
Towards Resilient Child Justice Systems in times of Crises

Strengthening Justice for Children Worldwide

Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

12 March 2021

9:00 to 10:30 (Kyoto time)

Room C-1

Worldwide, children are victims of different forms of violence due to multiple forms of crises: economic, geopolitical and more recently a global health emergency. These crises increase the vulnerability of children as well as the systems designed initially to support them. This includes justice systems which have to adapt to **continue delivering services in the best interests of children in adverse circumstances, preventing and responding to serious forms of violence perpetrated against children. This complex situation could, notwithstanding, offer a new opportunity to rethink child justice systems in order to increase their resilience to different types of crises, as well as to ensure evidence-based and child rights compliant reforms.**

Indeed, across the world, the COVID-19 virus and the global public health emergency triggered by the pandemic have created unprecedented levels of alarm across all sections of society and in particular children. Urgent action by policy makers, justice actors and law enforcement authorities has been called by UN agencies and NGOs to address **the specific impact of the pandemic on children in conflict with the law and in particular those deprived of liberty**. In times of crises, respecting and maintaining children's right to legal assistance and representation is vital in order to protect them from violence and allow them to effectively enjoy the rights they are entitled to under international law. As a joint initiative of **Terre des Hommes** and pro bono volunteers from the law firm of **Baker & McKenzie LLP**, it has been launched in 2020 a Global Campaign to **Accelerate the Release of Children deprived of liberty in times of Pandemic**. Through this campaign has been produced a Policy and Practice Brief which summarizes the global legal precedents to be considered when evaluating the legality of the deprivation of liberty of children under circumstances such as the COVID-19 crisis. This brief is illustrated by practical examples of rapid response actions to realise children's fundamental human rights in times of pandemic. To assist the professionals handling the cases of children in conflict with the law during the COVID-19 crisis, three sets of clear, short and practical operational guidelines for professionals have been produced.

In this regard, **UNODC** took part in an inter-agency process in April 2020 which led to **the development of the [Inter-Agency Technical Note: COVID-19 and Children Deprived of their Liberty](#)** aimed to provide States with recommendations on how to ensure the well-being of and reduce the overall numbers of children deprived of liberty during the COVID-19 pandemic. This includes reminding States of their legal obligation to comply with international human rights law and standards on justice for children during this crisis. In addition to this guidance, UNODC, through its **Global Programme to End Violence Against Children**, offers a number of Technical Assistance Services to support Member States, upon



Terre des hommes

Helping children worldwide.

request, in better protecting the rights of children deprived of liberty during the COVID-19 outbreak. These services have been outlined in a comprehensive [Menu of Services on Protecting Children Deprived of Liberty During the Covid-19 Outbreak](#).

Recent indicators show that the current Covid-19 pandemic is exacerbating the vulnerability of children of becoming victims of recruitment by criminal groups, including armed groups and those designated as terrorist groups. Indeed, at geopolitical level, as the International Agenda and recent events have demonstrated, the issue of violence, which may be conducive to terrorism, has increasingly become a priority for the different regions of the globe. Children associated with criminal groups, including armed groups and those designated as terrorist groups, are faced with several additional dangers compared to adults, and criminal policies cannot simply be applied to them as if they were adults. In this context child and family justice agencies as well as practitioners and social actors from many countries have expressed **a pressing need for support to help them identify, prevent and deal with children engagement in violence conducive to terrorism**. These considerations and other challenges affecting children have prompted a consortium of 5 international organisations (Tdh, PRI, AIMJF, CRIN DCI), in collaboration with the **Programme Information for All of UNESCO**, to work together to organise in 2018 **The World Congress on Justice for Children: “Strengthening Justice Systems for Children: Challenges, including disengagement from violent extremism”**. UNODC contributed to the World Congress by presenting its [Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: the Role of the Justice System](#) which provided the first United Nations comprehensive guidance on the treatment of children associated with terrorist and violent extremist groups, in which was highlighted that children should be considered and treated primarily as victims. In 2019, the guidance was complemented by a comprehensive training package containing three additional Training Manuals on the following topics which expanded on these key areas contained in the Handbook: i) prevention of child recruitment; ii) rehabilitation and reintegration of child victims; and, iii) justice for children in the context of counter-terrorism. In addition, [UNODC Roadmap on the Treatment of Children Associated with Terrorist and Violent Extremist Groups](#), identifies the 10 overarching principles of UNODC’s intervention, and introduces the core guidance in each of the intervention areas supported by the Global Programme to END VAC.

In this context, the main challenge currently remains to **support justice system reform to comply better with international child rights standards and to develop a certain form of resilience to face those society changes**. Indeed, peaceful, just, and inclusive societies require access to justice. Access to justice cannot exist without stable institutions that not only respect the rule of law but also provide specialised programmes for the most vulnerable and least visible members of society: children. Justice for children is a cornerstone of achieving the global ambition of justice for all in the light of the action undertaken to implement the SDG 16+ agenda.

Nevertheless, this objective could not be reached without a strong collaboration among the different part of the society, by creating more cooperation among private and public sector. Child justice is everyone’s business.



Programme

Moderation: [Taghreed Jaber](#), MENA Director, Penal Reform International

I. Child justice challenges in times of crises:

a. Strengthening resilient child justice systems in times of the COVID-19 pandemic:

[Najat Maalla M'jid](#), Special Representative of the UN Secretary-General (SRSG) on Violence against Children

b. Ensuring resilient child justice systems in time of geopolitical crisis:

[Miwa Kato](#), Director, Division for Operations, United Nations Office on Drugs and Crime

II. Panel discussion: Strengthening child justice through global action and private public partnerships

[Mikiko Otani](#), Member of the Committee on the Rights of the Child

[Jennifer Davidson](#), Executive Director of Inspiring Children's Futures, and the founding Director of CELCIS (the Centre for Excellence for Children's Care and Protection)

[Angela C. Vigil](#), Partner and Executive Director, Pro Bono Practice, Baker & McKenzie LLP

III. Next steps: the World Congress on Justice with Children - Mexico 2021

[Cedric Foussard](#), Advocacy and Global Learning Advisor, Access to Justice Programme, Terre des hommes Foundation, Coordinator of the Global Initiative on Justice with children

Conclusion: [Avril Calder](#), Former President, International Association of Youth and Family Magistrates (AiMjF)

With the support of:

