



DEFENSA DE NIÑAS Y NIÑOS INTERNACIONAL DNI
DEFENSE DES ENFANTS INTERNACIONAL DEI
DEFENCE FOR CHILDREN INTERNATIONAL DCI
the worldwide movement for children's rights

WORLD CONGRESS ON JUVENILE JUSTICE International Conference Centre GENEVA 26-30 January 2015

Brief Report *



Organized by: The Swiss confederation and Terre des Hommes Foundation

* **DISCLAIMER**

This is an internal report for the use of Defence for Children International sections and in no case reflects the discussions and positions either of the organisers or of the speaker, nor of Defence for Children International (DCI)



I. Introduction from Terre des Hommes

"I am a child. I deserve the best you have to offer me,"

Marie Wernham, International Child Rights Consultant UK

Despite the progress achieved over the last decades, the improvement of the juvenile justice system remains a critical element for the respect of the best interest of children in conflict with the law as well as the interest society as a whole. This need is present regardless of the economic status of a country. Despite the vast diversity of judicial systems, similar challenges arise such as detention conditions for children in conflict with the law, the respect of the rights of children in conflict with the law, the efficiency of non-custodial measures, the advantages of restorative juvenile justice, the reform of the juridical system and the effective prevention of offenses by youth.

The Congress, which was jointly organized by the Swiss government and the Terre des Hommes Foundation, saw more than 900 delegates from over 90 states and from civil society gather for the first time. This meeting encouraged stakeholders on the international stage to work together to improve responses to the issue of children in conflict with the law, as well as children victims and witnesses.

Terre des Hommes promotes restorative justice - an approach that focuses on the needs of offenders, victims and the affected community instead of using laws to punish the perpetrator. "Restorative justice is not about impunity," said Vito Angelillo, Director General of Terre des Hommes. "It's not a humanitarian act but it tries to restore the links between the victim, the perpetrator and the community to show them that there is another side to repairing the damage."[†]

The very high attendance, with more than 900 participants in the presentations and workshops, demonstrated a strong will to improve practices in the field of juvenile justice and to place the restorative approach of juvenile justice at the heart of the process. Although juvenile justice is regulated by a sizeable number of international instruments, in practice, their implementation is often insufficient, as was underlined by Alexandre Fasel, Permanent Representative of Switzerland to the UN in Geneva. The World Congress therefore served as a forum for dialogue which enabled the exchange of good practices in legal and reinsertion procedures for youth in conflict with the law.

The high-profile international event also focused on the responses to various specific situations children are faced with. "We must find solutions which don't hinder the child's development, but favour it," noted Jean Zermatten, Founder of the International Institute for the Rights of the Child and former President of the UN Committee on the Rights of the Child. The World Congress on Juvenile Justice was concluded with the adoption of a Final Declaration aiming to promote the principles of a child-friendly and restorative justice system. As the President of the NGO Defence for Children International, Benoît Van Keirsbilck stated, "We can hope that in a few years, when we look back, we will identify this

[†] Interview-World needs to find alternatives to putting children in jail. Thomson Reuters Foundation



Congress as the one that enabled a significant evolution of our perception of children and of how we treat them.”

II. Agenda : Brief reports

1) Welcome and Opening Ceremony

The World Congress on Juvenile Justice (hereafter: World Congress) was convened with the objectives to: reaffirm and strengthen the implementation of applicable juvenile justice standards for children in conflict with the law – covering children alleged as, accused of, or recognized as having infringed the law - as well as child victims and child witnesses; serve as a forum for dialogue to facilitate the exchange of good practices that respect the rights of the child in the implementation of judicial proceedings, including the social reintegration of children in conflict with the law; and promote international cooperation and follow-up in this area.

In the Opening Ceremony, all the participants made introductory remarks on their concerns regarding the issue of children and young people, who represent 1/3 of the population, and the prospects for their future (as Vito Angelillo mentioned). Participants also insisted on abolishing of the death penalty for those young offenders.

Mr. Didier Burkhalter, Federal Councillor of the Swiss Government, emphasised the importance of young people within all the different systems, but especially in the legal one, in which, instead of having their lives re- built or repaired, they are punished within the necessary educational approach without giving priority to other alternatives in order to minimize detention. Bearing in mind that children are indeed children, not mini adults, he placed emphasis on the need to treat them as such and to pay attention to their own different characteristics and needs when it comes to talk about their proactive rehabilitation. He highlighted the necessity of collaboration with society for promoting an effective system of restorative justice.

Mr. Vito Angelillo mentioned the importance of the representation of the different cultures. The diverse representation was supposed to be a bonus not a hindrance and Congress should be a forum to exchange lessons and experiences, both failures and successes, and allow debate on the different treatment of young offenders within the legal systems. The key of the Congress was to discuss the use of a restorative justice system instead of the oppression, repression, and exclusion of the child, which constitutes nothing less than the guarantee of reoffending. Mr. Angelillo deplored the fact that juvenile justice is usually not a main priority of state.

Ms. Jane Connors from the OHCHR, after supporting Mr. Angelillo’s idea on the creation of guidelines and norms to promote an effective juvenile justice system, addressed the need, referring to the General Comment 10, to assure that deprivation of liberty should only be used as a last resort and for a minimal amount of time. Ms. Connors backed- up the importance of giving priority to other alternatives instead of detention. She also mentioned that public and media discourse have created the idea that juvenile crime is rising, while ignoring children’s rights and making situations more difficult for children.

Jur Ms. Fatimata M’Baye, (Mauritania) and **Judge Michael Corriero, (United States)**, came together in the idea of judging children as children, bearing in mind their need for help, hope, and space to grow and develop personally. They concluded that the penitentiary system should change then and focus on restorative justice for children in conflict with the



law, responding to their misconducts with strategies to make child become constructive members of the different societies.

2) International Norms and the diversity of Justice Systems; strengthening Juvenile Justice systems and good practices in implementation

Restorative juvenile justice:

The Participants in the World Congress defined restorative juvenile justice as a way of treating children in conflict with the law with the aim of repairing the individual, relational and social harm caused by the committed offence and which contributes to the child's rehabilitation and reintegration into society, taking into account the necessity of a pedagogical approach of the process. This entails a process in which the child offender, the victim (only with his or her consent) and, where appropriate, other individuals and members of the community participate actively together in the resolution of matters arising from the offence. Restorative juvenile justice takes the child's responsibility seriously and by doing so it can strengthen the child's respect for and understanding of the human rights and fundamental freedoms of others, in particular of the victim and other affected members of the community. Some participants such as **Dr Armengol Cuadra Lopez** (Nicaragua) and **M. Imman Ali** (Bangladesh) recognized that there are many models for practicing this restorative juvenile justice approach, avoiding therefore the victimization and stigmatization. It is from an utmost importance to highlight the necessity that such models are in line with relevant international obligations and commitments and respect children's rights and the rights of the victims.

Ms. Marta Santos Pais (UN Special Representative of the SG on Violence against Children) addressed the recently approved Global Study on Children Deprived of Liberty by the General Assembly. She insisted on the importance of an inclusive Restorative Justice system (which responds to the values of justice and fairness) as a non-punitive alternative to the traditional juvenile justice system placing emphasis in a system that helps, trusts, and protects those children. She echoed the necessity of joint efforts in different levels and promoted coordination, awareness raising, and implementation of recommendations.

Ms. Alexandra Martins (UNODC) insisted that there is a lack of Government commitment in order to ensure the fulfilment of the rights of the child within administrative justice, as well as a lack of specialised professionals or institutions and a lack of economic support.

On the causes that provoke situations in conflict with the law, **Ms Anne Grandjean** (UNICEF) addressed poverty and exclusion among other causes, due to survival behaviours and status offences. There is need for a system focused on the reintegration and rehabilitation of those involved in conflict with the law situations, taking into account their right to develop naturally and their best interest (**Dr. Kattiya Ratanadilok** from Thailand) using measures such as mediation, diversion and alternative measures with trained psychologists and social workers as well as individual centres with programmes for reintegration to society (**Ms Tea Tsulukiani** from Georgia).



In the African system, the African Committee of Experts on Children's rights was created in order to protect the rights of children in conflict with the law. Pre-trial detention campaigns were also taken into account but the main problem is that the agenda is related to donors' interests. (**Ms Julia Sloth-Nielsen** from the African Committee of Experts on the Rights and Welfare of the Child). In the South Pacific system, the **Judge Andrew Becroft** (South Pacific Council of Youth and Children Courts, New Zealand) addressed the modest example of regional cooperation that had been carried out in the South Pacific area, promoting a special legislation on youth justice; training of magistrates, lawyers, police, etc..; increasing rates of non-Court charging and police alternative resolutions, promoting diversion to better deals with young offenders; the use of Family Group Conferences and/or tribal forums in conjunction with the Courts; and creating Indigenous Courts for the different indigenous populations.

Within the European system and the programmes launched by the Council of Europe, **Ms Regina Jensdottir** referred to the lack of non-judicial remedies, lack of access, lack of participation, and lack of training to all the actors in the proceedings. She mentioned that prevention and integration programmes are limited due to budgetary and funds issues.

The Participants recognized the importance of continued regional and cross-regional efforts, as **Mr Fernando Ferraro** (Conference of Ministers of Justice Ibero-American Countries COMJIB) noted, as well as the sharing of best practices, the development of networks, and the provision of technical assistance in the field of juvenile justice, including restorative juvenile justice. Participants encouraged States to make use of technical advice and assistance provided by the relevant United Nations agencies and programmes, as well as civil society actors, in order to strengthen national capacities and infrastructures in the field of the juvenile justice (mentioned also by **Mr George Abu-Al-Zulaf** from the OHCHR)

The Participants noted that States promote, to this end, the establishment of laws, procedures, authorities, and institutions specifically designed for children in conflict with the law, due to the fact that children have to be treated and dealt differently (**Mr Imman Ali** from Bangladesh); the establishment of a minimum age of criminal responsibility at not too low an age level, bearing in mind the emotional, mental and intellectual maturity of the child, and, whenever appropriate and desirable, measures for dealing with these children without resorting to judicial proceedings while ensuring that human rights and legal safeguards are fully respected (stated by **Ms Renate Winter** from Austria)

It is deemed necessary to have binding standards, spreading knowledge and encouraging stakeholders to appreciate comments and recommendations given by the UN treaties and specialists (**Mr Nikhil Roy** from UK/India) . Some participants as **M. Imman Ali** (Bangladesh) recognized that the main challenge is effective implementation of existing international norms and standards in the field of justice administration in relation to juvenile justice at the national level, including the mobilization of adequate resources and capacity-building. They equally recognized the importance of ensuring comprehensive policies in juvenile justice that prevent and respond to juvenile delinquency while protecting children in conflict with the law, child victims and child witnesses. Policies should be non-discriminatory, take into account the best interests of the child, and respect the child's right to life, survival and development as well as respect the child's participation and his/her dignity.



Prevention:

Some participants of the Congress such as **Ms Ana Isabel Morales Mazún** (Nicaragua), Dr **Mohamed Khalifa Al Ali** (United Arab Emirates), **Mr MA Xinmin** (China) and **Mr Daniel Figallo Rivadedyra** (Peru) expressed support for the objective of promoting the establishment of prevention, support, and caring services as well as justice systems specifically designed for children, taking into account the principles of restorative juvenile justice and fully safeguarding children's rights and providing specially trained staff to promote children's reintegration in society. A sense of shared responsibility on community prevention should be promoted which fosters principles of tolerance, respect, solidarity, love, identity, and the feeling of belonging to a specific community while working to restore secure environments and promote the complementarity in the society.

All of them agreed that prevention of violence and of delinquency programmes are among the most efficient and cost-effective approaches to reducing youth involvement in crime. They agreed also that education plays a key role and should be an essential component of any measures directed at children in conflict with the law. Whenever appropriate, the family should be involved and supported throughout the legal procedure.

Prevention of violence and of delinquency programmes are among the most efficient and cost-effective approaches to reducing youth involvement in crime (**H.E. Ms Tea Tsulukiani** from Georgia). Some speakers such as **Mr Antonio Ozorio Nunes** from Brazil and **Ms. Yifat Raveh** from Israel, underlined that the implementation of a comprehensive approach to crime prevention and criminal justice, including juvenile justice, includes, inter alia, data collection and research, information management systems, laws and policies in line with States' international obligations and commitments, strengthening the capacity of relevant institutions and actors, awareness raising, coordination amongst relevant actors, and child-friendly procedures.

All of the speakers, such as **Mr Victor Herrero** from Spain agree with that the best interest of the child is a primary consideration in all decisions concerning deprivation of liberty (taking also into account the juvenile justice from a right-based approach as **Mr Norberto Liwski** from Argentina highlighted) and, in particular, that depriving children and juveniles of their liberty should be used only as a measure of last resort and for the shortest appropriate period of time, in particular before trial. They agreed on the need to ensure that, if they are arrested, detained or imprisoned, children should be separated from adults to the greatest extent feasible, unless it is considered in the child's best interest not to do so.

Juvenile Justice System

Regarding legal guarantees and protective measures of the youth and children in conflict with the law during the process **Mr Bernardo Stadelmann** and **Mr Atilio Alvarez** referred to the necessity of legal reform where necessary, which must be implemented to prevent and respond to all forms of violence against children within the criminal justice system, including the juvenile justice system. Reforms should aim to ensure that children deprived of liberty



can lodge complaints, that these complaints are investigated, and that regular and accountable inspections of facilities where children are deprived of liberty are undertaken. Institutions, laws and procedures applicable to juvenile justice should be specifically adapted to children to the greatest extent feasible.

Ms Christina Weber Khan (Switzerland) insisted on the necessity of a Child-Friendly system within the Guidelines from the Council of Europe that **Ms Regina Jensdottir** introduced, ensuring that the rights of those children are respected in all proceedings, such as their rights to a fair trial, rights to free legal aid, right to justice, right to be heard, right to participation, and right to non-discrimination.

The committee on the rights of the child has pointed out the importance of the General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (arts. 19; 28, para. 2; and 37, inter alia)”, General Comment No. 10 on “children’s rights in juvenile justice”, General Comment No.12 on “The right of the child to be heard”, General Comment No. 13 on “the rights of the child to freedom from all forms of violence” and General Comment No. 14 on “the right of the child to have his or her best interests taken as a primary consideration”.

Among others, **Mr Jean Zermatten** (Switzerland), **Justice Renate Winter** (Austria) and **H.E. Mr Pascal Barandagiye** (Burundi) mentioned that specialized training for professionals is of an utmost importance to strengthen the capacity of judges, prosecutors, lawyers, social workers, correction officers, police officers and other relevant professionals on international standards relating to juvenile justice, children’s rights in the administration of justice, and the available measures for dealing with children in conflict with the law.

Mr Barandagiye also remarked that States should ensure that, under their legislation and practice, neither capital punishment, life imprisonment without the possibility of release, nor corporal punishment is imposed for offences committed by persons under 18 years of age, and encouraged States to consider repealing all other forms of life imprisonment for offences committed by persons under 18 years of age.

Mr. MA Xinmin , amongst other participants, recalled the numerous other international norms and standards in the field of the administration of justice, in particular of juvenile justice, including the Standard Minimum Rules for the Treatment of Prisoners, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the “**Beijing Rules**”), the Basic Principles for the Treatment of Prisoners, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, the United Nations Guidelines for the Prevention of Juvenile Delinquency (the “**Riyadh Guidelines**”), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the “**Havana Rules**”), the Guidelines for Action on Children in the Criminal Justice System (the “**Vienna Guidelines**”), the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the “**Bangkok Rules**”).

Ms Ann- Kristin Vervik (Norway) and **Mrs Fatima M’ Baye** (Mauritania) addressed the importance of protecting also within all these international norms the rights of the girl-child from a gender-based approach because within the juvenile justice there is not adequate



system that deals with these issues. Legal systems must be also focused on Gender Mainstreaming issues due to the fact the girls are most likely to suffer abuse (i.e. rape) and other ill treatment.

Numerous examples were given to show the different juvenile justice system reforms within the different countries, as the one introduced by **Ms Ann Skelton** from South Africa, **Mr Imman Ali** from Bangladesh, and **Judge Leoberto Brancher** from Brazil. They placed emphasis on the need for strengthening the political will and fight against the financial constraints (lack of an infrastructure and logistic support); the constant change of personnel and ineffective training; and the aggravated perception of the child in conflict with the law (easily visible in the exaggerated brutality of the police in the centres of deprivation of liberty).

According to the presentation of CRIN titled “Stop making children criminals” led by **Prof. Paulo Sergio Pinheiro** (UN Secretary General’s Study on Violence against Children) and **Mr Peter Newell** (Coordinator, Global Initiative to End All Corporal Punishment on Children), we must work on repairing the terms defining children as deviants and other cruel titles that stripe them of their rights as Childs and only see them as criminals in conflict with the law. The goal is to end all corporal punishment around the world but especially within the juvenile justice systems and they echoed the fact that criminalising children is far from the requested child-friendly system.

Implementation of good practices and different roles played by the actors involved

Judge Andrew Becroft (New Zealand) pointed out again the idea of **Mr. MA Xinmin** on the requested participation and support of the family during all the proceedings of those in conflict with the law, stating that family involvement is crucial, fundamental, and pivotal. Understanding the strong relationship between family background and family risk factors of youth offenders, will helps us understand where their behavioural problems stem from. **Mrs. Sandra Dessimoz** (Switzerland) also echoed the importance of family bonds within the centres of deprivation of liberty.

Close cooperation between juvenile justice sectors, different services in charge of law enforcement, and the social welfare, education and health sectors is essential in order to promote the use and application of alternative measures to deprivation of liberty.

Regarding the implementation of the custodial measures, **Mr Benoit Van Keirsbilck** (Belgium) highlighted the imperative of setting up an appropriate and strict monitoring system which ensures the respect of the whole range on the rights of the child. Bearing in mind that they are not a danger to the society, it is necessary to change the methods of hearings because imprisonment as last resort or for the shortest time is not yet clearly defined. Sometimes imprisonment is the first resort or the only resort available. A huge problem is the overcrowded institutions of detention and the rising number of outlaw detentions. There is practically no establishment for detention in any state on earth that employs all rights dictated by the CRC.



Mr Klaus Schmeck (Switzerland) mentioned the fact that children and juveniles have special needs that are not adequately addressed. This occurs if we only look at the troubles that we have with the youngest instead of taking into account the serious problems they have individually (taking into consideration the child's personal circumstances, as **Ms. Catherine Sultan** from France, noted) through an exhaustive evaluation of placement measures. There are screening instruments that can easily be used to access mental health problems of juveniles but they have not been properly implemented yet.

Some country examples were exhibited by **Ms Ledy Andrea Zuñiga Rocha** (Ecuador), **Mr Modibo Simbo Keita** (Mali), **Ms Linda Dubbelman** (The Netherlands), and **Mr Mame Ngor Diouf** (Senegal). In Ecuador, they are introducing social-educational models within systems which promote concepts of responsibility for one's actions in order to help children, although in countries such as Mali, those educational measures are not commonly taken into consideration. In Senegal, there is an ongoing failure of the re-integration system and the re-offending prevention because the system tends to forget the child after legal decisions have been made and there is still need for important work on the educational services in the field. In the Netherlands, the alternative system Halt, provides immediate response to common juvenile crime, acts in a prompt manner, and from a pedagogical approach, proposes Halt- arrangement alternatives to traditional prosecution.

Regarding the coordination between public actors and civil society, there is a need to work together in a joint and systematic way in order to foster appropriate responses and provide appropriate avenues for what already exists in the status quo. Therefore, it is necessary to set up spaces to allow conflicts to be transformed into constructive dialogues and set up a proper tailored system for civil servants to implement restorative justice. This idea was pointed out by **Mr. Aimé Adji** (Congo), **Judge Egberto Penido** (Brazil), and **Ms Neli Petrova** (Bulgaria).

All of these participants acknowledge their appreciation of the work of the Interagency Panel on Juvenile Justice and its members, including the United Nations Office on Drugs and Crime, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the Department of Peacekeeping Operations, the Committee on the Rights of the Child and various non-governmental organizations, in particular their coordination in providing technical advice and assistance in juvenile justice, and the active participation of civil society in its respective work, as well as the work of the Special Representative of the Secretary-General on Violence Against Children. They welcomed the joint UNODC/UNICEF Global Programme on Violence Against Children in the Field of Crime Prevention and Criminal Justice as a concrete step to protect all children who are in contact with the justice system from violence.

According to **Dr Laurent Servais** (Belgium) different training centres for magistrates have been set up in order to protect the physical and mental health of children deprived of liberty and to teach them to stop being an offender by giving them the room to express themselves and grow, to have the room to build a new identity. **Ms Sandra Dessimoz** (Switzerland) also pointed out this issue and highlighted the lack of help for children in order to find a



psychological balance (when it comes to talk about rape for example), taking into account the 'Mental-Health Aspect', to turn this detention period into a period of learning.

On the prevention of institutional violence, all participants underlined that all appropriate measures, including legal reform where necessary, must be taken to prevent and respond to all forms of violence against children within the criminal justice system. **Mr. Yannek Van Den Brink** (The Netherlands) introduced the Council of Europe report on "Violence in Institutions for Juvenile Offenders" and stated that the violence can be caused by inmates, by staff, or can be self-inflicted. The causes of the violence range from the mental illnesses and addictions to the specific characteristics of the institutional climate and justice mechanisms. **Ms. Anne Lardy** (Association for the Prevention of Torture APT France) also highlighted the necessity of taking into account the Optional Protocol for the Prevention of Torture OPCAT and the mechanisms put in place in order to achieve a comprehensive approach of the prevention of torture (a comprehensive legal framework that prohibits the torture) and the main obligation of protecting those children and juveniles against torture or any ill-treatment. **Ms Ann-Kristin Vervik** (SRSG-VAC United Nations) expressed regret that the States are not able to fulfil their obligation to use deprivation of liberty as last resort, as well to reintegrate and rehabilitate those children. There are no community-based programmes for the development and the best interest of the child.

Regarding the conditions in detention, **Ms. Ilvija Pūce** (Latvia, Council of Europe) stated the importance of the European Committee for the Prevention of Torture and Inhumane or degrading treatment, which provides recommendations and completes the judicial activity carried out by the European Court of Human Rights. **Ms Sue Berelowitz** (UK), similar to **Ms Pūce**, drew attention to the vital visits to the detention centres and also highlighted the need to walk in the children's shoes because as **Ms Anne Lardy** (APT France) also mentioned, they are not a homogeneous group and their risks depend on several facts. **Ms Siyma Barkin-Kuzmin** (Turkey), among other speakers, mentioned that conditions of detention should be humane and applied in a child friendly way, as well as in line with all the international standards, but the lack of resources makes that goal impossible to achieve. Effective changes in the conditions of detention centres require construction of a 'social norm of legal obedience' (Mackie, 2012). There is still need for increasing awareness on child rights and juvenile justice and commitment for a new social norm to treat children right.

Dr. Norberto Liwski (DCI Argentina) placed emphasis on the fact that the misuse of pre-trial detention as a punishment violates the presumption of innocence. In Latin America, the pre-trial detention is not used as exceptional measure and that issue represents a serious breach of the par b) from the article 37 of the CRC. It should be limited by law and subject to periodic reviews. He also mentioned the repressive tendencies and the overcrowding on the detention centres. Based on the opinion of **Dr. Liwski** the juveniles are ipso facto considered guilty by the society, and also **Mr Tomas Montero** (Spain) admits that there is a distorted social vision of the young people. There is a gross breach of the principles of legality and the best interest of the child because the primordial goal of the application of justice should be the reintegration of the child or the juvenile, not retribution. **Ms Cristina Goñi** (International



DEFENSA DE NIÑAS Y NIÑOS INTERNACIONAL DNI
DEFENSE DES ENFANTS INTERNACIONAL DEI
DEFENCE FOR CHILDREN INTERNATIONAL DCI
the worldwide movement for children's rights

Observatory in Juvenile Justice, Spain) emphasised the need for considering all the possible indicators (highlighting the importance of the academic ones) on possible victims of juvenile justice in order to show the real impact of the deprivation of liberty on those children and juveniles. She also mentioned the necessity to harmonize and share good practices.

International mechanisms and regional cooperation

Prof. Kirsten Sandberg (Norway, Committee on the Rights of the Child) addressed the Optional Protocol No.3 to the Convention on the Rights of the Child and the Concluding Observations by the Committee on State Parties' reports in relation to juvenile justice. On the Communications Procedure, the States are encouraged to establish domestic complaints mechanisms accessible to children, and promote child-friendly and speedy procedures. The committee calls on states to ratify OP3 to strengthen children's rights. She calls also on States to build a system of restorative and rehabilitative juvenile justice fully in line with the Convention on the rights of the child and to assure the consideration of rising the age of criminal responsibility up to 14 years of age.

Ms Ileana Bello explained the necessity for the Global Study on Children Deprived of Liberty (Italy, Defence for Children International Secretariat) in order to collect data and statistics on the number and situation of children in detention worldwide; to include all forms of deprivation of liberty; to provide practices and recommendations (promote alternatives/non-custodial measures), and to provide a clarification of relevant concepts. More than 80 NGO's are nowadays continuing to lobby for the designation of an Independent Expert to carry out this Global Study.[‡]

Mr. Fabrice Crégut (Terre des Hommes) also mentioned the importance of the International Panel on Juvenile justice which has the main aim to bring juvenile justice back to the core of the international community and therefore help those involved in Juvenile justice.[§] **Mr. John Orlando** (Terre des Hommes) referred to the project to develop official recognized online training on juvenile justice.

Different examples on the regional cooperation were provided by **Ms Taghreed Jaber** (Jordan) and **Mr Guillaume Landry** (Canada) on the Middle East, mentioning the lack the planning for budgets for children's rights, lack of difference between children and adults, and the gender-based discriminatory system but they are focusing now on developing juvenile justice systems in terms with legislation and making them more in line with human rights legislations in the MENA region. **Dr. Aballah Al Shamrat** referred to the main initiatives to developing juvenile justice system, the parent's awareness project, as well as the diversion project and foster home project, and emphasised that any restorative projects should rely on political will and all of those institutions involved.

Examples of the regional cooperation in Latin America and the Caribbean were provided by **Mr Victor Herrero** (Juvenile Justice Latin America, Terre des Hommes Spain) who mentioned the "Cooperación Sur-Sur" as a developing mechanism and also the necessity of highlighting

[‡] More information in the website <http://www.childrendeprivedofliberty.info/>

[§] More information in the website www.ipjj.org



DEFENSA DE NIÑAS Y NIÑOS INTERNACIONAL DNI
DEFENSE DES ENFANTS INTERNACIONAL DEI
DEFENCE FOR CHILDREN INTERNATIONAL DCI
the worldwide movement for children's rights

in the agenda the gender issue within the topic of juvenile justice. **Ms Cristina Goñi** (Spain) emphasised that as **Mr Juan Fumeiro** (DCI Paraguay) addressed in his intervention, the worst violations of the children's rights always take place inside the institutions or centres for deprivation of liberty. The main problem in Latin America is the nonexistence of a real Restorative Justice. The main goal is to promote the regional dialogue and to empower the regional dimension using Cooperación Sur-Sur and the increasing Triangular cooperation between the developing countries (beneficiary and partner country) and the donor partner.

Additional information on the World Congress on Juvenile Justice is available in the following link: <http://jj2015.ch/en>