

Geneva, March 2015

Dear DCI team,

From the International Secretariat of Defence for Children International (DCI-IS) we would like to share the latest updates from Geneva, particularly the recently concluded **28<sup>th</sup> session of the United Nations Human Rights Council (HRC-28)** where many important issues were addressed & where DCI took part. Please note that all reports are available online in English, French, Spanish and Arabic, at the following link: <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Pages/ListReports.aspx>  
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➤ **Global Study on Children Deprived of Liberty**

During the HRC-28 an event on “Deprivation of liberty, a global perspective” was held to highlight the Global Study on Children Deprived of Liberty, which was formally requested through a UN resolution in December 2014 (after DCI launched a campaign in March of the same year). The aim of the event was to keep the Global Study on the agenda of the UN as they decide how and who will lead its realization. Key speakers to this event included the UN Special Rapporteur on Torture and the Special Representatives to the Secretary General on Violence against Children and Children and armed Conflict. The webcast of the event is available online: <http://www.treatybodywebcast.org/human-rights-council-28th-session-side-event-children-deprived-of-liberty-a-global-perspective/>

DCI continues to lead the NGOs supporting the Study (now over 85!) and will be sure to inform all DCI sections once a decision is made on this regard. We have also received full support from the various UN agencies and experts, as well as academia. **DCI launched this campaign & will continue to actively contribute to the concrete implementation of this Study**, which aims to collect primary data on the situation of children deprived of liberty in all its forms (criminal, administrative, military, etc.), and we will be sure to draft an internal action plan for the DCI Movement once we know who and how this Study will be implemented (which will hopefully be decided by the UN Secretary General over the next few months). In the meantime, be sure to visit the official website for more information: <http://www.childrendeprivedofliberty.info/>

➤ **Annual Full Day Meeting on the Rights of the Child**

This year's theme of the Human Rights Council for the annual day on the rights of the child was “**better investment in the rights of the child**”, and took place on 12 March. The Office of the High Commissioner for Human Rights' (OHCHR) report on better investment in the rights of the child informed the day's discussions, setting out the obligations of States to invest adequately in the rights of children, in accordance with the United Nations Convention on the Rights of the Child (UNCRC). The panel set out the grounds for a human rights-based approach to realizing children's rights through budgets and later discussed concrete examples from around the world. For a full description of the discussions: [http://www.unog.ch/80256EDD006B9C2E/%28httpNewsByYear\\_en%29/291A6D218D862EF4C1257E0600450B31?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/%28httpNewsByYear_en%29/291A6D218D862EF4C1257E0600450B31?OpenDocument)



### ➤ **Torture**

The Special Rapporteur on Torture, Mr. Juan Mendez, presented his annual report to the HRC (A/HRC/28/68) which focused on **torture and ill-treatment of children deprived of liberty**. The report made specific reference to the Global Study on Children Deprived of Liberty: *In January 2014, the Committee on the Rights of the Child, at its sixty-fifth session, adopted a recommendation that the General Assembly request the Secretary-General to conduct an in-depth international study on the issue of children deprived of liberty (A/69/41, annex II). The Special Rapporteur therefore welcomes General Assembly resolution 69/157, in which the Assembly invited the Secretary-General to commission an in-depth global study on children deprived of liberty (paragraph 68). To support the global study on children deprived of their liberty, prepared pursuant to General Assembly resolution 69/157, and the appointment of an independent expert to lead the study (paragraph 84.u).*

### ➤ **Children and Armed Conflict**

The Special Representative to the Secretary General on Children and Armed Conflict (SRSG/CAAC), Ms. Leila Zerrougui, presented her annual report (A/HRC/28/54), highlighting the issue of **children detained during military operations**. The report informed of how children are often brought before military courts which are “particularly inappropriate forums for hearing cases involving children, given that they do not fully recognize the special status of juveniles in conflict with the law.” Furthermore, these courts do not even apply basic standards of a fair trial, with children being held in poor conditions without being brought before a judge and are not given access to a lawyer. The SRSG/CAAC is also running a campaign ‘**Children, Not Soldiers**’ ( <https://childrenandarmedconflict.un.org/children-not-soldiers/> ), which aims to end the recruitment and use of children by national security forces around the world by 2016.

The report of the SRSG/CAAC to the Human Rights Council also formally supported the Global Study on Children Deprived of Liberty: *[...] the Special Representative welcomes the invitation by the General Assembly, in resolution 69/157 of 18 December 2014, to request the Secretary-General to commission an in-depth global study on children deprived of their liberty, conducted in close cooperation with relevant United Nations partners, including the Office of the Special Representative. The study will aim to formulate recommendations for action to effectively realize the rights of the child and will be submitted to the General Assembly at its seventy-second session (paragraph 30).*

During the HRC discussion around **Palestine** DCI representative, Mr. Brad Parker, presented an oral statement to the Human Rights Council, underlining the need for Israel to end its prolonged military occupation of Palestinians living in the Occupied Palestinian Territory, and its eight-year siege on the Gaza Strip, calling on the UN Secretary-General to list Israel’s armed forces in his 14<sup>th</sup> Annual Report on Children and Armed Conflict for committing grave violations against children during armed conflict.

The **Commission of Inquiry (COI) on Gaza**, which was established at last year’s 21st Special Session of the Human Rights Council on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, was due to deliver its report to the HRC but was postponed until the next session of the regular Human Rights Council session scheduled to take place in June.



DCI also held a private meeting with the **Special Rapporteur (SR) on Human Rights Defenders**, Mr. Forst, to discuss the killing of our dear colleague **Hashem (DCI-Palestine)** in July last year. The SR is keen to follow-up on this case, for which he has already sent a formal communication to the Israeli authorities. DCI will be collaborating with his team to bring this case forward and seek accountability.

➤ **Violence against Children**

The Special Representative to the Secretary General on Violence against Children (SRSR/VAC) presented her annual report (A/HRC/28/55), which generally highlighted the need to build a culture of non-violence to challenge the view of violence against children as a normal and acceptable, and underlined that legal instruments are crucial in this respect. In addition, beyond a rights-based approach to challenging violence against children, a development-related angle must also be taken into account, as “countries suffering from violence lagged behind in terms of child mortality, school attendance, health and other indicators.” The report also supported the *Global Study on Children Deprived of Liberty: Recognizing the relevance of that area, the Special Representative welcomes the call by the sixty-ninth session of the General Assembly for a global study on children deprived of their liberty, and remains fully committed to contributing to its development. The global study will provide a strategic opportunity to prevent girls’ deprivation of liberty, and associated risks of stigmatization and violence; safeguard girls’ rights as victims, witnesses and alleged perpetrators; and promote their long-lasting recovery and reintegration* (paragraph 139).

DCI, as member of the **Working Group on Children and Violence (WG/CAV)** organized an event on “Investing in Prevention to End Violence against Children - An Imperative for Post - 2015 Global Sustainable Development”. This event aimed to sensitize States on how prevention is a core requirement for the elimination of violence against children and a social and economic benefit for societies in light of the **Post-2015 Global Development Agenda** - agenda which is currently being negotiated and will be adopted by States in September.

➤ **Children of Incarcerated Parents**

The Working Group on Children of Incarcerated Parents (WG/CIP), to which DCI is member, held an event to promote the recently adopted **General Comment No.1 on children of incarcerated parents of the African Committee of Experts on the Rights and Welfare of the Child**. Where Mr. Jorge Cardona, member of the United Nations Committee on the Rights of the Child, emphasized that the best interests of the child should be at the heart of everything in the legal world, from the moment a suspect is charged right through to sentencing. He further added that media intrusion into family life during a high-profile crime story, the trauma of prison visitation, as well as violence of police when making arrests, can all have a detrimental effect on a child.

**29<sup>TH</sup> SESSION OF THE HUMAN RIGHTS COUNCIL (JUNE 2015):**

The next Human Rights Council session will take place from 15 June – 03 July. Issues to be addressed include: education; freedom of association and expression; health; independence of judges and lawyers; migrants; women; trafficking. We will be keeping you updated at things develop on this regard.



**COMMITTEE ON THE RIGHTS OF THE CHILD (CRC COMMITTEE):**

The next session of the CRC Committee will take place from 18 May – 05 June, the following countries of interest to DCI will be reviewed: Mexico, Ghana, Israel and the Netherlands. The Netherlands will also be reviewed under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; and Israel will be reviewed under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. For further information: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=829&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=829&Lang=en)

With my best wishes,  
Anna D. Tomasi  
*Advocacy Officer*