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Editorial

Having just celebrated World Children's Day, we reflect on the achievements in Europe towards child-centred justice, but also on the challenges that children still face in having their rights respected when entering in contact with justice systems.

We sit still for a minute when we read, in the recent research conducted by Save the Children on violence against refugee and migrant children arriving in Europe through the Balkans, that every child who participated in this research had personally experienced violent, even cruel behaviour by the border police. We wonder why, according to data from the EU Fundamental Rights Agency, despite quite progressive legal frameworks, we see teenagers and children in criminal proceedings often treated as adults and sometimes questioned without a lawyer and denied assistance. We find it hard to accept that, according to the UN Global Study on Children deprived of Liberty, over seven million children per year are deprived of liberty in the administration of justice, held in immigration detention, detained in relation to armed conflicts or national security contexts, or living with their primary caregivers in detention.

With new emerging challenges children face on a daily basis - such as climate change, the energy crisis, exposure to the digital environment, the pandemic, the war in Ukraine and the migration crisis - the field of child justice is in constant evolution. World Children's Day therefore reminds us that children must be at the centre of our actions and that we need to pursue our efforts towards ensuring that justice systems respect children's rights.

Justice starts with Children.

Legal Update

ECtHR judgement on the rights of the child (10/11/2022)

The case *I.M. and Others v. Italy* concerned the allegation by the applicants (a mother and her two children) that the Italian State had failed in its duty to protect and assist them during contact sessions with the children's father, a drug addict and alcoholic accused of ill-treatment and threatening behaviour during the sessions. Italian authorities disregarded the best interests of the children who were forced to meet their abusive father within the meaning of Article 8 ECHR. With regard to the children's mother, the Court considered that the decisions of the domestic courts suspending her parental responsibility had not taken into account the difficulties surrounding the contact sessions and the unsafe conditions highlighted on several

occasions by the various actors involved. [The Court therefore considered that the best interests of the children must take precedence over the right of a parent to be in contact with their children.](#)

Members' Corner



Child Protection Responses for LGBTIQ Children who Run Away from Home or Care

On 15 November during the [Missing Children Under the Radar Conference](#) our coordinator Mariama Diallo presented on the experiences of LGBTIQ children who come into contact with the justice system, what an LGBTIQ sensitive child justice system should look like, and the steps that should be taken to ensure consideration of intersectionality within the justice system.

DCI and Tdh at the Global Forum on Justice for Children in Mauritania

On 8-9 November in Nouakchott, Mauritania, during the [Global Forum Justice for Children](#), DCI together with Terre des Hommes co-chaired the NGO Panel on Children Deprived of Liberty, an initiative held off the back of the publication and presentation at the UN General Assembly of the [UN Global Study on Children Deprived of Liberty \(2019\)](#) by lead author and independent expert Prof. Manfred Nowak.

The Consequences of COVID on Children: Project CARES Kicks Off

On 8 November, our members Ludwig Boltzmann Institute for Fundamental and Human Rights, DCI-Belgium and Brave Phone [launched a new project analysing the consequences of COVID-19](#) on already vulnerable groups of children, and the relevance of child protection institutions and services (info in German only).

Upcoming Events

30 November 10.00-11.30 CET: ICJ Webinar Care for Migrant Children

This online discussion led by the International Commission of Jurists will look at integrating migrant children in mainstream child protection systems and at the feasibility of introducing case management in the current national systems. It will explore practical challenges and obstacles to such placement at national level and allow for a discussion among practitioners on what could be done to overcome

these barriers. [To attend, register here](#) by Monday 28 November 2022.

Online Exhibition: From Human Rights to Children's Rights

This exhibition was developed by DEI France, validated by the French Ombudsman Jacques Toubon and accredited by the National Education in 2021. Focussing on the evolution of children's rights in the international human rights context from a French perspective, [it is now available online \(in French only\)](#).

Recently Published



Global: the Climate Crisis and Violence against Children

The Office of the UN High-representative of the Secretary-General on violence against children [published an advocacy brief](#) that demonstrates that the climate crisis is a 'threat multiplier' for violence against children, exacerbating every challenge and enabling violence to thrive.



UK: Restorative Justice, Youth Violence, and Policing: A Review of the Evidence

A [UK study shows](#) that restorative



Europe: FRA Youth Data Collection on Rights of Young People

The Fundamental Rights Agency has [extracted youth data](#) from its extensive body of research to guide campaigns supporting the rights of young people. Topics include in particular access to justice, LGBTIQ rights, disability, and violence against women.



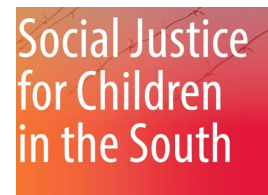
EU: Legislative Frameworks for Victims of Gender-based Violence in Member States

[This study](#) provides an overview of the



Balkans: New Report on Violence on Refugee and Migrant Children

Save the Children and the University of Sarajevo [published the new report](#) "Wherever We Go, Someone Does Us Harm" highlighting violence against refugee and migrant children arriving in Europe through the Balkan route.



Global: New Publication on Social Justice for Children in the South

Professor and researcher Graciela Tonon has [published the book](#) "Social

justice and restorative practice can form an important part of an overall strategy to help reduce both incidents of youth violence as well as the longer-term impacts of that violence when it has taken place.

legislative frameworks for victims (including child victims) of gender-based violence in the EU. It provides analysis of measures in place at both Member State and EU level, and recommendations to prevent and combat gender-based violence.

[Justice for Children in the South](#)", a multi-author collection of articles which focus on social justice for children living in the South and highlight the importance of social policies that consider children as actors and protagonists.



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