Global Conference on Justice for Children Deprived of Liberty

# GLOBAL CONFERENCE ON JUSTICE FOR CHILDREN DEPRIVED OF LIBERTY

## Concept Note

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| **DATE** | 17-18-19 December 2024 |
| **VENUE** | Geneva, Switzerland, CICG |
| **ORGANISERS** | Defence of Children International (DCI), NGO Panel on Children Deprived of Liberty, UNICEF |

## CONTEXT

A UN Global Study on Children Deprived of Liberty was conducted by the independent expert, Professor Manfred Nowak, in collaboration with UNICEF, OHCHR, UNODC and other UN entities under the coordination of the Office of the Special Representative of the Secretary-General on Violence against Children, and other civil society actors (NGO Panel composed of 170 CSOs). The Global Study was presented to the UN General Assembly in October 2019. The Study presented data and examples of good practice, as well as recommendations on how governments can reduce the number of children deprived of their liberty. The Global Study found that more than 7 million children a year are deprived of their liberty in the administration of justice, detained for migration reasons, in armed conflict or national security contexts, or live in detention with their carer-givers.

## THE GLOBAL STUDY AND AGENDA 2030

In November 2022, the Global Forum on Justice for Children and Deprivation of Liberty took place in Nouakchott-Mauritania and developed a roadmap 2023-2024 to guide campaign activities in 2023 and 2024. The roadmap identifies key recommendations from the Global Study that need to be implemented as a matter of urgency, as well as initiatives and opportunities for collaboration.

The 2024 Conference will assess the implementation of the roadmap, while looking ahead to the next five years of implementation of the Global Study. The challenge is to ensure the implementation of the Agenda 2030 to end violence against children and all forms of deprivation of children's liberty as part of the Sustainable Development Goals (in particular Goal 16). To this end, the Special Representative of the Secretary-General on Violence against Children, Dr Najat Maalla M'jid, is coordinating the UN Inter-Agency Task Force on Children Deprived of Liberty to implement the recommendations of the Global Study, to advocate and mobilise multiple stakeholders, governments, CSOs and children themselves.

This event is all the more timely, as the UN Committee on the Rights of the Child has launched the process for its next General Comment no. 27 on Children's Rights to Access to Justice and Effective Remedies. It will therefore be an opportunity to bring together the main players in the field of justice for children, as well as children themselves, to participate in these important discussions on how to improve access to justice for children and on recommendations that can be made to states.

## PARTICIPATION OF CHILDREN

One of the pillars of the DCI Movement is participatory, rights-based decision-making with children in all areas and actions that affect them. DCI believes that children are defenders of their rights and agents of change. Children's participation is about giving them space, allowing them to express their voices, and ensuring that their views are given due weight. Children who have been working on the subject of justice and deprivation of liberty will participate in the three days of the Conference and inform the debates with their views and ideas.

## CHILDREN'S RIGHTS AWARD

In the framework of this Conference, DCI will organise the 2nd edition of its Children's Rights Award. The 2024 Award will be dedicated to justice and deprivation of liberty. Through this Award, DCI will highlight the way in which children's rights are perceived by those most directly concerned - the children themselves. The Award ceremony will be on the evening of the first day (17 December), highlighting the importance of children's participation and recognising children as defenders of their own rights. Beyond the two international winners, there will be also an exhibition of the best creations of winners at the national level.

## EVENT FORMAT

The Conference is designed as a two-day event, targeting key groups such as the administration of justice, children deprived of liberty and the professionals who work with them, children on the move, children in institutions and children detained in the context of armed conflict. The programme will include plenary sessions, break out group discussions and intergenerational dialogues, fostering collaboration and exchange.

## OBJECTIVES OF THE EVENT

Five years after the Global Study was presented to the UN General Assembly, the Conference will provide an opportunity to evaluate the progress made in implementing the Global Study's recommendations. Its objectives will be to:

- Take stock of progress and challenges on the basis of the recommendations of the 2023-2024 roadmap;
- Exchange promising practices from different countries and contexts, such as investing in non-custodial measures to ensure the safe reintegration of children into their families and communities;
- Advocate for the monitoring of data collection on children deprived of liberty;
- Propose multi-stakeholder and multi-sectoral approaches to finding alternatives to the deprivation of liberty of children;
- Create synergies that strengthen the collective action of children's rights organisations, civil society and other stakeholders to promote the recommendations of the UN Global Study and to use Sustainable Development Goal 16 in particular as a lever for promoting justice for children;
- Promote prevention and reintegration policies and practices;
- Highlight good and innovative practices that enable children's effective and meaningful participation;
- Follow up and disseminate contributions to the Conference by presenting key advocacy messages to the High-Level Political Forum and other relevant fora (e.g. World Congress on Justice for Children in Madrid in June 2025);
- Making the link between child access to justice/effective remedies and deprivation of liberty (day 3 with the discussions on GC27).

## TARGET AUDIENCE FOR THE EVENT

- Members of the UN Inter-Agency Working Group for Children Deprived of Liberty (UNICEF, UN High Commissioner for Human Rights, UNODC, IOM, UNHCR, ...)
- Members of the NGO Panel on children deprived of their liberty (170 NGOs)
- Other major international and regional children's rights NGOs and civil society networks
- United Nations agencies and other international or regional organisations
- Child rights professionals, experts, academics, as well as other stakeholders and practitioners (judges, lawyers, social workers, etc.)
- Members of human rights mechanisms and treaty bodies (UNCRC, ACERWC, etc.) or special procedures
- Other institutional partners, including donors and various international cooperation agencies
- National sections of Defence for Children International (25 countries) and children councils' representatives
- Geneva-based organisations and institutions
- UN member states that can demonstrate innovation and progress in the field of justice for children and deprivation of liberty
- Permanent Missions at the United Nations in Geneva

## SPEAKERS

The experts (national and international) - children and adults - who will speak at the Conference have proven experience in different areas of children's rights and have a recognised competence and vocation in this field. A balance between local, national, regional, and international levels will be ensured among the participants.

**Opening:**

- **Christina Kitsos**, Mayor of Geneva

**High-level Panel:**

- **Prof. Manfred Nowak**, author of the Global Study on Children Deprived of Liberty
- **Dr. Najat Maalla M'jid,** Special Representative of the Secretary-General on Violence against Children
- **Prof. Virginia Gamba,** Special Representative of the Secretary-General for Children and Armed Conflict (video)
- **Prof. Ann Skelton**, Chairperson of the UN Committee on the Rights of the Child
- **Kirsten Di Martino**, Senior Advisor, Child Protection, UNICEF

## CONTACT

For more information about this event, please contact globalconference@defenceforchildren.org

## CONSULTATIONS (CHILDREN AND ADULTS) ON CRC DRAFT GENERAL COMMENT No. 27: CHILDREN'S RIGHTS TO ACCESS TO JUSTICE AND EFFECTIVE REMEDIES

The Committee on the Rights of the Child (CRC) has taken a monumental step by dedicating its planned General Comment 27 on Children's Rights to Access to Justice and Effective Remedies. This decision underscores the critical role access to justice plays in combating inequalities, challenging discriminatory practices, and holding both State and private actors accountable for fulfilling their obligations towards children's rights.

Consultations will ensure that children's voices are heard and considered in shaping policies and practices related to access to justice and effective remedies. Children from all regions and diverse backgrounds will have the opportunity to participate in these consultations, ensuring that their perspectives shape the final document.

Unfortunately, a vast majority of children whose rights are violated lack access to justice and fail to receive appropriate remedies. Barriers such as children's dependent status, lack of knowledge about their rights, and inaccessible complaint mechanisms hinder their ability to seek justice. Moreover, unfriendly legal processes and economic, social, and cultural factors exacerbate these challenges.

Access to justice and effective remedies are not only fundamental to children's rights but also integral to the protection, promotion, and fulfilment of all human rights. Despite this recognition, there is still a misconception that access to justice solely pertains to children involved in the criminal justice system. In reality, the scope of access to justice for children extends far beyond this, encompassing various aspects of their lives.

To address these issues, consultations with children from around the world are essential. Children should be empowered as rights-holders, provided with age-appropriate information, and supported by community-based advisors, legal services, and national human rights institutions. These consultations will ensure that children's voices are heard and considered in shaping policies and practices related to access to justice and effective remedies.

The upcoming General Comment will clarify concepts and terminology related to children's rights to effective remedy and access to justice. It will emphasise the importance of child participation in judicial and administrative proceedings, including informal and non-state justice systems. Furthermore, it will highlight the need for child-centred systems that actively remove the barriers to access to justice.

Expected results of children's participation:

1. **Insight into practical barriers** children face in accessing justice and remedies. Their firsthand accounts will shed light on challenges such as legal complexities, lack of awareness about rights, and socio-economic disparities that hinder their ability to seek redress.
2. **Innovative solutions** and recommendations that may not be apparent to adults. Children's fresh perspectives and creative thinking can inspire novel approaches to addressing systemic barriers to justice and identifying effective remedies.
3. **Children will benefit from an environment fostering** their agency for change and intergenerational dialogue. Their sense of ownership over decisions that affect them directly will be reinforced, fostering a culture of empowered participation.
4. **Education and awareness** will stimulate children not only to contribute their insights but also gain a deeper understanding of their rights and the mechanisms available for seeking justice. They will be equipped with the knowledge and skills to effectively advocate for their own rights.

In conclusion, given the new financial constraints imposed by the UN to treaty bodies, including the CRC, the presence of child rights specialists on justice and children who have been working on this issue at the National level, this 3rd day will be dedicated to informing the draft CRC General Comment no. 27 and will be crucial for supporting the drafting process of the GC27 which will be completed in 2025.

## PARTNERS:

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