UNICEF is the leading advocate in the Europe and Central Asia Region for equitable access to justice for all children whose rights are being violated.

UNICEF believes that the best way to guarantee children’s access to justice is to adapt justice and social welfare systems to their particular rights and needs, whether they are offenders, victims or witnesses, or involved in family-related court proceedings. This includes children accused of crimes, where loss of liberty should be the last resort and of the shortest duration possible, and includes the full reintegration into society. UNICEF’s work includes advocacy and support for legislative and policy reform and the development of alternatives to detention, with the aim of reducing juvenile detention rates. UNICEF also promotes child-friendly approaches to justice across the region and supports tailored responses for every child who is in contact with the justice system. This extends into administrative and family law, where children’s rights require careful safeguarding and support.

The pursuit of justice for many children in Europe and Central Asia remains hampered by a lack of access to child-friendly justice systems that make decisions in the child’s best interests. Children who are already marginalized and disadvantaged, such as children from poor families and those from certain ethnic communities, are most likely to come into contact with the law. Children from poor family backgrounds receive less information about their rights, are less likely to seek redress and have greater difficulties in securing legal aid, paying court fees and transportation. Children with disabilities often lack the targeted support that would make it possible for them to participate in justice processes; while in some parts of the region, attitudes and social norms can make it very hard to report cases of abuse, especially for girls and women.

Children who come into conflict with the law are often seen as less ‘deserving’ than others, with their individual circumstances rarely taken into account. Most children in conflict with the law in the region have been accused of petty or non-violent offences, and some are placed in ‘protective custody’ despite that depriving children of their liberty should always be a last resort. Children living behind closed doors, away from their families and often without external oversight are among the most isolated and invisible young people in society.

UNICEF has extensive engagement across the region with governments and other partners to increase the availability of alternatives to detention; building the capacity of the justice system to work with children as victims and witnesses of crimes.

National Human Rights Institutions (NHRIs) are an important redress mechanism for children to seek support and claim their rights. The Committee on the Rights of the Child in its General Comment number two on “The Role of Independent National Human Rights Institutions in the Promotion and Protection of the Rights of the Child” (CRC/GC/2002/2) recognises such institutions as an important mechanism to promote and protect children’s rights. NHRIs are critical for children given the specific vulnerabilities of children to violations of their rights and the limited access of children to judicial remedy.

UNICEF has long-standing experience in supporting the development of NHRIs. There are numerous partnership initiatives, especially in monitoring closed facilities for children, promoting child rights awareness and child participation, evidence generation, and strengthening complaints mechanisms.

In Europe and Central Asia, UNICEF works closely with a cross-section of UN agencies and international organisations in strengthening the role of NHRIs, however there are few organisations that focus specifically on capacities when it comes to children’s rights.

UNICEF is looking to foster a unified approach among Country Offices to inform and support partnerships with NHRIs. To date, collaboration with NHRIs has been initiated by Country Offices and is organized individually through utilizing capacity of existing or former staff of NHRIs, Ombudspersons or individual consultants. In this context, the Europe and Central Asia Regional Office recently re-established dialogue with the European Network of Ombudspersons for Children (ENOC), which should help facilitate a more coordinated approach to collaboration with individual Ombudspersons’ Offices.