



Geneva, September 2014

Dear colleagues,

The International Secretariat of Defence for Children International (DCI-IS) would like to share the latest updates from Geneva, with particular attention to the Global Study on Children Deprived of Liberty which DCI launched in March and the recently concluded 27th session of the Human Rights Council (HRC-27), which took place 08 to 26 September and during which time a training session was held on children's rights and juvenile justice for our national sections from the Middle East and North African (MENA) region.

GLOBAL STUDY ON CHILDREN DEPRIVED OF LIBERTY:

The idea to call for a Global Study came to its inception in August 2013, and after many drafts and meetings with experts, the official Call was launched in March 2014 in Geneva. An Expert Consultation was then held in June to discuss the strategy, scope & methodology of the Study. Diplomatic representatives at the United Nations offices in both Geneva and New York have continued to be lobbied, with the aim of having the Study formally requested through the United Nations General Assembly (UNGA) in October of this year. In fact, in light of this occasion, we would like to **request all our national sections to send the attached formal letter to the Human/Child Rights Division/representative within the Ministry of Foreign Affairs in order to secure support for the Study within the UNGA Child Rights Resolution and have it formally put into action.** We will hold a formal event in New York on 14 October to further lobby for this major initiative. For more information on the call for a Global Study, please visit the official website: <http://www.childrendeprivedofliberty.info/>

27TH REGULAR SESSION OF THE HUMAN RIGHTS COUNCIL (08 TO 26 SEPTEMBER):

During this session the following issues of interest were addressed:

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/Session27/Pages/ListReports.a.spx>

➤ **Persons Deprived of Liberty**

A panel discussion on the protection of the human rights of persons deprived of their liberty took place, where the systematic overuse of pre-trial detention and the heightened risk of violations against women and children in this context were emphasized. The panel underlined that overcrowding of prisons increases the negative effects of detention on children, and that separate facilities for juvenile detainees need to exist. The suggestion to create an oversight mechanism, which will receive complaints, was made. Uruguay, UNICEF, and the United Nations Office on Drugs and Crime (UNODC) expressed the urgent need of a **Global Study on Children Deprived of Liberty** and their support for this project. DCI-IS presented an oral statement, requesting that the United Nations Secretary-General undertake a Global Study on children deprived of liberty, calling on the members of the Human Rights Council (HRC) to support the launch and execution of this Study. You can watch the webcast, delivered by DCI advocacy intern Ferris Storke, at the following link: <http://webtv.un.org/meetings-events/human-rights-council/watch/panel-discussion-on-the-protection-of-the-human-rights-7th-meeting-27th-regular-session-of-human-rights-council/3777382071001> (Minute: 2:10:42)



In addition, there was a side-event organised by Open Society Foundation entitled "The presumption of guilt: The global overuse of pre-trial detention", which explored the overuse of pre-trial detention. A panellist presented the regional African perspective, highlighting the effort to make use of so-called "Paralegal Advisory Services" (PAS) due to the lack of lawyers and financial problems. Such paralegals offer basic legal help to pre-trial detainees, identifying the most vulnerable detainees, helping especially children in conflict with the law. The publication which was launched at the event, is available here: <http://www.opensocietyfoundations.org/publications/presumption-guilt-global-overuse-pretrial-detention>

To note: the summary report on the full-day meeting on access to justice for children (held at the 25th session of the Human Rights Council in March 2014) is also now available (A/HRC/27/25).

➤ **Violence against children**

A **panel on accelerating global efforts to end violence against children** was held on 23 September. "Children's clubs" were highlighted as important spaces which permit children to learn about their rights and have access to information that enables them to protect themselves more effectively. The situation of children deprived of liberty was also highlighted, as they are at higher risk of violence than other groups; it was stressed that, independent complaint mechanisms have to be created; children in detention need to be made aware of their rights; and children in detention must be included in the post-2015 development goals.

In a joint statement together with the World Organization against Torture (OMCT), DCI expressed concern about the heightened risk of violence against children deprived of liberty. The statement demanded that an independent complaint mechanism for children in such situations is created, children in detention are made aware of their rights, and children deprived of their liberty are included in the UN post 2015 development goals. The full statement can be found at the following link: http://www.omct.org/files/2014/09/22835/oral_statement_omct_230914.pdf

DCI also co-sponsored a joint statement, delivered by Save the Children, together with another 16 NGOs, to call on the Secretary-General of the UN to include in his forthcoming synthesis report an unequivocal stand for the elimination of all forms of violence against children, as a target that is possible, achievable and a cornerstone of any sustainable development for the generations to come.

➤ **Family**

A **panel on the Protection of the Family and its members** took place on 15 September as result of a resolution on the 'protection of the family' adopted in June. The resolution raised a couple of issues as it ignores the fact that various forms of families exist and undermines the human rights of individual family members, including children, to the 'rights' of the family as a unit. Several panellists and States recalled that families exist in diverse forms around the world and that States had the obligation to protect the rights of individual family members, including children.

In a joint written statement supported by DCI, a group of NGOs recalled States' international legal obligations towards children and called on members of the Human Rights Council to reaffirm that all children, whether they live in a family environment or not, remain rights-holders whose rights cannot be overlooked, limited or negated, because of the environment in which they live or the family to which they are a member.



Read the summary of the panel discussions:
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15027&LangID=E>

During the session, a side-event concerning families and the post-2015 UN Sustainable Development goals was held. It was highlighted that family capital is an important component linked to development and that development projects targeting families are in general more successful. Concerning juvenile crime, it was said that five out of the six most effective intervention programs were all family approaches and returning prisoners with family support are less likely to be in conflict with the law again. To learn more about the post-2015 process:
<http://sustainabledevelopment.un.org/index.php?menu=1561>

➤ **Ebola**

The **Special Rapporteur (SR) on the human right to safe drinking water and sanitation**, Ms. Catarina de Albuquerque (Portugal), presented her report (A/HRC/27/55) focusing on common violations of the human rights to water and sanitation – essential for the realization of simple hygiene practices to prevent the outbreak of disease. In fact, DCI-IS presented an oral statement on behalf of **DCI-Sierra Leone**, to highlight the urgent need to coordinate and appropriately react to the recent Ebola outbreak, demanding the protection and respect of human rights in this context. The statement (DCI advocacy intern Ferris Storke) called on the international community to mobilize resources, enhance coordination and communication, ensure access to humanitarian assistance, and demanded all stakeholders to urgently and intelligently react to this grave and spreading issue. You can watch the webcast at the following link: <http://webtv.un.org/meetings-events/human-rights-council/watch/clustered-id-sr-on-safe-drinking-water-and-sr-on-hazardous-substances-6th-meeting-27th-regular-session-of-human-rights-council/3776659943001> (Minute: 02:48:17)

Mr. Manaff Kemokai, representative of DCI-Sierra Leone and vice-president for the African region had the opportunity, while in Geneva for the International Executive Council of DCI, to meet with the **World Health Organization (WHO)** and the office of the Special Rapporteur on Water and Sanitation, to inform of the grave human rights violations occurring due to the outbreak of the epidemic. The DCI-IS went on to contact the **Special Rapporteur on Health** and discuss the issue with the **Special Representative to the Secretary General on violence against children (SRSG/VAC)**, to verify what immediate actions could be taken at the international level. A joint statement between all experts may be drafted to highlight the major underlying issues in West Africa and call for the respect of and access to basic health practices as prevention measures. For more information, read the DCI press release: http://www.defenceforchildren.org/images/stories/Press_Release_Ebola_EN.pdf

➤ **Contemporary Forms of Slavery**

The recently elected Special Rapporteur (SR) on Contemporary forms of slavery, Urmila Bhoola (South Africa), presented her report (A/HRC/27/53) on challenges and lessons in combating these phenomena, outlining the hazardous working conditions that affect mainly women and children. She emphasized her office's continuing efforts to eradicate child labour from global supply chains, highlighting the importance of business practices that are congruent with human rights of children. The report is available here:
http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A-HRC-27-53_en.doc



➤ **The role of prevention in the protection of human rights**

A **panel discussion on the Role of Prevention in the Protection of Human Rights** was held on 18 September. The important role of prevention for children's human rights was mentioned. Education and a working child protection system (i.e. birth registration and detection of risk factors) were said to play a crucial role in prevention of violence against children.

For more information on this panel: <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Pages/27RegularSession.aspx>

➤ **Syria**

During the presentation of the report (A/HRC/27/60) of the **Commission of Inquiry on the Syrian Arab Republic**, it was said that the Government, as well as ISIS are indoctrinating children and using them for armed conflict. The Government must stop imprisoning children, release them from detention, and grant access to all detention facilities for the Committee. Paulo Pinheiro (chair of the Commission of Inquiry on Syria) stated that "the trauma of growing up in a war zone and the lost opportunity to go to school are worrying examples of why this conflict has to be settled". He concluded that this conflict will not be decided on the battlefield, but through negotiations, and that the result of the Security Council's inactivity is the even larger suffering of the Syrian population.

➤ **Palestine**

The preliminary report presented by Deputy High Commissioner for Human Rights, Ms. Flavia Pansieri, concluded that $\frac{3}{4}$ of fatalities of the latest Israeli offensive were civilians, out of which 506 children. Concerns of widespread, systematic and gross violations of international human rights law and humanitarian law were raised. The recommendation to refer the situation to the International Criminal Court (ICC) was made and both parties were urged to fully cooperate and allow the **international commission of inquiry to investigate all violations of international humanitarian law and international human rights law** access to the Occupied Palestinian Territories. DCI-IS presented an oral statement on behalf of DCI-Palestine, calling on all members of the Human Rights Council to take individual measures to ensure that the Israeli government cooperates with the Commission of Inquiry on Gaza and provides all necessary support to the Commission in order to ensure a serious, impartial and transparent investigation into alleged violations, and ensure that perpetrators are held accountable. You can watch the webcast at the following link: <http://webtv.un.org/meetings-events/watch/item7-general-debate-contd-32nd-meeting-27th-regular-session-of-human-rights-council/3800922178001> (Minute: 00:28:33)

Within the training session organised for its colleagues of the MENA region, DCI-IS arranged two side-events, with the direct participation and collaboration of all DCI representatives:

"**Children's Rights Besieged in the Middle East**" was held on 22 September, with the participation of Jyoti Sanghera, OHCHR; Susan Bissell, Child Protection, UNICEF; Hatem Kotrane, CRC Committee; Sukaina Khalawi, DCI-Palestine; Rubat Taybeh, DCI-Jordan. The event exposed the severe human rights violations occurring due to ongoing conflict in Iraq, Palestine and Syria. The human rights violations and the impact, both immediate and long term, on the lives of numerous children have indeed complex repercussions, not just on the child and its closest caregivers, but on society at large.



"**Child Rights Defenders – the fatal consequences**", held on 24 September, discussed the risks and challenges of child rights defenders, particularly in conflict stricken areas, with the aim to raise awareness and strengthen cooperation and solidarity, as well as reinforce protection and security. In particular this event honoured child rights advocate and dear colleague, Mr. Hashem Khader Abu Maria of DCI- Palestine, who was killed by Israeli forces while peacefully participating in a solidarity march with Gaza on 25 July 2014. Read the press release about his tragic passing here: <http://www.dci-palestine.org/documents/dci-palestine-mourns-loss-hashem-abu-maria-colleague-and-friend-killed-israeli-forces>

28TH SESSION OF THE HUMAN RIGHTS COUNCIL (MARCH 2015):

The next Human Rights Council session will take place in March. During this, its 28th session, the annual day on the right of the child will focus on the theme of "towards better investment in the rights of the child".

Other issues to be addressed during the next Council include: sale of children; human rights defenders, torture, inter alia.

DCI-IS will be in touch with you with more details closer to the date!

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

The **67th session** of the Committee on the Rights of the Child (CRC) took place from 1 September – 19 September, with Croatia, Fiji, Hungary, Morocco, Venezuela, and Singapore under review. For information on the session and all other activities and documents relevant to the CRC Committee, please visit the official webpage: <http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRC25thAnniversary.aspx>

DCI delegates from the MENA region who were in Geneva for a special training, had the opportunity to meet and discuss pressing issues with the CRC Committee members. Issues such as Ebola (Africa), the situation in Gaza (MENA) and the lowering of the minimum age of criminal responsibility (Latin America) were addressed, as well as an update on the situation of the campaign calling for a Global Study on Children Deprived of Liberty – which is strongly supported by the CRC Committee.

During the next **68th session** (which will take place from 12 Jan - 30 Jan 2015), **Colombia**, Dominican Republic, Gambia, **Iraq**, Jamaica, **Mauritius**, Sweden, **Switzerland**, Turkmenistan, United Republic of Tanzania, and **Uruguay** will be examined by the Committee. During the pre-session of its 69th session (taking place from 22-26 September), the following countries were examined: Ethiopia, **Ghana**, **Mexico**, Nepal and the **Netherlands**. DCI-Netherlands attended the pre-session and presented an alternative report to the CRC Committee in light of its review next year.

The CRC Committee held its biannual **Day of General discussion** on 12 September, this year's theme being: **Digital media and children's rights**. The aim of the event was to better understand the effects of online media on children & their rights. Key issues addressed include children's equal and safe access to digital media and ICT, wherein accessibility, digital literacy, safety, data collection, data evaluation, collaboration and joint responsibility were all indicated as the key elements to be taken into account. Children's empowerment and engagement through digital media and ICT was another key discussion, it was highlighted how empowerment is only possible through a sustained multi-stakeholder approach, as a means to maximise beneficial effects for children and



minimise harm. DCI-Costa Rica's Executive President, Ms. Virginia Murillo, participated as panellist to the relevant side-event held on that day: "Good practices and lessons learned on digital media and children's rights", she discussed the good practices and lessons learned with regard digital media and children in Latin America. More information on the DGD is available on the official webpage: <http://www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2014.aspx>

The CRC Committee held a special (virtual) event on **24 September 2014** to celebrate its **25th anniversary**. The CRC Committee dedicated a day to speak with children from 16 different countries. You may read and watch all about it at the official webpage: <http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRC25thAnniversary.aspx>

Please feel free to contact me if you would like to receive further information on any of the aforementioned documents and activities, etc. I remain at your disposal.

All the very best from Geneva,
Anna D. Tomasi
Advocacy Officer