



Speech by Mrs Gabriella Battaini-Dragoni
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Ministers, Excellencies, Ladies and Gentlemen,

Welcome to the 31st Council of Europe Conference of Ministers of Justice!

Let me start with a question:

What do Mikhail Gorbachev, Bono, Bob Geldof, Amnesty International and Anton Abele have in common? They have all received the MTV peace award "Free Your Mind".

Why do I wish to share this with you at the opening of this important Conference today?

Today Mr Anton Abele is 20 years old. When he was 15, Anton created a Facebook group called "save us from street violence", as a reaction to the brutal killing of a Swedish teenager in 2007.

The Facebook group quickly attracted over 100,000 members. He organised a demonstration in which over 10,000 people took part. He then set up the organisation "Stop Street Violence Now" as part of his campaign against urban violence and developed a number of initiatives mobilising people of all generations across the whole country. In October 2010, Abele became Sweden's second-youngest-ever Member of Parliament.

Abele's story is very topical for this Conference: it shows how young people and technology can come together to change mind-sets, to trigger solidarity and promote effective action against urban violence.

Over the last few years, we have seen people, time and again, come together to demonstrate in all corners of Europe. In Madrid and Athens, but also in Copenhagen, Moscow and London. Sadly, in some cases these demonstrations have turned ugly and led to vicious violence, inflicting damage and destruction.

Minister Karl explained very clearly to us in her excellent report that "urban violence is a complex phenomenon which is influenced by social, economic, political and institutional factors".

Without a doubt, youth are at the very centre of this complex phenomenon. Urban violence has a significant - and sometimes dramatic - impact on the lives and well-being of children and young people. In a few days I will travel to Saint Petersburg to participate in the 9th Council of Europe Conference of Ministers responsible for Youth. The Conference will explore ways to develop innovative youth policies which can alleviate the malaise which many young Europeans are experiencing.

Technology has become a game-changer. Urban violence is less predictable than in the past, in large part due to new technologies. Those taking part in acts of urban violence now have a wide array of tools at their disposal: mobile phones and readily available Internet-based communication technologies, such as social networks and instant messaging, mean that riots can spread at the touch of a button.

At the same time, these are the same technologies that allow citizens and public services to take preventive measures, to protect goods and people as well as to initiate unprecedented solidarity movements. Just as Anton Abele did.

What are the conclusions we can draw from the picture I have just described?

I would like to highlight 3 points:

FIRST, we need effective common responses to these new forms of urban violence, and particularly from our justice systems.

The Council of Europe provides an appropriate framework in which to examine existing good practices in order to find the best solutions: above all, with a view to better understanding and preventing urban violence – for example, the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches. Furthermore, when such violence does occur, this framework facilitates the collection of evidence, protects victims and witnesses and ensures that those who are TRULY responsible for this violence are identified and brought to justice. And just as we focus on the perpetrators of urban violence, we cannot neglect the victims: the justice system must aim to make good any damage suffered by victims and restore their interests.

MY SECOND POINT is that we have to make sure that the responses of our justice systems strike the right balance between the need to protect public order without violating fundamental freedoms such as freedom of expression and assembly and the right to access to information. It is, therefore, crucial that action by public authorities be duly framed as required by Articles 10 and 11 of the European Convention of Human Rights.

We are all aware in this room of the truly complex tasks facing our justice system.

The Council of Europe has a substantive set of standards in the fields of juvenile and child-friendly justice, notably, as adopted following the Council of Europe Conference of Ministers of Justice five years ago. You will be pleased to note that we are working hand in hand with the European Commission to promote these standards and guidelines across Europe.

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Please, don't get me wrong: I am not saying that we should turn a blind eye to violent behaviour by juveniles. A quick and adequate response to such behaviour is of the utmost importance in order to avoid recidivism.

Unfortunately, young people in conflict with the law are often first of all victims of neglect, abuse or social exclusion, the end result of a problematic social context. It is precisely for all these reasons that the legal responses to their acts should never aim to repress but to educate and to facilitate social integration.

Juvenile justice needs to differ from ordinary criminal proceedings. Detention should be a measure of last resort and for the shortest appropriate period of time. In a number of European countries such as Belgium, France, Italy, Spain and Switzerland, juveniles are dealt with by separate juvenile justice laws and procedures. This is precisely why the Council of Europe argues for a holistic approach: not just for prosecution of perpetrators, but equally for preventive measures and protection of victims. Experience in many countries shows that the majority of juveniles, if treated justly and humanely, grow out of crime after their teenage years.

Mediation and restorative justice have proved to be very efficient ways of dealing with juvenile perpetrators of violence. They offer a quicker and less formal response to offending behaviour, thus allowing the juveniles to better understand the consequences of their acts, to take responsibility for their deeds and to accept the reparation owed to victims.

MY THIRD AND LAST POINT is that the justice system needs to be built and understood as one piece of a larger puzzle. As I said at the beginning, urban violence is a complex, multi-dimensional phenomenon. To address it effectively, it is important to co-ordinate various actors and policies in the fields of education, support to parenting, media and communication technologies, social services, urban planning, employment, security and, obviously, justice. The justice system cannot cover for the deficiencies in the other policies but should take these deficiencies into account, in particular when they put people in situations of distress and vulnerability.

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We must always stay open to imaginative ways of dealing with urban violence. Anton Abele showed one way we can twin modern technology with social activism. The Council of Europe, for its part, will support member states in identifying new ways of reducing the causes of acts of urban violence and dealing with their perpetrators and victims. Our standards and rules developed in the area of juvenile justice and child-friendly justice over the years provide a solid basis for new, well-adapted responses to the violent behaviour of young people.

Before concluding, I wish to thank our host, the Minister of Justice of Austria, for having provided us with this wonderful forum for discussing the responses of your respective justice systems to urban violence. I am firmly convinced that this regular dialogue amongst the Ministers of Justice of the Council of Europe greatly contributes to promoting justice for all citizens in our member states. People's trust in the justice system is the key to successful consolidation of democratic institutions and to social peace.

I, therefore, wish you every success in your work over the course of the next two days.