



26<sup>th</sup> April 2007

## DEFENCE FOR CHILDREN INTERNATIONAL (DCI)

### Oral Statement - Sixteenth Session of the Commission on Crime Prevention and Criminal Justice, Vienna, 23 - 27 April

#### Item 5: Use and application of United Nations standards in Crime Prevention and Criminal Justice

Thank you Mr. Chairman,

Defence for Children International (DCI) welcomes and supports the submission of a Draft Resolution “Supporting national efforts for child justice reform, in particular through technical assistance and improved United Nations system-wide coordination”<sup>1</sup>.

It is estimated that over one million girls and boys are behind bars worldwide, too often in horrific, degrading, overcrowded and violent conditions. Detention should be considered as an option only for the very small number of children who have committed violent and serious offences. In the great majority of countries, most children deprived of their liberty have not actually been convicted of an offence: they are in pre-trial detention, or remand, and awaiting trial. Most have committed only petty crimes or minor and non-violent crimes and will not even receive a custodial sentence when they finally do appear in court. This has been the case as reported by a number of DCI’s national sections<sup>2</sup>.

The fact is: the majority of children currently behind bars do not belong there.

Furthermore, child detainees often lack access to basic needs such as health, food and security, and are isolated and kept far from their families. They are highly vulnerable to physical, sexual and psychological abuses.

This is why Defence for Children International (DCI) welcomes in particular paragraph 2 of the Draft Resolution which invites Governments to adopt comprehensive national action plans on crime prevention and child justice reform, which include specific targets with regards to reducing the pre-trial detention and imprisonment of children. These National Actions Plans should be based on the 1989 Convention on the Rights of the Child (CRC), particularly articles 37 and 40,

<sup>1</sup> E/CN.15/2007/L.10

<sup>2</sup> Kids Behind Bars: A study on children in conflict with the law: towards investing in prevention, stopping incarceration and meeting international standards (2003)

and other relevant international instruments. The National Action Plans should provide for measures to implement the international standard that “the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”<sup>3</sup>, including measures to ensure the:

- Effective prevention of juvenile delinquency
- Use of diversion
- Use of alternatives to detention, as well as restorative justice
- Collection and analysis of national data on children in conflict with the law
- Improvement of conditions for children deprived of their liberty.

As a member of the Inter-Agency Coordination Panel on Juvenile Justice, Defence for Children International acknowledges the paragraphs in the Draft Resolution, which call on the Panel to further increase their cooperation, and continue providing assistance in the area of child justice to member states.

Represented in 48 countries worldwide, DCI engages in advocacy and lobby work, research, training, and direct intervention in the field of juvenile justice. Key DCI actions include: The *No Kids Behind Bars! Global Campaign* which aims to reduce the number of children in detention worldwide; Follow Up of the General Comment on Children’s Rights in Juvenile Justice developed by the UN Committee on the Rights of the Child; and the Daphne Research Project to develop fundamental indicators to prevent violence against children in conflict with the law.

Thank you Mr. Chairman

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<sup>3</sup> (art. 37(b) CRC)