INTERNATIONAL AND REGIONAL STANDARDS regarding juvenile justice HARD LAW	CHILDREN'S RIGHTS															
	RIGHT TO REPRESENTATION			RIGHT TO INFORMATION		RIGHT TO BE HEARD			RIGHT TO PROTECTION OF PRIVACY		THE BEST INTERESTS OF THE CHILD				MULTIDISCIPLINARY COOPERATION AND TRAINING OF PROFESSIONALS	
	Right of access / assistance by a lawyer	Right to confidentiality	Access to free legal aid	Right to information & advice	Providing information in a child-friendly manner	Right to be heard / participate	Procedural safeguards: Child-friendly interviews & environments	Right to interpretation & translation	Right to protection of privacy & personal data	Conducting proceedings behind closed doors	Taking the best interests of the child into consideration	Individual assessment of needs	Avoiding undue delay	Deprivation of liberty as a measure of last resort and alternative measures	Requirement to adopt a multidisciplinary approach	Professional training & capacity-building
INTERNATIONAL STANDARDS – The International Covenant on Civil and Political Rights (ICCPR)	Art.14.3 (d)		Art. 14.3 (d)	Arts 9.2, 14.3 (a)		Art. 14.3 (d)		Art.14.3 (f)		Art.14.1	Arts 10.3, 14.4, 24.1		Art.10.2 (b)			
INTERNATIONAL STANDARDS – The United Nations Convention on the Rights of the Child (UNCRC) ⬣	Arts. 37(d), 40(2) (ii, iii)			Art. 40 (2)(ii)		Art.12	Art. 40.3	Art. 40 (2)(vi)	Arts 16, 40 (2) (vii)		Art. 3, Art 37 (c), Art. 40	Art. 37 (c)		Arts 37(b), 40.3 (b), 40.4		
INTERNATIONAL STANDARDS – The Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (OP3 CRC) *											Arts 2, 3.2					
REGIONAL STANDARDS – COUNCIL OF EUROPE – The European Convention on Human Rights (ECHR)	Art. 6.3 (c)		Art. 6.3 (c)	Arts 5.2, 6.3 (a)				Art. 6.3 (e)		Art. 6.1						
REGIONAL STANDARDS – COUNCIL OF EUROPE – The European Charter of Social Rights (ECSR) **											Art. 17					
REGIONAL STANDARDS – THE EUROPEAN UNION – The European Union Charter of Fundamental Rights (EUCFR) ***	Art. 47.2, 48.2		Art. 47.3			Art. 24.1					Art. 24.2		Art. 47.2			
REGIONAL STANDARDS – THE EUROPEAN UNION – Dir. 2010/64/EU on the right to interpretation & translation in criminal proceedings **** (Transposition: by 27 October 2013)	Recital 27 (vulnerable persons), art. 2.2							Arts 2-5								Art. 6
REGIONAL STANDARDS – THE EUROPEAN UNION – Dir. 2012/13/EU on the right to information in criminal proceedings ***** (Transposition: by 2 June 2014)	Art. 3.1(a)		Art. 3.1(b)	Arts 3-6	Arts 3.2, 4.4, 5.2 (for vulnerable persons in general)			Arts 3.1(d), 4.5								
REGIONAL STANDARDS – THE EUROPEAN UNION – Dir. 2013/48/EU on the right of access to a lawyer in criminal proceedings (Transposition: by 27 November 2016) ******	Arts 3, 8 -10, 13 (Vulnerable persons)	Art. 4	Art. 11	Arts 3.4, 9.1(a), 10.4-10.5	Art. 9.1(a) (for suspected and accused persons in general)											
REGIONAL STANDARDS – THE EUROPEAN UNION – Dir. (EU) 2016/800 on procedural safeguards for children suspected or accused (Transposition: by 11 June 2019) *******	Recitals 25-27, Art. 6	Art. 6.5	Art. 18	Arts 4-5	Art. 4.2, 4.3	Art. 16	Art. 9		Art. 14	Art. 14.2	Recital 8, Arts 5, 6.6, 6.8, 7.9, 9.1, 12, 15	Art. 7	Art. 13.1	Arts 10, 11	Art. 7.7	Art. 20
REGIONAL STANDARDS – THE EUROPEAN UNION – Dir. (EU) 2016/1919 on legal aid for suspects and accused persons in criminal proceedings (Transposition: by 5 May 2019) ********			Recital 9 and 29, Arts 1.2, 4-7, 9 (Vulnerable persons)												Arts 7.2, 7.3	

⬣ - With regard to article 40, paragraph 2 (b) (v), the **Belgian Government** considers that the expression «according to law» at the end of that provision means that: (a) This provision shall not apply to minors who, under Belgian law, are declared guilty and are sentenced in a higher court following an appeal against their acquittal in a court of the first instance; (b) This provision shall not apply to minors who, under Belgian law, are referred directly to a higher court such as the Court of Assize.
- Reservations: «Article 40, paragraph 2 (b) (v) shall not be binding on **Denmark**.
- (**France**)The Government of the Republic construes article 40, paragraph 2 (b) (v), as establishing a general principle to which limited exceptions may be made under law. This is particularly the case for certain non-appealable offences tried by the Police Court and for offences of a criminal nature. None the less, the decisions handed down by the final court of jurisdiction may be appealed before the Court of Cassation, which shall rule on the legality of the decision taken.
- «Article 37: **The Kingdom of the Netherlands** accepts the provisions of article 37 (c) of the Convention with the reservation that these provisions shall not prevent the application of adult penal law to children of sixteen years and older, provided that certain criteria laid down by law have been met. «Article 40: The Kingdom of the Netherlands accepts the provisions of article 40 of the Convention with the reservation that cases involving minor offences may be tried without the presence of legal assistance and that with respect to such offences the position remains that no provision is made in all cases for a review of the facts or of any measures imposed as a consequence.»

* At the moment, among the EU Member States, only Italy, Croatia, France, Belgium, Luxembourg, Czech Republic, Denmark, Finland, Germany, Ireland, Portugal, Spain and Slovakia have ratified this Optional Protocol.
** Croatia, Czech Republic, Denmark, Germany, Luxembourg, Poland, Spain and the United Kingdom have only ratified the 1961 Charter (not yet the 1996 revised Charter).
*** For the position of Poland and United Kingdom regarding the EUCFR see "Protocol (No 30) on the application of the Charter of Fundamental Rights of the European Union to Poland and to the United Kingdom" (12008E/PRO/30).
**** In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.
***** In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.
****** In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the TEU and to the TFEU and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Directive and are not bound by it or subject to its application. In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.
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Please note that the transposition deadline of this directive is changed (see Corrigendum OJ L 91 of 5.4.2017, p.40)

This document has been edited in January 2018 by the team of Defence for Children International – Belgium in the frame of the « My Lawyer My Rights » european project.