

**15-20 November 2021**

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

Workshop programme

**Protecting children from torture and other ill-treatment in detention:  
challenges and best practices**

<b>Date</b>	<b>Friday, 19th November 2021</b>
<b>Timing</b>	12:00 - 13:30 Geneva
<b>Organiser(s)</b>	Laure Elmaleh
<b>Institution</b>	World Organisation against Torture (OMCT)
<b>Type of Workshop</b>	Panel discussion
<b>Topics</b>	Tackling violence within the Child Justice System and ensuring child friendly approaches for child victims, offenders and witnesses. Ensuring that the voice of the child is heard in child justice.
<b>Region</b>	International
<b>Language</b>	English

### Abstract

In detention, children become invisible, and their vulnerability puts them at high risk of being subjected to torture and other forms of cruel, inhuman or degrading treatment or punishment, with little if any possibility to report or file complaints. 30 years in its work protecting children from torture, the OMCT and its partners have witnessed the dark reality of torture of children in detention. This includes children being subjected to a range of physical torture practices by prison guards, staff or police officers to extract confession, in the name of so-called “discipline”, or just for the sake of humiliating the children; children being subjected to psychological torture; children detained in inhuman and degrading conditions, with impunity prevailing in most instances, among others. Despite the scale of the phenomenon, the realities of torture and other ill-treatment of children remain largely under- documented, unacknowledged and hidden and is a violation that has not been addressed in depth through international human rights mechanisms and actors. The issue of torture of children in detention is also a low priority for States at all levels.

### Three key takeaways and one output of the session

By the end of the session:

- Allow the participants to have a better vision of the scale of the phenomenon of torture and other ill-treatment of children in detention.

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- Allow the participants to have a better understanding of the added value of using the anti-torture framework into their work to advance the rights of children deprived of liberty, and how the integration of the issue of torture by child rights mechanisms could participate to this protection.
- Allow the panel and participants to identify ways forward to strengthen the collaboration between anti-torture and child rights organisations to combine our efforts to protect children in detention and ensure respect for their rights

### Objectives

- Raise awareness on the realities of torture and other ill-treatment of children in detention, its root causes and challenges
- Discuss the added value of the anti-torture framework to address the issue of violence in juvenile justice systems, and help to bridge the gap between anti-torture and children's rights frameworks for an increased protection of children from torture.
- Share best practices that resulted in protecting children from torture, gathered in OMCT's new publication on protecting children from torture, in order to work with the audience on how civil society could play a major role in protecting children from torture by integrating some of these practices into their work.

### Expected outcomes

- Identify together ways to include the prevention of torture and protection of children from torture in civil society's work within juvenile justice, including by integrating some of the good practices identified by the OMCT as having a concrete impact on protecting children from torture.

### Speakers

- **Moderator**

#### **Laure Elmaleh**

Human Rights Advisor. Laure Elmaleh is a human rights lawyer with specific experience in international children's rights law. She currently works as Human Rights Adviser at the World Organisation against Torture (OMCT). She previously worked for various non-governmental organisations, such as Child Rights Connect and the

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International Bar Association's Human Rights Institute. She obtained the Certificate of Aptitude for the Legal Profession of the French Bar in 2010.

- **Chat moderator**

**Selima Ben Salah**

- **Panelists**

1. **Hina Jilani**

OMCT's President since 2016, Hina Jilani is an advocate of the Supreme Court of Pakistan since 1992 and a leading human rights and women's rights activist. She has, among other, founded the country's first all-women law firm, worked as UN Special Representative on Human Rights Defenders and is since 2013 a member of The Elders.

2. **Benoit Van Keirsbilck**

Benoit Van Keirsbilck is the Director of the Belgian section of Defence for Children – International (DCI). He is Chief Editor of the Journal of Children's Law (Belgium) and member of the Advisory board of the UN Global Study on children deprived of liberty. He is a current member of the UN Committee on the Rights of the Child (2021-2024).

3. **Rowena Legaspi**

Rowena Legaspi is Executive Director of the Children's Legal Rights and Development Center (CLRDC), Inc., an NGO based in the Philippines that promotes the rights, interests, and welfare of children deprived of liberty through direct legal and psycho-social interventions, capacity building, and policy reform advocacy. Rowena Legaspi has written several research on human rights in the legal framework, among which was a "Primer on Torture" in the context of children's rights, published in 2012 by her organization CLRDC through the legal team that she convened. Her latest research on violence against children in criminal justice entitled: "Legal Implementation: The missing piece of the puzzle in safeguarding children from violence in the Philippines" was published in 2019.

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#### **4. Rachel Molley**

Rachel Molley is a lawyer and currently Head of the Protection Department at CACIT (Collectif des Associations Contre l'Impunité au Togo). She is the coordinator of the Child Protection against Torture Project with OMCT in Togo.