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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

**GENERAL INFORMATION ON JUVENILE JUSTICE
AND JUVENILE DELINQUENCY**

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On the occasion of the 31st Council of Europe Conference of Ministers of Justice held in Vienna from 19 to 21 September 2012, the Ministers of Justice wished the European Committee on Crime Problems (CDPC) to receive instructions to examine the experiences of member states with regard to preventing the involvement of juveniles in urban violence, together with the existing laws and practices in Europe regarding restorative justice, the sanctioning and the treatment of these juveniles.

At the 63rd plenary meeting of the CDPC, held from 4 to 7 December 2012, the Committee instructed the Secretariat to make a compilation of the existing Council of Europe recommendations on juvenile offenders as well as other legal instruments on this matter produced by other international organisations.

A compilation of the various legal instruments relating to juvenile justice and juvenile delinquency, drawn up by the Council of Europe, the European Union and the United Nations has therefore been made. It covers nearly 30 years of standard-setting action and has its point of origin in the Beijing Rules, laid down in 1985 by the United Nations.

The Council of Europe and the United Nations have been concerned for a long time with issues relating to juvenile delinquency and the need for a specific and adapted response by justice but also by society.

Thus, with the Beijing Rules of 1985, the Riyadh Guidelines and the Havana Rules of 1990, the United Nations established a body of minimum rules on prevention of juvenile delinquency, administration of juvenile justice and protection of the rights of juveniles deprived of their liberty. By means of various successive resolutions, the Council of Europe also participated in establishing a core of principles applicable to juvenile justice and an embryo of crime policy in this field.

The European Union, less involved at the outset, displays openness and seems to address the issues relating to juvenile delinquency, particularly since an opinion of the European Economic and Social Committee in 2006 on "The prevention of juvenile delinquency". In its "Stockholm Programme", the European Council sets out numerous objectives relating to criminal law and crime-fighting, though without referring specifically to juvenile delinquency. Even so, these objectives may have an impact on a future approach to the phenomenon of juvenile delinquency at the level of the European Union, as illustrated by the 2011 EU Programme on the Rights of the Child.

The collected documents as a whole reflect the superimposition of the relevant international instruments but also the convergence of objectives and principles between the different organisations: the imperative of specialisation of juvenile justice, the indispensable training of actors involved, the ascendancy of educative over punitive approaches, the need for restorative justice and the imperative of prevention and of juveniles' social integration. The question of young adults is also addressed and may be useful in combating urban violence.

COUNCIL OF EUROPE :

1. **R(87)20** concerning social reaction to juvenile delinquency, **1987 (4 p.)**
2. **R(88)6** on social reactions to juvenile delinquency among young people coming from migrant families, **1988 (3 p.)**
3. **Rec(2000)20** on the role of early psychosocial intervention in the prevention of criminality, **2000 (7 p.)**
4. **Rec(2003)20** concerning new ways of dealing with juvenile delinquency, **2003 (5 p.)**
5. **Rec(2005)5** on the rights of children living in residential institutions, **2005 (4 p.)**
6. **MJU-26(2005) Resol.2** on the social mission of the criminal justice system, **2005 (3 p.)**
7. **Rec(2006)2** Extract of the European Prison Rules, **2006 (6 p.)**
8. **MJU-28 (2007) Resol.2** on child-friendly justice, adopted by the 28th Conference of the European Ministers of Justice, **2007 (3 p.)**
9. **CM/Rec(2008)11** European Rules for juvenile offenders subject to sanctions or measures, **2008 (20 p.)**
10. **Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice**, **2010 (40 p.)**
11. **MJU-31 (2012) Resol. F** on responses of Justice to urban violence, adopted by the 31st Council of Europe Conference of the European Ministers of Justice, **2012 (3 p.)**

EUROPEAN UNION :

1. **2006/C 110/13**, Opinion of the European economic and social committee on the prevention of juvenile delinquency, **2006 (8 p.)**
2. **COM(2006)367 final**, Communication from the commission - Towards an EU Strategy on the Rights of the Child, **2006 (10 p.)**
3. **2009/C 295/01**, Roadmap for strengthening procedural rights of suspected or accused persons in criminal proceedings, **2009 (3 p.)**
4. **2010/C 115/01** Stockholm Programme - An open and secure Europe serving and protecting citizens, **2010 (38 p.)**
5. **COM(2011)60 final**, An EU agenda for the Rights of the Child, **2011 (18 p.)**

UNITED NATIONS :

1. **A/RES/40/33**, United Nations Standard Minimum Rules for the administration of Juvenile Justice – The Beijing Rules, **1985 (8 p.)**
2. **A/RES/45/112**, United Nations Guidelines for the Prevention of Juvenile delinquency – The Riyadh Guidelines, **1990 (5 p.)**
3. **A/RES/45/113**, United Nations Rules for the Protection of juveniles deprived of their liberty – La Havana Guidelines, **1990 (6 p.)**
4. **ECOSOC/RES/1997/30**, Administration de la justice pour mineurs, **1997 (13 p.)**
5. **ECOSOC/RES/2002/12**, Basic principles on the use of restorative justice programmes in criminal matters, **2002 (5 p.)**

6. **CRC/C/GC/10**, General Comment No. 10, Children's rights in juvenile justice, **2007 (26 p.)**
7. **A/RES/63/241** – Rights of the child, paragraph 43 to 47 Children alleged to have infringed or recognized as having infringed penal law, **2008 (4 p.)**
8. **Guidance Note** of the Secretary-General - UN approach to justice for children, **2008 (7 p.)**
9. **ECOSOC/RES/2009/26**, Supporting national and international efforts for child justice reform, in particular through improved coordination in technical assistance, **2009 (3 p.)**
10. **A/CONF/213/18**, Extracts of the Report of the 12th United Nations Congress on Crime prevention and Criminal justice, "Children, youth and crime, and making the United Nations guidelines on crime prevention work, paragraph 83-128, **2010 (7 p.)**