



INTRODUCTION TO THE **PRACTICAL GUIDE:**

Monitoring places where children are deprived of liberty

DEFENCE FOR CHILDREN INTERNATIONAL (DCI) - Belgium

Foreword by *Mykola GNATOVSKYY*, President of the European Committee
for the Prevention of Torture (CPT)

CHILDREN'S RIGHTS BEHIND BARS^{CRBB} :



Human Rights of children deprived of liberty; Improving monitoring mechanisms

General Objective

Foster respect for the fundamental rights of children deprived of their liberty in Europe.

Results

Contribute to reinforce the capacities of monitoring mechanisms of places where children are deprived of liberty.

Outcomes

- **The 1st Practical Guide in Europe** designed to strengthen monitoring mechanisms of places where children are deprived of liberty;
 - **National research** conducted across 14 European countries, gathering information and analysing the functioning and efficiency of monitoring and complaint mechanisms of places where children are deprived of their liberty in these countries;
 - **14 national reports** setting forth the results of the aforementioned research and a general report containing an **overview of practices and systems in place at the European level**;
 - **The expertise of 11 international experts, partners and associated partners** involved in the project;
 - **3 international seminars** gathering all experts and partners of the project in 2014 and 2015;
 - **A European Conference** bringing together relevant stakeholders and representatives from all Members States of the European Union, the Council of Europe and other countries from around the world;
 - **A website www.childrensrightsbehindbars.eu** which shares all information relating to the project, including all the documentation produced during the course of the Project, relevant references and articles.
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RATIONALE OF THE PRACTICAL GUIDE

It is well known that **regular, external and independent monitoring visits** to places of deprivation of liberty are a **key instrument to prevent torture and other human rights' violations and to protect fundamental rights**.

Experience shows, however, that even though a number of national and/or international mechanisms conduct monitoring visits to such places, the research conducted in the framework of the "**Children's Rights Behind Bars**" project demonstrates that it is rare for them to focus only on children facilities and/or to have a child-rights approach integrated into their monitoring policy and methodology when visiting children's facilities. In addition, the monitoring bodies that conduct visits to adult detention facilities are frequently the same ones conducting visits to children's closed institutions. They often lack specific knowledge, competence and training on child issues, on the specific rules, standards and indicators that apply to the deprivation of liberty of children, and on specific principles and (communication) methods to be used when interviewing children. Child-specific and practical tools to the monitoring of such places are also often not available.

The project "**Children's Rights Behind Bars**" addresses each of these important concerns and produces the **very first Monitoring Guide in Europe** being a **practical tool with a child sensitive and preventive perspective**, based on a **child specific approach**.

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OBJECTIVES OF THE PRACTICAL GUIDE

- ④ **Highlight the relevant international and regional standards** that relate to the rights applicable to children deprived of their liberty and to independent monitoring of places where they are held for any kind of reasons;
- ④ **Raise awareness of the different mechanisms** regarding the important – **preventive and protective / investigative** – role they can play in monitoring places where children are deprived of liberty;
- ④ **Identify the basic principles of monitoring and the practical aspects** of deprivation of liberty of children to focus on when performing the visits;
- ④ **Provide practical and methodological guidance** to effectively prepare, conduct and follow up on monitoring visits of places where children are deprived of liberty;
- ④ **Highlight how monitoring reports and effective recommendations** can prevent children's rights violations and initiate changes within institutions through a process of constructive dialogue;
- ④ **Promote effective communication and cooperation** between national, regional and international monitoring bodies on the issue of effectively monitoring places where children are deprived of liberty.

HOW TO USE THE GUIDE ?

The Guide provides **different levels of practical guidance depending on the degree of experience and knowledge of each user, covering the area** of child rights, child deprivation of liberty, monitoring process and methodology.

This Guide aims to be used by monitoring mechanisms to **prepare, implement and follow up on monitoring visits to places where children are deprived of liberty**. The Guide is also to be used to **support the assessment of places where children are deprived of liberty**. In addition, it can be used with pedagogical aims as **training material** to prepare monitoring teams and/or trainers.

At the global level, with some adaptations in order to respond to different regional contexts and specificities, the methodology and content of the Guide may be adapted and replicated to be used when visiting structures where children are deprived of liberty in countries **outside of Europe, and across the globe**.

TARGETED PUBLIC OF THE GUIDE

This Practical Guide is designed to be used by a **broad range of professionals**, who are entitled - by mandate, by law or upon a specific agreement - **to monitor or visit places where children can be deprived of their liberty**. This includes, but is not limited to:

- **Experts and Members of International and Regional monitoring bodies** such as the United Nations Subcommittee on Prevention of Torture ^{SPT}, the European Committee for the Prevention of Torture ^{CPT} and the Council of Europe's Commissioner for Human Rights, as well as agencies such as UNICEF, UNHCR or ICRC (for the specific cases of conflict areas)
- **Members of National Preventive Mechanisms** ^{NPMs} created or designated as such under the Optional Protocol to the United Nations Convention against Torture ^{OPCAT}
- **Other statutory monitoring bodies** such as National Human Rights Institutions, Children's Commissioners, Ombudspersons for Children, etc.
- **Special monitoring bodies** such as prison monitoring committees, police inspection commissions, mental health institutions' inspections, etc.
- **Juvenile Judges**
- **Civil society monitors** and non-governmental organisations ^{NGOs}
- **National and EU parliamentarians**
- **Multi-agency monitoring bodies**
- **Lawyers**

The information gathered in this Practical Guide will also be useful for **authorities, administrations and staff members** of places where children can be deprived of liberty while implementing their day-to-day tasks, when performing internal inspections and when receiving visits of monitoring bodies.



PROJECT PARTNERS



Coordinator:

BELGIUM

Defence for Children International ^{DCI}

Partners:

AUSTRIA

Ludwig Boltzmann Institute of Human Rights ^{BIM}

BELGIUM

Fonds Houtman
Associated partner

ESTONIA

Institute of Social Studies, University of Tartu

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WORLD

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The *“Practical Guide: Monitoring places where children are deprived of their liberty”*
is available in English and in French:

«Guide Pratique : Monitoring des lieux où des enfants sont privés de liberté»

Hard copies can be ordered upon request to DCI-Belgium
(within the limit of available stock and adding shipping charges)

info@defensedesenfants.be

Electronic copies are downloadable for free on the project's website

www.childrensrightsbehindbars.eu

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