

Bethlehem Declaration: No Kids Behind Bars

1. *A statement by the International Executive Council of Defence for Children International based upon the presentations and discussions of the international conference “Kids Behind Bars – A Child Rights Perspective” of DCI, gathered in Bethlehem, Occupied Palestinian Territory on 30 June – 2 July 2005.*

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

3. Different studies have estimated that over one million boys and girls are behind bars worldwide, too often in horrific, degrading, overcrowded and violent conditions. Detention should be considered as an option only for the very small number of children who have committed violent and serious offences.

4. The majority of children currently behind bars do not belong there. Many have committed only petty crimes and are still awaiting trial. Many have committed no crime at all such as street children, political prisoners, refugee and asylum seekers, children with mental disabilities and others detained without judicial process.

5. One hundred and ninety-two governments have already committed to the general principles outlined in this document by ratifying the United Nations Convention on the Rights of the Child (CRC). Nevertheless children in prison and detention remain abused and forgotten.

6. At the same time, repressive policies and actions have been promoted and implemented by the governments of many countries. These have significantly increased the number of children behind bars.

6. Putting boys and girls behind bars and separating them from their families and communities seriously damages their physical, mental and social development. Many do not receive adequate food, health care or education. Children are exposed to physical, psychological and sexual abuse and may become infected with HIV. Detention leads to lifelong stigmatization which hampers reintegration of children into communities.

7. During this international conference we have learnt that thousands of Palestinian children have been arrested and detained by the Israeli Occupation Forces since September 2000 for political reasons, as a deliberate policy designed to strengthen and maintain the Israeli occupation.

8. For us, this situation is unacceptable. Thousands of Palestinian children have been detained during mass, arbitrary arrest campaigns over the last four years and are often used as political hostages to the negotiation process. These children should not be used as bargaining chips.

Call for Government Action

9. Stop putting kids behind bars

- Stop the arrest and detention of girls and boys who are not suspected of an offence;

- Stop detaining children who have committed petty offences;
- Stop putting children behind bars in need of care and protection;
- Immediately decriminalize survival behaviours such as begging and vagrancy, and status offences such as truancy, and children who are victims of sexual or other forms of exploitation;
- Put an end to harsh, repressive, “tough on crime” policies that carry an excessive economic and social cost;
- Immediately release all child political prisoners and end the practice of political arrest;
- End discriminatory laws, policies and practices that put kids behind bars based on race, nationality, ethnicity, socio-economic and other status;
- Bring those responsible for arbitrary and illegal arrest and other human rights violations such as torture to justice.

10. Invest in a positive future for children:

- Prioritize and invest in programmes such as: social spaces; community youth centres; sports and cultural programs; mentoring; programs to help boys and girls stay in school;
- Implement programs to reduce violence and to promote positive child-rearing in families and communities, and to strengthen social support systems;
- Strengthen opportunities for participation of children in decisions that affect them and their communities and foster their roles as positive social actors;
- Increase opportunities for children to develop sustainable economic livelihoods and life skills;
- Strengthen and maintain care and protection systems, including alternative family-based care for children deprived of a family environment and other social welfare services.

11. Develop community based and restorative alternatives

- Provide a range of local, community-supported diversion and individualized options for children in conflict with the law that will address the root causes of their offending in a way that is restorative to the victim and community e.g. victim/offender mediation, family group conferencing, community service;
- Focus on community-based support to reduce stigma to ensure that children avoid repeat conflict with the law and to empower children to work towards positive futures.

12. Improve conditions for the exceptional cases of children who need to be detained

- Ensure that detention as a last resort is used only for those exceptional cases where children need to be detained for the seriousness of their offence or because they pose a danger to themselves or others;
- Provide child-oriented, child-sensitive systems that are separate from adult criminal justice systems. Children must not be tried as adults;
- Make sure children are processed as quickly as possible by limiting detention in police custody to a maximum of 24 hours and ensuring that detention before conviction is court-ordered and regularly reviewed;
- Comply with international standards for physical, psychological protection, well-being and development of children while behind bars;

- Ensure the total separation of children from adults in detention and separation on the basis of sex and convicted status;
- Ensure that children are informed of their rights and the functioning of the juvenile justice system while they are in detention.

13. Establish national plans to reduce the numbers of children behind bars

- Develop mechanisms to effectively measure, monitor and report on the number of girls and boys behind bars;
- Develop a plan of action to reduce the number of kids behind bars which includes establishing a baseline and means to reduce that number by 50% within 10 years;
- Provide compulsory and quality training on standards and sensitization of law enforcement and juvenile justice personnel;
- Develop effective independent complaints and investigation procedures, independent monitoring and NGO access;
- At a local level, governments must monitor the situation in places where kids are behind bars and develop local action plans.

Call for Action to Other Partners

14. UN and other international bodies must:

(e.g. UNICEF, WHO, UNDP, UN Committee on the Rights of the Child, UN Commission on Human Rights, UN Office on Drugs and Crime, UNIFEM and Habitat)

- Assist governments to collect and analyze national data;
- Provide technical assistance for the implementation and monitoring of national plans of action including training;
- Publish annual statistics on children in detention and in conflict with the law;
- Organize regular international meetings on children behind bars.

15. NGOs and civil society:

- *International NGOs* must lobby to place the topic on the international agenda, organize for a world congress and stimulate plans of action;
- *National NGOs* must establish national campaigns on No Kids Behind Bars, monitor government actions and conditions in detention, and collaborate on a regional level;
- *Community organizations* must work closely with youth at risk, participate in local action plans and support children in closed institutions.

16. Media and educators must:

(e.g. TV, radio, newspapers, Internet, film and other cultural outlets, schools and academic institutions)

- Inform the public about the problem of boys and girls behind bars based upon accurate and balanced information that does not sensationalize, victimize and exaggerate incidents that increase fear of crime;
- Support and publicize the No Kids Behind Bars campaign;
- Develop programs about kids behind bars for school curricula and community groups that encourage critical thinking and their participation in the No Kids Behind Bars campaign.