

## RE. THE GLOBAL STUDY ON CHILDREN DEPRIVED OF LIBERTY: INDEPENDENT EXPERT

The **NGO panel for a Global Study on Children Deprived of Liberty\*** reiterates its call to the members of the United Nations General Assembly [to agree to the recommendation of the Committee on the Rights of the Child<sup>1</sup>], to request that the United Nations Secretary-General undertake a **GLOBAL STUDY ON CHILDREN DEPRIVED OF LIBERTY**<sup>2</sup> in order to comprehensively collect data and statistics from across regions on the number and situation of children in detention; share good practices; and formulate recommendations for effective measures to prevent human rights violations against children in detention and reduce the number of children deprived of liberty.

Although the request for the Study has been included in the draft text of the **resolution on the rights of the child of the 69<sup>th</sup> session of the United Nations General Assembly**, the original language provided has been altered to no longer include the appointment of an **Independent Expert**, which is crucial for the following reasons:

- ✓ An independent expert will raise the profile for the multi-faceted issue of children deprived of their liberty and would have the **authority** to broker cooperation and contributions by all UN agencies and stakeholders to the Study. Deprivation of liberty cuts across existing mandates and is of concern to a range of UN and other actors, including UNICEF, OHCHR, UNODC, the SRSG VAC, the SRSG CAC, WHO, etc. Only an independent expert will be able to fully engage all of these relevant entities and ensure a comprehensive approach.
- ✓ The two previous UN studies on children (children and armed conflict and violence against children) were both conducted by independent experts. To not have an independent expert for the study on children deprived of liberty is to give this issue less **priority and expertise** than it deserves;
- ✓ An independent expert would be a **temporary appointment funded through voluntary contributions** with no impact on the regular budget. The expected term of the independent expert would be approximately three years and would end when the study is completed.

We thus would like to repeat the need for the Study and in particular the appointment of an Independent Expert, and that such reference within the resolution be reintroduced as follows:

*(d) Invites the Secretary General commission an in-depth global study on children deprived of liberty, carried out by an independent expert, funded through voluntary contributions, and conducted in close cooperation with relevant United Nations agencies and offices, including but not limited to the United Nations Office on Drugs and Crimes, the Office of High Commissioner for Human Rights, the United Nations Children's Fund, the Office of the SRSG for Children and Armed Conflict, the Office of the SRSG for Violence Against Children, as well as the Interagency Panel on Juvenile Justice, and in consultation with relevant stakeholders, including civil society, academia, and children, and to include for consideration by member states best practices and recommendations for action to effectively realize the rights of the child, and further invites the Secretary General to submit the conclusions of the study to the General Assembly at its seventy-second session.*

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<sup>1</sup> Acting under United Nations Convention on the Rights of the Child (UNCRC), article 45(c)

<sup>2</sup> "Deprivation of liberty means any form of detention or imprisonment or the placement of a person under the age of 18 in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority", UN Rules for the Protection of Juveniles Deprived of their Liberty 1990 (Havana Rules)

\*Signatories<sup>3</sup>:

1. *Defence for Children International (DCI)*
2. *Abraham's Children Foundation (ACF), Nigeria*
3. *African Child Policy Forum (ACPF)*
4. *Alliance for Children, Mauritius*
5. *Amnesty International*
6. *Asociación Argentina de Magistrados Funcionarios y Profesionales de la Justicia de Niñez, Adolescencia y Familia (AJUNAF), Argentina*
7. *Association Antigone, Italy*
8. *Association for Childhood Education International (ACEI), USA*
9. *Association for the Prevention of Torture (APT)*
10. *Association internationale des magistrats de la jeunesse et de la famille (AIMJF), Switzerland*
11. *Le Bureau international des droits des enfants (IBCR)*
12. *Casa Alianza*
13. *Child Helpline International (CHI)*
14. *Child Rights Connect*
15. *Child Rights International Network (CRIN)*
16. *Children's Human Rights Centre of Albania (CRCA), Albania*
17. *Children's Rights Alliance for England (CRAE), United Kingdom*
18. *Consortium for Street Children*
19. *Coram Children's Legal Centre, United Kingdom*
20. *Dignité en Détention (DiDé), Switzerland*
21. *End Child Immigration Detention*
22. *Eurochild*
23. *Franciscans International*
24. *Freedom Gate Greece, Greece*
25. *Geneva Infant Feeding Association - International Baby Food Action Network (IBFAN-GIFA)*
26. *Global Initiative to End All Corporal Punishment of Children*
27. *The Howard League for Penal Reform, United Kingdom*
28. *Human Rights Watch (HRW)*
29. *IDAY-International*
30. *Inquest, United Kingdom*
31. *Institut international des Droits de l'Enfant (IDE), Switzerland*
32. *Institute for Social Justice (ISJ), Pakistan*
33. *International Catholic Child Bureau (ICCB/BICE)*
34. *International Commission of Jurists (ICJ)*
35. *International Detention Coalition (IDC)*
36. *International Institute for Child protection (IICP), Gambia*
37. *International Justice Consulting (IJC), USA*
38. *International Juvenile Justice Observatory (IJJO)*
39. *International Social Service (ISS), Australia*
40. *Istituto Internazionale Maria Ausiliatrice (IIMA; Human Rights Office)*
41. *Mental Disability Advocacy Center (MDAC), Hungary*
42. *Organisation Mondiale Pour L'Éducation Préscolaire (O.M.E.P.)*
43. *Our Children Foundation, Bulgaria*
44. *Penal Reform International (PRI)*
45. *Plan International*
46. *Platform for International Cooperation on Undocumented Migrants (PICUM)*
47. *PRAWA, Nigeria*
48. *Quaker United Nations Office (QUNO)*
49. *Red Latinoamericana y caribeña por la defensa de los derechos de los niños, niñas y adolescentes (REDLAMYC)*
50. *Rights International, United Kingdom*
51. *Right to Education Project (RTE), United Kingdom*
52. *Salesian Sisters of Don Bosco Daughters of Mary Help of Christians (FMA), Italy*
53. *Save the Children*
54. *SOS Children's Villages International*
55. *Terre des Hommes International Federation*
56. *UN NHRI, The Commissioner for Fundamental Rights, Hungary*
57. *L'Unione Nazionale Camere Minorili, Italy*
58. *Vides Internazionale, Italy*
59. *War Child Holland (WCH)*
60. *World Organization Against Torture (OMCT)*
61. *Youth Association for Development (YAD), Pakistan*

<sup>3</sup> Last updated in October 2014