise both the *detrimental impact of family separation due to parental incarceration* and the *detrimental impact of deprivation of liberty with a parent*. All possible measures should be taken to reduce the number of children deprived of liberty with a parent in the criminal justice system without increasing the separation of children from a parent due to the parent's incarceration. **A presumption against a custodial measure or sentence for primary caregivers should apply**.
7. States shall incorporate *best interests of the child assessments* into **decision-making processes at all points at which the detention of a parent in the criminal justice system could result in the deprivation of liberty of a child**. This includes pre-trial detention decisions, sentencing decisions, and decisions regarding whether and for how long a child shall live with a primary caregiver in prison. This may require different assessments at each decision-making point due to child developmental changes and other changing circumstances.
8. States should put in place laws and policies for **non-custodial solutions** for parents of dependent children. In accordance with the best interests of the child, judicial authorities are encouraged to strictly apply the criteria of necessity, proportionality, and reasonableness when they consider ordering pre-trial detention of persons who are responsible for children and adolescents, specifically in view of its impact on these dependants.

9. States should give in-depth consideration to the social cost of the use of custodial sentences as punishment for non-violent offences committed by primary caregivers, taking into account the **serious implications that their imprisonment has for the relationship with their children**.

10. Pre-sentence reports including *best interests of the child determinations* should be a primary consideration in sentencing decisions. Sentencing remarks should articulate what information has been obtained about the affected children (e.g. health/welfare issues, disability status) and how this has been taken into account in the sentencing decision. Judicial training should be ensured in this regard. Where possible, age-appropriate and sensitive **child and family impact assessment** should be used for custodial and non-custodial sentences.

11. When imposing sentences on primary caregivers of infants and young children, non-custodial solutions should always be preferred to imprisonment. Non-custodial solutions allowing and enabling parents to provide and care for their dependents should have priority. Such measures **must be available also for all minority groups and foreign nationals**.

12. If imprisonment is unavoidable, an *individualised assessment of the best interests of the child* must inform any decision about whether and when a child should accompany a primary caregiver into prison or be separated from such carer. States should **avoid strict age limits**. This applies to children born prior to the criminal justice proceedings as well as to those children born to an incarcerated mother.

13. Essential considerations in evaluating the best interests of each child include the emotional and physical wellbeing, the possibility of developing a strong and early attachment to the mother and for breastfeeding. The factors to be considered by decision-makers, when deciding whether a child should live in prison with a primary caregiver, include the potential caregiving capacity, the nature of the offence, sentence length and carer's behaviour in prison only insofar as they **affect the child's welfare and best interests**.

14. All necessary measures must be taken to ensure the safety, dignity and development of any child living with a parent in prison. The child must be scrupulously **protected from violence, trauma and harmful situations**.

15. If imprisonment is unavoidable, adequate provisions must be made for the care of the children entering prison with their parent and age-appropriate facilities (such as nurseries, kindergartens, mother-child units, children's care home) and services must be supplied to safeguard and promote their rights to survival, protection, development and participation while in prison. **Freedom from discrimination requires the provision of disability specific services and support and action to meet the needs of foreign nationals**. This should be done by the responsible authorities in cooperation with relevant organisations, including NGOs, the private sector and the community.

    - In relation to physical conditions, States should provide them with clean, hygienic and child-friendly facilities and cover costs for food, vaccinations and regular visits by paediatricians and other medical officers, clothing and accommodation.

- In relation to emotional wellbeing, States should provide them, immediately after birth and beyond, with possibilities to bond with imprisoned primary caregivers, including skin-to-skin contact and breastfeeding.
- In relation to the imprisoned parents, States should provide adequate support and social network, particularly where parents are adolescents, to help them to become competent caring parents and to promote attachment with the child and enable their relationship and consequently the child's development as normally as possible.
- In relation to social and developmental conditions, States should provide them with adequate play activities and toys (including own toys), access to education, and the opportunity to leave the prison and experience ordinary life, to establish safe contact with the outside world, spend time with fathers and other family members and bond with other babies and young children.
- In this connection it is essential to ensure direct access for the child to natural light and open-air areas and, as far as possible, facilitate aspects of normalisation that enable imprisoned parents to exercise parental responsibility, spend time with their children, and participate in everyday activities such as cooking meals for their children and getting them ready for nursery schools.
- States should provide inclusive settings for children with disabilities, availability to disability-specific services, support to prisoners with disabilities who are mothers, and related reasonable accommodation.

16. At the time the child enters the prison with a parent, there should be a case management system in place. A **social worker** or an **independent authority** (such as a curator/legal tutor) should be appointed to undertake a **regular individual assessment** of the situation and wellbeing of the child.

17. **Regular and comprehensive training** on child-related practices, procedures and policies shall be provided for all professionals working with, and for, children and their imprisoned parents, including police, caregivers, residential and prison officers. This should include systematic programmes for psychological and emotional support to children and their imprisoned parents.

18. The **separation** of an infant or young child from the imprisoned primary caregiver is likely to be a traumatic experience for both and, if this is going to occur, **preparation** for it ideally needs to begin at the outset of the sentence.

- Regular 'individual assessments' should be required in law and practice before a decision is taken to separate a child from a primary caregiver and must be based on the best interests of the child. Guidance on how to conduct such evaluations without impairing the parent-child connection should be elaborated. Separation should not be based on the existence of a disability.
- Advanced planning should involve identifying suitable alternative carers and give the child the possibility to spend time with them, considering that institutionalisation of these children should be avoided.

- Support and empowerment for caregivers, including fathers, should be provided to assist them in taking on the care of the child.
- Children and imprisoned caregivers should be provided with psychological, emotional, and practical support before, during and after separation.
- Following separation, babies and children should be allowed to visit their imprisoned primary caregivers a minimum of once a week. Proximity to imprisoned parents should be facilitated to enable continued contact.

19. **Support** to and **rehabilitation** of primary caregivers inside the prison is crucial and should be organised and implemented in accordance with specific policies created for that purpose. Such policies should include mechanisms that allow the child to be protected from the stigma stemming from their situation. **Cooperation and coordination between government departments and civil society stakeholders** should be strengthened for the purpose of reintegrating children into the society after they leave detention centres.
20. When the child is leaving the place of detention, the **primary caregivers should ideally be released together with the child**.
21. If the child of a foreign national is leaving the prison, the detained or imprisoned parent should be released **at the same time** or be enabled to **serve the sentence in their own country** if they so wish and it is in the best interests of the child.
22. State agencies and civil society organisations should be **sufficiently resourced** in order to support children with imprisoned parents and their families and enable them to deal effectively with their situation and needs, including offering logistic and financial support.
23. States should ensure **disaggregated data collection** to allow evidence-based research and analysis of the situation of children living in prison with their primary caregivers.

Synergies with existing mechanisms

- High-Level Political Forum 2023 (10-19 July 2023, New York)
- World Congress on Justice with Children 2025
- SDG16+ Justice Action Coalition – Justice for children cluster
- Global Alliance of National Human Rights Institutions
- Council of Europe Recommendation concerning children with imprisoned parents
- COPE Sentencing Toolkit
- Prison Reform Trust Child Impact Assessment
- Training initiatives by Latin American and Caribbean network Plataforma NNAPES and the Canadian Coalition for Children with Imprisoned Parents

- Follow-up to implementation of European Commission Recommendation on the procedural rights of suspects and accused persons subject to pre-trial detention and on material detention conditions.
  See Articles 65 and 66 relevant to Chapter 10.
- GANHRI

CHILDREN DEPRIVED OF LIBERTY FOR MIGRATION RELATED REASONS (Chapter 11 GS)

ACTION AREAS AND OBJECTIVES

Extracted from the Global Study Toolkit on migration.

Action Area 1: Prohibition of migration-related detention in law

Under this policy area, it is recommended that States should:

1. Stop criminalising irregular entry/stay and explicitly prohibit and abolish migration detention of children by domestic law.
2. Treat persons claiming to be children as such and not place them in detention while any age assessment is being completed.
3. Not separate children from their families except in accordance with applicable law and procedures when it is in their best interest.
4. Extend the prohibition in law of any form of immigration detention of children to unaccompanied and separated children as well as to children with their families.
5. Identify children currently deprived of their liberty for migrated related reasons and immediately release them, together with their family members.
6. Ensure access to non-custodial, community-based solutions, including appropriate support and accommodation, as necessary for the adequate care and protection of children.

Action Area 2: Implementing, developing and scaling up non-custodial solutions based on adequate care

Under this policy area, it is recommended that States should:

1. Make sufficient resources available to promote the development, implementation, and improvement of non-custodial measures. This includes diverting resources from immigration detention to non-custodial solutions carried out by competent child protection actors.
2. Develop and implement guidelines on open facilities (activities, integration, services, cultural, mediators, standards on non-disciplinary rules as the guiding rules, etc.).
3. Develop credible and effective non-custodial solutions with alternative care and accommodation for unaccompanied and separated children, in line with the Guidelines for Alternative Care of Children endorsed by the UN.
4. Not separate children from their families except in accordance with applicable law and procedures and when necessary for the best interest of the child.

5. Ensure that children with family members are allowed to remain with their families in non-custodial solutions.
6. Assess on a case-by-case basis each child's individual needs for appropriate protection and care, including what non-custodial, community-based solutions are more convenient for each child.
7. Assist each child to meet their needs and enjoy access to rights on the basis of equality with children who are nationals of the host country.
8. Ensure access to information, legal assistance, health, housing, education and recreation and other services, such as psychological support.
9. Ensure access to appropriate case management and regular check-ins by social workers and social support.

Action Area 3: Procedural protections and monitoring mechanisms

Under this policy area, it is recommended that States should:

1. Ensure access to justice and effective remedies, which includes the possibility of challenging detention.
2. Ensure access to information about the process in a child-friendly manner and in a language the child understands.
3. Ensure regular (and define regular) access by legal representatives/legal assistance, a social worker and access to a translator where necessary.
4. Establish and ensure regular access to national and international monitoring bodies, as well as to civil society organisations to custodial and to non-custodial facilities that may restrict migrant children's freedom of movement.
5. Establish and ensure regular access to national and international monitoring bodies, as well as to civil society organisations to custodial and to non-custodial facilities that may restrict migrant children's freedom of movement.
6. Regular reporting on conditions in facilities by the operator of the facility or by an independent body.
7. Produce rights-based indicators and tools for measuring progress of the protection and realisation of children's rights in the context of immigration detention and in the implementation of non-custodial solutions.
8. Provide specialised trainings for operators, field agents and all actors working with children.

Action Area 4: Prompt identification and adequate age assessment

Under this policy area, it is recommended that States should:

1. Consider documents that are available as genuine unless there is proof to the contrary and consider statements by children and their parents or relatives.
2. Only use age assessment procedures where there are grounds for serious doubt about an individual's age.
3. Design and implement child-sensitive screening processes to ensure prompt identification of children who come into contact with migration authorities. These must be carried out by independent experts in a prompt, child-friendly, gender-sensitive and culturally appropriate manner and respecting the child´s dignity.
4. Undertake a comprehensive assessment of the child's physical and psychological development, conducted by specialist paediatricians or other professionals who are skilled in combining different aspects of development.
5. Conduct the assessments in a language the child understands.
6. Ensure that assessments include interviews with children and, as appropriate, that they are accompanied by adults.
7. Not detain persons claiming to be children while any assessment is completed.
8. Give the benefit of the doubt and apply any margin of error in favour of the individual concerned.

Action Area 5: Safe return policies

Under this policy area, it is recommended that States should:

1. Only return children based on a determination that such return is in the individual child's best interests.
2. Ensure that any decision to return a child to his or her country of origin, or to transfer a child to a third country, is based on evidentiary considerations on a case-by-case basis.
3. Ensure that the decision to return is pursuant to a procedure with appropriate due process safeguards, including a robust individual assessment, the right to be heard, and access to legal assistance.
4. Ensure that the procedure to decide upon a return ensures, inter alia, that the child, upon arrival, will be safe and provided with proper care and enjoyment of rights.
5. Ensure appropriate protection and care throughout the process of return when a transfer is based on the best interest of the child.
6. Children should never be detained for the purpose of removal.
7. Ensure that return is undertaken by a child protection or child welfare authority.

8. Not return or transfer children to a country where there are grounds to believe the child would face risks of: persecution, torture, trafficking, gross violations of human rights or other irreparable harm, whether from State or non-State actors.

Action Area 6: Data collection

Under this policy area, it is recommended that States should:

1. Collect and make publicly available anonymised data, disaggregated to the greatest extent possible and on an annual basis.
2. Produce rights-based indicators and tools for measuring progress of the protection and realisation of migrant children's rights.
3. Disaggregate the data to the greatest extent possible, including: age, gender (ideally reflecting, in addition to only 'female' and 'male', numbers for those whose gender identity does not match the sex assigned at birth or on identity documents), unaccompanied/accompanied status, nationality and migration status, disability, length of stay (including cumulative length of detention for individuals released and immediately re-detained), and place of detention.
4. States should make sure that privacy rights and children's anonymity is protected. Where the number of children is very low and therefore children might risk being identified, States could aggregate small number and use categories such as <5 or <10.

Synergies with existing mechanisms

- Global Compact for Migration (Regional Reviews and Indicators Development – SG report)
- Global Compact on Refugees
- High Level Political Forum
- Human Rights Council
- GANHRI

CHILDREN DEPRIVED OF THEIR LIBERTY IN INSTITUTIONS (Chapter 12 GS)

Extracted from the Institutions Toolkit.

ACTION AREAS AND OBJECTIVES

Action Area 1: Prioritise families and prevent separation by providing support and services to families and through awareness-raising

Under this policy area, it is recommended that States:

1. Review laws to recognise that a family is a fundamental unit of the society and that for a child there is no substitute for the need to grow up in a family.
2. Repeal laws that allow for separation on the basis of poverty, and real or perceived impairment, either that of the child or his/her parents.
3. Prevent discrimination against children with disabilities, including by explicitly prohibiting discrimination on the ground of disability in law and practice, recognise denial of reasonable accommodation as a form of discrimination, and conduct awareness-raising and education campaigns to address stereotypes, prejudice, and stigmatisation.
4. Allocate budget and human resources to support children and their families, especially children with disabilities and children living in financial hardship and marginalised and stigmatised families, to address root causes of family separation.
5. Provide early and comprehensive information, and specific services and support to children with disabilities and their families, make general services inclusive without discrimination, and provide parenting and childcare support.
6. Provide free, inclusive, quality education, and reasonable accommodation in accessing the education where needed, for all children, including children with disabilities, children from ethnic minorities, indigenous groups and migrant children.

Action Area 2: Provide appropriate, quality, family-based alternative care and support in the community, where the immediate family is unable to care for a child

Measures recommended to States under this area of action:

1. Develop and support family-based alternative care, including kinship and foster care; as well as adoption or 'kafala'.
2. Prioritise placements in a wider family over other alternative care options and provide support and a range of services to informal and formal kinship carers.

3. Ensure that children placed in alternative care are not separated from their siblings and facilitate contact with their parents, friends and relatives and work on their reintegration.
4. Ensure that child's views and preferences are respected and that adolescents may decide to live in supported living arrangements in the community.
5. Support children leaving alternative care and their transition to adulthood; provide supported independent living arrangements.
6. Ensure licensing, oversight and accountability mechanisms for all forms of formal alternative care; ensure accessible complaint mechanisms for children.

Action Area 3: Stop institutionalisation and progressively eliminate institutional care

Measures recommended to States under this area of action:

1. Conduct assessment of the situation including by mapping all institutions, public and private, collecting data and analysing the situation of beneficiaries and reasons for institutionalisation, assessing existing resources (human, financial and material), current and future costs, sources of funding.
2. Adopt a comprehensive deinstitutionalisation policy and action plans, in a participatory and transparent process, with a clear goal to close institutions.
3. Ensure intersectoral, multi-level cooperation among State agencies, including sectors for social care, health care, justice and education.
4. Prohibit further placements into institutional care, and further expansion of institutions and renovations.
5. Redirect State funds from institutional care to development of family and community-based support and services.
6. Prioritise reintegration of children with disabilities and those already in institutional care back to families.
7. Train institutions' staff and new professionals to provide family and community-based services.
8. Ensure regular, independent human rights monitoring of all forms of residential care for children until the completion of deinstitutionalisation; ensure children's access to complaint mechanisms; monitor the implementation of deinstitutionalisation policy.
9. Cooperate with governmental and non-governmental, national and international donors on redirecting funds to the development of programmes supporting family-based care, instead of institutions.
10. Raise awareness among professionals working with children and the general public about the inadequacy of institutional care and the benefits of family-based care.

Synergies with existing mechanisms

- International Bureau for Children's Rights
- Justice Initiative
- Eurochild – ending institutional care and reforming child protection
- GANHRI
- The Institute for Inspiring Children's Futures, University of Strathclyde, UK "Children's Human Rights in Alternative Care". More info here: https://inspiringchildrensfutures.org/blog/building-on-undgd-alternative-care
- Independent Children's Rights Institutions (ICRIs), National Human Rights Institutions (NHRIs)

CHILDREN DEPRIVED OF LIBERTY IN THE CONTEXT OF ARMED CONFLICT AND ON NATIONAL SECURITY GROUNDS (Chapters 13 and 14 GS)

Extracted from the Armed Conflict and National Security Toolkit.

ACTION AREAS AND OBJECTIVES

1 Child Protection in Law Relating to Armed Conflict and National Security

1. In line with UN Security Council Resolution 2427 (2018), states should recognise that children who were detained for association with armed groups, including those designated terrorist or violent extremist, are first and foremost victims of grave abuses of human rights (and international humanitarian law in situations of armed conflict). As a priority, states should facilitate their recovery and reintegration and hold those who recruit and use them to account.
2. In line with the Paris Principles and Commitments on Children Associated with Armed Forces or Armed Groups, States should not detain, prosecute, or punish children who have been associated with armed forces or armed groups solely for their membership in such forces or groups, including those designated terrorist or violent extremist, solely for their membership in such forces or groups. They should similarly not be detained for preventive purposes; alleged offences by family members; intelligence-gathering; purposes of ransom, prisoner swaps, as leverage in negotiations; or for sexual exploitation.
3. As regards child involvement in armed forces, states should apply a minimum age of 18 years not only for the recruitment and use of children by armed groups but also for voluntary recruitment of state armed forces in line with Article 3 OPAC. A majority of state parties to the Optional Protocol have already deposited a declaration with the UN Secretary-General stating that they observe a minimum age of voluntary recruitment of at least 18 years of age.
4. With regard to child involvement in armed groups, some states have adopted special laws or directives aimed at child protection in an attempt to prevent recruitment and secure the release of children. However, similar to the practice around handover protocols and standard operating procedures, the application of child protection laws is inconsistent.
5. States should never use the gravity of the offence, even when it is linked to national security, as a justification to lower the minimum age of criminal responsibility.

2 Specific Protection for Children Suspected of National Security Offences

1. States should explicitly exclude children from national counter-terrorism and security legislation, and ensure that children suspected of national security offences are treated exclusively within child justice systems, with full child justice guarantees, including

access to counsel, the right to challenge their confinement, protection of privacy, and contact with their families.

2. States should ensure that counterterrorism legislation with penal sanctions is never used against children peacefully exercising their rights to freedom of expression, freedom of religion or belief, or freedom of association and assembly.

3 Handover Protocols and Standard Operating Procedures

1. In line with UN Security Council Resolution 2427, states should adopt and implement standard operating procedures for the immediate and direct handover of children from military custody to appropriate child protection agencies.

4 Rehabilitation and Reintegration

1. States should ensure that children formerly associated with armed forces and armed groups, including those designated terrorist or violent extremist, are provided with appropriate rehabilitation and reintegration assistance, and where possible and in the best interests of the child, family reunification. Such assistance should take into account the specific situation and needs of girls associated with armed forces and armed groups in order to guarantee equal access to rehabilitation and reintegration assistance.
2. States should take all necessary measures to ensure that rehabilitation programmes are neither punitive nor discriminatory, do not amount to arbitrary detention, and are not used as a means to stifle children's right to freedom of expression or to access information.

5 Return of Foreign Children Associated with Armed Groups

1. States should not use counter-terrorism powers to prosecute foreign children for unlawful presence or illegal entry into a state, particularly when they have travelled to the country with their families or have been born in the country.
2. States should develop and apply a tailored and individual case management approach to children associated with non-state armed groups, including those designated terrorist or violent extremist, taking into consideration specialised services for health-related assistance, educational and vocational measures and economic and social support. Priority must be given to the best interests of the child.
3. States should take responsibility for children abroad who are their citizens and who may be detained on security related offences or for association to armed groups, including children born to their nationals. Based on the child's best interests, they should facilitate the return of such children to their country of origin for rehabilitation, reintegration, and/or prosecution, as appropriate, in full compliance with international law. This requires compliance, specifically, with the rules governing family separation as well as the principle of nonrefoulement.

Synergies with existing mechanisms

- High Level Political Forum

- Human Rights Council
- UN Security Council
- GANHRI
- UN Counter-Terrorism Committee Executive Directorate
- Council of Europe Strategy for the Rights of the Child 2022-27

NGO PANEL PARTNERS

UN PARTNERS

OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON VIOLENCE AGAINST CHILDREN

UNITED NATIONS HUMAN RIGHTS OFFICE OF THE HIGH COMMISSIONER

UNHCR The UN Refugee Agency

unicef

Committee on the Rights of the Child UNITED NATIONS

UNODC United Nations Office on Drugs and Crime

UNITED NATIONS HUMAN RIGHTS TREATY BODIES

IOM UN MIGRATION

UNITED NATIONS HUMAN RIGHTS SPECIAL PROCEDURES SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

Office of the Special Representative of the Secretary-General for CHILDREN AND ARMED CONFLICT 25 YEARS

OTHER PARTNERS

Global Campus of Human Rights

JUSTICE INITIATIVE
European response to child abuse cases

CFJ-EN
Child Friendly Justice European Network

HIGH-LEVEL ADVISORY COMMITTEE MEMBERS[3]

- Prof. Jennifer Davidson, Executive Director of the Institute for Inspiring Children's Futures, University of Strathclyde, UK
- Prof. Jaap Doek, Former member and Chairperson of the UN Committee on the Rights of the Child (1999 – 2007) and member of DCI Advisory Committee
- Prof. Virginia Gamba, UN Special Representative of the Secretary-General for Children and Armed Conflict
- Dr. Meskerem Geset Techane, member of the UN Working Group on the issue of discrimination against women and girls in law and in practice and Commissioner for Women's and Children's Rights at the Ethiopian Human Rights Commission (EHRC)
- Prof. Ton Liefaard, Vice-Dean of Leiden Law School and Professor of Children's Rights, Leiden University, The Netherlands
- Dr. Najat Maalla M'jid, UN Special Representative of the Secretary-General on Violence against Children
- Ms. Mikiko Otani, Chairperson of the UN Committee on the Rights of the Child
- Prof. Manfred Nowak, former Independent Expert for the UN Global Study on Children Deprived of Liberty and Secretary General of the Global Campus of Human Rights
- Prof. Ann Skelton, member of the UN Committee on the Rights of the Child and Professor of Law at the University of Pretoria and Director of the Centre for Child Law, South Africa
- Mr. Benoit Van Keirsbilck, member of the UN Committee on the Rights of the Child and director of Defence for Children International - Belgium

[3] https://childrendeprivedofliberty.info/global-forum-on-justice-for-children-and-deprivation-of-liberty-2/

Roadmap tables by chapter and area

These tables will be updated monthly by the NGO Panel on Children Deprived of Liberty. The updates will be based on progress reports and contributions of all partners and stakeholders. The NGO Panel will review progress and coordinate sharing the review results with all relevant partners.

GENERAL ACTIVITIES – CHILDREN DEPRIVED OF LIBERTY

Last update: 25 May 2023

Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
G, N	Conference	Global Campus of Human Rights	Global Campus of Human Rights	The Global Study Programme at the Global Campus of Human Rights has continued to work on supporting the implementation of the Study through various means including the development and implementation of projects, deliverables such as toolkits and Global events, summer school etc. -One key event was the Global Study Launch in Buenos Aires which took place on 3 March 2023. The event discussed opportunities and challenges in the implementation of the study in the country and region where high-level	

Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
				experts and officials were invited to join. Mary Beloff, member of the committee on the rights of the child was among the speakers and the GS team looks forward to collaborating with her and colleagues.	
G	Research project	Global Campus of Human Rights	Global Campus of Human Rights	The current research project at the Global campus “promising or not” seeks to understand the criteria(s) of what constitutes a “good practice" in relation to improving, preventing and reducing the number of children deprived of liberty in the various settings.	
G	Programme	Global Campus of Human Rights	Global Campus of Human Rights	Forward looking: the Global Study programme will continue in 2024-2029 and is currently in the process of development activities with key stakeholders. If you are implementing the Global study recommendations and would like to collaborate with the Global Campus of Human Rights please reach out to: manu.krishan@gchumanrights.org	

TABLE CHAPTER 9 GS – CHILDREN DEPRIVED OF LIBERTY IN THE ADMINISTRATION OF JUSTICE

Last update: 30 June 2023

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
CH9	G, R, N	CRC compliance actions	DCI and others BICE		More incorporation of CRC into national law, monitoring of compliance with CRC, shadow reports to accountability mechanisms (UN, etc.) Alternative reports to the CRC and more follow-up steps to the CRC relevant recommendations at the national level (Côte d'Ivoire, DRC and Togo).	https://intersentia.com/en/incorporating-the-un-convention-on-the-rights-of-the-child-into-national-law.html
9.1.1	G	Advocacy re ratification of optional protocols, OPCAT, CRPD, CEDAW	DCI	DCI	Where not already ratified, DCI national sections will advocate nationally on this	https://indicators.ohchr.org/
9	R, N	Advocacy, awareness-raising, capacity-building	DCI (Europe) and partners	DCI-Belgium	The CFJ-EN will embed the GS recommendations in its advocacy, awareness-raising and capacity-building. The CFJ-EN will also work with child advisory boards in different countries in Europe. There will be a child justice caravan, whereby groups of children are empowered to claim	https://www.cfjnetwork.eu/ https://www.cfjnetwork.eu/_files/ugd/053c39_ba4e706a09654cc284ec68c1d4f3222e.pdf https://www.cfjnetwork.eu/cfj-en-projects

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
					their rights, through meetings with EU and CoE institutions, and events with child justice and child protection practitioners. In October 2023, CFJ-EN will host an annual seminar in Italy with European practitioners and policy makers to build knowledge on children involved in legal proceedings, which includes children deprived of liberty.	
			BICE	BICE partners in Côte d'Ivoire, DRC and Togo	Support and capacity-building to State institutions and law-enforcement officials, including judiciary, in Côte d'Ivoire, DRC and Togo	
9	G, R	Advocacy, capacity-building	NHRIs	DCI-IS/Advisory Council BICE	In 2023, liaise with the Global Alliance of National Human Rights Institutions on the GS Recommendations so that NHRIs can better monitor places of detention Liaise with GANHRI or NIHRIs to ensure more child-friendly approaches/guideline with/by GANHRI or NHRIs for the monitoring of detention places (specific steps to conduct inspections). It can be used also by NPMs.	https://ganhri.org/membership/
9.13	G	Advocacy, capacity-building	DCI NS	DCI-NS	Especially in countries without a specialised child justice system, all DCI-NS to advocate for and build capacity	https://archive.crin.org/sites/default/files/a2j_eutopian_report_0.pdf

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
						CRIN 2016 global report on access to justice (including country ranking)
9.1.1	R, N	Advocacy and knowledge building	ACPF	ACPF	Promote the ratification of the African Charter on the Rights and Welfare of the Child in collaboration with the African Committee of Experts on the Rights and Welfare of the Child	https://www.africanchildforum.org/index.php/en/
9.4.6	R	Standard setting and knowledge building	ACPF-African Committee Of Experts On The Rights And Welfare Of The Child (ACERWC)	ACPF	Ensure that the protection of children from physical sexual and emotional violence is included in the Continental Guidelines for Addressing Violence against Children which is currently being developed on behalf of the ACERWC under the technical and financial support of ACPF	https://www.africanchildforum.org/index.php/en/ https://www.acerwc.africa/en
9.1.11	N	Provision of free legal aid services for children	ACPF-Children Believe Burkina Faso	ACPF	Ensure that children in contact with the justice system get access to free legal and psychosocial support in Burkina Faso, through the soon-to-be established Children's Legal Protection Center in Burkina Faso	https://www.africanchildforum.org/index.php/en/
	R	OMCT capacity-building			2023: Three online regional meetings for CSOs on good practices for the prevention of torture of children in detention, based on our	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
					Global Guide on protecting children from torture in detention.	
	N	OMCT monitoring partnerships			OMCT works with partners in seven focus countries (including Benin, Brazil, India, the Philippines, Togo, and Uruguay) to regularly monitor detention and advocacy at national level based on observations.	
	N	OMCT capacity-building in 7 focus countries			OMCT capacity-building of key actors in 7 focus countries on juvenile justice, detention and prohibition of torture	
Ch. 9 Recs. 10, 28, 29, 36-39, 42-44	R, N	Project (EU CERV, Data MOSAIC)	PRI, TdH, SAPI, Uni NOVA de Lisboa, with child justice authorities in Bulgaria, Ireland, and Romania	PRI	Better understanding of current data collection in prisons detaining children across the EU; improved data collection and monitoring practices on violence against imprisoned children in Bulgaria, Ireland, and Romania and beyond, considering all types of violence, particular needs of minority/marginalised children, including racial or ethnic minorities, children with disabilities, girls and LGBT+ children. March 2023 to January 2025 implementation.	hwww.penalreform.org/news/a-new-pri-project-in-europe-tackles-violence/ (Project page upcoming through www.justicewithchildren.org)
	N	Advocacy, national coordination and	BICE	BICE Partners in Côte	2023-2025: Strengthen online resource centres to ensure more national endeavours,	https://justicejuveniletogo.org/ (Togo)

WORK IN PROGRESS TABLES

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
		knowledge management		d'Ivoire, DRC and Togo	coordination of stakeholders and joint national advocacy. Celebration of the 5th anniversary of the Global Study to take stock of policy and mechanisms impact with regard to the implementation of the GS recommendations and pave the way forward	https://bice.org/fr/le-bice/des-ressources-pour-les-membres/les-ressources-sur-la-justice-juvenile/
	N	Capacity-building for CSOs and national institutions	BICE	BICE Partners in Côte d'Ivoire, DRC and Togo	Institutional and operational practical tools developed for relevant national institutions through capacity-building courses, good practices development, monitoring and follow-up. Advocacy with the justice system for more non-custodial measures, especially for petty offences, in partnership with other stakeholders, including CSOs, for the follow-up of alternatives measures.	
	N	Advocacy, reintegration, and follow-up of reintegration	BICE	BICE Partners in Côte d'Ivoire, DRC and Togo	Reintegration and follow-up strategies and good practices development, including home visits, income and economic strengthening for families and children released to prevent recidivism	

WORK IN PROGRESS TABLES

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
	G	Advocacy	UN Task Force	OSRSG VAC	Identify concrete ways to collaborate in support of the UNTF advocacy briefing on justice for children and deprivation of liberty	
	G	Advocacy	OSRSG VAC	OSRSG VAC	Identify concrete ways to collaborate with the World Congress on Justice with Children	Justice With Children
CH9, Action area 3: #4 Action area 4: #1-6	N	Capacity building	IBCR Ministry of Justice (Senegal) Ministry of Justice (DCR)	IBCR	Basic training focused on strengthening the child-rights core competencies and developing the practices of personnel working with children deprived of liberty. Timeline - Senegal: 2025 Timeline - DRC: 2027	Project (Senegal): https://www.ibcr.org/en/projets/empowering-girls-and-front-line-actors-against-sexual-and-gender-based-violence/ Project (DRC): https://www.ibcr.org/en/projets/strengthening-the-child-protection-system-in-the-drc/ Core competencies: https://www.ibcr.org/wp-content/uploads/2020/12/Competences_clefs_enfants_prives_de_liberte_EN_web_planches-1.pdf
CH9, Action area 3: #1-2	N	Standard operating procedures	IBCR Ministry of Justice (Senegal) Ministry of Justice (DCR)	IBCR	Standard operating procedures (sectoral and multi-sectoral) focused on strengthening coordination and promoting dialogue between the sectors related to deprivation of liberty to improve the implementation of best practices adapted to children's rights. Timeline - Senegal: 2025 Timeline - DRC: 2027	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
CH9	N	Project	DCI-Tunisia, DCI-Marocco	DCI	The project *Strengthening of the Socio-Legal Defense Center (SLDC) model for children and promotion of non-custodial measures* will start in April and it will be implemented by DCI-Tunisia (ATUDE) in the south of Tunisia, (Médenine, Tataouine, Gabès) and by DCI-Morocco (Bayti) in Casablanca for a duration of three years, in strategic partnership with the City of Geneva. The added value of the centre is that it facilitates access to justice and contributes to raising awareness of state professionals on child justice issues. Through this centre, DCI ensures the strengthening of links and collaborations between the association and the official structures of the state and contributes to improving access to justice for children refugees from the conflict in Libya, children detained for their perceived association with armed groups and children in conflict with the law.	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
9.1.2 9.1.3 9.1.12	R, N	Project on European Action to Strengthen Child-Friendly Justice	CoE, EU, FRA	CoE	Foster a practical implementation of the CoE Guidelines on child-friendly justice, as well as ensure the application of the relevant EU legal frameworks and CoE and international legal standards on child-friendly justice. Timeline: 2 years starting autumn 2023 Expected outcomes: 1. Analyse the state of implementation of the CoE guidelines on child-friendly justice and relevant EU *acquis* and policy frameworks on child-friendly justice 2. Mapping existing research and resources, and gap analysis through the CoE/EU assessment tool on child-friendly justice. 3. Support and equip national/local training institutes for professionals 4. Provide training and strengthen the skills of professionals interacting with children in the justice system (child-friendly communication, rights of the child, procedural safeguards,…). 5. Inform, equip, involve and engage children who may need to access the	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
					justice system on their rights to effectively participate in the justice system 6. Develop training programmes and child-friendly tools for children who are in contact with the justice system 7. Promote the exchange of good practices 8. Foster member states legislative and policy reforms Foster experience sharing with relevant stakeholders at national level, and reinforce partnerships with relevant organisations	
All chapter 9	N	Project on Improving the juvenile justice system and strengthening the education and training of penitentiary staff	CoE, EU	CoE	Support the Slovenian authorities in their efforts to improve the juvenile justice and penitentiary systems in line with the latest European and international standards and good practices. The project responds to the objectives set in the 2020 European Semester Country Report for Slovenia through country-specific recommendations in relation to improving the efficiency and the quality of justice, including by reducing the backlog in criminal courts and	https://www.coe.int/en/web/children/-improving-the-juvenile-justice-system-in-slovenia

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
					the average length of time of criminal proceedings.	
All chapter 9	R	Revision of the CoE Guidelines on child-friendly justice	CoE		Starting in 2024, the Steering Committee for the Rights of the Child (CDENF), in cooperation with other committees (CDCJ and others), will kick off a review and potential update of the Guidelines on child-friendly justice. The review is foreseen to finalise by 2027.	https://rm.coe.int/16804b2cf3

TABLE CHAPTER 10 GS – CHILDREN LIVING IN PRISON WITH THEIR PRIMARY CAREGIVERS

Last update: 15 March 2023

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
CH10	G, R, N	CRC compliance actions	DCI Child Rights Connect working group on CIP		More incorporation of CRC into national law, monitoring of compliance with CRC, shadow reports to accountability mechanisms (UN, etc.)	https://intersentia.com/en/incorporating-the-un-convention-on-the-rights-of-the-child-into-national-law.html
CH10 1-11 children in prison with caregiver	G	Toolkit for States and other actors	UNODC, Global Campus, Child Rights Connect working group on CIP (includes COPE, INCCIP, NNAPES)	UNODC	By end 2023: Development of a toolkit on children with imprisoned parents, to also cover the Global Study remit on children in prison with their primary caregiver	
CH10 1-11 children in prison with caregiver	R, N	Sentencing round tables	COPE members		In 2023 ensure follow up to 2022 Sentencing Round Table in Krakow (judges and others from UK, RO, PL, BE, BG), and potential development of a strand for lawyers	
CH10 1-6, 17, 22 children in	R, N	COPE future-proofing national meetings for children with parents in prison	COPE secretariat and national members		To be completed in June 2023 at first review when next country is decided (2022 meetings in Lithuania, Estonia and Greece)	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
prison with caregiver		– awareness-raising on the rights and needs of children with parents in prison				
CH10	G, R, N	Training on the impact of imprisonment and positive practice	Families Outside, Plataforma NNAPES, CCCIP, INCCIP COPE members			https://www.familiesoutside.org.uk/professionals/training/ First two modules in EN can be followed from anywhere in the world, the 3rd module is specific to Scotland https://www.childrenofincarceratedparents.ca/resources
CH10	R, N	Expand use of child and family impact assessments COPE to showcase PRT child impact assessments at network's European	Prison Reform Trust (UK) with 7 UK partner organisations (mainly COPE members - Families Outside, Pact, POPS, Sussex Prisoners' Families, etc.)			https://prisonreformtrust.org.uk/child-impact-assessment-toolkit/ (sample for older children than infants, developed with and for children, child completes it with a chosen adult). Separation of siblings also relevant for CH10.

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
		Forum (June 2023)				
CH10		Presumption against custodial measures for primary caregivers and focus on non-custodial solutions: call for actions:	INCCIP members, COPE members, e.g., Bambini Senza Sbarre Italy		Showcasing for example, recent efforts such as: https://www.altalex.com/documents/news/2022/05/31/legge-tutela-rapporto-madri-detenute-figli-minori	https://www.altalex.com/documents/news/2022/05/31/legge-tutela-rapporto-madri-detenute-figli-minori
CH10	G	TED Talk on mitigating violence against children during police arrest	COPE		By November 2023. t. 100 participants, + online, half-day event, speaker Sgt Russell Massie	https://childrenofprisoners.eu/wp-content/uploads/2022/05/COPE_Police_Toolkit_Final.pdf See also 2016 PACT report on the impact of police home raids
CH10	R, N	Data upon prison entry report	COPE		In 2023, building on data with a purpose model work done in Lithuania and Serbia in 2022, highlight purpose of data collection to prisoners and prison services, ensuring process and data protect children with parents in prison and do not further stigmatise. Target countries: EE, LV, ES and AT.	

WORK IN PROGRESS TABLES

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
CH10 Rec 18	G, R, N	Caregivers Manual	COPE		Launch in 2023 of Caregivers' Manual, holistic core support for child wellbeing and safeguarding, raising awareness on rights-based responses and services for children with parents in prison, will also cover Rec 18 on preparation for infants being separated from primary carer in prison. 63 caregivers from 11 countries participated in drafting the Manual. Dissemination framework/briefing due August 2023.	

TABLE CHAPTER 11 GS – CHILDREN DEPRIVED OF LIBERTY FOR MIGRATION-RELATED REASONS

Last update: 30 June 2023

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
	G, R, N	CRC compliance actions	DCI and others		More incorporation of CRC into national law, monitoring of compliance with CRC, shadow reports to accountability mechanisms (UN, etc.)	https://intersentia.com/en/incorporating-the-un-convention-on-the-rights-of-the-child-into-national-law.html
	G, R, N	HRW monitoring and advocacy on migration-related detention	HRW			https://www.hrw.org/topic/childrens-rights/refugees-and-migrants
	G	Advocacy	UNTF	OSRSG VAC	Identify concrete to collaboration in support of the UNTF advocacy briefing on ending child immigration detention	

TABLE CHAPTER 12 GS– CHILDREN DEPRIVED OF LIBERTY IN INSTITUTIONS

Last update: 15 March 2023

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
	G, R, N	CRC compliance actions	DCI and others		More incorporation of CRC into national law, monitoring of compliance with CRC, shadow reports to accountability mechanisms (UN, etc.)	https://intersentia.com/en/incorporating-the-un-convention-on-the-rights-of-the-child-into-national-law.html
12.7.2-12	R, N	Advocacy and knowledge building	ACPF-ACERWC	ACPF	Highlight and generate visibility about the importance of family-based care in advocacy engagements in the area of parenting and child protection and in engagements with the ACERWC	https://www.africanchildforum.org/index.php/en/ https://www.acerwc.africa/en
12.2.18 & 12.2.19	R, N	Advocacy and capacity-building	ACPF-ACERWC ACPF-OPDs	ACPF	Advocate for and create awareness around the deprivation of liberty of children with disabilities in the context of institutions in our 'child justice' conferences and training programmes. Ensure that Organisations of Persons with Disabilities (OPDs) advocate for family-based care for children with disabilities as part of our child rights training programmes targeting OPDs	

WORK IN PROGRESS TABLES

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
Ch.12 Rec 15, 16	G, R, N	Advocacy, awareness raising	Justice Initiative Europe and national JI hubs	Justice Initiative Europe	Through the photography exhibition “SHAME-European Stories”, adult victims of child abuse in institutional settings and their stories are portrayed in exhibitions in different European cities to raise awareness and advocate for reparative justice. The exhibition will rotate in different cities through the end of 2023.	Justice Initiative
Ch. 12 Rec 9, 10, 11	G, R, N	Advocacy, awareness raising	Justice Initiative Europe		Justice Initiative (JI) was launched in Switzerland by groups of victims, academics and NGOs from all over Europe as a joint political initiative. A motion with demands for creation of European laws for child protection was submitted to the Council of Europe and a hearing was held at the relevant committee in Strasbourg on 11 October 2022. JI, a European citizens’ initiative, is calling on the European Commission to propose new laws protecting children from abuse and restorative measures for victims by end of 2023	http://www.justice-initiative.eu
Ch. 12 Rec 7, 11, 21, 22	N	Advocacy Awareness-raising Capacity-building	Network of Foster Parents and Volunteers for Alternative Care		Active Citizens Fund Workshop on the Rights of Children Living in Institutions. Right of children for alternative care and family care in the community through the creation of a fostering system. 3/3/2023	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
			Justice Initiative Greece-ELIZA			
Ch. 12 Rec 19, 22	N	Awareness-raising and Capacity-building	Justice Initiative Greece-ELIZA		Training of professionals working in institutionalised care and facilities on the recognition and reporting of child abuse and neglect. To be repeated online through the end of 2023	www.eliza.org.gr
Ch.12 Rec 11, 12, 22	R, N	Conference organised by DCI Greece	DCI Greece Child Friendly Justice European Network UNICEF Terre des hommes Helix IRC-Hellas JI Greece-ELIZA	DCI Greece	International Conference on Justice for Children through Prevention and Reparation aiming at raising awareness about the responsibility of the State for protection of children from institutional violence and abuse and the opportunities and alternatives for reparative justice for child victims. March 17, 2023	
Ch. 12 Rec 6	R, N	Alternative Care	UNICEF UNICEF, Greece European Child Guarantee Initiative		The European Child Guarantee Initiative focuses on effective and free access to quality services in the fields of early childhood education and care (ECEC), education, health care, nutrition and adequate housing. It is implemented in seven EU Member States	https://ec.europa.eu/social/main.jsp?catId=1428&langId=en https://www.unicef.org/greece/en/reports/deep-dive-european-child-guarantee-greece

WORK IN PROGRESS TABLES

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
Ch.12 Rec 19, 21, 22	N	Institute for Child Health			Conference organised by the Institute of Child Health in Greece on the Transition from the Institution to the Community. 24/02/2023	https://www.ich-mhsw.gr/
Ch 12 Rec 13		Justice Initiative EU Justice Initiative Italy	Justice Initiative Italy		Creation of national information system and interinstitutional coordination body for mapping and data collection on children in institutional care	
12	R	Recommendation	CoE		The Committee of Experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE), under the supervision of the Steering Committee for the Rights of the Child (CDENF) and the European Committee on Legal Co-operation (CDCJ) is preparing a draft Recommendation on the rights and the best interests of the child in care proceedings, expected to be adopted by the end of 2024.	https://www.coe.int/en/web/children/cj/enf-ise

TABLE CHAPTERS 13 AND 14 GS – CHILDREN DEPRIVED OF LIBERTY IN THE CONTEXT OF ARMED CONFLICT AND ON NATIONAL SECURITY GROUNDS

Last update: 30 June 2023

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
	G, R, N	CRC compliance actions	DCI and others		More incorporation of CRC into national law, monitoring of compliance with CRC, shadow reports to accountability mechanisms (UN, etc.)	https://intersentia.com/en/incorporating-the-un-convention-on-the-rights-of-the-child-into-national-law.html
13 & 14	R, N	Advocacy and knowledge building	ACPF-ACERWC	ACPF	Articulate the rights of children derived of liberty in the context of armed conflicts in ACERWC sessions, child justice and CAAC related conferences	https://www.africanchildforum.org/index.php/en/ https://www.acerwc.africa/en
13.2 14.2 Paris Principles	G, R	Side-event in the margins of the 52 HRC Session "Child Rights' Approach to the Implementation of the CAAC Tools" Revision by the EU of the EU	War Child, CRC, Save the Children, OSRSG VAC EU, UN and civil society EU, Malta (TBC)		Raise awareness about risks of human rights abuses against children deprived of liberty and advocate for the strict application of International Human Rights Law and Juvenile Justice Standards for children released from armed forces or groups, as well as for the endorsement and full implementation of the Paris Principles and Commitments (March 2023)	https://www.eeas.europa.eu/sites/default/files/01_hr_guidelines_children_en_1.pdf

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
		Guidelines on CAAC European Humanitarian forum High-Level Segment on "Stepping up the Commitment to Conflict-Affected Children: Working across the Humanitarian-Development-Peace Nexus"			Ensure language is included in the revision of the EU Guidelines on CAAC to be adopted before mid-2024 Raise awareness and provide input for revision of EU Guidelines (March 2023)	
13.3 Advocacy, awareness raising for adoption and implementation of SOPs on handover	G, R	Revision by the EU of the EU Guidelines on CAAC European Humanitarian forum High-Level Segment on "Stepping up the Commitment to Conflict-	EU, UN and civil society EU, Malta (TBC)		Ensure language is included in the revision of the EU Guidelines on CAAC to be adopted before mid-2024 Raise awareness and provide input for revision of EU Guidelines (March 2023)	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
		Affected Children: Working across the Humanitarian-Development-Peace Nexus"				
13.1, 4 14.1, 15 Advocacy, awarenes s raising around children as victims and reintegrati on	G, R	Revision by the EU of the EU Guidelines on CAAC European Humanitarian forum High-Level Segment on "Stepping up the Commitment to Conflict-Affected Children: Working across the Humanitarian-Development-Peace Nexus"	EU, UN and civil society EU, Malta (TBC)		Ensure language is included in the revision of the EU Guidelines on CAAC to be adopted before mid-2024 Raise awareness and provide input for revision of EU Guidelines (March 2023)	

Study Chapter and Rec. Number	Global, Regional, National G, R, N	Type (conference, research, programme, project, etc.)	(Partnerships) - who and what	Focal point (if applicable)	Expected results and timelines	Relevant links
13, 14 Advocacy for Inclusion of Reference to Children Deprived of Liberty	G	UN General Assembly Third Committee 78th Session Rights of the Child Resolution (digital rights theme)	EU Delegation and the Permanent Mission of Uruguay on behalf of GRULAC, OSRSG VAC		Ensure language inclusion in the text of the resolution	Last Rights of the Child Resolution adopted: A/RES/76/147 https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/402/13/PDF/N2140213.pdf?OpenElement
	G, R, N	Advocacy with member states for repatriation of children detained in NE Syria	HRW, CRIN, Watchlist, Warchild, Repatriate the Children Reprieve, Amnesty International		Advocacy by organisations for the 20,000 children still detained in NE Syria to be repatriated to UN member states	https://www.hrw.org/report/2022/11/21/my-son-just-another-kid/experiences-children-repatriated-camps-isis https://www.hrw.org/news/2023/02/28/trinidad-and-tobago-bring-home-nationals-northeast-syria Repatriate the Children Sweden https://repatriatethechildren.dk/ https://reprieve.org/uk/ https://amnesty.org.uk

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	G, R, N	Negotiation and implementation of handover protocols	HRW, Watchlist, CRIN, Warchild			https://watchlist.org/publications/operational-guidance-negotiating-and-implementing-handover-protocols/ https://watchlist.org/publications/a-path-to-reintegration-the-role-of-handover-protocols-in-protecting-the-rights-of-children/
	R, N	Regional standard setting	Council of Europe CDENF CRIN		Objectives from the Council of Europe Children's Rights Strategy 2022-27 4.2.10. Zooming in some specific topics, such as the needs and challenges of child victims and witnesses of violent crimes (including sexual violence) within the justice system	https://rm.coe.int/council-of-europe-strategy-for-the-rights-of-the-child-2022-2027-child/1680a5ef27
13.5 13.7	R, N	Resolution 2495 (2023) and Recommendation 2253 (2023) "Deportations and forcible transfers of Ukrainian children and	CoE		The Parliamentary Assembly of the Council of Europe has demanded the safe return of Ukrainian children forcibly transferred to Russia or territory it temporarily occupies, as well as punishment of those who carried it out at all levels – pointing out that the documented evidence of this practice matches with the international definition of genocide.	https://pace.coe.int/en/files/31776 https://pace.coe.int/en/files/31777#trace-4

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		other civilians to Russian Federation or to Ukrainian territories temporarily occupied: create conditions for their safe return, stop these crimes and punish the perpetrators"			In a resolution, the Assembly said there was evidence that deported children had faced a process of "russification" through re-education in Russian language, culture and history, citing examples of children being banned from speaking Ukrainian, exposure to propaganda, and visits to "patriotic" sites or military training. The Ukrainian Government reported in mid-April 2023 that over 19,384 children had been deported to Russia – while the fate of many thousands more remains unclear. The Assembly also called for access to Russia for the UN and International Red Cross and Red Crescent to gather information on deported children, and urged states to gather evidence of crimes – including genocide – that may have been committed.	

NGO Panel on Children Deprived of Liberty

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