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2021 World Congress on Justice With Children

“Ensuring access to justice for all children: towards non-discriminatory and inclusive child justice systems”

PREPARATORY MEETING REPORT CENTRAL AMERICA AND THE CARIBBEAN

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SUMMARY REPORT OF THE DISCUSSIONS

17 September 2020 - 13.00 – 17.00
Central Standard Time (Costa Rica)
Virtual – Go To Meeting

The Regional Preparatory Meeting for Central America and the Caribbean was co-organized by the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders and the Terre des hommes Foundation, with the collaboration of DNI Costa Rica, the Paniamor Foundation, and the Costa Rican Bar Association, as well as the support of Penal Reform International and the International Association of Youth and Family Judges (IAYFJM). The meeting was held on 17 September 2020 in preparation for the **2021 World Congress on Justice With Children**. This event was part of a series of meetings that are taking place at the regional and national levels to define key challenges and advocacy priorities in justice for children; as well as to present recommendations and proposals of topics, the agenda, and activities for the 2021 World Congress on Justice With Children.

The event gathered around 70 participants, including representatives of the Inter-American Development Bank, UNICEF, UNDP, members of civil society organizations, policy-makers, academics, and law firms. Due to the COVID-19 related restrictions, the meeting was held online via Go To Meeting.

The Meetings' **main objectives** were to:

- **Promote regional cooperation** in Central America and the Caribbean in the area of justice for children.
- **Bring together policy makers, academics, and civil society representatives** with relevant work and influence in juvenile justice to **identify key areas of interest**.
- **Follow up on the operational implementation of international standards and norms**, as well as regional commitments (Ibero-American Declaration and Ibero-American Decalogue on Juvenile Justice with a Restorative Approach) related to the rights of children and youth in conflict with the law.
- **Promote thematic priorities** and define trends related to justice for children.
- **Formulate recommendations and proposals to advance and consolidate the structures of justice for children** in today's society with a view to presenting them at the next World Congress in 2021.
- **Observe the impact of the COVID-19 pandemic on justice systems**, and what it means for children and adolescents in contact with the criminal law.

The meeting was conducted within the framework of the **30th anniversary of the United Nations Convention on the Rights of the Child** and the United Nations Sustainable Development Goal #16 on **peace, justice, and strong institutions**.

Introduction

Cedric Foussard, Advocacy and Global Learning Advisor at *Terre des hommes* Foundation, launched the event by mentioning that this meeting is the fourth regional preparatory meeting, following those held in Merida, Mexico; Buenos Aires, Argentina; and virtually for Europe. Mr. Foussard announced that the main objectives of the meeting are to **define the main topics for the World Congress and to define common interests, areas of study, and areas for cooperation for the ways forward**. The decision to continue with the initiative of the World Congress on Justice With Children (<https://justicewithchildren.org/>) was taken after the Congress in 2018 held in Paris. The previous preparatory meetings have shown a common trend and interest in access to justice and non-discrimination for children in contact with the law.

Douglas Duran, Director of the *United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders* (ILANUD), indicated that the purpose of this meeting is **to reflect on and discuss issues related to criminal justice and its improvement**.

Virginia Murillo, Executive President of the organization *Defensa de Niñas y Niños Internacional* (DNI) - Costa Rica, expressed the importance of juvenile justice in DNI's work, as well as its main concerns, including the **abolition of the imprisonment of adolescents**, the strengthening of specialized systems for the **comprehensive care** of adolescents in conflict with the law, and **access to justice** for adolescents in conflict with the law.

Milena Grillo, Director of Strategy and Innovation of Paniamor Foundation, indicated that the pandemic has affected vulnerable teenagers and that they have three main priorities in this regard, including **preventing teenagers from being incarcerated, further releasing teenagers from detention centres, and enhancing care for incarcerated teenagers**. She highlighted that the new general protocol derived from the pandemic does not have a specific chapter on teenagers and does not include them as a vulnerable group. **In Costa Rica, children and teenagers are not considered as vulnerable to COVID-19**, so they are being left behind in sanitary measures and health implications, despite the fact that the consequences of this virus on children and teenagers in the medium and long terms are not yet well known. Given the importance of protection and mental health services, Mrs. Grillo indicated that they are trying to **assist incarcerated teenagers to maintain contact with their families and the outside world through technology**. She emphasized the need to provide psychosocial support to children, especially who may have lost family members.

There has also been an increase in unemployment, which may increase organized crimes and sexual exploitation due to the lack of income. It is important to have a plan to both prevent teenagers from becoming incarcerated and to support currently incarcerated teenagers. Restorative justice and other alternatives must be used.

Allegra Baiocchi, United Nations Resident Coordinator in Costa Rica (UNCR), indicated that 2020 is the beginning of the **"action decade"**, which is the last 10 years to achieve the 17 objectives of the 2030 Agenda. Sustainable Development Goal 16 consists of peace, justice, and strong

institutions, which include the promotion of a peaceful and inclusive society, access to justice for everyone, and the building of efficient institutions. **Costa Rica is one of the pilot countries for the UN program on youth, launched in 2008.** Mrs. Baiocchi expressed that **children and teenagers must participate and have a voice of their own to be heard.** So, it is necessary to take into account the current context given the pandemic and the dramatic effects it is generating on youth, especially in the poorest communities. There is an opportunity to **build a better society based on participation and inclusion, under a principle of equality and non-discrimination.** Finally, it is also necessary to improve the access to justice for children and teenagers worldwide and especially in the region.

Viviana Boza the Vice Minister of Justice in Costa Rica, reminded the attendees that at the beginning of 2020, the 75th anniversary of the liberation of the Auschwitz Nazi concentration camp was celebrated. **It is important to remember and learn from past events.** Mrs. Boza stressed the **necessity to humanise the processes in Costa Rican penitentiaries.** They must transcend fear and give space to hope, through the acknowledgment of the human conditions in the penal centres.

In Costa Rica, there are 722 teenagers in the penal youth system, ranging from 12 to 18 years old. They come from the most violent provinces in the country. The main offences they have been charged with are those against life and property, along with sexual offences. Many of them are serving incarceration sentences of longer than 5 years. All this serves as evidence to prove **children and teenagers are 3 times more vulnerable in that society and especially in poor communities.**

The main challenge for countries in the region is their justice system. It is necessary to develop tools for prevention and to acknowledge the responsibility of the community in general. It is important to develop new ways to address crimes in the young population and justice systems, since current world events require this change. **It is necessary to seek more love and less hate to improve prevention and improve how justice systems act.**

Alvaro Burgos, *Magistrate of the Criminal Chamber III of the Costa Rica Supreme Court of Justice*, shared that it is the first time Costa Rica has a magistrate with experience in youth justice. He was given the position in December 2019. Next year, the youth justice law will celebrate its 25 years of existence. Also, he expressed that **it is necessary to fortify criminal justice; it must be a permanent endeavour to seek collective benefits for children and teenagers.**

Theme 1: Effects of COVID-19 on the execution of custodial sanctions in juvenile criminal justice systems: Challenges and lessons learned.

The first panel was moderated by **Dr. Ignacio Mayoral**, ILANUD's Associate Expert, Director of Development - Legal Area at VIU - International University of Valencia. The first topic of the panel was **the current situation derived from COVID-19 and measurements taken for that effect**.

Cedric Foussard expressed that pre-congress preparations were taking place in Costa Rica when the pandemic affected the world. Therefore, new strategies had to be implemented in order to continue with the work.

Due to this new context, the World Health Organization issued social distancing recommendations for detention centres, which were impossible to comply with. These centres face immense challenges and complications, such as the extreme difficulty to access clean water and hygiene. Several particular risks for teenagers in conflict with the law have been identified:

- **Physical health:** COVID-19 may not strongly affect children, but they are still vulnerable due to circumstances like drugs, living conditions, complicated life, etc.
- **Mental health:** children in detention can suffer double victimization if they are isolated due to COVID-19, which may cause behavioural and mental health problems.
- **Structure:** Certain food suppliers to detention centres have suspended their services, and appropriate operations of the centres have become incredibly difficult.
- **Infection:** Detention centres may become hotspots for the spread of COVID-19.

In this regard, the Global Initiative decided to produce a report on practices and policies to accelerate the release of children from detention in times of COVID-19. This report is already available in English and will soon be available in Spanish.

Mr. Foussard stated that the main recommendations to take into account are to:

- Release children from detention, such as those in pre-trial detention and those nearing their release dates. Targeted advocacy has already resulted in the successful release of children in various countries across the world.
- Halt or limit the placement of children in detention settings.
- Develop hygiene protocols.
- Guarantee mental health services, maintain visitation rights, and enable access to new technologies for children to stay close to their families and to continue the legal process.

According to **Douglas Duran**, ILANUD has a regional point of view on this matter. Focused on Latin America and the Caribbean, they have realized that COVID-19 is especially dangerous to incarcerated people. **One of Latin America's most serious problems, especially in Central America, is the overcrowding of detention centres**, which makes social distancing impossible.

The overcrowding in detention centres is in violation of the fundamental rights of children and a hazard to their health. Though this was a pre-existing condition, the pandemic exacerbated the problem. We need to rethink the justice and penal system, especially for children, and rethink processes to reduce the use of detention for children. Consequently, ILANUD has drafted a report on COVID-19 and people being held in detention centres. Mr. Duran stressed that **early release should be used as a quick mechanism to prevent the spread of COVID-19 in detention centres**.

In addition, **Martha Pascual**, President of the International Association of Youth and Family Magistrates (IAYFJM), pointed out that the media blames the youth for insecurity and the increase of crimes in Argentina. They are requesting to lower the minimum age of criminal responsibility and build more detention centres. **The challenge is to adapt to the social changes derived from the pandemic**. She also believes that women are especially vulnerable to enter the system, especially for drug related crimes. **That necessitates restorative socio-educational measures**.

The second topic the panel focused on was the question, **“what are the challenges and what conclusions, or recommendations are to be made for the World Congress in 2021?”**

According to **Cedric Foussard**, the conclusions have completely changed due to COVID-19. Efforts need to be made to prevent crime, but **because of the crisis, juvenile delinquency will increase**. In this sense, it is necessary to consider specific issues, such as the **decongestion of detention centres, international penal modifications, and promotion of resilience in the juvenile justice systems** in order to adapt to other pandemics.

Douglas Duran stressed the important challenge posed by the **resistance to the application of judicial resolutions, decrees, and guidelines that exist globally**, including judges and detention centres that hesitate to release children despite the calls for immediate responses and the multitude of literature that support this. These obstacles need to be overcome, especially because there have been many proposed solutions that are not executed. Also, youth offenders are commonly viewed as the problem and/or feared, which poses difficulties in applying the proposed solutions. It is necessary to change these mindsets and points of view.

Finally, **Martha Pascual** shared that the Supreme Court in **Argentina requested the review of the cases of children in vulnerable situations, including those with medical conditions, so that they can be placed under home arrest** with a family member, but away from the victim of the crime. Special conditions were set, and the children were required to agree and sign the agreement. They were provided with a cell phone to ensure the necessary controls and contact. Only three of the teenagers violated their home arrest and were sent back to a detention centre.

Key takeaways of the session

- COVID-19 seriously affects the conditions of children in detention centers.
- Early release should be used as a quick mechanism to prevent the spread of COVID-19 in detention centers.
- It is important to promote resiliency in the juvenile justice systems in order to adapt to other pandemics.
- It is necessary to rethink the processes, justice, and the penal system to reduce the use of detention for children.

Theme 2: Aspects that favour access to justice for children, from the perspective of reintegration

The second panel was moderated by **Victor Herrero**, Terre des hommes Regional Technical Advisor on Juvenile Justice for Latin America and the Caribbean. The topic of the panel focused on **the objectives of criminal justice and reintegration**.

Flory Chaves, Judge of Sentencing Appeal at the Juvenile Criminal Court in Costa Rica, stated that on the issue of reintegration, **the law mandates the consideration of the offender's special conditions when deciding the sentence**. It has been considered that if children have the capacity to commit a crime and especially the most serious ones, then they must take responsibility for it as if they were adults. But an assessment needs to be made as to whether this would achieve the intended outcome.

The sentence does not necessarily need to involve deprivation of liberty. There is a wide catalogue of alternative sanctions, such as impulse control programs, drug rehabilitation, combating abusive sexual behaviours, etc. that have been imposed.

Maria José Taladriz, Restorative Juvenile Justice Group Coordinator (AIAMP), stated that **the Decalogue of Restorative Juvenile Justice of the AIAMP gives a differentiated approach to children** that promote training strategies and encourage the development of public policies focused on juvenile justice.

In 2019, the Chilean Prosecutor drew up an activity plan and had a meeting in September. This meeting decided to commission a report on mediation in relation to restorative juvenile justice. The report gathered the experiences of 14 countries. The two main conclusions that can be drawn from the report are the importance of differentiating whether cases in the various countries are resolved through mediation, conciliation, or another mechanism, and the need to measure the satisfaction of those subjected to these procedures.

Carlos Tiffer, Director of the Juvenile Criminal Justice Program of the ILANUD, expressed that **access to justice is a basic principle of the rule of law**. Without access to justice, people cannot exercise their rights. International instruments highlight the principle of access to justice. It is not only about criminal justice, but it is **access in a broad sense, both in the sphere of protection and in the infringement sphere**. Access to justice for the purposes of children requires a broader interpretation, which should include justice of a social nature. Social justice is accessed through strategies, means, and practices in the field of prevention, which is one of the objectives of ILANUD, a crime prevention institute.

The principle of access to justice presupposes **an administration of justice that does not become an obstacle to social reintegration**; it must also provide fair, effective, and non-discriminatory services. Diversion should be the first form of intervention when children have reached the minimum age of criminal responsibility. These strategies of diversion with restorative

justice are a way of complying with the principle of minimal intervention when it comes to conflicts involving minors accused of violating the criminal law. **It is very important to strengthen juvenile justice to strengthen restorative justice.**

Question from the audience:

The audience was interested in hearing about the panellists' impressions on the development of the juvenile justice systems in their countries and in the rest of Latin America, in addition to their impressions of the existing instruments and whether they can be used to enhance the reintegration of children.

Flory Chavez affirmed that there are real people with real problems. Children facing exclusion, in situations of vulnerability, and/or facing domestic violence frequently end up in the criminal sphere. Despite the lack of resources, we have to work with what is available. **Restorative justice is a fundamental method of addressing the problem.** In addition, there is a lack of training and sensitization of justice system actors, which should be addressed.

Maria José Taladriz stated that prosecutor offices have a fundamental role in the field of restorative practices.

Carlos Tiffer replied that reintegration is more of a social matter than a justice one. **We need to make sure that the administration of justice is not an obstacle to reintegration.** There needs to be a specialized justice system for children, which should have: (i) special legislation, with special jurisprudence and jurisdiction, (ii) specialized judicial bodies from a child's first contact with the justice system, and (iii) an exclusive staff, duly trained and constantly evaluated. **Strong institutions are needed that are well regulated and with trained staff.** With regards to restorative justice, there should be legislation that specifically authorizes it.

Reintegration without the participation of children, is it possible? In a specialized judicial system, the child's right to be heard needs to be respected in a manner that is socially driven. This should be complemented by legal representation and support.

Key takeaways of the session

- Diversion should be the first form of intervention when children have reached the minimum age of criminal responsibility.
- It is necessary to increase the implementation of restorative juvenile justice.
- The principle of access to justice is not being addressed in its broadest sense. It is necessary to provide fair, effective, and non-discriminatory services, while enabling social reintegration.

Theme 3: Non-discrimination in access to juvenile justice for groups in vulnerable situations

The third panel was moderated by **Juan Manuel Sandoval**, Regional Coordinator for Latin America and the Caribbean of the Access to Justice Program of TdH. The topic of the panel was **the status of access to juvenile justice for groups in vulnerable situations**.

George Lima, Human Rights Specialist to the Rapporteurship on the Rights of the Child of the Inter-American Commission on Human Rights, pointed out that the Inter-American Commission on Human Rights observed that:

- There is a larger proportion of Afro-descendant children in detention centers than non-Afro-descendants, and they suffer higher sanctions.
- There is little specialization of justice for children.
- Discrimination exists because there are crimes that are only attributed to children and not to adults, which is also fueled by stigmatization.
- The detention centers are not child-friendly, and children are not able to understand and effectively participate in the justice processes.
- Children are placed in centers for adults and are treated as adults.

María Luisa Dominguez, Senior Democratic Governance Technician. EUROsociAL PLUS Program, indicated that their organization's main objective is **to increase the level of social cohesion in Latin America**. In the area of democratic governance, they support national public policies regarding access to justice, violence prevention, and reintegration. **They are currently supporting around 214 public policies in Latin America**. One of the most important topics is inclusive justice, which has become more important in these times, such as right to health and to education.

They perform their work through:

- I. Reducing the barriers to access to justice;
- II. Innovating models on access to justice;
- III. Pursuing alternative mechanisms of conflict resolution, (iv) strengthening the capacity of public defenders, and (v) reintegrating persons deprived of liberty.

Their specific actions include:

- **Regional / Existing networks and forums:**
 - Ibero-American Judicial Summit:
The 100 Brasilia Rules has the **objective of guaranteeing the conditions of effective access to justice for people in vulnerable conditions, without any discrimination**.

Eurosocial is working to turn the Rules into an international convention. Some examples of this Rules are:

- N°5: All children and adolescents must be subject to special protection by the organs of the justice system in consideration of their evolutionary development. The best interests of minors shall prevail when they interact with the justice system.
 - N°78: In judicial acts involving minors, their age and integral development shall be considered.
 - N°56 (k): Restorative justice services available in legally appropriate cases shall be promoted.
- o Ibero-American Association of Prosecutors (AIAMP): Eurosocial has assisted in the review and revision of the Santiago Guides for the Protection of Victims and Witnesses. The Guides provides specific provisions on children, such as requiring special treatment to minors as a vulnerable group and **establishing that minors are vulnerable not because of their physical age, but because of the factors that age entails**.
 - o Inter-American Association of Public Defenders (AIDEF): Eurosocial has assisted in the development of the **regional model for legal assistance for people in a situation of mobility** (migrants and refugees) and the **creation of a regional network for legal assistance to this group from the Public Defenders Offices**. The creation of the model has been carried out in two phases: (i) a regional assessment that allows a general and country-by-country analysis of the regulations and legal assistance to migrant minors and in particular unaccompanied minors; and (ii) the design of the regional model and establishment of the regional network of legal assistance to migrants.
- **National:**
 - o Peru: Eurosocial is working with the judiciary within the framework of the Peru's National Plan for Access to Justice for People in a Condition of Vulnerability. One of its objectives is **to promote that "children and adolescents involved in judicial proceedings are guaranteed comprehensive protection and specialized and interdisciplinary care"**. Likewise, they are providing support in the work related to the Protocol of Judicial Participation of Boys, Girls and Adolescents, either as a victim or as perpetrator of a crime, and the preparation of the Manual of Application of the Protocol of Judicial Participation of the NNA aimed at justice operators.
 - o Ecuador: Eurosocial is working with the Judicatory Council in order **to design and implement the National System of Restorative Juvenile Justice**. The implementation will be carried out both at the judicial and administrative levels. It is also intended to evaluate the impact of this system on the recidivism rate and the reduction of juvenile delinquency in Ecuador in order to develop a public policy for juvenile justice with a restorative approach.

- Costa Rica: Eurosocial is working with the judiciary, the National Directorate of Restorative Justice, and with the Ministry of Justice in order to **establish an inter-institutional mechanism for the promotion of the social reintegration of young people in enforcing criminal sentences and an intersectoral support network for restorative juvenile justice**. These are aimed to guarantee access to training, employment, health opportunities, and restorative justice for young people serving their sentences, in order to promote their effective reintegration.
- Colombia: Eurosocial is working with the Ministry of Justice and Law, Office of the Attorney General, and Municipality of Quibdó in order **to implement restorative processes and practices within the framework of the criminal justice system for adolescents**, with a special emphasis on the population deprived of liberty in the municipality of Quibdó.
- Uruguay: Eurosocial is working with the National Institute of Social Inclusion of Adolescents (INISA) in order **to implement the new model for alternative measures to deprivation of liberty for adolescents in conflict with the law**. The objective of the model is to promote the use of alternative measures for children who have committed crimes, as mandated by Article 40 of the United Nations Convention on the Rights of the Child.
- Chile: Eurosocial is supporting the Ministry of Justice and Human Rights in the **modernization of the Chilean public juvenile justice system** through the incorporation of restorative criminal mediation and the approval of the Public Policy on Restorative Juvenile Justice.

Mrs. **Dominguez** explained the lessons learned and the challenges for the future of the work of Eurosocial in Latin America, including:

- A paradigm shift is necessary for children in conflict with the law, from the traditional objectives of criminal justice as retribution to that of rehabilitation and restorative justice.
- Juvenile justice systems require specific laws, procedures, authorities, and institutions, which require autonomy from adult justice systems.
- Comprehensive public policies should be developed, rather than isolated programs or interventions, and these should prioritize restorative solutions.
- Inter-institutional coordination should be improved at all levels (national, regional, and local), with specialized courts and training of the different professionals involved in the system.
- Periodic evaluation and permanent monitoring should be conducted regarding the functions of the juvenile justice system and the situation of children.
- Updated and reliable data should be collected on the administration of juvenile justice.

- Awareness-raising campaigns should be organized for policy makers, institutions, the media, and the general public to explain the reality of children in conflict with the law and the importance of applying non-custodial measures, and to counteract the still popular discourse favouring longer punitive sentences for children.
- There is a need to advance more inclusive cooperation, partnerships, and alliances at all levels (from international to local) among multiple stakeholders, programs, and international agencies, closely related to SDG 17 and especially more important in the COVID-19 context, including with the civil society.
- There should be exchange of experiences, best practices, and expertise among Latin American countries and with other regions of the world, including through networks.
- Children in the most vulnerable situations must be protected, including migrant children, refugee children, children belonging to minorities, adolescent girls, children with disabilities, children in poverty, etc.

George Lima explained that the role of the Inter-American Commission on Human Rights during the pandemic was really important because it identified clearly what the problems are, and which measures countries must apply in relation to children.

With regards to participation, they are working on a **methodological guide for the participation of children in their processes**. They analysed the barriers in the Inter-American system of the participation of children. The objective of this guide is to identify how the system does not allow or does not encourage the participation of children, and to identify how to resolve this.

Countries must apply a human rights perspective in all policies, not only regarding juvenile justice, but also in policies to avoid inequalities in criminal actions. The **right to non-discrimination must be applied from the beginning, from the moment the policies are created, rather than only in their implementation**.

Juan Manuel Sandoval stressed the importance of the principle of non-discrimination in social policies to prevent inequalities and ensure the participation of children.

Ivan Navarro, Professor and researcher, Department of Criminal Law, Procedural Law and History. Carlos III University of Madrid, stated that since 2015, they have worked with Eurosocial on public policies. In 2007, a new youth justice law was issued, but they identified a **lack of specialisation, alternative measures, and other issues**, so a new reform will be discussed in Congress. To this end, they are analysing the results of restorative justice in South and Central America to learn from it.

In Chile, there are two main projects for reform:

- **Legislative:** New social reintegration programs and the recognition and formalization of restorative justice through legislation.
- **Institutional:** New social reintegration and mediation programs for youth.

The public policy would need to consider the victims and should also integrate the specialization of restorative justice and the institution of a pilot project to collect evidence to present to Congress. An important element would also be inter-institutional collaboration and an investment of public resources in the programs. In addition, **it is important to sensitize the decision-making authorities regarding restorative justice.**

Important challenges to address include ensuring the active participation of children in processes and to create a restorative justice approach catered to Latin America, rather than simply copying other international models. Restorative justice needs to start in the community.

Maria Teresa Delgado, Consultant for international organizations (UNICEF, UNESCO), pointed out that COVID-19 has created many challenges, including reduced **human contact for incarcerated youth. How do we reinvent the methods to apply restorative justice without human contact?** Technology may be a solution, but it is insufficient. It is necessary to seek ways to further promote all good practices that took place prior to COVID-19, including contact of the youth with their families through programs, legal assistance programs to end incarceration or to resort to alternative measures, ensure mental and physical health, and promote education.

Key takeaways of the session

- The principle of non-discrimination is scarcely respected by juvenile justice policies and during the process of applying them.
- Several Latin American countries are creating and implementing new processes, mechanisms, and policies to improve the juvenile justice system.
- Latin American justice systems do not favor the participation of children in their proceedings.

Comments and input from the audience

Zoel Franco: Deprivation of liberty should be prohibited for children, while precautionary measures and non-custodial measures are strengthened in manner that promotes the social integration of children.

Carolina Baez: Given the intensification of the deep inequalities observed in much of Latin America, COVID-19 poses additional challenges to the processes of reintegration of adolescents into communities and families, reducing their access to services and programs that allow them to develop optimally. In the case of adolescents deprived of liberty, the dissociation with the community and the family is intensified, which should be reviewed and addressed.

Esther Ruiz: The pandemic has presented multiple challenges, but it has also offered opportunities in the Latin American region to deinstitutionalize adolescents and women together with their children. Decongestion is possible and has been seen in some countries, but it must go hand in hand with adequate support. Adolescents being released should be made sure that they do not bring COVID home and are provided with economic support, food, education, etc.

Juan Manuel: The deinstitutionalization of adolescents must be accompanied by a strengthening of post-release programs and networks of institutions to offer options to adolescents and families in this challenging context.

Ignacio Mayoral: Decongestion needs to proceed in a coordinated and organized way with appropriate tools and resources.

Judith Gomez: With COVID-19, the intensity of serious crimes has risen, including children from poor households who are used by adults in the commission of new crimes.

Alexis Sanchez Vega: Vulnerability will increase and those groups that were already vulnerable will become more so. There is a need to invest in social opportunities, more education, more technical training, and using detention as the measure of last resort.

Sofía Segura: Commitment between different entities outside the prison is necessary to prevent social and family exclusion while children serve their sentences, and it is necessary to expand external support resources for children to be subjected to alternatives to detention. Prison cannot become a "safe space" for children.

Oswaldo Vazquez: It is necessary to reinforce socio-educational measures during judicial investigation and pre-trial detention, in addition to measures to avoid deprivation of liberty.

Olga Diná: The lack of awareness and the resistance of actors in the system slows down the assertive, adequate, and timely response to the need to safeguard the fundamental rights of children. A system must be created that can respond to the needs of the various situations faced by adolescents in conflict with the law who are deprived of their liberty, so as prevent recidivism.

There must be an inter-institutional and multisectoral approach that allows the adoption of appropriate measures to reduce deprivation of liberty, taking into account that there are issues such as the unavailability of the various institutions (including courts), the use of controlled substances, adolescents who do not have family support, etc.

Kathya Rodríguez: The ombudsman's office of Costa Rica concluded that:

1. The vulnerabilities of the juvenile penal system are exacerbated in times of COVID-19.
2. The infrastructure conditions at the Zurquí Juvenile Center cannot adequately address health measures, and inter-institutional support is critical for its administration.
3. The measures adopted by the prison authorities do not focus on adolescents; the same generic measures are used for health, services, security, and recreational activities.
4. The incarcerated population faces restrictions in their family contacts and limitations with respect to virtual contacts.
5. On-site inspections are restricted due to the risk of contagion.
6. It is important to provide accessible, confidential, and secure complaints and grievance mechanisms for the population deprived of liberty.

Carolina Baez: Social justice and violence prevention policies are important. General Comment No. 24 has been very emphatic in that view, considering that a juvenile justice system is not complete if there are no prevention policies. The Comment also mentions prevention programs for adolescents entering and leaving the juvenile justice system, and one can derive from this that it is expected that a prevention policy with tertiary prevention programs would be an important support for reintegration processes, preventing the re or overuse of judicial processes.

Olga Diná: Preventing child delinquency is important, including early intervention aimed at children who do not reach the minimum age of criminal responsibility and involving their families, the community, and schools in the interventions, taking into account their living conditions.

Carolina Baez: General Comment No. 24 addresses the issue of the participation of children in armed groups but does not consider the recruitment in organized crime and/or maras and gangs, which is another challenge to which a comprehensive protection response should be provided and not only at the level of criminal responsibility.

Olga Diná: It is important to take into account the objective of the sentences imposed in juvenile criminal justice, which should focus on restorative justice.

Ignacio Mayoral: It is essential to have specialized organizations that can promote interventions with children and adolescents through programs based on scientific evidence. An in-depth study should be carried out in the region on the scope of the different sentences imposed on children.

Viviana: Another group to consider is children who are born in penal centres.

Carolina Baez: Other issues to consider are the stigma faced by adolescents in conflict with the law and proposals aimed at lowering the minimum age of criminal responsibility.

Sofía Segura: Another issue to consider is to analyse the impact of the infrastructure of the detention facilities in relation to the objectives of the juvenile justice systems, not only in terms of overcrowding, but also in the design of the facilities.

Closing remarks

Cedric Foussard expressed that there are many topics exclusive to Central America, but that most topics are common to all countries. He stated that it is necessary to reimagine a new juvenile justice system to adapt to new situations, such as COVID-19, and that a restorative justice system is required, particularly on specialized social services and police that emphasize diversion and non-custodial measures.

Douglas Douran indicated that the meeting objective has been successfully achieved, profound thoughts were shared, and the participation of all attendees provided a lot of insight.

Contacts for further information

For any further information, please contact:

Cédric Foussard, Global Advocacy and Learning Advisor, Terre des hommes Foundation, cedric.foussard@tdh.ch

With the support of:



For more information on The World Congress on Justice With Children:

<http://www.justicewithchildren.org>

Annex 1: World Congress Concept Note

WORLD CONGRESS ON JUSTICE WITH CHILDREN

A one-week online event on child justice

15 to 20 November 2021

“Ensuring access to justice for all children: towards non-discriminatory and inclusive child justice systems”

ABOUT THE WORLD CONGRESSES ON JUSTICE WITH CHILDREN

World Congresses on Justice With Children provide dedicated and **interactive spaces for children and youth, policy makers and justice system stakeholders, academics, civil society and UN representatives**, and other experts and practitioners. They are designed to:

- **Promote fair and appropriate justice systems** for and with children worldwide.
- Provide space for professionals to **exchange best practices, foster scientific cooperation, formulate policy recommendations, and raise awareness of** justice for children.
- **Support the operational implementation of international instruments and standards** related to the rights of children and young people in conflict with the law.



The **last World Congress** took place at the UNESCO headquarters, in Paris-France (May 2018), with the theme “**Strengthening Justice Systems for children: Challenges, including disengagement from violent extremism**”.



Over 3 days, nearly 1,000 people from 100 different countries participated in 28 workshops and more than 10 plenary sessions. A key output was the Paris Declaration on the prevention of child involvement in violent extremism. See: <https://justicewithchildren.org/world-congress/>. Previous Congresses were held in Geneva (2015), co-organised by the Swiss Federal Ministry of Justice, and in Lima (2009), focusing on restorative justice for children.

The World Congresses are organised by the **Global Initiative on Justice With Children** to address the most current issues related to **children in contact and/or conflict with the law**. The **Global Initiative is led by** a consortium of international organisations, including **Terre des hommes, Penal Reform International, International Association of Youth and Family Judges and**

Magistrates and **International Institute for the Rights of the Child** (IDE). The Global Initiative is articulated through a double-pronged approach:

- a Justice With Children Global Milestone through the **World Congresses on Justice With Children**
- a global community of practitioners mobilised through the [Justice With Children online platform](#)

The next World Congress will take place online from the 15th to 20th of **November 2021** and is hosted by the federal Mexican Supreme Court of Justice, with technical support from UNICEF, the Office of the Special Representative of the Secretary-General on Violence Against Children (OSRSG-VAC), The Office of the High Commissioner for Human Rights (OHCHR); and the United Nations Office on Drugs and Crime (UNODC). The Congress receives Pro-bono support from Baker Mackenzie and is held under the auspices of the Council of Europe. Its theme is **“Ensuring access to justice for all children: towards non-discriminatory and inclusive child justice systems”**

“State Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.”

- Article 2, United Nations Convention on the Rights of the Child

Context:

Children in contact with justice systems – as victims, witnesses, or offenders – need special care and protection. These children are amongst those who are the most vulnerable to having their rights violated. They may face deprivation of liberty that harms their physical and psychological well-being; be denied the right to legal representation and fair judicial proceedings; be separated from their parents, family, or guardians; and experience stigma from the communities that prevent their reintegration and healing. In addition, they may experience **discrimination from the justice system itself**.

Many children across the globe, in diverse contexts and settings, face multiple and intersecting forms of discrimination due to a range of factors, including ethnic and/or religious origins; disability; socio-economic status; gender, gender identity, and/or sexual orientation; migrant status; or their status as survivors of human trafficking. Discrimination typically results in social exclusion and the lack of access to services and resources.

Both the Universal Declaration of Human Rights (UDHR) and United Nations Convention on the Rights of the Child (UNCRC) identify equality and non-discrimination as fundamental principles for respecting, fulfilling, and protecting the rights of children. Non-discrimination is a common principle and foundation for almost all legal instruments, in both national and international law. However, structural discrimination, inequalities, and power dynamics act to constrain or restrain equitable access to rights for all children. This is a daily reality for many children, who – not only

excluded from basic services – are significantly more likely to be caught up in justice systems with weaker procedural safeguards, undermining the principles of equality and exposing them to a vicious cycle of social exclusion.

Discrimination also profoundly impacts children's rights to have their voices heard and their opinions listened to, particularly in matters that affect them. There is very little information about **children's perspectives or voices** in justice systems, on how they see or cope with discrimination and address it, and to what extent such discrimination impacts their ability to be treated equally with dignity and respect. Interviews with children undertaken to inform the UN Global Study on Children Deprived of Liberty revealed that children are acutely aware of discriminatory practices, with many reporting that they had faced harassment, stigmatisation, low self-esteem, and exclusion, all of which have negative consequences for the child's holistic development.

2021 World Congress Preparatory Meetings:

A total of 13 Preparatory meetings were held between 2019 and 2021, in person and virtually, both at the Regional level (including in North America, the Middle East and North Africa, Europe) and at the National level (including in Cambodia, China, India, Lebanon, Pakistan, Singapore, Thailand and the United States of America) to discuss and define the main topics and priorities for the 2021 World Congress. Participants demonstrated a particular interest in **the implementation of Article 2 of the UNCRC**, which focuses on the child's right to non-discrimination and equality. This will be the focus of the 2021 World Congress, which will explore the situation of children in contact with the law in the most vulnerable situations, such as children from religious and ethnic minorities, LGBTQIA+ children, girls, migrant children, children with disabilities, and all those who experience discrimination in the administration of justice.

2021 World Congress Main Objective:

To address this complex issue, the 2021 World Congress will focus on **exchanging practice-oriented strategies to:**

- Reduce discrimination that undermines access to – and the quality of – justice systems; and
- Ensure that all children are guaranteed equal treatment in the eyes of the law.

It will share **promising practices** from diverse contexts and settings that tackle discrimination, prevent situations that lead children and youth to commit offences, and reduce child and youth contact with the justice system. It will showcase examples of effective responses to prevent recidivism through programmes focused on restorative justice, rehabilitation, and reintegration.

The 2021 World Congress will offer a dedicated space for **policy makers and justice system stakeholders, academics, civil society and UN representatives, children and youth** and other experts and practitioners to explore these challenging issues and to enhance our knowledge of – and commitment to the creation of – fair and appropriate child justice systems globally. It will provide technical expertise to support the operational implementation of international laws and standards related to the rights of children and youth in conflict with the law.

2021 World Congress Agenda:

Co-organised by the federal Mexican Supreme Court of Justice, the 2021 World Congress expects thousands of experts and child delegates to participate from all across the world. Over five days, academics, policy makers, judges and magistrates, and civil society representatives will participate in and contribute to global and regional plenary sessions and action-oriented workshops consisting of panel discussions, certified trainings, and policy-oriented working group meetings.

Based on the results of the different Preparatory Meetings, the 2021 World Congress will focus mainly, but not exclusively, on the following sub-themes:

- Systemic racism and the disproportionate criminalisation of children from indigenous, ethnic, and other minority groups;
- Discrimination due to gender, sexual orientation, and gender identity: fostering a gender justice approach;
- Discrimination experienced by children and young people affected by migration, including refugees, unaccompanied foreign children, and children of foreign parents;
- Discrimination due to disability and health conditions;
- Discrimination due to substance use and abuse;
- Criminalisation of children's online behaviour;
- Age limits and status offences;
- Ensuring that the voice of the child is heard in child justice systems;
- Fulfilling children's rights in the contexts of legal pluralism;
- Building resilient child justice systems in times of crises and pandemics; and
- Tackling violence within child justice systems and ensuring child-friendly approaches for child victims, offenders, and witnesses.

Specific topics of the sessions will be defined in collaboration with the Scientific Committee and the Child and Youth Advisory Group of the World Congress. The call for abstracts was launched in the summer of 2021.

How to Participate

For the first time, access to the Congress will be possible online, which will provide greater access to the programme for professionals who cannot travel and will facilitate greater participation of children. We hope to reach a wider audience and to allow greater participation and involvement via digital tools. A recording will also be made available.

Partners

Terre des hommes Foundation – Helping children worldwide



Terre des hommes Foundation (Lausanne) is the largest Swiss organisation for child relief. With delegations in over 30 countries and its expertise in the domains of health and child protection, Terre des hommes offers practical solutions and a better future for over one million children and their mothers each year. This engagement is financed by individual and

institutional support, of which more than 85% flows directly into the programs. Terre des hommes was founded in Lausanne in 1960.

Penal Reform International



Penal Reform International (PRI) is an independent nongovernmental organisation that develops and promotes fair, effective and proportionate responses to criminal justice problems worldwide. It promotes the rights of detainees to fair and humane treatment, and campaigns for the prevention of torture and the abolition of the death penalty and works to ensure both just and appropriate responses for children and women who come into contact with the law.

International Association of Family and Youth Judges and Magistrates



IAYFJM is a worldwide organisation, dating to before the first World War and formally established in Belgium in 1928. It is dedicated to the study and exchange of information on issues concerning children and young people in need of care and protection and/or in conflict with the law, and their families. It aims to identify, publicise and promote best practice in these fields. The languages of the Association are French, English and Spanish.

International Institute for the Rights of the Child



The International Institute for the Rights of the Child (IDE) was created in 1995. It is a recognized training centre in children's rights for all professionals working for and with children in Switzerland and abroad. The IDE is active in numerous awareness-raising activities to promote children's rights and to enforce the Convention on the Rights of the Child. As a scientific centre, it is solicited by numerous networks of experts and institutions working for the respect of children's rights.

With technical support from:



The Special Representative of the Secretary-General on Violence Against Children is an independent global advocate in favour of the prevention and elimination of all forms of violence against children, mobilizing action and political support to achieve progress across the world. The mandate of the SRSG is anchored in the Convention on the Rights of the Child and other international human rights instruments and framed by the UN Study.



UNICEF is mandated by the United Nations General Assembly to advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential. UNICEF is guided by the Convention on the Rights of the Child and strives to establish children's rights as enduring ethical principles and international standards of behaviour towards children.

UNICEF works in the world's toughest places to reach the most disadvantaged children and adolescents – and to protect the rights of every child, everywhere. Across more than more than 190 countries and territories, we do whatever it takes to help children survive, thrive and fulfil their potential, from early childhood through adolescence.

Before, during and after humanitarian emergencies, UNICEF is on the ground, bringing lifesaving help and hope to children and families. Non-political and impartial, we are never neutral when it comes to defending children's rights and safeguarding their lives and futures.

And we never give up.

unicef | for every child



The Office of the High Commissioner for Human Rights (UN Human Rights) is the **leading UN entity on human rights**. The OHCHR represents the world's commitment to the promotion and protection of the full range of human rights and freedoms set out in the [Universal Declaration of Human Rights](#).

The mission of the OHCHR is to work for the protection of all human rights for all people; to help empower people to realise their rights; and to assist those responsible for upholding such rights in ensuring that they are implemented.



The United Nations Office on Drugs and Crime (UNODC) is a global leader in the fight against illicit drugs, transnational organised crime, terrorism and corruption, and is the guardian of most of the related conventions. UNODC has the mandate to support Member States in preventing and responding to crime and violence and strengthening their justice systems, including the specific mandate to support Member States in ensuring that children are better served and protected by justice systems. Under the framework

of the Global Programme to End Violence Against Children, UNODC provides technical assistance to Member States at global, regional and country levels in the areas of crime prevention, child victims and witnesses, juvenile justice as well as children recruited and exploited by terrorist and violent extremist groups.



The Organisation for Economic Co-operation and Development (OECD) is an international organisation that works to build better policies for better lives. Its goal is to shape policies that foster prosperity, equality, opportunity and well-being for all.

Together with governments, policy makers and citizens, the OECD works on establishing evidence-based international standards and finding solutions to a range of social, economic and environmental challenges.



The Pathfinders are a group of 39 UN member states, international organizations, global partnerships, civil society and the private sector. Their work is to accelerate action to implement the SDG targets for peace, justice and inclusion (SDG16+). The Sub-group "Justice for Children, Justice for All" offers a new starting point to place children at the heart of an emerging global movement for justice.

Hosted by:



The Supreme Court of the Nation of Mexico is one of the depositary bodies of the Judicial Power of the Federation, in terms of the provisions of Article 94 of the Political Constitution of the United Mexican States and the Organic Law of the Judicial Power of the Federation.

It is the highest Constitutional Court of the country and heads the Judicial Power of the Federation. One of its responsibilities is to defend the order established by the Political Constitution of the United Mexican States; to maintain the balance between the different branches and spheres of government, through the judicial resolutions it issues; in addition to resolving, in a definitive manner, matters of importance to society.

Under the Auspices of:



The Council of Europe is the continent's leading human rights organisation. It works with its 47 member states to strengthen human rights, democracy and the rule of law throughout the continent and beyond.

It has successfully developed a rights protection system, the best-known mechanism of which is the European Court of Human Rights. The Court was established under the European Convention on Human Rights which has been ratified by all the member states of the Council of Europe.

With pro-bono support from:

**Baker
McKenzie.**

Baker McKenzie is an international law firm present in 47 countries. Its pro-bono department aims to deliver first-class legal services to the underserved and disadvantaged by fostering an environment that encourages and promotes service and promotes and sponsors activities that provide opportunities for all Firm personnel, independently, and in partnership with clients, in order to contribute to the well-being of the communities in which they practice and live.

Contact:

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Twitter: @with_initiative

Annex 2: Central America Preparatory Meeting Concept Note and Agenda

Context: A global initiative on justice with children

The Terre des hommes Foundation's Access to Justice program is the precursor to a Global Initiative on Justice for Children, a program developed by a group of international organizations to address the most topical issues related to children in contact and in conflict with the law.

The program holds international events on justice for children called World Congresses on Justice for Children and maintains a worldwide community of professionals through an online platform on justice for children: www.justicewithchildren.org

The objectives of this Global Initiative are as follows:

- To ensure that children's rights are effectively implemented worldwide,
- Promote access to justice and children's participation in formal and informal justice systems,
- To study the use of deprivation of liberty and promote non-custodial measures,
- To create continuity between each World Congress through an online follow-up of actions defined during regional and global events.

The World Congresses on Justice for Children and their Regional Preparatory Meetings

The World Congresses represent dedicated spaces for interaction and participation for political leaders, academics and representatives of civil society, in order to:

- Promote fair and appropriate justice for children worldwide,
- Encourage communication between professionals to exchange good practices, foster scientific cooperation, formulate policy recommendations and raise awareness on justice for children,
- Support the operational implementation of related international standards and norms, as well as regional commitments (Ibero-American Declaration and Ibero-American Decalogue on Juvenile Justice with a Restorative Approach) to the rights of children and youth in conflict with the law.

The last World Congress took place at UNESCO Headquarters in Paris, France, in May 2018, under the title "Strengthening Justice Systems for Children: Challenges, including Disengaging Violent Extremism". During 3 days, nearly 1000 people from 100 different nationalities participated in 28 workshops and more than 10 plenary sessions. This Congress has resulted in the Paris Declaration (www.j4c2018.org) Previous editions took place in Geneva, Switzerland in 2015, co-organized by the Federal Ministry of Justice of that country and before that in Lima, Peru in 2009 where emphasis was given to the theme of juvenile restorative justice.

The next World Congress will take place in Mexico in 2021 and is co-organized with the Supreme Court of Justice of the Nation. The tentative title is "Access to justice for all: towards non-discriminatory and inclusive justice systems for children" and will focus on discrimination in access to justice with special attention to migration, gender, ethnic minorities and mental health.

AGENDA WORLD CONGRESS PREPARATORY MEETING

Central America and the Caribbean

17 September 2020

Regional Preparatory Meeting for Central America and the Caribbean

Several preparatory meetings were organized in 2019 and 2020 to promote the "Global Initiative on Justice with Children" at the regional and national levels, and to identify the most relevant topics for the 2021 World Congress on Justice With Children. Two Regional Preparatory Meetings have already been organized: in Merida, Mexico for North America and in Buenos Aires, Argentina for Latin America. Due to the COVID-19 pandemic, virtual meetings have also been organized, such as the Preparatory Meeting for Europe, which took place in June 2020.

The Regional Preparatory Meeting for Central America and the Caribbean has its immediate antecedent in the meeting that was scheduled to take place in March 2020 in San Jose (Costa Rica), but had to be cancelled as a consequence of the measures adopted by the United Nations System to prevent the spread of COVID-19 in the world.

Thus, the original initiative is taken up again with the aim of making this meeting a space for reflection and exchange of good practices on thematic axes related to juvenile justice. Different aspects of justice for children will be analyzed within the framework of the Ibero-American Declaration of Juvenile Justice with a restorative approach and the Ibero-American Decalogue of Juvenile Justice, adopted by the Central American States in the different Ibero-American forums such as the Judicial Summit, the Conference of Ministers of Justice of the Ibero-American countries, and the Ibero-American Association of Public Prosecutors. Under this general objective, the following specific objectives are proposed:

- Promote regional cooperation in Central America and the Caribbean in the area of justice for children.
- Bring together policy makers, academics, and civil society representatives with relevant work and influence in juvenile justice to identify key areas of interest.
- Follow up on the operational implementation of international standards and norms, as well as regional commitments (Ibero-American Declaration and Ibero-American Decalogue on Juvenile Justice with a Restorative Approach) related to the rights of children and youth in conflict with the law.
- Promote thematic priorities and define trends related to justice for children.
- Formulate recommendations and proposals to advance and consolidate the structures of justice for children in today's society with a view to presenting them at the next World Congress in 2021.
- Observe the impact of the COVID-19 pandemic on justice systems, and what it means for children and adolescents in contact with the criminal law.

The meeting is being conducted within the framework of the 30th anniversary of the United Nations Convention on the Rights of the Child and the United Nations Sustainable Development Goal # 16 on peace, justice, and strong institutions.

The Regional Preparatory Meeting for Central America and the Caribbean is co-organized by the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders and the Terre des hommes Foundation, with the collaboration of DNI Costa Rica, the Paniamor Foundation, and the Costa Rican Bar Association, as well as the support of Penal Reform International and the International Association of Youth and Family Judges (IAYFJM). It will take place in virtual mode on 17 September 2020.

13.00 – 13.10 – Welcoming Participants

Cédric Foussard, Advocacy and Global Learning Advisor, Terre des hommes Foundation.

13.10 – 13.40: Introduction

- **Douglas Durán**, Director of the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD).
- **Virginia Murillo**, Executive President, DNI Costa Rica.
- **Milena Grillo**, Strategy and Innovation Director, Paniamor.
- **Allegra Baiocchi**, UN Resident Coordinator in Costa Rica.
- **Viviana Boza**, Vice Minister of Justice of the Republic of Costa Rica.
- **Álvaro Burgos**, Magistrate of the Criminal Chamber III of the Costa Rica Supreme Court of Justice.

13.40 – 14.30: Theme 1: Effects of COVID-19 on the execution of custodial sanctions in juvenile criminal justice systems: Challenges and lessons learned.

Moderator: Ignacio Mayoral, ILANUD's Associate Expert, Director of Development - Legal Area at VIU - International University of Valencia.

Panelists:

- **Cédric Foussard**, Advocacy and Global Learning Advisor, Terre des hommes Foundation.
- **Douglas Duran**, Director of the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD).
- **Martha Pascual**, President of the International Association of Youth and Family Magistrates (IAYFJM).

14.30 – 14.40: Short Break

14.40 – 15.30: Theme 2: Aspects that favor access to justice for children, from the perspective of reintegration

Moderator: Víctor Herrero, Terre des hommes Regional Technical Advisor on Juvenile Justice for Latin America and the Caribbean.

Panelists:

- **Flory Chaves**, Judge of Sentencing Appeal of the Juvenile Criminal Court in Costa Rica.
- **Maria José Taladriz**, Restorative Juvenile Justice Group Coordinator (AIAMP).
- **Carlos Tiffer**, Director of the Juvenile Criminal Justice Program of the ILANUD.

15.30 – 15.40: Short Break

15.40 – 16.45: Theme 3: Non-discrimination in access to juvenile justice for groups in vulnerable situations

Moderator: Juan Manuel Sandoval, Regional Coordinator for Latin America and the Caribbean of the Access to Justice Program of Terre des hommes.

Panelists:

- **George Lima**, Human Rights Specialist to the Rapporteurship on the Rights of the Child of the Inter-American Commission on Human Rights.
- **María Luisa Dominguez**, Senior Democratic Governance Technician. EUROsociAL PLUS Program.
- **Ivan Navarro**, Professor and researcher, Department of Criminal Law, Procedural Law and History. Carlos III University of Madrid
- **Maria Teresa Delgado**, Consultant for international organizations (UNICEF, UNESCO).

16.45 – 17.00: Closing Remarks

Cédric Foussard, Advocacy and Global Learning Advisor, Terre des hommes Foundation.

Douglas Durán, Director of the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD).

Date and Time

Thursday, 17 September 2020 / 13.00 – 17.00 Central Standard Time (Costa Rica)

Location

The meeting will be held online through Go To Meeting. An email will be sent to the participants prior to the meeting with the connection details.

Annex 3: List of Interesting Resources and Publications Exchanged at the Preparatory Meeting Chatlog

- ❖ **ILANUD: Report on Covid-19 and prisons (document in Spanish):**
 - <https://www.ilanud.or.cr/ilanud-informe-covid-19-y-prisiones/>
- ❖ **Training in juvenile justice (in Spanish)**
 - <https://www.unige.ch/formcont/cours/cas-jjes>
- ❖ **Justice with children's Operational Guidelines: Social Workforce**
 - https://justicewithchildren.org/wp-content/uploads/2020/06/Operational_Guidelines_for_Social_Workforce_Covid19_Global-Initiative-on-Justice-with-Children.pdf
- ❖ **Ibero-American Declaration on Restorative Juvenile Justice (document in Spanish)**
 - <https://intercoonecta.aecid.es/Documentos%20de%20actividad/DECLARACION%20IBEROAMERICANA%20JUSTICIA%20JUVENIL%20RESTAURATIVA.pdf>
- ❖ **Ibero-American Decalogue on Restorative Juvenile Justice (document in Spanish)**
 - <https://docplayer.es/87294031-Decalogo-iberoamericano-sobre-justicia-juvenil-restaurativa.html>

Annex 4: list of participants

ILANUD Guests			
Xenia Villalobos			
Víctor Chaves			
Cristina Artavia			
Andrea Méndez			
Selene Pineda			
Óscar Arce			
Alexis Sánchez			
Isabel Guevara			
Eugenio Polanco			
Grimaneza Narváez S.			
Yagnna Nicolás			
Adriana Lander			
Country	Name	Position	Institution
Costa Rica	External Guests		
	Andrés Restrepo	Citizen Security Lead Specialist Institutions for Development (IFD) Innovation for Citizen Services (ICS)	Inter-American Development Bank
	Paula Antezana	UNFPA representative	
	Gerardo Rubén Alfaro Vargas	Magistrate	National Directorate of Restorative Justice

		Judicial Branch of Costa Rica
Karla Hidalgo Ordeñana	Executive director	College of Criminology Professionals of Costa Rica
Lic. Mario Calderón Conejo	President	College of Criminology Professionals of Costa Rica
Marianela Jiménez Monge		Judicial Investigation Agency [OIJ]
Elizabeth Esquivel Sánchez	Coordinating Prosecutor	Juvenile Criminal Deputy Prosecutor's Office
Evelyn Carmona Moreira	Restorative Justice Prosecutor	Juvenile Criminal Deputy Prosecutor's Office
Georgina Zamora	Protection officer and focal point for juvenile criminal justice issues	UNICEF
Patricia Portela de Souza	UNICEF Representative - Costa Rica	
Rita Porras	Prevention Projects Unit	Costa Rican Institute on Drugs; ICD
Rosa Jiménez Vargas	Head of the Juvenile Criminal Section	Judicial Investigation Agency
Juan Carlos Pérez		
Licda. Yendry Portugués Pizarro	National Supervisor of Criminal Matters	
Lic. Luis Gerardo Villalobos Corrales	Coordinator of the Juvenile Public Criminal Defense Unit	Public Defense
Jorge Delgado Salazar	Consultant	Penitentiary and Criminology
Olman Alberto Ulate	Member of the Criminal Law Commission	
Gary Amador	Member of the Criminal Law Commission	

	Marcelle Laporte	Ministry of Justice	
	Carolina Celada Ramón	Director of the Center for Attention to Bullying [CAB], Costa Rica	Center for Attention to Bullying [CAB], Costa Rica
	Eugenia Mata	Costa Rican Institute on Drugs	-
	Licda. Kathya Rodríguez Araica	Director of Children and Adolescents	Ombudsman's Office
	Licda. Priscila Madrigal Gonzalez	Coordinator of the Juvenile Penal Sanctions Execution Court	
	Lic. Danilo Segura	Coordinator of the Juvenile Criminal Court of San José	
	Lic. Rodolfo Chaves	Coordinator of the Public Defense of Cartago	
	Gustavo Chan	UCR	
	Javier Llobet	UCR	
	José Manuel Arroyo Gutiérrez		
	Sofía Segura Balmaceda	Director "Zurquí"	
El Salvador	Benilda Arce Chavarria	Advisor to the Student Life Directorate	Ministry of Public Education
	Sandra Aguilar	Protection officer	UNICEF
	Ronald González	First judge of minors of santa ana	
	Licenciado Sánchez		ISNA
	Lissette Miranda	Coordinator of the Pioneer Project in Social Insertion Area of Democratic Governance	United Nations Development Program
	Bertha Noemy Reyes Najarro		
Chile	Juez Ochoa		

Cuba	Carolina Báez Hernández	Master in Forensic Legal Psychology	Independent consultant
	Dra. Odalys Quintero Silverio	Magistrate of the Criminal Chamber	People's Supreme Court
Panama	Rubén Remigio Ferro	President of the Supreme Court	
	Melissa Navarro	First Superior Prosecutor for Adolescents of Colón and Guna Yala Region	Public Ministry of Panamá
	Esther Ruiz		UNICEF
Guatemala	Judith Gómez	First Superior Prosecutor for Adolescents of Colón and Guna Yala Region	Public Ministry of Panamá
	Susana Rivera		Public Ministry of Guatemala
	Zoel Franco Chen		Institute of Comparative Studies of Guatemala
Honduras	Elvyn Leonel Díaz Sánchez		Institute of Comparative Studies of Guatemala
	Dr. Felipe Morales	Director	INAMI - National Institute for the Attention of Minor Offenders
	Coronel de Justicia Militar D.E. Rony Javier Portillo	Director	National Penitentiary Institute
Nicaragua	Héctor Leonel Ayala Alvarenga	Secretary of the Interior, Justice and Decentralization Secretary of State in the Offices of the Interior, Justice and Decentralization Government of the Republic of Honduras	
	Duilio José Hernández Avilés	Ambassador	Government of Nicaragua
	Doctora Johana Flores	Minister of the Family, Adolescence and Childhood (MIFAN)	Government of Nicaragua

	Concepción Escobar	Official of the Ministry of the Family, Adolescence and Children (MIFAN)	Government of Nicaragua
	Deborah Gail Grandison Samuel	Adviser Legal Department of the Legal Directorate of the Ministry of Foreign Relations (MINREX)	Government of Nicaragua
Puerto Rico	María Amelia Coronel	Minister of Government of the Republic of Nicaragua	Government of Nicaragua
	Sigfrido Steidel	Magistrate / Judge	
Dominican Republic	Dr. Kelvin Merced Vega		
	Mag. Olga Diná	National Director of the National Directorate of Boys, Girls, Adolescents and Family (DINAFF)	
	Kenya Romero	Magistrate	
INVITED EXPERTS	José Flaquer	Office of the Attorney General of the Republic	
	Tomás Montero	(SPAIN)	
	Oswaldo Vázquez	(CHILE)	

Annex 5: Photos of the Meeting

