



UNESCO house - Paris

# WORLD CONGRESS ON JUSTICE FOR CHILDREN

28-30 MAY 2018

## STRENGTHENING JUSTICE SYSTEMS FOR CHILDREN

### PARIS DECLARATION

Done in Paris on 30 May 2018

#### Preamble

The 2018 World Congress on Justice for Children:

1. Gathered over 800 participants from approximately 95 countries including children and young people, government officials, members of the judiciary and experts of law enforcement, representatives of United Nations agencies and programmes, child rights expert bodies, other international and regional organisations, civil society groups, non-governmental organisations, academic institutions and organisations of professionals working with or for children, at the UNESCO House in Paris from 28<sup>th</sup> – 30<sup>th</sup> May 2018. The Congress was jointly convened by six complementary civil society organisations prominent in the fields of juvenile and family justice systems: International Association of Youth and Family Judges and Magistrates (IAYFJM), Terre des hommes Foundation (Tdh), Penal Reform International (PRI), Child Rights International Network (CRIN), Defence for Children International (DCI), and the Judicial Training Institute of Belgium (IGO-IFJ).
2. Acknowledged the *haut patronage* of the Secretary General of UNESCO, the Patronage of the Council of Europe, the support of the Information for All Programme (IFAP) of UNESCO, and the collaboration of the Belgian French speaking and German speaking Commission for UNESCO.
3. Noted that the objectives of the event were to review progress in making the rights of children effective globally; to hear the views, opinions and considerations of children and young people on child justice; to bring together professionals from all over the world working on and interested in this topic; to review global trends towards juvenile and family justice including children's involvement in extreme violence and violent extremism, and the most innovative responses to this phenomenon; to pay special attention to defining effective ways to reduce juvenile offending and reoffending; and to improve protection and early prevention mechanisms for vulnerable children.
4. Recognised several pressing concerns within Juvenile and Family Justice including the phenomenon of extreme violence and the growing challenges of violent extremism. It further recognised that recent research in criminology, child development and neuroscience suggests that active participation of children in judicial proceedings, as well as reintegration programmes, is a key

to steering and keeping them away from extremism and reoffending as well as protecting them from (further) harm. Research also suggests that adolescents in transition from childhood into adulthood require special attention.

5. Listened to the views of a number of individuals from 15 to 24 years of age, often referred to as children and young people, coming from France, Italy, Romania and Scotland who participated in a special workshop convened during the World Congress. Their opinions, views and considerations are reflected in this Declaration and in a commitment from adult participants to the World Congress to take them into consideration in organising future events as well as, to the extent possible, in our daily practice as justice professionals.
6. Noted the vital role of the family as a key actor in all interventions affecting children as clearly stated in the 2016-17 IAYFJM “Guidelines on Children in Contact with the Justice System”; and further noted the Tdh and WANA Institute publication “Reconceptualising the drivers of violent extremism: an agenda for child & youth resilience”, which offers new insights for understanding and addressing prevention of violent extremism.
7. Acknowledged Sustainable Development Goal 16 which aims to promote access to justice for all; the United Nations (UN) Global Study on Children Deprived of their Liberty; and the “Handbook on Children Recruited and Exploited by Terrorist and Violent Extremism Groups: the Role of the Justice System”, published by the UN Office on Drugs and Crime (UNODC).
8. Further acknowledged the Neuchâtel Memorandum on Good Practices for Juvenile Justice in a Counterterrorism Context, developed by the Global Counterterrorism Forum, which provides guidance on the administration of juvenile justice for children alleged of national security or terrorism offences.
9. Recalled the Universal Declaration of Human Rights and all relevant international human rights and humanitarian laws and treaties, as well as numerous other international norms and standards in the administration of justice, and in particular of juvenile justice.
10. Affirmed the important role of the Committee on the Rights of the Child in reviewing the implementation by States Parties to the Convention on the Rights of the Child of their obligations under the Convention, including in the field of juvenile justice and we noted the work of the Committee on the Rights of the Child especially the adoption of a number of General Comments relevant for juvenile and family justice as well as preventing violent extremism.
11. Acknowledged with appreciation the work of UN agencies working in the field of juvenile justice as well as regional inter-governmental institutions and various non-governmental organisations and civil society bodies including academic and religious institutions and community groups.
12. Recognised the work of the Special Representative of the Secretary-General on Violence Against Children and welcomed the joint UNODC/UNICEF Global Programme on Violence Against Children in the Field of Crime Prevention and

Criminal Justice as a concrete step to protect all children who are in contact with the justice system from violence.

## **Declaration**

1. The 2018 World Congress on Justice for Children declares the pressing need and importance of strengthening and improving justice systems for children including adopting legislation and policies which protect and safeguard children from violence, abuse, neglect and exploitation. To that end, it seeks urgent action in the following areas.

**With respect to child rights**, the World Congress:

2. Urges that children accused or suspected of committing violent extremism should be treated as children and afforded all rights under the Convention on the Rights of the Child, including due process. There should be a) strict adherence to the minimum age of recruitment of 18 by armed groups and armed forces; b) measures to ensure that counter-terrorist laws (or states of emergency), including coercive measures, data collection and information sharing, do not negatively affect the fundamental rights of children in the name of security; and c) steps taken to ensure that the prevention of violent extremism does not affect the right to freedom of religion for all children.
3. Reaffirms that much more needs to be done in promoting children's rights around the world and we specifically call for the abolition of inhumane sentencing, including use of the death penalty under any circumstances, physical punishment and the use of life sentences in any form.
4. Recognises that for children's rights to be fully respected, there must be a remedy for every rights violation and children must be provided free advice, assistance and representation to enable them to properly access justice.
5. Insists that bringing about change involves listening to children and ensuring their experiences and insights are a starting point for all discussions relating to justice for children. Children and young people's voices need to be heard and greater opportunities provided to them for sharing experiences and providing inputs to develop transformative policies and programmes.
6. Further urges that voices of children being properly heard within all levels of the justice system from prevention through arrest, court proceedings, sentencing, and reintegration, should be a priority, implemented using regular reviews carried out with and by children, using trained facilitators and relevant experts.
7. Calls for the development and implementation of strategies and programmes for dealing with children accused of either extreme violence and violent

extremism that provide for an active and inclusive role for children and young people.

**With respect to prevention and response**, the World Congress:

8. Supports greater investments in prevention programmes, including strengthening the role of the family, community and school-based interventions, addressing the causes of possible criminality including exclusion, discrimination, alienation, lack of education, economic deprivation and dysfunctional families.
9. Notes that prevention programmes to ensure children do not take recourse to violent extremism should be implemented working alongside families and communities. Such programmes must recognise the multifaceted causes of violent extremism: alienation, discrimination, and marginalisation.
10. Draws attention to the growing threats to children as a result of cyber violence and the phenomenon of grooming and urge protection measures to be put in place, working with Governments, large companies and civil society, to ensure cyber safety for children. Meanwhile, it is important to recognise the potential of the online environment and digital technologies for children's enjoyment of rights and freedoms, including the rights to information, participation and freedom of expression.
11. Reiterates that reducing pre-trial and other forms of detention is an urgent priority around the world, with too many children, both boys and girls, often being sent to prison and/or held in custody for minor and non-violent offences.
12. Urges greater use of diversion measures, which are proven to reduce reoffending and to improve the prospects of reintegration and restoration; such measures must be tailored to children's needs and should use multi-stakeholder and multi-disciplinary approaches to maximise effectiveness.
13. Draws attention to the importance of aftercare and reintegration for children both within the family and within the community, always keeping in mind the best interests of the child. Where a child has been removed from the family as a result of an intervention by the juvenile/youth or family court, it is essential that work with the family be carried out to ensure future reintegration.
14. Notes that successful aftercare and reintegration into society comes from community development programmes, social awareness about re-entry practices and family capacity building. Investments are urgently needed in all of these areas.
15. Calls for reintegration efforts which focus on a holistic and gender sensitive approach which are also anchored in local sustainability and which recognise the role and vulnerability of children in post-conflict reconstruction, particularly the situation of large numbers of returnees.
16. Further notes that protection and compensation measures need to be put in place for children who are victims of extreme violence; at the same time

measures should be developed working with families and communities to ensure opportunities for rehabilitation and reintegration of children who have been actively involved in extreme violence.

**With respect to systems strengthening,** the World Congress:

17. Reaffirms the importance of multi-agency actions and interventions, bringing together the family, child protection agencies, justice personnel, (physical and mental) health and education specialists, and the importance of working closely with all children in conflict/contact with the law and/or in need of care and protection.
18. Urges the creation of gender-responsive approaches for girls in the justice system, given that current systems are built to cater predominantly for male offenders and fail to recognise that girls in the system have different experiences and requirements; this imbalance needs to be addressed.
19. Urges greater scrutiny of both formal and informal justice systems, ensuring fair and gender appropriate justice for children in every context and taking into consideration hybridity between formal and informal justice where this is feasible and desired; in this context the role of the family is a key component in making such systems function properly.
20. Confirms that follow-up to the Paris World Congress is essential and urges organisers to facilitate next steps including promoting the Paris Declaration, publishing and widely disseminating World Congress proceedings, and ensuring further discussions as well as review of concrete steps taken during the 2020 Kyoto Crime Congress being organised by UNODC.