

Putting *Children in Conflict with the Law* Back on the Agenda

**The Eleventh UN Congress on Crime Prevention and Criminal Justice:
Report on Participation of Defence for Children International**

Abridged Version

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1. Achievements

Children do not belong in prison. They do not belong behind bars. Children should go to school. They should be playing with their friends. They should be together with their families.

Mainly due to the lobby activities of DCI's International Team on Juvenile Justice at the Eleventh UN Congress on Crime Prevention and Criminal Justice (Bangkok, Thailand, 18-25 April 2005) and at the four Regional Preparatory Meetings for the Eleventh Congress held in 2004, the Bangkok Declaration *Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice* includes a specific paragraph on juvenile justice:

“We affirm our determination to pay particular attention to juvenile justice. We will consider ways to ensure the provision of services to children who are victims of crime and children in conflict with the law, in particular those deprived of their liberty, and also to ensure that those services take into account their gender, social circumstances and developmental needs and the relevant United Nations standards and norms, as appropriate.”

Within just one year, DCI achieved a significant return of the issue *children in conflict with the law* on the international agenda. Indeed, it is the first time since the adoption of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty at the 8th UN Congress in 1990 that special reference is made to children deprived of their liberty.

2. Introduction

One of the main lobby activities at regional and international level of the *No Kids Behind Bars! Global Campaign* in 2004 and the beginning of 2005 was the preparation of DCI's participation and lobby at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice: 'Synergies and Responses: strategic alliances in crime prevention and criminal justice' (Bangkok, Thailand, 18-25 April 2005), and at the four Regional Preparatory Meetings for the Eleventh Congress that were held in 2004. This report gives an account of DCI's participation, lobby and experiences, and some background information.

3. Role of the Commission on Crime Prevention and Criminal Justice

The Eleventh Congress was prepared by the United Nations Commission on Crime Prevention and Criminal Justice, which was established in 1992 as a subsidiary body of the Economic and Social Council (ECOSOC). The Commission consists of 40 Member States. It formulates international policies and recommends activities in the field of crime control. The four priority areas of the Commission's mandate are:

- 1) International action to combat national and transnational crime, including organised crime, economic crime and money laundering;
- 2) Promoting the role of criminal law in protecting the environment;
- 3) Crime prevention in urban areas, including juvenile crime and violence; and
- 4) Improving the efficiency and fairness of criminal justice administration systems.

At the Commission's annual sessions, draft resolutions for action are formulated that subsequently need to be approved by ECOSOC. It is the responsibility (of the Crime Programme) of the United Nations Office on Drugs and Crime (UNODC) to carry out the decisions of the Commission. The UNODC Headquarters is based in Vienna, Austria. It has 21 field offices.

Annemieke Wolthuis (DCI-Netherlands) and Danny Sandor (DCI-Australia) participated at the 13th session of the Commission (Vienna, Austria, Eleventh-20 May 2004). The main objective of their participation was to gain the attention and support of the Member States for DCI's recommendations to be submitted at the Eleventh Congress the following year. Carlos Pampín García (DCI-International Secretariat) participated at the Commission's 14th session (Vienna, Austria, 23-27 May 2005), in order to give follow-up to DCI's participation and recommendations at the Eleventh Congress.

4. What are UN Congresses?

The origins of the United Nations congresses on crime prevention and criminal justice can be traced back to the International Penitentiary Commission (IPPC), already active since the 19th century. In 1950, the General Assembly authorised the transfer of the IPPC's functions to the United Nations, and approved the initiative whereby the UN would undertake to convene a world wide congress every five years, in order to provide a forum for discussion of priority concerns by policy makers, administrators, academics and other professionals in the field.

The very First United Nations Congress on the Prevention of Crime and the Treatment of Offenders was held in 1955 in Geneva, Switzerland, and was attended by 61 countries and territories. The Tenth Congress (Vienna, Austria, 10-17 April 2000) was attended by some 2,000 participants, including representatives of 139 Governments! The Eleventh Congress hosted 2,370 participants, representatives of 167 NGOs and 1,137 individual experts.

The UN Congresses always have a main theme, and they result in the adoption of a single UN declaration. The Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, for example, resulted in the adoption of the *Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century*. Juveniles are specifically referred to in paragraph 24 of this declaration, which focuses on the prevention of juvenile delinquency:

“We further recognise with great concern that juveniles in difficult circumstances are often at risk of becoming delinquent or easy candidates for recruitment by criminal groups, including groups involved in transnational organised crime, and we commit ourselves to undertaking countermeasures to prevent this growing phenomenon and to including, where necessary, provisions for juvenile justice in national development plans and international development strategies and to including the administration of juvenile justice in our funding policies for development co-operation.”

5. Regional Preparatory Meetings of the Eleventh Congress

The Commission on Crime Prevention and Criminal Justice worked on formulating the text of a draft Declaration, to be considered for adoption by Member States at the Eleventh Congress, at inter-sessional meetings that took place in the beginning of 2005. One of the main objectives of the Regional Preparatory Meetings for the Eleventh Congress was to make action-oriented recommendations to serve as a basis for those to be included in the draft Declaration.

As mentioned above, the main theme of the Eleventh Congress was: Synergies and Responses: strategic alliances in crime prevention and criminal justice. The Regional Preparatory Meetings had the same theme, substantive agenda items and workshop topics as the Eleventh Congress. The substantive agenda items were as follows:

- 1) Effective measures to combat transnational organised crime;

- 2) International co-operation against terrorism and links between terrorism and other criminal activities in the context of the work of the United Nations Office on Drugs and Crime;
- 3) Corruption: threats and trends in the twenty-first century;
- 4) Economic and financial crimes: challenges to sustainable development; and
- 5) Making standards work: fifty years of standard-setting in crime prevention and criminal justice.

The topics considered by workshops within the framework of the Eleventh Congress and the Regional Preparatory Meetings were:

- 1) Enhancing international law enforcement co-operation, including extradition measures;
- 2) Enhancing criminal justice reform, including restorative justice;
- 3) Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk;
- 4) Measures to combat terrorism, with reference to the relevant international conventions and protocols;
- 5) Measures to combat economic crime, including money-laundering; and
- 6) Measures to combat computer-related crime.

At the Eleventh Congress as well as at the Regional Preparatory Meetings, DCI submitted its action-oriented recommendations under the substantive agenda item ‘Making standards work: fifty years of standard-setting in crime prevention and criminal justice’, taking into account the important international instruments that have been adopted within the framework of the UN in the field of juvenile justice, including: the 1989 United Nations Convention on the Rights of the Child; the 1985 United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules); the 1990 United Nations Guidelines for the Prevention of Juvenile Delinquency; and the 1990 United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Furthermore, DCI devoted its attention to actively participating at the workshops on ‘Enhancing criminal justice reform, including restorative justice’, and ‘Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk’.

The following four Regional Preparatory Meetings preceded the Eleventh Congress: African Regional Preparatory Meeting (Addis Ababa, Ethiopia, 1-3 march 2004); Asia and Pacific Regional Preparatory Meeting (Bangkok, Thailand, 29-31 March 2004); Latin American and Caribbean Regional Preparatory Meeting (San José, Costa Rica, 19-21 April 2004); and the Western Asian Regional Preparatory Meeting (Beirut, Lebanon, 28-30 April 2004). Mr. Innocent Garakumbe of DCI-Uganda represented DCI at the meeting in Africa. Mr. Danny Sandor, former president of DCI-Australia, represented DCI at the Asia and Pacific meeting, and Ms. Vicky Murillo Herrera of DCI-Costa Rica was the DCI representative at the Latin American and Caribbean meeting.

Defence for Children International consistently submitted the same action-oriented recommendations at the Regional Preparatory Meetings. Encouragingly, they were adopted by the government representatives at all of the meetings, including at the Western Asian Regional Preparatory Meeting, which was held last and where DCI was not present. The DCI recommendations were explicitly included in all of the Regional Reports as follows :

“63. The Meeting recommended that States pay particular attention to juvenile justice and to measures to ensure the treatment of children in conflict with the law, in

particular those deprived of their liberty, in conformity with the applicable United Nations standards and norms and taking into account their gender, social circumstances and developmental needs. The Meeting also recommended that the Eleventh Congress explore:

- a) The possibility of developing an action plan for juvenile justice that would set targets for reducing the number of children arrested, detained or imprisoned;
- b) The feasibility of the action plan aimed at reducing the number of such children by 25 per cent within 5 years and by 50 per cent within 10 years;
- c) The possibility of the action plan focusing on the collection and analysis of national data on children deprived of their liberty, with a view to promoting the prevention of juvenile delinquency and the use of alternatives to imprisonment and improving the conditions of children deprived of their liberty.”

6. Eleventh Congress: DCI Statement and Recommendations

The DCI team participating at the Eleventh Congress consisted of Mr. Darío Gómez (DCI-Costa Rica) (see Annex 1), Mr. Carlos Pampín García (DCI-International Secretariat) (see Annex 2), Mr. Stan Meuwese and Ms. Beata Stappers-Karpińska (DCI-Netherlands), and Mr. Innocent Garakumbe (DCI-Uganda). In March 2004, DCI submitted a formal statement and recommendations for consideration by States at the Eleventh Congress, which became one of the official congress documents.

The main task of the DCI team was to find support for the inclusion of DCI’s recommendations in the Bangkok Declaration. Considering that they had been adopted at the Regional Preparatory Meetings, DCI was reasonably hopeful that they would be approved at the Eleventh Congress. It is not possible for NGOs to submit official proposals, so DCI had to find supportive governments who would table DCI’s recommendations together with and as their own.

Based on the recommendations of DCI adopted at the Regional Preparatory Meetings, DCI recommended in its statement that the following paragraph be included in the text of the Bangkok Declaration:

“In the Bangkok Declaration,

The Member States of the United Nations should declare as follows:

We commit ourselves to paying particular attention to juvenile justice, and to undertaking measures to ensure that the treatment of children in conflict with the law, particularly those deprived of their liberty, is in conformity with the applicable United Nations standards and norms, and taking into account their age, gender, social circumstances and developmental needs. We decide to develop, as appropriate, national, regional and international action plans for juvenile justice that are aimed at reducing the number of children deprived of their liberty, and, to this end, focus on measures to promote the collection and analysis of national data on children in conflict with the law, particularly those under arrest, in (pre-trial) detention or imprisonment, the prevention of juvenile delinquency and the use of alternatives to imprisonment, as well as at improving the conditions of children deprived of their liberty. We establish 2007 as a target date for States to review their relevant practices, in addition to developing and implementing national action plans.”

A week or two before the Eleventh Congress started, the draft Bangkok Declaration was posted on the UNODC website. Unfortunately, DCI’s recommendations had not been

incorporated in full. One specific paragraph was included on juvenile justice, namely paragraph 25 reading as follows:

“25. We affirm our determination to pay particular attention to juvenile justice. We shall consider ways to ensure the provision of treatment to children who are victims of crime and children in conflict with the law, in particular those deprived of their liberty, and also to ensure that that treatment takes into account their gender, social circumstances and developmental needs and the relevant United Nations standards and norms, as appropriate.”

It was clear that the draft paragraph was based in part on DCI’s recommendations adopted at the Regional Preparatory Meetings. However, it was also obvious that the paragraph as it stood was not sufficient. In general, the language used expressing the commitment of States was not strong enough, and the actions to be undertaken by States needed more specification. Furthermore, the paragraph dealt side-by-side with child victims of crime and children in conflict with the law. This approach excluded the possibility of dealing with the specific rights of both groups of children, and the measures necessary to implement those rights. These distinct groups of children needed to be dealt with separately. Finally, the draft paragraph did not focus on the obligation of States to ensure that children in conflict with the law, including children deprived of their liberty, are treated in conformity with their rights as recognised in United Nations standards and norms. Rather, it deals with the provision of treatment to these children. This focus was not rights-based and needed to be changed.

Therefore, the main objective of DCI’s participation and lobby developed into both defending the inclusion of a specific paragraph on juvenile justice, and at the same time advocating for significant changes to the draft text of paragraph 25 to make it more in line with DCI’s recommendations. The new paragraph should focus only on children in conflict with the law, whilst a separate paragraph should be devoted to children victims and witnesses of crime. Various documents were developed to assist the DCI team in their endeavours.

In addition, attempts were made to gain the support of some governments before the Eleventh Congress started, particularly the support of the Austrian, Dutch and German governments. This initial contact was positive. Ms. Beata Stappers of the Dutch section of DCI participated at the Meeting of the Intergovernmental Expert Group to develop guidelines on justice in matters involving child victims and witnesses of crime (Vienna, Austria, 15-16 March 2005), using this occasion to lobby for DCI’s recommendations and to disseminate information about the Conference *Kids Behind Bars: A Child Rights Perspective* (30 June - 2 July 2005, Bethlehem, Palestine), organised by DCI Palestine. A number of governments sympathetic to the recommendations were identified and, upon their request, the full text of DCI’s Statement and recommendations were sent to different governmental agencies. Direct contact was made with the Dutch delegation.

7. Eleventh Congress in Progress

During the opening ceremony, Mr. Antonio Maria Costa, Secretary-General of the Eleventh Congress and Executive Director of the UNODC, stated that children are to be protected from violence and exploitation. And the Executive Secretary of the Eleventh Congress, Mr. Eduardo Vetere, called for the full implementation of existing international instruments on juvenile justice and explicitly referred to children in conflict with the law. Despite this encouraging start, already at the beginning of the Eleventh Congress, it became very clear that for the majority of States the priority issues were organised crime, terrorism and corruption, and that, by contrast, the problems for children underlying DCI’s statement and

recommendations on juvenile justice were considered ‘soft issues’ and not particularly important, or deserving of urgent and immediate attention and action.

The Eleventh Congress was officially opened by the Minister of Justice of Thailand and attended by the Crown Prince of Thailand, accompanied for this occasion by his daughter. It was addressed by the UN Secretary-General, Mr. Kofi Annan, whose report on the state of crime and criminal justice world wide was presented by the Executive Director of the UNODC, Mr. Antonio Maria Costa.

The substantive agenda items of the Eleventh Congress were discussed at the Meetings of Committee I and II, and at the Plenary, whilst the practical orientation on specific subjects was presented at the six technical workshops (see para. 4 above).

The DCI team actively participated at three plenary sessions, presenting statements relating to different aspects of juvenile justice. First, DCI gave an oral presentation of its official Statement during the session on agenda item 7: ‘Making standards work: fifty years of standard-setting in crime prevention and criminal justice’. It was clear by this stage that there was no chance that the original paragraph recommended by DCI would find any support. In working on an alternative text, and upon suggestions made by some concerned delegations, among which Canada, DCI omitted reference to any particularly strong language as regards the obligations to be assumed by States. The Chair of the UN Committee on the Rights of the Child, Mr. Jaap Doek, joined the DCI team at this point and made further suggestions about how to redraft paragraph 25 of the draft Bangkok Declaration. The resulting new paragraph was supported by the Austrian delegation and submitted by this State as an official amendment to draft paragraph 25 on juvenile justice, reading as follows:

“We commit ourselves to promote juvenile justice and the prevention of juvenile delinquency. We will undertake the actions to reduce the number of children deprived of their liberty, to use community based sanctions and to ensure that any child in detention is treated in conformity with the United Nations standards and norms, and taking into account his or her age, gender, social circumstances and developmental needs. “

The second statement by DCI concerned life imprisonment and death penalty for juveniles and was orally presented during Workshop 2: ‘Enhancing criminal justice reform, including restorative justice’. Defence for Children International welcomed the abolition of the death penalty for juveniles under the age of 18 by the Supreme Court of the United States and called for the abolition of life imprisonment for juveniles, in accordance with article 37 of the Convention on the Rights of the Child.

The third statement was presented by DCI at Workshop 3: ‘Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk’. This statement dealt with the prevention of youth delinquency and youth at risk in big cities of Latin America, Africa and Asia, recalling obligations of States as laid down in article 40, paragraph 3, of the Convention on the Rights of the Child and article 12 of the Beijing Rules, which promotes the idea of special police forces for minors in conflict with the law.

Defence for Children International also took the initiative to submit a joint statement by several NGOs especially concerned with issues relating to juvenile justice and ‘children in crime’. The Statement, undersigned by DCI, ECPAT International, International Bureau of Children’s Rights, Friends World Committee for Consultation Quakers, Penal Reform

International, World Society of Victimology, emphasised that children can be associated with crime in various ways – as victims of crime, witnesses, children in conflict with the law, imprisoned with their mothers, or having parents in prison.

All the statements mentioned above will be published together with the official documents of the Eleventh Congress.

The DCI team actively participated at Ancillary Meetings of the Eleventh Congress, which were organised primarily by NGOs. The meetings focused on specific topics likely to generate broad discussions. At the Ancillary Meeting on the issue of ‘Protecting the Rights of Children in Conflict with the Law’, DCI was a member of the panel and presented the successful system of alternative punishments HALT operating in the Netherlands. This presentation concerned one of DCI’s contributions to the *Handbook on Best Practices in Advocacy for Juvenile Justice*, published by the Interagency Coordination Panel on Juvenile Justice and officially launched at this meeting.

During the Eleventh Congress, the members of the DCI delegation were approached by the media, including Reuters, Thai Radio and Television, and the UN Radio, for interviews on DCI’s Statements at the congress, as well as on DCI’s activities in the field of the children’s rights in general and the Convention on the Rights of the Child in particular.

In the morning of the last day of the Eleventh Congress, the *Bangkok Declaration: Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice* was unanimously adopted and presented to the public. The proposal for a renewed paragraph on children in conflict with the law had not been adopted in full in the final text; in the new paragraph 33 on juvenile justice only two words had been changed: the word “treatment to children” was replaced by “services to children” and the formulation “we shall consider” was changed into “we will consider”. All together a meaningful reformulation of the paragraph, where the most important elements are explicitly referred to: ‘juvenile justice’, ‘relevant UN standards and norms’, ‘children in conflict with the law’ and, most significantly, ‘children deprived of their liberty’.

8. Some Lessons Learned

A first impression after leaving the Eleventh Congress is that a lot of work still needs to be done before States fully recognise and protect the rights of children in conflict with the law, and the fundamental importance of these rights.

A second impression is that the ultimate positions that the various governments will take at a UN Congress and what kind of priorities will be agreed upon are hugely unpredictable. The DCI Statement was in general very positively received during the preliminary lobby activities. But already in the first days of the Eleventh Congress, all States which had previously expressed their readiness to support DCI’s recommendations changed their views! “The priorities were altered at the last moment” was the most general explanation.

This means that DCI has to try to create even better contacts with the UNODC and other bodies organising such meetings, in order to be able to have some preliminary influence on the planning of agendas and the drafting of texts. At the Eleventh Congress, for example, it was impossible to find out who the members were of the Drafting Committee, so that even informal discussions about the wording of the draft Declaration were impossible. Defence for Children International as a non-governmental organisation has to be aware of the fact that, at

such international events, NGOs will always have a position at the side line only. Most of the NGOs and their activities are unknown to the official delegations and great efforts must be made to become visible.

The importance of DCI's participation at the Regional Preparatory Meetings is absolutely obvious. The fact that the Bangkok Declaration even refers to juvenile justice is clearly directly linked to DCI's participation and lobby at the regional meetings.

Defence for Children International needs to strengthen its position as a leading NGO in the field of juvenile justice. It should co-ordinate activities to be undertaken on behalf of different organisations. Coalitions is one of the key tools for the future, and necessary in order to express mutual concerns about violations of the rights of children in conflict with the law in a loud and transparent way.

The Eleventh Congress experience teaches clearly that an international, multi-lingual DCI team is of utmost importance to work effectively at such international events. Future planning of such participation should include closer exchange of information between all DCI sections to facilitate co-operation and the exchange of information on issues of general or regional concern.

The participation at the Eleventh Congress has been an inspiring experience, hopefully shared by all DCI sections due to the daily information sent to the International Secretariat for distribution.

9. No Kids Behind Bars! Global Campaign

The main objective of DCI's *No Kids Behind Bars! Global Campaign* is to promote the implementation by States of the international standard that the arrest, detention or imprisonment of a child must be in conformity with the law, and must be used only as a measure of last resort and for the shortest appropriate period of time. Our message is that, for the full realisation of this right, States must also pay attention to the implementation of other related United Nations standards and norms concerning children in conflict with the law, as recognised in the United Nations Convention on the Rights of the Child, the Beijing Rules, the Riyadh Guidelines and the Havana Rules.

- We want all governments to pay special attention to juvenile justice.
- We want all governments to undertake measures to ensure that the treatment of children in conflict with the law, particularly those deprived of their liberty, is in conformity with the applicable United Nations standards and norms, and taking into account their age, gender, social circumstances and developmental needs.
- With 2007 as our target date, we want all governments to develop and implement national action plans on juvenile justice that are aimed at:
 - Reducing the number of children deprived of their liberty; and
 - Improving the conditions of arrested, detained or imprisoned children.
- To this end, national action plans should focus on legal safeguards to ensure that the arrest, detention or imprisonment of a child is in conformity with the law, and is used only as a measure of last resort and for the shortest appropriate period of time. Furthermore, they should concentrate on measures to promote the:
 - Collection and analysis of national data on children in conflict with the law, particularly those under arrest, in (pre-trial) detention or imprisonment;
 - Prevention of juvenile delinquency;

- Use of diversion;
- Use of alternatives to imprisonment and restorative justice; and
- Improvement of the conditions of children deprived of their liberty.

Children do not belong in prison. Kids do not belong behind bars. This is reflected in the international standard that the arrest, detention or imprisonment of a child must be in conformity with the law, and must be used only as a measure of last resort and for the shortest appropriate period of time, which is laid down in the 1985 United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the 1990 United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules), and the 1990 United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines). Importantly, it is also recognised in the 1989 United Nations Convention on the Rights of the Child, which has been ratified by 192 countries.

Nevertheless, on a global scale, it is estimated that over one million children are deprived of their liberty. Worldwide children in conflict with the law are being held under arrest, in detention or imprisonment, frequently in conditions that constitute degrading and inhumane treatment. Children in detention are not high on the social and political agenda. They are out of sight and easily forgotten. Official data can be difficult to obtain. Such data is often either inadequate or lacking. In the great majority of countries, most children deprived of their liberty have not actually been convicted of an offence: they have simply been apprehended or are on pre-trial remand. It is during pre-trial detention that many of the worst human rights abuses occur.

In addition, most are accused of a minor or non-violent offence, and will not receive a custodial sentence when they finally appear in court. Only a small number have committed serious offences. As regards those juveniles who are indeed sentenced to deprivation of liberty, the high cost, overall ineffectiveness and counter-productive consequences of custodial sentences are now well documented. The statement that “kids do not belong behind bars” is not simply based on a sentiment of pity; it is the outcome of important research and numerous studies on youth and crime.

Children in conflict with the law have rights, too. Abandoning children in a penal institutional system prejudices their physical, mental, spiritual, moral and social development. It puts them at serious risk of being denied appropriate health care and education, and of mental and physical abuse inflicted or tolerated by state employees in the name of discipline. Yet recourse to custodial sentences, in most countries, continues to be anything but “a measure of last resort and for the shortest appropriate period of time”, in total contradiction with United Nations standards.

These are just some of the research results that can be found in DCI’s report *Kids Behind Bars. A study on children in conflict with the law: towards investing in prevention, stopping incarceration and meeting international standards*, which includes 22 country reports. Similarly, the United Nations Committee on the Rights of the Child has indicated, in its Concluding Observations, that all States Parties are having difficulty in implementing the Convention on the Rights of the Child, and related United Nations standards and norms concerning children in conflict with the law.

We believe that proper implementation not only gives children’s rights real meaning, but also increases the likelihood that the children themselves will have real meaning in their lives and

be less likely to become involved in crime. Sound and thorough implementation is more than an investment in children. It is an investment in community safety and crime prevention.

10. Concluding Remarks

Only issues that have or can have a global impact are accepted topics on the international agenda. Juvenile justice was once seriously present on the agenda of the United Nations. This resulted in the adoption of important international instruments in the late eighties and early nineties, but then it disappeared for more than a decade. At the Eleventh Congress, the grave human rights situation of children in conflict with the law had to compete with the issues of organised crime, corruption and terrorism. One ray of hope: the International Bureau for Children's Rights was successful in drafting *Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime* and getting this important document on the UN agenda.

Still, we should also acknowledge our own achievements. Juvenile justice, and importantly children deprived of their liberty, were put back on the international agenda, not quite as high as where they belong but they are there. The Bangkok Declaration would not include a specific paragraph on juvenile justice, were it not for DCI 's – speaking a language different than that used by diplomats – successful endeavours in making children in conflict with the law visible again. Now we must use our strengthened position and commitment to maintain and heighten this visibility.