Documents

GENERAL COMMENTS AND RECOMMENDATIONS

General comment No. 24 (2019) on children's rights in the child justice system

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UN SYMBOL

CRC/C/GC/24

FOCUS

Children's rights

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Committee on the Rights of the Child

Summary

The present general comment replaces general comment No. 10 (2007) on children's rights in juvenile justice. It reflects the developments that have occurred since 2007 as a result of the promulgation of international and regional standards, the Committee's jurisprudence, new knowledge about child and adolescent development, and evidence of effective practices, including those relating to restorative justice.

It also reflects concerns such as the trends relating to the minimum age of criminal responsibility and the persistent use of deprivation of liberty. The general comment covers specific issues, such as issues relating to children recruited and used by non-State armed groups, including those designated as terrorist groups, and children in customary, indigenous or other non-State justice systems.

The objectives and scope of the present general comment are:

a. To provide a contemporary consideration of the relevant articles and principles in the Convention on the Rights of the Child, and to guide States towards a holistic implementation of child justice systems that promote and protect children's rights;

b. To reiterate the importance of prevention and early intervention, and of protecting children's rights at all stages of the system;

c. To promote key strategies for reducing the especially harmful effects of contact with the criminal justice system, in line with increased knowledge about children's development, in particular: CRC/C/GC/24 3
    i. Setting an appropriate minimum age of criminal responsibility and ensuring the appropriate treatment of children on either side of that age;

ii. Scaling up the diversion of children away from formal justice processes and to effective programmes;

iii. Expanding the use of non-custodial measures to ensure that detention of children is a measure of last resort;

iv. Ending the use of corporal punishment, capital punishment and life sentences;

v. For the few situations where deprivation of liberty is justified as a last resort, ensuring that its application is for older children only, is strictly time limited and is subject to regular review;

d. To promote the strengthening of systems through improved organization, capacity-building, data collection, evaluation and research;

e. To provide guidance on new developments in the field, in particular the recruitment and use of children by non-State armed groups, including those designated as terrorist groups, and children coming into contact with customary, indigenous and non-State justice systems.

Version

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Inputs received

In November 2018, the Committee invited all interested parties to comment on the draft of its revised general comment No. 10 (2007) on children's rights in juvenile justice, and received 65 inputs.

- Alejandro Morlachetti
- American University Paris

- Amnesty International
- Article 39 NAYJ UK
- Association of YOT Managers UK
- Australia
- Benin
- Canada
- Children and Young People's Commissioner Scotland
- Comisión de Derechos Humanos del Distrito Federal CDHDF Mexico
- Comite Nacional Honduras
- Commission on HR Philippines
- Commissioner for Children and Young People Northern Ireland
- Consortium Street Children UK
- Consultants India
- CRC former member Nevena Vuckovic Sahovic
- CRIN - Briefing
- CRPD former Vice Chair Damjan Tatic
- DCI
- DCI2
- Defensoria General Argentina
- Estonia
- European Forum for Restorative Justice
- Fabrize Cregut Switzerland
- Monash University Australia
- Howard League New Zealand
- Human Rights Commission Australia
- Human Rights Commission New Zealand
- IBA HRI
- Include Youth Northern Ireland
- InCRC ROK
- INFAJUS Chile
- Iran (Islamic Republic of)
- Ireland
- Italy
- Japan
- Juvenile Justice Advocates Mexico
- Latvia
- Mexico - 1 | 2
- Leiden University Netherlands
- My Child Trust
- Myanmar
- Netherlands
- NHRI ROK
- Oluwafifehan Ogunde
- Opción Chile
- Palestine
- Raise the Age Northern Ireland
- Raymond Arthur
- Reprieve
- Republic of Korea
- Save the Children New Zealand
- Standing Committee for Youth Justice England and Wales
- Swansea University UK
- Sweden
- Switzerland

- Together Scotland
- UNODC
- UNICEF LACRO - English | Español
- UNICEF PERU - English | Español
- United Kingdom of Great Britain and Northern Ireland
- University College Cork, School of Law
- Universities of Exeter, Manchester and Sheffield and Frances Sheahan
- University of Melbourne Australia
- Young in Prison International Netherlands

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