The situation of children deprived of liberty in the world

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The European Parliament adopted by 486 votes to 23, with 127 abstentions, a resolution on the situation of children deprived of liberty in the world.

Putting an end to the detention of children

The resolution stated that the deprivation of liberty of children also deprives them of their childhoods and their futures. The right of children to unhindered access to education and well-being activities, which are the best means to alleviate the effects of poverty and ensure a better future for them, their families and their communities. The relevant institutions to ensure this right is effectively applied.

Members also stressed that deprivation of liberty may itself constitute a **form of torture or cruel, inhuman or degrading treatment, or punishment of children**, which violates international law, is explicitly prohibited by the Convention on the Rights of the Child. They called for the repeal of any legislation and practice which continue to allow children's life imprisonment and corporal punishment. Moreover, children under the age of 18 years should not, under any circumstances, be recruited by armed groups or persons involved with them or participate in hostilities.

Deploring the detention of children, Parliament believes that the international community should redouble its efforts to **end the detention of children** by 2030 through the use and explicit legal recognition of diversion, and explore other non-custodial and restorative justice measures.

The resolution called on EU institutions and Member States to take the lead and launch a global campaign to reduce the number of children held in detention, including through the creation of a UN monitoring mechanism.

Parliament also strongly condemned the **trafficking and exploitation of people, including children**. It encouraged Member State embassies and EU delegations to ensure that civil society organisations, local community leaders and religious actors are included in discussions with the authorities with a view to eliminating harmful practices against children, such as forced marriages or deprivation of liberty based on faith or religion.

Children within the administration of justice

Parliament invited the EEAS and Commission to propose in all its cooperation programmes on rule of law and justice capacity-building a specific chapter focused on supporting third-country authorities to establish **effective child justice systems**. It called for intensified efforts to ensure that all children in detention can enjoy the rights enshrined in the UN Convention on the Rights of the Child and are treated with humanity and with respect for the inherent dignity of the human person. In addition, Members should refrain as much as possible from detaining primary caregivers with very young children.

Children with disabilities

Members called urgently for an **end to discrimination** against children with disabilities in all laws, policies and practices that relate to the right to personal liberty. The resolution highlighted that some of the EU candidate countries still use closed institutions for people, including children with disabilities.

Members repeated their call on EU candidate countries for further progress to ensure that the rights of persons with disabilities are upheld and that decent living conditions for people, including children, with disabilities are ensured.

Gender identity

Members condemned all forms of punishment leading to the deprivation of liberty of children based on their sexual orientation or gender identity, on having obtained an abortion or for consensual and non-exploitative sexual activities between adolescents of similar ages, as well as the deprivation of liberty stemming from 'honour'-based abuse.

Children in migration

Members recalled that migrant children should, as a rule, not be detained but be placed in accommodation with special provisions for minors. States are called on to put in place appropriate safeguards to protect all children in migration present on their territory. Reception conditions need to be adapted to the specific situation of minors and their special reception needs, whether unaccompanied or with their families, taking account of their security, including against sexual and gender-based violence, physical and emotional care and encourage their general development.

Children affected by conflict

Pointing out that in 2022, more than one child in six was living in a conflict zone, Members reiterated that children detained as a result of occupation or armed conflict must be considered **first and foremost as victims** and must never be detained or punished solely for belonging to armed forces or groups. They stressed the need to put in place educational measures to enable children to reintegrate their communities and find their place in society after conflict, in order to prevent and prevent the transmission of violence to the next generation.

Parliament called on the Commission and the VP/HR to redouble their efforts to prevent and **put an end to the serious violations** committed against children deprived of their liberty in the context of armed conflicts, in particular brutal oppression, deportation, forced separation of families and forced adoption, which amount to crimes against humanity and represent a serious risk of genocide. Lastly, European countries are invited to set up **reintegration programmes** for EU national children born in fighters' or prison camps.