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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 CHINA

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SUMMARY REPORT OF THE DISCUSSIONS

20 May 2021

16:00 Beijing Time (UTC+8) / 10:00 CET

Online Venue

The Chinese preparatory meeting was co-organised by **Child Law International Alliance** and **Beijing Children's Legal Aid and Research Centre** with the support of **UNICEF China** and the participation of **the Global Initiative on Justice with Children**. In attendance were **eight experts from the United Nations, representatives from Terre des hommes Foundation, California State University**, and other institutions. They **discussed non-discriminatory and inclusive child justice systems** with audience members from 23 different countries.

The meeting was held in preparation for the 2021 World Congress on Justice With Children, entitled **"Ensuring Access to justice for all children: towards non-discriminatory and inclusive child justice systems"**. This event is a part of a series of meetings that are taking place at the regional and national levels to: define key challenges and advocacy priorities for children, particularly children in conflict with the law, as well as to present recommendations and proposals of topics, the agenda, and activities for the 2021 World Congress on Justice With Children.

The meeting's main objectives were to:

- Gather policymakers, academics, and civil society representatives with relevant work and influence in juvenile justice to identify critical areas of interest around issues of diversion, restorative justice, community-integrated rehabilitation, and using deprivation of liberty as a last measure for children who have committed violations of the law.
- Fostering thematic priorities and defining trends related to child justice.
- Introducing and comparing rules and standards for the Minimum Age of Criminal Responsibility (MACR).
- Analysing judicial and non-judicial measures of responding to juvenile delinquency.

Discussions

The Chinese preparatory meeting was moderated by **Ms. Su Wenying** from UNICEF China. She briefly introduced the speakers and invited them to elaborate on their views on children's access to justice.

Dr. Najat Maalla M'jid, the Special Representative of the United Nations Secretary-General on Violence against Children, shared four key messages with the audience, as follows:

- First, the pandemic has exacerbated the justice challenges faced by children, especially those who are within the most vulnerable groups. Mitigation measures taken in response to the COVID-19 pandemic have **increased the risk of children's exposure to violence, including gender-based violence**, both at home and online. The pandemic has impacted the timely, fair, and effective expedition of child-sensitive justice, resulting in increased case backlogs and lengthened judicial and administrative proceedings. **The rise in violence against children and gender-based violence puts additional pressure on the already disrupted justice systems.**
- Second, **the pandemic has also created opportunities.** During the pandemic, governments in different parts of the world have worked closely with the judiciary, civil society organizations, and communities **to ensure continuity of judicial services.** Several states established virtual children's courts with specific handling of children's procedural matters. Countries are transitioning from face-to-face training for justice professionals to online training **to ensure continuous learning and capacity building.**
- Third, **rebuilding is a better opportunity to make justice systems more gender- and child-sensitive, and accessible to all children.** The starting point must be the preventive role that justice can play in ensuring that children's rights are protected, and their development supported. The majority of **children's challenging behaviours can be resolved and addressed without punitive intervention.** That is why the primary goal must be to avoid bringing children into contact with the justice system in the first place. **Detention should be only used as a matter of last resort**, in exceptional circumstances, and for the shortest possible period.
- Fourth, **child-sensitive and inclusive justice contributes to achieving the Sustainable Development Goals.** Justice is an enabler of children's protection if, and only if, children have equal access to it. In its broadest sense, such justice embraces not only criminal and civil justice, but also social justice that meets the rights and needs of children.

Mr. Cédric Foussard, coordinator of the Global Initiative on Justice with Children and the Advocacy and Global Learning Senior Advisor for Terre des hommes Foundation, delivered a welcome speech and introduced his work on access to justice for all children. **He elaborated that the Global Initiative on Justice with Children has been organizing the World Congress on Justice With Children.** Mr. Foussard noted that, under the auspices of the Global Initiative on

Justice with children, **13 preparatory meetings had been held around the globe**, including regional meetings in North America, Latin America, Europe, and Middle East and North Africa, and national meetings in the US, Pakistan, Thailand, and China. He said the concept and the topic of **non-discriminatory and equal access to justice for all children** are a priority worldwide.

Mr. Tong Lihua, President of Child Law International Alliance (CLIA) and Beijing Children's Legal Aid and Research Centre (BCLARC), welcomed the participants to the meeting and thanked the speakers for their contributions. He **emphasized the importance of law and legal reform in the protection of children and the practical relevance of communication and knowledge sharing among legal professionals from different countries**. Mr. Tong introduced BCLARC's work promoting child protection in both China and at the international level. At the national level, he and his team participated in the whole process of the revision of the Law of the People's Republic of China (PRC) on the Protection of Minors, including providing expert opinions for the National People's Congress. On the international scale, BCLARC organized the Global Social Leadership Summit on Child Advocacy with professionals from 20 countries, especially from developing countries in 2018, and held the Global Child Protection Seminar with the participation of experts from 18 countries in 2019. Mr. Tong announced that, given the success of these activities, BCLARC and CLIA had initiated the Global Child Law Fellowship to sponsor legal professionals to advocate for child law legislation and welcomed eligible candidates to apply for this Fellowship.

Mr. Tong continued to elaborate on three issues concerning children's access to justice. First, he introduced the recent amendments to two China's laws concerning minors, namely, the Law on the Protection of Minors, which was adopted in 1991 and underwent a major revision last year, and the Law on the Prevention of Juvenile Delinquency, which was adopted in 1999 and revised in 2020. Secondly, he elaborated on the change of the minimum age of criminal responsibility (MACR) in China and the newly introduced correctional mechanism for child offenders. He said **Chinese law has strict standards for criminal responsibility of minors, and the number of cases prosecuted each year is limited**. The MACR in China is generally 16, though children between the ages of 14 and 16 have been held criminally responsible for 8 types of serious crimes, including intentional homicide, robbery, drug trafficking, and others. In recent years, there has been **a growing concern about the threat of crimes committed by children in China**. As a result, last year, **China lowered the age of criminal responsibility for the most serious crimes to 12 years old, with three strict criteria**:

1. The crimes must be limited to only two types: **intentional homicide** and **intentional injury causing death or severe injury or causing serious disability by particularly cruel means**.
2. The crimes must be committed with **aggravated circumstances**.
3. The prosecution of the crimes must be **approved by the Supreme People's Procuratorate**.

Mr. Tong highlighted that **the prosecution of minors is still subject to stringent restrictions**. He concluded by talking about recent government work on the prevention and correction of crimes committed by children in China and the implementation of the revised Law on the Protection of Minors. In March 2021, an office that promotes the work of child courts across the nation was set up at the Supreme People's Court to unify the standards of child case hearings and enhance the rule of law in this regard. In April, the State Council, **China's Cabinet, set up a**

high-level working group to coordinate work related to the protection of minors among government departments as well as judicial and other bodies. Mr. Tong put great emphasis on international cooperation and welcomed speakers to share their views on the practices in other jurisdictions.

The next speaker, **Renate Winter**, the former Chairperson of the United Nations Committee on the Rights of the Child (UNCRC Committee), shared her views on children's rights in justice systems. She is a Justice in the Residual Court of Sierra Leone.

Ms. Winter first noted that the meaning of guilt, and the fact of being guilty, is a prerequisite for sentencing and for getting in touch with the justice system. She continued to discuss the MACR and explained that there are two groups of member states of the Convention on the Rights of the Child: one has established a fixed MACR, and the other has no such system but leaves it to judges and experts to find out if a child could be criminally liable. **For the appropriate MACR, she elaborated that the maturity of individuals shall be taken into consideration.** Ms. Winter explained that children's physical maturity differs among countries, taking a little longer in the North, while developing more quickly in the South, but concerning brain development, we have the same situation everywhere. She said that the brain develops until the ages of 20-21, but **below the ages of 12–14, a child is not capable to have sound knowledge about the consequences of their behaviour.** She noted that one should also consider child victims and witnesses within the justice system, albeit not as accused persons. She stressed the importance of **Paragraph 23 of General Comment No. 24**, by which the CRC Committee had recognized that although the setting of a MACR at a reasonably high level is important, an effective approach also depends on how each state deals with children above and below that age.

“Children below the minimum age of criminal responsibility should be provided with assistance and services according to their needs by the appropriate authorities and should not be viewed as children who have committed criminal offenses,” she said, adding that education and correction in closed environments could be damaging to children. In summary, Ms. Winter emphasized that children in conflict with the law who are under the MACR should not be treated as criminals and should be heard when assistance is given to them.

Ren Xin, Professor of Criminal Justice at the California State University, Sacramento, USA, introduced how the justice system works for children in the United States and the hot issues discussed in the academic field. She emphasized **the difference between equal justice and equitable justice**, saying that it seems to be a consensus among many policymakers and academic researchers that equitable justice is more important than equal justice. She said that equal access to justice is protected by the law, especially by the 14th Amendment. Still, equitable justice exemplifies a new conceptualization, especially for marginalized children, as equal justice sometimes is not sufficient for them, and sometimes may not even reach those children. She concluded that **equitable justice seems to be more appropriate to address those children's needs.**

What will be the best for protecting children's interests? **Professor Ren** said that there is an important issue to be considered: **punishment is not always the answer.** She stated that, “even if we see that the child is a delinquent in the criminal justice system, at the same time, we have

to trace back what happened in the family.” This means considering whether there was a history of victimization and criminality when the child was a dependent. She further stated that, “this individual, this individual child, may be neglected and sometimes even abandoned by their parents, and because of that mistreatment by the family and others, a child may wind up on the street or be recruited by a gang member.” As an educator, Professor Ren has done research on violence against children and women. She emphasized that **there is a close connection between victimization and individual offenders**. Many children in conflict with the law experienced sexual or physical abuse at home, neighbourhood, and school. Therefore, close attention should be paid to the past victimization experiences of these children. She stated that the important question is what will be the best treatment for the individual offender, as simply punishing them is not the solution and will not solve all the problems.

Jiang Min, Project Manager of the Child Friendly Justice program at Save the Children China, introduced her work in child justice, which started with child justice for children in conflict with the law. Now they serve as a guidance institute providing help for children as victims or as dependents. Her work has transformed from traditional child justice to child-friendly justice for all children.

Ms. Jiang elaborated on the work of the pilot project at the *Panlong District One-Stop Centre* aimed at protecting children from secondary harm during and after judicial proceedings, using the case of a sexually abused girl as an illustration. She noted that the centre constituted a “one-stop centre” for the interview of children, including the questioning by police officers and prosecutors, examination by a doctor, sessions with a psychological consultant and a child protection social worker, among others. Ms. Jiang discussed in detail the interview process in this one-stop centre and emphasized that **it is not limited to sexually abused children but is also aimed at children who experienced other forms of serious violence**. The centre also contributes to the social governance and social-rooted courses for the prevention of violence against children. She noted that the newly revised Law on the Protection of Minors, effective June 2021, includes special articles for particular groups of children and requires specialized personnel and agency for children’s cases, including children as offenders and children as victims. This law lays the basis for protecting all children. Ms. Jiang emphasized that **there are still lessons to learn, including, for example, capacity building for police, social workers, and other service providers**. In summary, she concluded that one-time intervention services and balanced parenting serve children’s rights and best interests.

Ms. Avril Calder, the former president of the International Association of Youth and Family Judges and Magistrates (IAYFJM) and a former Magistrate in the Inner London Youth Court and the Family Proceedings Court, shared her views on the MACR. She cited the rules of the MACR in different countries, such as Portugal, Finland, and Sweden. Ms. Calder expressed concerns about **lowering the MACR and elaborated on the practical alternatives to criminalizing children**. She said that in Finland, the preferred tool is mediation, in which a child and parents play a crucial role. As Ms. Calder explained, studies show that **in mediation, coming face-to-face with a victim has a positive effect, and children who take part in it are less likely to re-offend**. She also described the HALT program in the Netherlands that is run by specialized police officers with the power to divert low-level offenders from the justice system. She also highlighted the diverting measures in England and Wales. She then gave a comparative analysis on the variations among legislations on the MACR in Eastern Europe and other countries.

Underlying these strategies, Ms. Calder concluded that the fundamental requirement is that children of all ages who offend are assessed by professionals using sophisticated risk tools and professional know-how. She said that **children should be dealt with in light of their maturity level, socio-economic background, culture, and needs.** Ms. Calder stressed that for most children who offend, their best interests and welfare are in community interventions. She added that **special emphasis should be put on using twin interventions of protection and education** because there is plenty of evidence to show that low MACRs and punitive approaches are much less likely to change a child's behaviour. She cited Barrister Laura Janes of the Howard League for Penal Reform, a UK-based campaigning charity who states, "the lower the age of criminal responsibility, the larger the child prison population." Ms. Calder quoted a report as her closing remark, stating that: "there are better ways to deal with children and young people than criminalizing them; **criminalizing young children affects their futures and puts the brakes on them from becoming responsible members of their communities and societies;** let individual assessment programs that are well-resourced and implemented to serve the best interests of the child, be our aim and practice."

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”

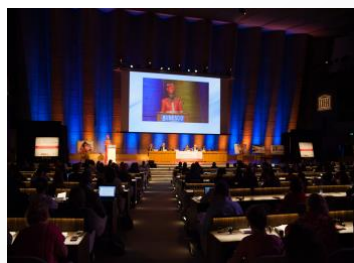
ABOUT THE WORLD CONGRESSES ON JUSTICE WITH CHILDREN

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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Annex 2: China Preparatory Meeting Concept Note

China's National Preparatory Meeting WORLD CONGRESS ON JUSTICE WITH CHILDREN

CONCEPT NOTE

Background

Children's access to justice refers to the ability to obtain a remedy for violations of rights. This concept, grounded on fundamental human rights, concentrates on the empowerment of children. It concerns all judicial proceedings affecting children, be it civil, administrative or criminal, and requires that justice systems be equipped to fulfil children's rights and needs in their interactions with victims, witnesses and those who are alleged, accused or convicted to have committed crimes.

As provided in Article 40 of the Convention on the Rights of Children and reiterated in the General Committee No. 24 on Children's Rights in the Child Justice System, every child alleged, accused of or recognised as having broken the law 'should be treated in a manner consistent with the promotion of the child's sense of dignity and worth'. In this framework, the minimum age of criminal responsibility (MACR) constitutes an essential issue and a particularly thorny one. MACR must reconcile the children's rights, dignity and special needs for physical and psychological development, on the one hand, and the preservation of public safety and interests, on the other. Up to now, there have been no categorical international standards. The MACR, including its related legal rules, varies hugely in different countries. China has been experiencing a series of legal reforms concerning child rights, including the recent revisions to the Law on the Protection of Minors and the Law on the Prevention of Juvenile Delinquency, as well as the Criminal Law Amendment XI. A notable reform lies in the modification of the MACR, including its exceptions that may apply to severe offences. This change gives rise to increasingly intense discussions about the implementation of the modified MACR and the related measures for the prevention of offending by children below this age.

Access to justice is a broad notion that covers all children engaging with justice proceedings, including not only offenders but also victims, witnesses, and other interested parties. Indeed, children's access to justice must be safeguarded and developed in a holistic way. Among others, child victims should be provided with appropriate protection and assistance in order to prevent secondary victimisation and restore their well-being to the highest attainable level.

With the support of UNICEF China and the Global Initiative on Justice with Children, the CLIA and BLARC hope that the China's preparatory meeting will create a space of exchange and analysis

regarding the trends and challenges in child justice and make contributions to the improvements of child justice systems of different countries.

Objectives

- Gathering policymakers, academics, and civil society representatives with relevant work and influence in juvenile justice to identify critical areas of interest around issues of diversion, restorative justice, community-integrated rehabilitation, and using deprivation of liberty as a last measure for children who have committed violations of the law.
- Fostering thematic priorities and defining trends related to child justice.
- Introducing and comparing rules and standards for the Minimum Age of Criminal Responsibility (MACR).
- Analysing judicial and non-judicial measures directed to juvenile delinquency.

Themes

1. Minimum Age of Criminal Responsibility (MACR): Protecting the rights and best interests of children as well as guaranteeing the public interests of the society and protecting victims of crimes.
2. Children below the MACR: Protection and support of children who have committed offence under the MACR, including programs, strategies and international perspectives.
3. Victims: Protection and assistance of child victims to avoid secondary victimization.

Annex 3: Agenda of the Meeting

20 May 2021

16:00 Beijing Time (UTC+8) / 10:00 CET

Online on Zoom

Welcome and Opening Remarks	
16:00-16:20 (10:00-10:20)	Wenyng Su , Moderator, UNICEF China Najat Maalla M'jid , Special Representative of the United Nations Secretary-General on Violence against Children Cédric Foussard , Global Initiative on Justice with Children Coordinator, Advocacy and Global Learning Senior Advisor, Terre des hommes Foundation Tong Lihua , President of Child Law International Alliance and Beijing Children's Legal Aid and Research Center.
Speeches	
16:20-17:40 (10:20-11:40)	Tong Lihua , President of CLIA and BCLARC Renate Winter , Former President of the Committee on the Rights of the Child of the United Nations Jiang Min , Project Manager, Child Friendly Justice program, Save the Children China Ren Xin , Professor of Criminal Justice, California State University, Sacramento, USA Avril Calder , Former president of the International Association of Youth and Family Judges (IAYFJM), Former Magistrate, Inner London Youth Court and the Family Proceedings Court.
Open Discussions and Concluding Remarks	