



DOMINICANS
FOR JUSTICE AND PEACE



34th session of the Human Rights Council

Geneva, 27 February – 24 March 2017

Item 2: Interactive Dialogue with the High Commissioner - Guatemala (A/HRC/34/3/Add.1) and Colombia (A/HRC/34/3/Add.3).

Mr. President,

The International Catholic Child Bureau (BICE), the *Instituto de Estudios Comparados en Ciencias Penales de Guatemala* (Institute of Comparative Studies in Criminal Sciences in Guatemala (ICCPG) and the Tertiary Capuchins of Colombia (TCC), the Dominicans for Justice and Peace (Order of Preachers), the International Movement of Apostolate in the Independent Social Milieus (MIAMSI), the International Confederation of the Society of Saint Vincent de Paul and the Company of the Daughters of Charity of Vincent de Paul would like to thank the High Commissioner for his report on progress and challenges in the human rights situation in Guatemala and Colombia, including on the administration of juvenile justice.

In Guatemala, once again, the annual report of the OHCHR-Guatemala raised the issue of overcrowding as a result of overused and prolonged pretrial detention, and of the limited application of alternative measures to deprivation of liberty of children and adolescents in conflict with the law. Last year's report mentioned that "Juvenile detention centres exceeded their capacity by 54.9%"¹ and that "adolescents were confined in cells without ventilation or access to water, and left their cells for only about four hours per week. Several allegations of ill-treatment of adolescents during detention were received"².

In 2015, the Committee on Torture expressed concerns about Colombia the limited implementation of recommendations formulated by the Prison Conditions Oversight Commission in conjunction with the Office of the Ombudsman following their inspection of detention places³. In addition, solitary confinement, including placement in punishment cells as a disciplinary measure in youth detention centres⁴ seems to be a common practice in Colombia.

Questions:

Could the High Commissioner provide the Council in his next report to the 37th session in March 2018 with detailed information on the administration of juvenile justice in Colombia and Guatemala, especially about:

- 1. accurate desegregate data on children and adolescents in conflict with the law;***
- 2. causes and consequences of pretrial detentions;***
- 3. facts on detention conditions, in particular solitary confinement;***
- 4. application of restorative justice, including alternative measures to detention;***
- 5. perception of children and adolescents in conflict with the law in the media;***
- 6. activities for technical assistance conducted by the OHCHR-Guatemala and Colombia to deal with these challenging issues.***

Thank you Mr. President.

¹ A/HRC/31/3/Add.1 (2016), § 27.

² *Ibid.*

³ CAT/C/COL/CO/5, §§ 18 & 20.

⁴ *Ibid.*