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

Defence for Children International (DCI) welcomes the opportunity to speak on behalf of the NGO Panel on Children Deprived of Liberty and we thank the Working Group for their report.

Data collected for the UN Global Study on Children Deprived of Liberty indicate that almost three quarters of all children deprived of liberty per year in the administration of justice (297,200 out of a total of 410,000 children, not counting police custody) are held in pre-trial detention. The lack of a clear and strong pre-trial limit in international human rights law, which would define what is meant by 'shortest appropriate period of time', makes the implementation of this standard very difficult.

Children around the globe in pre-trial detention are particularly vulnerable to violations of their rights and often see their access to basic services, education and fair treatment in detention denied. Reports of a failure to separate adults from children in detention facilities are common in many regions and particularly widespread in pre-trial detention where the conditions and physical space make separation difficult.

Even short periods of detention can be tremendously harmful for children compromising their contact with family and friends, disrupting their education, and exposing them to the risk of violence. What is more, the possibility of engaging in education, training and/or employment activities is hampered, and the risk of self-harm, depression, drug use and suicide increases.

Recognising the well-documented and detrimental impact of detention on children, as highlighted by the UN Global Study on Children Deprived of Liberty, it is imperative to prioritise and scale up alternative solutions that fully uphold children's rights.

We urge Member States to:

- Ensure that all children who come into contact with the formal criminal justice system are managed within a specialised child justice system
- Implement non-custodial solutions in pre-trial proceedings.
- By advancing these measures as outlined in the **Roadmap for Action on Children Deprived of Liberty 2025-2030**, we can collectively safeguard children's rights and uphold our shared commitments under the UN Convention on the Rights of the Child and the UN Global Study on Children Deprived of Liberty[1].

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

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