

EXPERT CONSULTATION

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REPORT

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Background

In March 2014 a number of civil society organizations, with the support of the UN Committee on the Rights of the Child, the Special Representative of the Secretary General on Violence against Children and certain Permanent Missions to the United Nations office in Geneva officially launched the Call for a Global Study on Children Deprived of Liberty¹.

The idea to call for a Global Study on Children Deprived of Liberty derives from the need to comprehensively collect quantitative and qualitative data and statistics from across regions on the number and situation of children deprived of liberty worldwide; share good practices; and formulate recommendations for effective measures to prevent human rights violations against children and reduce the number of children being deprived of liberty.

In order to advance discussions in the area of children deprived of liberty, the Permanent Missions of Austria, Ethiopia, Italy, Norway, Uruguay and Qatar, the NGO Panel for the Global Study on Children Deprived of Liberty and the Interagency Panel on Juvenile Justice convened a one-day expert consultation² on 13 June 2014 at the Palais des Nations in Geneva, Switzerland.

¹The full Call: Annex 01

² The agenda for the day: Annex 02



❖ **Introductory remarks and Presentation of the Call for a Study on Children Deprived from liberty**

Panel I / Moderator: Yao Agbeste, Bureau International Catholique de l'Enfance (BICE)

Mr. Benoit Van Keirsbilck, President, Defence for Children International

Defence for Children International has been working since its founding in 1979 on the rights of the child (drafting and lobbying for the adoption of the UN Convention on the Rights of the Child), and since 2005 holds justice for children as its key focus. Notwithstanding its work, at the international level, at the regional level (through its regional desks) and at the national level (through its numerous national sections on the ground) - combined with the work of many other key actors - DCI acknowledges that much remains to be done for children being deprived of liberty throughout the world and ensure the respect of children's human rights in detention, including their reintegration into society.

The International Executive Council (IEC) of DCI decided, in June 2013, to gather as many actors, international NGOs, UN agencies and representatives of different states, to call upon the members of the United Nations General Assembly to request that the United Nations Secretary-General undertake a global study on children deprived of liberty, and appoint an independent expert to conduct this study. So far over fifty civil society organizations have signed on to the Call and the United Nations Committee on the Rights of the Child supports this initiative, as well as other treaty bodies and experts of the United Nations. Numerous Permanent Missions also support the Call.

The scope of the Study is to include deprivation of liberty in all its forms, in all kind of settings. The basic legal principle states that detention is to be a measure of last resort, however this is far from exercised in reality; moreover, detention can go on for many years. Approximately 1.2 million of children are deprived of liberty worldwide (number used by UNICEF and many stakeholders) but this is not specific, and refers to criminal justice, disregarding other forms of detention (migration; national security; status of parents....). Absurdly, approximately 60% of children deprived of liberty are in pre-trial detention, without having been sentenced or having received fair trial as established by law. More information is needed on the situation of children deprived of liberty. We know that in most of the countries the conditions of the children in detention are extremely bad and have severe effects on a child's mental and physical health; that is why we need qualitative data. How can this unacceptable issue be tackled? What role can the international community take on? Firstly, by supporting and promoting the Call for Global Study on Children Deprived of Liberty at the national, regional and international levels.

Ms. Kristen Sandberg, Chair, United Nations Committee on the Right of the Child (CRC Committee)



The Committee pays gratitude to the organizers of the meeting as well as the audience. Deprivation of liberty is to be a measure of last resort and for shortest period of the time, but de facto children are being detained illegally, arbitrarily and unnecessarily – this proves costly to states. Children in detention includes: those in conflict with the law; in need of protection; those who suffer physical and mental disabilities; those who suffer drug abuse; those who are detained with their parents or within migration settings; those detained as threats to national security; etc. In all cases, deprivation of liberty has strong negative consequences not only on the child, but also on society at large, including increased violence, social exclusion and poverty, higher recidivism and diversion of scarce government and societal resources. There is a general lack of quantitative and qualitative data. We need to learn more and verify the good practices which may be used as an example to follow.

There have been two former major studies carried out, namely: the United Nations Study on the Impact of Armed Conflict on Children (1996) conducted by Graca Machel and the United Nations Study on Violence against Children (2006) – this last study explicitly mentions that “better data collection is urgently needed [in the context of custody and detention]”. Both studies have brought significant international attention to important yet unrecognized issues, and prompted effective and important new protection efforts on behalf of children.

The CRC Committee has recommended that the General Assembly request the Secretary General of the United Nations to appoint an independent expert to carry out the study on his behalf. The CRC Committee strongly supports the realization of this Global Study.

Mr. Gerold Vollmer, First Secretary, Permanent Mission of Austria to the United Nations Office in Geneva

Austria, as a member of the HRC 2011-2014, has had a constant focus on children in conflict with the law and is committed to the issue. Austria has recently been engaged in the elaboration of United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice – a very practical tool. It is important to recall, and build on, the many existing international instruments related to justice for children. Austria supports the Call for a Global Study on Children Deprived of Liberty and hopes to see many others join this deeply needed initiative. Deprivation of liberty does not mean deprivation of liberties: children in detention must continue to enjoy their human rights. Children being deprived of liberty goes beyond the criminal aspect and englobes a more general and serious human rights issue. There is a general lack of sound and reliable data which the Study aims to provide. Further expectations from the Study would include framing the issue of deprivation of liberty from a human rights angle and finding practical and effective ways (for children, governments and societies at large) to reduce child detention and more appropriately tackle reintegration and reinsertion of children into society.



Noor Al Sada, Second Secretary, Permanent Mission of Qatar

On 13 March 2014 the official launch of the campaign to call for a Global Study on Children Deprived of Liberty took place. We are here today to share ideas and understanding on the best approaches to make this study a success. The aim of the proposed Study is to find out which children are being deprived of liberty, how their human rights are (or not) guaranteed and how best to provide support for them. The Study will define strategies to improve the effective respect and fulfillment of children's rights. Although children have been the focus of a number of international treaties and national laws, the implementations of these legal instruments is yet to provide realistic protection for the children, particularly those deprived of their liberty. It has been acknowledged and stated, in different fora and by different experts, that there is a severe lack of updated and comprehensive data concerning the situation of children deprived of liberty. These children are, not only seeing the basic rights violated, but end up becoming the primary subjects of violations. We need to gain access to their voices in order to rapidly and effectively see to their basic needs and ensure their fundamental rights. A successful strategy should aim to draw the attention of the international community to the situation of these children, not only mainstreaming the idea but tackle the issue in other fora, such as the XIII United Nations Congress on Crime Prevention and Criminal Justice which will take place Doha, Qatar in April 2015. The success of the Study depends on the lobbying and campaigning efforts to see it formally requested by the United Nations General Assembly (UNGA). We therefore call on all our partners to make the necessary, diplomatic and other, efforts to boost such efforts to its desired ends.

❖ **Deprivation from Liberty: International Standards, Risks and Good Practices**

Panel II / Moderator: Cédric Foussard, International Juvenile Justice Observatory (IJJO)

Jean Zermatten, former Chair, Committee on the Rights of the Child

Welcomes the representatives of many Permanent Missions and colleagues; thanks DCI for organizing the meeting. Deprivation of liberty is an obsession of the international and the CRC communities and commends the launch of this Call for a Global Study on Children Deprived of Liberty. This initiative is not only important for its central aim to collect data (quantitative and qualitative), but for its underlying goal to reduce all kinds of deprivation of liberty which ultimately hinders the **harmonious development of the child**. The United Nations Convention on the Rights of the Child (CRC), in its article 37, sets out the conditions for any arrest, detention or imprisonment of the child, which is to be: in conformity with the law; used only as a measure of last resort; and for the shortest possible time. Although the provision does not absolutely prohibit the practice, it does fix a strict principle for the use of deprivation of liberty (which is to be in conformity with the law and “**ultima ratio**”). While the CRC Committee continues to strengthen this message - within its concluding observations (adopted for each country reviewed) and by means of its General Comment No. 10 on children’s right in juvenile justice (2007) – de facto, much is left to be desired: deprivation of liberty remains a systematic and primary answer to offences committed by children, who are often involved in the justice system due to other reasons, such as **poverty and migration**. Furthermore, **proportionality** is not taken into consideration in judicial sentencing and sentences based on the principle of restorative justice seem to provide very good results. Children who are deprived of their liberty, and thus excluded from society, are “bombe à retardement” (time bombs) upon liberation. Children must be (re)integrated and not excluded. Alternatives to custodial measures and best practices are there, what lacks is **political will**. Article 40 of the CRC requires states to promote a distinctive system of juvenile justice for children, covering a list of guarantees for the child from the moment an allegation is made, through investigation, arrest, charge, any pre-trial period, trial and sentence. Children deprived of liberty enjoy their full human rights: a specific specialized and intelligent juvenile justice system is a right of the child. Children must be guaranteed their rights de facto, with dignity and respect. This will take time and require a lot of attention from the international community, but we need to change mentalities.

Benyam Mezmur, Vice Chair, Committee on the Rights of the Child; Chair, African Committee on the Rights and Welfare of the Child

It is important to consider regional mechanisms, in a complementary approach (as violations are cross-cutting), when calling for and eventually carrying out a Global Study on Children Deprived of Liberty. As Chair of the African Committee on the Rights and Welfare

of the Child, there are some interesting elements from the African Charter on the Rights and Welfare of the Child (ACRWC) which are to be considered complementary to the United Nations Convention on Rights of the Child.

The ACRWC dedicates its article 31 to the “responsibility” of the child. When the Child Law of Nigeria (2003) was debated within the national parliament, it faced a lot of resistance: children were thought not to be left to their own will, without any responsibility. There is however need for a certain level of responsibility, as it improves citizenship and empowers each and every child. For every right there is a remedy (& responsibility?). If we compare the provisions of the CRC with the ACRWC, we will find some added values which for example article 17 (administration of juvenile justice) brings into light, but also highlights gaps. Both child rights instruments are complementary. Deprivation of liberty ranks quite low on competing interests (nutrition, armed conflict, etc.) and is thus not a priority for African countries. Speediness, diversion, adequate assistance for children involved in justice systems remains an issue. There is need for indicators and consequent law reforms (budgeting becomes a huge issue with examples from South Africa).

The minimum age of criminal responsibility remains very low (7,8 years of age) as inherited from colonial era (according to a report of the African Child Policy Forum - ACPF). There are great issues related to age verification due to lack of birth registration (example: case of Angola). One added value that we are trying to apply in the African continent: the presumption of minimum age in instances where there are doubts.

There is a lack of awareness in judicial sentencing because in some instances it is assumed that deprivation of liberty actually promotes the best interest of the child. The “measure of last resort” norm is often not applicable. For example, in Niger, 82 minors were brought to the juvenile court of Niamey in 2005 and all of them were sentenced and ended up by being deprived of their liberty. Furthermore, there is a general shortage of social workers: in Niger, a population of 16/17 million has only 91 governmental social workers; Zimbabwe has merely 01 social worker per 50 thousand children. There is also a huge limitation in information management: cases in Angola and Sudan, where information from the court to release the child does not reach the prison system and where the mother is executed but the child continues to live in the prison.

Many children (approximately 40%) are regulated by informal justice systems, although there are some good practices to be learned (as captured by the Sierra Leone Act), compliance to international standards must be ensured. The Guidelines for Child Friendly Justice in Africa, developed by DCI and the ACPF together with other experts, have been adopted and are applied by the African Union.

There are other preoccupying issues connected to witchcraft, street children, runaway children, harmful traditional practices (such as female genital mutilation), migration, terror



(Arab Spring, Nigeria...). There is also a disregarded connection between harmful traditional practices and deprivation of liberty; an area which is completely understudied.

In conclusion, a Global Study on Children Deprived of Liberty will provide an added value to the situation children in Africa.

Philip Jaffé, Director, Institut Universitaire Kurt Bosch

We would be dealing with the space of time from the moment where the child enters the detention system. We must not adopt a restrictive perspective when dealing with children and adolescence: what happened in their **life before the deprivation** is more important than what can happen during the period of detention. **Social, familial and educational systems are to be scrutinized.**

Detention has a profound **and negative impact on the physical and mental wellbeing of the child.** Detention intensifies depression and suicide.

- Deprivation theory: the psychological condition of a person can suffer from the loss of liberty, the loss of autonomy, a healthy sexual relationship and loss of security: can produce pathological reaction, mental illness, suicide, violation against others, etc.
- Importation theory: the cultural beliefs and characteristics of a person will be imported into detention and will be exacerbated: this is dangerous because it causes mental disorders.
- Linda Tiplin: huge percentages present mental problems (studies in North America+ France). Young girls are more vulnerable, 20% present depression symptoms and mental disorder and behavioral issues.
- Methodological approaches: Massachusetts's youth screening Instrument: to screen for mental or emotional conditions that require further attention
- Study by Elizabeth Kaufman: shows 22.560 cases from detention centers in Pennsylvania: 3 in 4 cases scored higher than the caution cutoff, 1 in 3 cases scored higher than the warning cutoff and 20% scored above the cutoff about suicidal ideas most of them are girls.

Youth who have experienced trauma are likely to have been in conflict with la law, the reason: psychological neurological effect of trauma, which has impact on neurologic



development; without adequate care and control children will fail to develop empathy and will develop aggressive behavior. **48% of children who are detained suffer from learning disorder.** Adults who experienced trauma as children are more likely to develop **psychiatric and personality disorders**, attention deficit, anxiety and post-traumatic stress, even lower IQ levels. 3 in 4 youth in a juvenile justice system have been exposed severe victimization; over 92.5% experience at least one form of trauma.

The **process of detention** in psychiatric facilities, arrest, court hearing, etc. can in itself represent a **form of trauma for the child**: staff insensitivity; forced medical treatment and physical testing can cause trauma. When we deprive the child of liberty we are doing a poor job in improving their mental health. The majority of **professionals working with children in conflict with the law have no idea on the prevalence of mental health issues.** It is necessary to allocate resources to community based programs, in order to be more effective.

We must avoid turning the juvenile justice and detention system into a poorly functioning mental health system.

Anne- Li Norderhaug Ferguson, Norwegian Ministry of Justice and the Police

It is a true honour to be here today; to share with you some of the Norwegian experiences on this important issue. Despite the obligation to ensure that the detention of children shall be used only as a measure of last resort and for the shortest appropriate period of time contained in article 37 of the Convention on the Rights of the Child, more than 1 million children are deprived of their liberty. And, as stressed in the Joint report of the Office of the High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system, most of these children are first-time offenders, awaiting trial or accused of or sentenced for petty offences. Therefore, the need to share good practices and to formulate effective measures to prevent human rights violations against children and reduce the number of children deprived of liberty³ is inevitable and the call for a Global Study on Children Deprived of Liberty within this field commendable.

Offending - seriously or repeatedly - by children is often a sign that growing up has involved facing challenges that were not properly met, whether it is poverty, insufficient parental care, lack of assistance from public bodies such as school, child welfare - or health services or other problems. A difficult childhood does, however, not exempt children from

responsibility. Nonetheless, it does require special qualities of the follow-up to promote rehabilitation, as well as avoiding intimidation and a public perception of them being antisocial.

Research and many years of experience have demonstrated that imprisonment has few, if any, positive effects on young offenders. Recidivism is high and many offenders develop a 'criminal carrier' while serving a prison sentence. Hence, the focus should instead be on the young offender's need for assistance and support to stop his or her criminal activity. A key factor in this respect is to strengthen the young person's resources and will to confront and deal with his or her criminal behaviour and, thus, make a re-entry - or maybe even the first entry - into society.

Combating youth crime is a social responsibility which demands close collaboration across administrative boundaries and with prevention as a starting point. Extensive cooperation between the justice system and child welfare -, health - and school services, and interaction between different relevant institutions, as well as between the public - and civil sectors, are necessary pre-requisites to this end. When prevention fails, and crime has been committed by a minor, the same multi-agency co-operation has to take place throughout the juvenile criminal case; from the first intervention by the police, until after a sentence has been served and reintegration is about to take place.

Having realised these facts – the Norwegian Government initiated an ambitious and consistent strategy in search of more functional measures; based on diversion, multi-disciplinary collaboration and restorative justice. On this background, the Government proposed a bill regarding juveniles in conflict with the law in 2011. The bill was adopted by a unanimous Parliament the same year. The bill introduces a new diverting sanction for young offenders between 15 and 18 years of age, who have committed serious and/or repeated crime. This alternative to a custodial sentence is based on a restorative process and is implemented by the Mediation Boards; instead of the Correctional Services. The offender's consent is a requirement. The ambition is to increase the offender's apprehension of the effects of the crime committed, and, for the victim, to experience some kind of closure; as a restorative element. Well-functioning multi-agency cooperation is a vital pre-condition for a successful outcome in this regard. This cooperation will be guided by a so-called 'Juvenile Coordinator'. The duration is set by the court and is normally 2 years.

Despite the fact that the Norwegian Government has made it their policy that prison should be a measure of last resort, some minors are still being imprisoned. Although the figures are quite low, Norway has been criticised by regional and international monitoring organs various times because minors are not being segregated from adult prisoners. In order to prevent children from being imprisoned together with adults and to ensure better detention conditions for this group, a trial project is being conducted in which separate

prison units are being established for young offenders. Additionally, several law proposals aiming at improving the conditions for imprisoned minors were also adopted in 2011.

Children are vulnerable and in need of special protection, and they meet an array of risks of violence within the justice system. To alleviate these risks, a whole range of law amendments regarding juveniles in conflict with the law were enacted by the Norwegian Parliament simultaneously with the adoption of the said non-custodial sanction. I will mention a few of them as well briefly: To be able to remand a minor in custody, it has to be compellingly necessary. The minor has the right to legal counsel and free legal aid. The minor has to be brought before the court as soon as possible and at the latest the day following the arrest. The limits for transfer of minors from police cells to regular prisons have been reduced accordingly. The conditions for remanding a child in custody must be reviewed at least every two weeks. A minor cannot be placed in solitary confinement and he or she has the right to contact with his or her family. The police have a duty to notify the municipal child welfare services if a person under 18 years of age is to be remanded in custody and a representative of the child welfare services must attend the remand hearing and provide information as to the necessary measures. The aspiration is to improve the position of juveniles in conflict with the law by strengthening their rights. Further, the suggested amendments represent a step to better fulfill the obligations incumbent on the State Members to the CRC and other human rights standards and norms.

Whereas the aim of juvenile justice is first of all rehabilitation of children and not their punishment, there are still considerable differences between states as to the purpose of imprisonment and the main objective for the penal system. Nevertheless, I believe that we all have one aspiration in common: namely to reduce crime.

-If this is the case, should we not all look to measures that reduce recidivism; rather than to measures which seem to increase it?

-And if serving the sentence in prison is necessary, is it not - for the same reasons - in the best interest of the society as a whole to do whatever it takes to promote rehabilitation and reintegration; rather than the opposite?

-And in these times of austerity: should there not be a stronger focus on the effectiveness of the sanctions used?

-And in a world where states have to deal with a constantly growing prison population and severe over-crowding is becoming more and more common, maybe this is a good starting point?

These are just a few of the questions that can be asked. If the answer to one or more of them is positive, we do, however, need to know how to do it.

Call for a
 Global Study on
Children Deprived of Liberty

A Global Study is so critical: We need comprehensive data and statistics; as well as to share good or promising practices and to formulate recommendations for effective measures to prevent human rights violations against children and to reduce the number of children deprived of their liberty to overcome the hurdles. If we can manage to generate reforms that will effectively see the deprivation of children's liberty as a measure of last resort and for the shortest appropriate period of time, we will, indeed, have come a long way. This can, however, only be achieved if we join forces and work together on this common enterprise.

❖ **Strategy: Discussing challenges, obstacles and opportunities around the idea of Global Study**

Panel III / Moderator: Ben Lewis, International Detention Coalition (IDC)

The panel will address a number of practical considerations that need to be addressed in order to take this Study forward, in addition to theoretical and lobbying approaches. As many of the efforts to date have come from the juvenile justice perspective, it will be critical to include and appreciate the migration perspective as we take the call for this Global Study forward. While deprivation of liberty of children is only ever supposed to be an exceptional measure of last resort, in the context of child migration in particular, the CRC Committee has been clear that it is never in the best interests of a child to be detained based on their or their parents' migration status. Therefore, the immigration detention of children will always constitute a child rights violation – as declared in the recommendations made on the 2012 Day of General Discussion of the Committee on the Rights of the Child (“The rights of all children in the context of international migration”) as well as the CRC's General Comment No. 6. But one thing is clear--whether in the context of juvenile justice or child migration, without collecting and monitoring data about children in detention, states cannot effectively tackle the issue. Therefore, there is a great need for the realization of this Global Study on Children Deprived of Liberty.

Jaap Doek, Former Chair, Committee on the Right of the Child

When it comes to children being deprived of liberty, this is not a popular group of individuals, except for when politicians are being tough on crime. Ultimately there is a lot of “lip service”, but not enough commitment and investment of human and financial resources. The challenge is to gain funding to raise the support of UN member states to realize this Study.

It must be noted that the concept of deprivation of liberty is not limited to children in conflict with the law. The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules) set out standards applicable when a child is confined to any institution or facility, whether this be penal, correctional, educational or protective and whether the detention be on the grounds of conviction of, or suspicion of, having committed an offence, or simply because the child is deemed 'at risk'. Hence, this Study cannot, and should not, be limited to juveniles in conflict with the law, but has to include all placements of children by authorities. The Study must tackle different problems equally: procedural guarantees codified in article 40 (UNCRC), which are to be equally as important for administrative and civil law detention, as for criminal detention.



Child participation is one of the guiding principles of the CRC. We cannot carry out this Study without the voices of children who have experienced deprivation of liberty, in all its forms, bearing in mind the Havana Rule, the Guidelines on Alternative Care, etc. 2015 will mark 25 years of the adoption of the Havana Rules and 30 years of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules). If we do not see opportunities, we have to create them.

Roberta Cecchetti, Senior Advocacy and Policy Advisor, Save the Children

Save the Children formally confirms its support to the Call for a Global Study on Children Deprived of Liberty.

I share with you today my experience, in my former position with the World Organization against Torture (OMCT) and with Save the Children, of the role of NGOs and civil society in advocating for the UN Study on Violence against Children (2006):

Prior to the realization of the Study, civil society followed two strong strands of advocacy in both Geneva and New York, 1) in the search to create a stronger human rights mechanism (like a UN special rapporteur) to become spokesperson for the protection of children from violence, torture and degrading treatment/punishment, agile and reactive to be able to set in motions urgent actions; 2) to request a UN Study on Violence emulating the UN Study on Children and armed conflict.

The Committee on the Rights the Child hosted two different days of general discussion on the issue of violence against children (in 2000 and 2001) where NGOs attempted to further coordinate advocacy efforts by all including a recommendation for a Global Study on Violence against Children in their respective submissions.

A conference was organized in Tampere, Finland (2001) by OMCT and under the auspices of the OHCHR. Mary Robinson, High Commissioner at the time, inaugurated the event which counted participants from 83 countries. The request for a Study on Violence against Children was included in the Tampere Declaration.

The UN Committee on the Rights of the Child sent a letter to all the Permanent Missions in New York concerning the outcome of the Days of General Discussion and the official request for the Study. Subsequently, the UN General Assembly included the request for a Study in the omnibus resolution in 2001, but without mentioning that it be led by an Independent Expert. The Commission on Human Rights (presently the Human Rights Council) included, in its 2002 omnibus resolution on child rights, a paragraph asking for the UN Secretary General to appoint an independent expert to lead the Study.



What are the lessons learned? It was astounding to witness how Human Rights and Child Rights organizations collaborated together, between New York and Geneva as well as field offices, making strategic use for engagement within different fora. All following a common strong human rights based approach, with the dedicated support of UNICEF, OHCHR and the UN Committee on the Rights of the Child.

During the realization of the Study a NGO panel and a NGO Sub-Group on Children and Violence were created as coordinating bodies in order to ensure continuous NGO engagement. The first collective action included searching for the good independent expert to lead the study: a list of potential candidates was submitted to the UN Secretary General – Paulo Pinheiro (selected expert) was not on that list. Subsequently, discussions on where the secretariat of the UN Study was going to be located took place, with an eye on maximizing the support by the UN agencies while minimizing the control of one agency over the other – Geneva, as an independent location, was chosen.

Consultancies were carried out with questionnaires sent out to states - 134 states participated. A total of nine regional consultations took place, on thematic issues such as violence against children in the context of juvenile justice. The assistance provided by UNICEF was crucial in the mobilization of resources at national, regional and international level. Regular meetings with the Independent Expert took place.

Further lessons learned include: strong coordination between NGO actors, speaking with the one voice, and an established relationship with the independent expert. It was key to have an independent entity for the credibility of the UN Study process: independent from states, from UN agencies and from NGOs. NGOs always kept the UN agendas on child rights in sight and seized opportunities for lobbying for continued support to the Study: meeting with states, helping mobilizing resources and funds from public and private sources, etc.

Ariel Riva, Policy and Law, UN Higher Commissioner for Refugees

The UNHCR has launched, in July 2014, a global strategy on detention (Global Strategy – Beyond Detention 2014-2019), with a particular focus on child detention. The global strategy is focused on detention for immigration-related purposes, and in particular for the situation of asylum-seekers and refugees, so it is limited in scope, but with potentially broader impact to all migrant persons in detention. UNHCR stresses the need to coordinate and work in partnership to achieve positive results in this field. UNHCR has been working on the issue of detention of persons of concern (under its Mandate) for many years now with a focus on protection strategies, at the same time focusing on, but not limited to, child protection strategies. UNHRC developed its first legal Guidelines on Detention in 1999, and re-issued them in 2012 with an extended focus on the issue of alternatives to detention.



Progress at international level on the inclusion of ATDs in law and practice has been steady, an increasing number of countries are recurring to alternatives to detention.

The Global Strategy will include important research within selected countries and with other partners, focusing on ending the detention of children; ensuring proper alternatives and reception conditions for those children; and ensuring that the conditions of detention meet international standards.

UNHCR officially supports the Call for a Global Study.

In the field of child detention, there are however number of things to be addressed in order to effectively move forward:

- a) Legal and policy frameworks impeding child detention;
- b) Prevalence of the best interests of the child;
- c) Establishment of proper alternative reception and correctional facilities;
- d) Creation of child sensitive procedures are to be in place to identify whether the child is at risk of being deprived of liberty;
- e) Post-protection: after release from detention, measures are to be implanted in order to deal with the situation.

❖ **Open discussion:**

Important issues include children deprived of liberty maintaining contact with their family, and children growing up in detention. There are also cases of juveniles who are parents themselves – Rachel Brett, Quakers United Nations Office (QUNO)

We are working on the launch of an online database that includes many areas related to the detention of children. We are also drafting a working paper that looks at the challenges for researchers and advocates in constructing qualitative and quantitative data, particularly with regard to the situation of minors in detention. We look forward to cooperating in the realization of the Global Study for Children Deprived of Liberty - Global detention Project

Children in detention are often victims of the worst forms of child labor. The ILO Convention No. 182/1999 emphasizes the treatment of these children as victims. The Convention further calls for the prevention, rehabilitation and reintegration of these children. There are a lot of gaps when dealing with this critical issue and a Global Study on Children Deprived of Liberty can be an opportunity to fill the gaps and understand why these children are detained in the first place and who forces them into such activities of forced labor. ILO has adopted a new 2014 protocol to the Forced Labour Convention No.29/1930 stressing the protection of victims, and Recommendation No.203, both of which cover children - International Labour Office (ILO):

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It is important to see people join the discourse. Many UN agencies are actively involved in issues related to deprivation of liberty. The Global Study is to follow a collaborative and complementary approach, and we are to also bear in mind partners from the academic world. Nothing is impossible - Defence for Children International (DCI), Benoit Van Keirsbilck:

One of the main challenges is to convince countries and institutions to invest materials and resources: do you have any idea how to overcome this? -Amnesty International, Yuval Ginbar

The last question raised regarding funding is key as ultimately nothing can be done if we do not receive reasonable financial support for the Study to be carried out. It is important to have a core budget to start with: this could be put together by UN agencies supporting the Study - International Detention Coalition (IDC), Ben Lewis

The question of budget has already been raised during the numerous bilateral meetings with states and experts which have taken place since autumn 2013. We can estimate, based on the UN Study on Violence against Children, that the Study would require approximately 400.000 dollars per year. DCI has reached over 80 permanent missions in Geneva so far, and now (next week) we will travel to New York to target members of the UN General Assembly and other important players (UN agencies, INGOs, etc.) with the aim to have the Study consciously supported and officially requested through the UN General Assembly resolution on child rights this autumn - Defence for Children International (DCI), Anna D. Tomasi

❖ **METHODOLOGY: Identifying the key elements to be used in carrying out a Global Study**

Panel IV / Moderator: Nikhil Roy, Penal Reform International (PRI)

There are five broad areas in methodology:

- 1) Conceptualization: definition; scope; what is it that we want to do; what are the key issues; why. It is important to carry out a literature review.
- 2) Process: how do we develop it; what are the tools that are needed and the mechanisms involved (example of the World Bank's report "Voices of the Poor").
- 3) Analysis and results: how should recommendations be framed.
- 4) Promotion and impact: who is the Study targeting; how can we be sure people fully engage with recommendations put forward.
- 5) Follow-up.

Imma Guerras Delgado, Office of the United Nations High Commissioner for Human Rights (OHCHR)

Taking from the involvement in the UN Study on Violence against Children (2006), there are a few points to take into account:

The study requires a high level of UN engagement, which means that some of the efforts that the NGO are putting into this present Call for a Global Study on Children Deprived of Liberty has to be reflected at the UN level; such as meetings at the highest level like with the **High Commissioner** for instance. If the high level of an organization is not engaged, the study will not go through. There is need to bring the issue forward and secure **engagement with UN agencies, at the highest level.**

A study of this nature cannot and should not be conducted without a budget. OHCHR put two million dollars towards the UN Study on Violence against Children, and UNICEF put significantly more. This Study should not aim at less.

The study and the content of the study are important in themselves, but the way it is implemented and its impact are extremely important. There is therefore a need for **regional, sub-regional and national consultations.** These were mostly covered by UNICEF during the Study on Violence. Another important aspect is to have a UN agency support the **Independent Expert**, which was not initially clarified for the Study on Violence. OHCHR established a **joint secretariat** with UNICEF and WHO, because the UN envisioned the study on three complementary grounds: public health, human rights and child protection.

The subject of the proposed Study is complex indeed, and it is important the **rights of the child remain respected always, even when in contact with the law**. There is a momentum and a possibility of action, so it is important to act with a **clear strategy** in mind. The current situation is not the easiest, but if people believe in this Study and push for it, it will become reality.

Margaret Tuite, Coordinator for the rights of the child, European Commission

Learning from the study on children's involvement in judicial proceedings, which was commissioned by DG Justice of the European Commission to collect data from 28 countries of the European Union. The budget for the study was 1.2 million euro. The scope of this project was not mainly focused on detention, given the scope of our study, but we did seek to collect data specifically on police custody and pre-trial detention during the criminal justice phase of the study, as well. Hence the need to focus on long-term changes to data collection. We collected international existing data (which is summarized on the official website: <http://www.childreninjudicialproceedings.eu/Home/Default.aspx>) and now we have 28 country specific reports available and an EU summary. The civil and administrative phase to be published end 2014 will cover other aspects of detention, notably with regard to migration or for administrative sanction, or for mental health reasons.

Lessons learned from this project:

- ✓ It is important to devote adequate time to the **terms of reference** of the project. It took us at least six months. For this Study, you need to see what information is already out there and how to use it.
- ✓ When setting up a core team, don't neglect certain area of **expertise**, including statistics.
- ✓ Define the scope in broad consultation with experts (which is being done today!).
- ✓ **Definition of a scope, reference period and budget** are all very important. The 2012 OHCHR framework for human rights indicators helped us to develop structural, procedural and outcome indicators - the more we all, as stakeholders for the rights of the child, use the OHCHR framework in developing indicators, the more indicators and data will converge in the medium to long term.
- ✓ Guidance can be provided through the help of an expert **steering group**. In the case of the EU study, we made efforts to gain stakeholder buy-in through round tables, especially at government level, but much more was needed.
- ✓ **Back-tracking constantly** is important, and it is a huge awareness-raising experience.

Main gaps and difficulties:

- ✓ Scope, manageability, timelines: it is always more difficult and takes longer than anticipated.
- ✓ **There is a tension between one-off data collection exercises and more long term structural changes** in measurement and data collection. One of the objectives of such a study should be to embed better data collection practices.
- ✓ **Multiple reviews** and quality control for huge volumes of information and drafting should not be underestimated.
- ✓ New laws and policies should be accompanied by **commensurate measurement** from the outset – a study is also about changing mindsets on measurement, especially on the impact on children.
- ✓ Obsolescence of published material when a study takes place over a long period.
- ✓ Gathering existing data (read non-existent or very limited) means little comparability. During the study, perhaps some countries would be willing to pilot more thorough data collection practices? Such piloting would help to demonstrate the feasibility and value of better data collection.
- ✓ **Presentation of results:** think of multiple entry points (e.g. country/region/type of detention/non-custodial section, etc.) in order to allow the user to group/filter information based on needs/interests.
- ✓ Publication sites, permissions and **copyrights** for data reuse - tackle early on!
- ✓ Think of potential **follow up** to maximize the results. We need to think more about where we want to be five years on from the publication of the Study.

Alexandra Martins, Crime Prevention Officer, United Nations Office on Drugs and Crime (UNODC)

UNODC is part of the UN secretariat in Vienna and has three main pillars of intervention: (1) research, data collection, (2) normative analysis, (3) technical assistance. UNODC has been conducting a considerable number of studies and this could be food for thought when considering the realization of a Global Study on Children Deprived of Liberty. Among the many studies carried out, a few are worth mentioning here today:

1. *The World Drug Report*: an annual publication, mandated by the UN General Assembly with data collection based on annual reports provided by member states; there are sections on drug consumption and drug production; last year a section on new psychoactive substances was added to the publication.
2. *Global Report on Trafficking in Persons*: next edition to be published in December 2014; based on data collected from victims all around the world
3. *Global Study on Homicide*.



With regards a Global Study on Children Deprived of Liberty, there is an issue of definition. It must be noted that there were two ECOSOC resolutions already adopted (2010 and 2011) related to this topic, but there was lack of political will and financial commitment financial commitment, especially considering the current environment.

Key elements to carry out a Global Study on Children Deprived of Liberty must include:

- ✓ Data collection tool of UNODC: “CTS model” - **UN survey of crime trends and operations of criminal justice system.**
- ✓ **Mandate defined by UNGA** to give political weight and legitimacy. Scope and goals must be clear, as a basis for sound methodology. A strong **peer-review analysis** must also be integrated into the methodology. A **time-frame** has to be taken into account when establishing the goals.
- ✓ It must be made clear to all that this Study will follow a **participatory approach** aiming to ameliorate the situation for all involved and for the long-term. **Ownership** must be shared with member states in order to guarantee their support and collaboration.
- ✓ **Data-collection (and data-validation) process** (one of the most complex issues, which takes significant time and dedication and requires important follow-up), must be based on clear and **valid sources**. The concepts studied and data collected need to be in par with the definitions established beforehand.

Kerry Neal, Child Protection Specialist, UNICEF

One of the important questions, which must be pre-considered, is if we want this to be **quantitative or qualitative study**? Both are possible, both are very expensive and politically challenging. We must use comparable data and set a clear definition of deprivation of liberty; then there is the disaggregation aspect which would imply additional costs.

Will we use a very broad **definition**, and then use qualitative analysis? Or should we go for very robust statistical analysis? In UNICEF we use both approaches. We work with 150 countries and in 120 we are carrying out active justice programs; 40 countries have managed to provide exact figures and data.

Example: analysis of the case of a boy stealing a mobile phone in a school and consideration of the multiple routes which could be taken to deal with such offence. There are clear **systematic chances** to avoid deprivation of liberty – where investments are to be made must be decided.



Concerning **methodology**, the Global Study on Violence against Children maintained the themes discussed during the two days of general discussion of the CRC Committee (2000, 2001) - concepts were hard to agree on.

We need to understand from the figures whether we are in a state of application of the guiding principles of the UN CRC. Figures only tell us the number of children who are deprived of liberty, but we will need to open up the data gathered. We need to know what we want to analyze from this study, **beyond numbers**. After the study is published, States will eventually ask the international and civil society organizations who pushed for the Study, what they plan to do as **follow up**.

❖ **Open discussion:**

The first step should be to start working with some **indicators from UNODC and UNICEF** in regard to the juvenile justice system. There are several heterogeneous statistics on juvenile justice in many countries around the world, it would not be that difficult to collect statistics, but it takes a long time to compare data. It is important to understand what happens in the minds of judicial operators. Universities can, and will, also make excellent partners in the realization of the Study. - Hugo Morales, Catholic University of Peru

There is the “*Manual of the Measurement of Juvenile Justice Indicators*”, containing 15 indicators - Alexandra Martins, UNODC

If we limit our interest to juvenile justice, how do you measure the use of deprivation of liberty as a “last-resort decision”? The same applies for the “appropriate period of time”. How do you measure the appropriate length of a sentence? In practical terms, it is very hard to know if the sentence was a last resort; even when it comes to the decision makers this depends on their personality and the options they have: to measure if deprivation of liberty is used as a last resort, we have not only to look at diversion but also the reality on the ground and the use of it because this can show that the likelihood that deprivation of liberty is not a last resort as very high - Nikhil Roy, PRI

Diversion can be in the law, but not used by practitioners. It will be extremely difficult to measure whether deprivation is used as a last resort (not to say impossible) but if you want to try, then you have to look at other proxy indicators, such as the 15 indicators of UNODC and UNICEF’s. - Jaap Doek, former chair CRC Committee

You need more indicators to measure the performance of the justice system. I had a chance to visit a country and spend some days in a court, viewing case-by-case children sentenced to detention – this is the only way can you see the time elapse between the charge and the execution of the sentence itself. A case-by-case analysis would be needed, but the time to carry it out on a global scale would be impossible - Alexandra Martins, UNODC



Within our [European] study 280 indicators were used. There is an effort that states can also make to collect certain data. It is necessary to have a relatively large number of indicators and validate (with contextual and qualitative information) the data once collected. It is also important to consider children tried after having turned 18 years of age, for crimes committed before. – Don O'Donnell

Data is important for decision makers. The Study will be an opportunity to finally get a global picture of the situation. Are there any recommendations on perpetuating the data collection mechanisms by the countries themselves, so they can be responsible on monitoring their own systems? – Fabrice Cregut, TdH

We need to be ambitious. The Study is to be a global starting point, there is severe lack of information out there - Ton Liefwaard, University of Leiden

Details are important but we must not lose ourselves in complexities yet – it is rather premature. What exactly are we looking at here? We need to focus on encouraging effective alternative and preventive approaches. Furthermore, we must be careful not to strictly take a juvenile justice approach: deprivation of liberty includes not only criminal detention, but also administrative, etc. We need to develop three different categories: administrative, civil and one for criminal. - Ben Lewis, International Detention Coalition (IDC)

Children who are tried and sentenced as adults (example: Wisconsin, USA); such group should be addressed in the Study - Gina Weers, EMA

We civil society have indeed been discussing the scope of this Global Study and our wish is that it covers all different aspects: juvenile, civil and administrative - despite difficulties and indicators - Ileana Bello, DCI

The centrality of alternatives to detention must be made much clearer; the title should even be reconsidered as alternatives will be the bestselling point – Yuval Ginbar, Amnesty International

In agreement that there should be a proper push at the national level. The Study on Violence against Children received positive feedback, mostly because UNICEF field offices were effective on the ground - Kerry Neal, UNICEF

We submitted, for the Study carried out at the European level, a questionnaire to all governments. 139 responded to 56 substantive questions. How can you make sure governments respond! We used our partners on the ground to make sure we got replies – Margaret Tuite, CoE

We did look to the deprivation of liberty from many angles. It is important to set the ground for states to start collecting data: ensure they respond, send a regional team to meet with



government counterpart and explain to them. Follow up and incentives! - Alexandra Martins, UNODC

We should elevate the Study to a much higher status (for example, change the name) - Kerry Neal, UNICEF

With regard budget, there were a couple of figures mentioned: 1.2 million (CoE) and 2 million (OHCHR). Taking into account all the complexities we need to define the scope of the study and settle the budget - Nikhil Roy, PRI

❖ **Concluding Remarks and Next Steps:**

Alice Farmer, Human Rights Watch

Thanks DCI, all the panelists and participants. It is crucial to have involvement from NGOs, UN agencies and states: a collaborative process. Such process should be followed throughout the Study itself.

Next steps:

UNGA Resolution, with lobbying to take place in New York (DCI to travel at the end of June).

Be sure to visit, share and send all relevant resources to the official website for the Global Study on Children Deprived of Liberty: www.childrendeprivedofliberty.info

There is a lot of momentum building around the issue of detention, be sure not to miss the World Congress on Juvenile Justice (January 2015) will be held in Geneva, Switzerland, from 26 to 30 January 2015; and The Thirteenth United Nations Congress on Crime Prevention and Criminal Justice will be held in Doha, Qatar, from 12 to 19 April 2015.

For any further information or questions, etc., contact Defence for Children International, Advocacy Officer: Anna D. Tomasi of DCI (advocacy@defenceforchildren.org).

Annex 01

THE CALL FOR A GLOBAL STUDY ON CHILDREN DEPRIVED OF LIBERTY

“Children do not belong behind bars. Children should go to school. They should be playing with their friends. They should be together with their families.”
- No Kids Behind Bars! (Defence for Children International, 2005)

We, civil society organisations, call upon the members of the United Nations General Assembly [to agree to the recommendation of the Committee on the Rights of the Child⁴], to request that the United Nations Secretary-General undertake a **GLOBAL STUDY ON CHILDREN DEPRIVED OF LIBERTY**⁵ in order to comprehensively **collect data and statistics** from across regions on the number and situation of children in detention; **share good practices**; and **formulate recommendations** for effective measures to prevent human rights violations against children in detention and reduce the number of children deprived of liberty.

There is a great lack of quantitative and qualitative data (particularly disaggregated data), research and verified information on the situation of children deprived of their liberty.⁶ Deprivation of liberty has very negative consequences for the child’s harmonious development and is to be a “*measure of last resort and for the shortest appropriate period of time*”⁷. Children deprived of liberty are exposed to increased risks of abuse, violence, acute social discrimination and denial of their civil, political, economic, social and cultural rights; certain disadvantaged groups are more affected than others; and society is affected at large as deprivation of liberty tends to increase social exclusion, recidivism rates, and public expenditure.

⁴ Acting under United Nations Convention on the Rights of the Child (UNCRC), article 45(c)

⁵ “*Deprivation of liberty means any form of detention or imprisonment or the placement of a person under the age of 18 in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority*”, UN Rules for the Protection of Juveniles Deprived of their Liberty 1990 (**Havana Rules**)

⁶ Lack of existing data on children deprived of liberty is mentioned in a number of official reports, inter alia: Joint report on prevention of and responses to violence against children within the juvenile justice system (2012), Special Representative of the Secretary General on violence against children, the Office of the High Commissioner for Human Rights (OHCHR) and United Nations Office on Drugs and Crime (UNODC); UNCRC General Comment No.10 (2007); Administrative detention of children: a global report (2011), Children’s Legal Centre, University of Essex & UNICEF; Report of the UN Special Rapporteur on the Human Rights of Migrants (A/HRC/20/24).

⁷ Convention on the Rights of the Child, article 37(b)

The Study will take into account deprivation of liberty in all its forms, including: children in conflict with the law; children confined due to physical or mental health or drug use; children living in detention with their parents; immigration detention; children detained for their protection; national security; etc. In order to ensure that deprivation of liberty is clearly understood and thus used as a measure of last resort, there is also critical need to improve the **clarity around key concepts which are related to children's rights and deprivation of liberty** (such as last resort, shortest possible time, best interests of the child; access to justice; pre-trial detention; diversion; restorative justice; formal and informal justice systems; alternative measures; protective measures; age of criminal responsibility; rehabilitation and reintegration; administration detention; inter alia).

The Study will map out, through monitoring and evaluation analysis, how existing international laws and standards are being implemented on the ground and assess the concrete possibilities for States to improve their policies and responses. Through the collection of sound evidence and reliable data, the Study will also provide a consolidation of **good practices** and the formulation of **recommendations**, to support the work of States, UN agencies and other stakeholders to more effectively implement international standards and ensure that children deprived of their liberty actually enjoy their human rights.

The Study will be framed to have the following main strands:

- Collect quantitative and qualitative **data and statistics** on children deprived of their liberty, addressing gender, age, vulnerable groups, and disparities (e.g., urban/rural, regions, ethnic groups);
- Describe the **situation of children in detention** facilities and the use and abuse of deprivation of liberty, considering international human rights law and standards;
- Explain the **key concepts** which are related to children's rights and deprivation of liberty. Aim to inform, and to promote greater commitment to improving justice systems, and the enjoyment of rights;
- Analyse the effective application of **prevention measures** and **alternative measures** that ensure that detention is used only as a last resort (privileging diversion & restorative justice, inter alia), and leads to adequate rehabilitation measures;
- Formulate **recommendations and good practices** to implement standards, as well as reduce the number of children deprived of their liberty.

This Study would build upon the model of the United Nations Study on the Impact of Armed Conflict on Children (1996) conducted by Graça Machel and the United Nations Study on Violence against Children (2006), carried out by Paulo Sergio Pinheiro. Both of these studies exposed the nature, extent and causes around the issues of conflict and violence, and proposed clear recommendations for prevention and responsive actions. Note that the Study carried out by Pinheiro explicitly mentions, in the area of custody and detention, how



“[...] *better data collection is urgently needed globally* [...]”⁸. Both studies represent a strong platform for advocacy and action and have led to important advancements for children. These Studies represent a benchmark to assess any progress made in these specific fields; this Study will do the same. In the area of deprivation of liberty a concrete evaluation of the situation is highly necessary and urgent.

In order for a Global Study on Children Deprived of Liberty to be accomplished, the signatories of this Call ask the Members of United Nations General Assembly to request the United Nations Secretary General to conduct such an in-depth Study, through the appointment of an Independent Expert - to work in collaboration with the UN Interagency Panel on Juvenile Justice (IPJJ), UN agencies, State members, civil society organisations, academia and children themselves, as well as all other relevant partners.

❖ **Signatories:**

Abraham’s Children Foundation (ACF), African Child Policy Forum (ACPF), Alliance for Children, Amnesty International, Asociación Argentina de Magistrados Funcionarios y Profesionales de la Justicia de Niñez, Adolescencia y Familia (AJUNAF), Association Antigone, Association for Childhood Education International (ACEI), Association for the Prevention of Torture (APT), Le Bureau international des droits des enfants (IBCR), Casa Alianza (Switzerland), Child Helpline International (CHI), Child Rights International Network (CRIN), Children’s Human Rights Centre of Albania (CRCA), Consortium for Street Children, Coram Children’s Legal Centre, Defence for Children International (DCI), Dignité en Détention (DiDé), End Child Immigration Detention, Eurochild, Franciscans International, Geneva Infant Feeding Association - International Baby Food Action Network (IBFAN-GIFA), Global Initiative to End All Corporal Punishment of Children, The Howard League for Penal Reform, Human Rights Watch (HRW), IDAY-International, Inquest, Institut international des Droits de l’Enfant (IDE), International Catholic Child Bureau (ICCB/BICE), International Commission of Jurists (ICJ), International Detention Coalition (IDC), International Justice Consulting (IJC), International Juvenile Justice Observatory (IJJO), International Social Service (ISS), Istituto Internazionale Maria Ausiliatrice (IIMA; Human Rights Office), Organisation Mondiale Pour L’Éducation Préscolaire (O.M.E.P.), Our Children Foundation, Penal Reform International (PRI), Plan International, Platform for International Cooperation on Undocumented Migrants (PICUM), Quaker United Nations Office (QUNO), Rights International, Right to Education Project (RTE), Salesian Sisters of Don Bosco Daughters of Mary Help of Christians (FMA), Save the Children, SOS Children’s Villages International, Terre des Hommes International Federation, Vides Internazionale, War Child Holland (WCH), World Organization Against Torture (OMCT)

⁸ United Nations Secretary-General’s Study on Violence against Children 2005, pg.191

Annex 02

AGENDA

Morning session:

09:00 – 09:30 Introductory remarks & Presentation of the Call for a Study on Children Deprived of Liberty

- *Benoit Van Keirsbilck, President, Defence for Children International (DCI)*
- *Kirsten Sandberg, Chair, Committee on the Rights of the Child*
- *Gerold Vollmer, First Secretary, Permanent Mission of Austria*
- *Noor Al-Sada, Second Secretary, permanent Mission of Qatar*

Moderator: Yao Agbetse, Bureau International Catholique de l'Enfance (BICE)

09:30 – 10:30 DEPRIVATION OF LIBERTY: International Standards, Risks & Good Practices:

- *Jean Zermatten, former Chair, Committee on the Rights of the Child*
- *Benyam Mezmur, Vice Chair, Committee on the Rights of the Child; Chair, African Committee on the Rights and Welfare of the Child*
- *Philip Jaffé, Director, Institut Universitaire Kurt Bösch*
- *Anne-Li Norderhaug Ferguson, Norwegian Ministry of Justice and the Police*

Moderator: Cédric Foussard, International Juvenile Justice Observatory (IJJO)

10:30 – 10:45 *Coffee Break*

10:45 – 12:00 STRATEGY: Discussing challenges, obstacles and opportunities around the idea of a Global Study

- *Jaap Doek, former Chair, Committee on the Rights of the Child*
- *Roberta Cecchetti, Senior Advocacy and Policy Advisor, Save the Children*
- *Ariel Riva, Policy and Law, United Nations High Commissioner for Refugees (UNHCR)*

Moderator: Ben Lewis, International Detention Coalition (IDC)

12:00 – 12:30 Open Discussion

Lunch Break:

13:00 – 14:30 Side-event “Strategies for Reforms in Juvenile Justice”

Afternoon session:

15:00 – 16:00 METHODOLOGY: Identifying the key elements to be used in carrying

Call for a
 Global Study on
Children Deprived of Liberty
out a Global Study

- *Margaret Tuite, Coordinator for the rights of the child, European Commission*
- *Imma Guerras Delgado, Office of the United Nations High Commissioner for Human Rights (OHCHR)*
- *Alexandra Martins, Crime Prevention Officer, United Nations Office on Drugs and Crime (UNODC)*
- *Kerry Neal, Child Protection Specialist, UNICEF*

Moderator: Nikhil Roy, Penal Reform International (PRI)

16:00 – 16:30 Open discussion

16:30 – 17:00 Concluding remarks and next steps

Alice Farmer, Human Rights Watch (HRW)