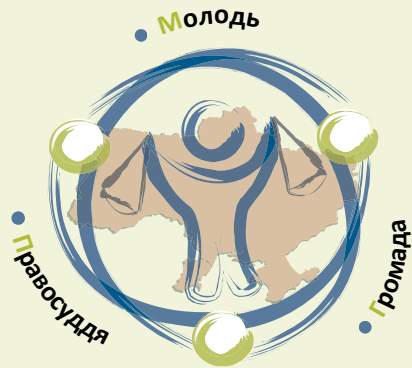




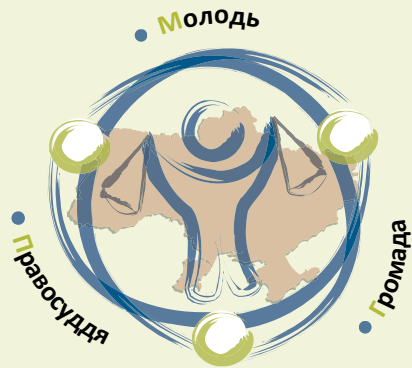
Міністерство юстиції України

Criminal Justice System for Minors in Ukraine General Declaration of Principles



International Standards Legislation of Canada

- United Nations Convention on the Rights of the Child (UN CRC)
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules", 1985)
- United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines, 1990)
- UN Committee on the Rights of the Child (CRC), CRC General Comment No. 10 (2007): Children's Rights in Juvenile Justice
- Youth Criminal Justice Act (Canada, 2003)



Principles of the Criminal Justice System for Minors



Separate and Distinct within the General Justice System

A Criminal Justice System for Minors should be separate and distinct from the adult system and respond differently taking into account the age and level of their emotional, mental and intellectual maturity.

References:

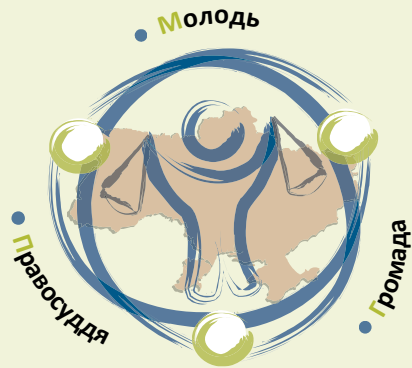
UN CRC: article 40

The Beijing Rules: pt. 2.3, 12.1, 14.1, 22

The Riyadh Guidelines: pt. 52, 57

CRC General Comment No. 10 : pt. 40, 90-95

Youth Criminal Justice Act: Section 3



Principles of the Criminal Justice System for Minors



Rights Based

A Criminal Justice System for Minors honors the fundamental rights and freedoms of minors.

References:

UN CRC: articles 37, 40

The Beijing Rules: pt. 7.1

CRC General Comment No. 10: pt. 6-13, 43-50, 56-64

Youth Criminal Justice Act: Section 3



Principles of the Criminal Justice System for Minors

Prevention and Rehabilitation Focused

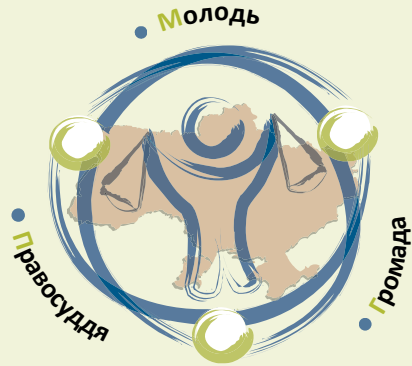
A Criminal Justice System for Minors responds to all offenses committed by minors, in a manner that is timely and proportionate to the seriousness of the offence and appropriate to the circumstances of the juvenile.

References:

The Riyadh Guidelines : pt. 24

CRC General Comment No. 10: pt. 16-18, 23,28

Youth Criminal Justice Act: Section 3



Principles of the Criminal Justice System for Minors



Emphasizes Alternative Measures to Court and Custody which involves children, community and family

The use of the judicial process and custodial sanctions for minors should be applied only if it is ineffective to achieve the goals of accountability by other measures.

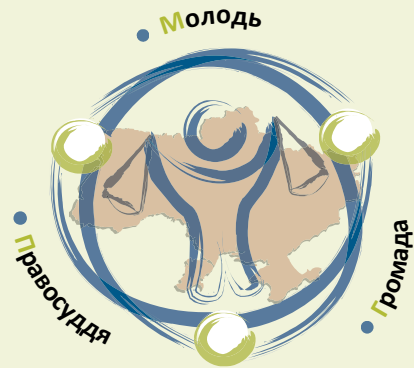
References:

The Beijing Rules: pt. 17.1-3, 18.1

The Riyadh Guidelines : pt. 46, 68,69

CRC General Comment No. 10: пп. 22-28, 68, 73, 78-81

Youth Criminal Justice Act: Sections 3, 4, 38,39



Principles of the Criminal Justice System for Minors

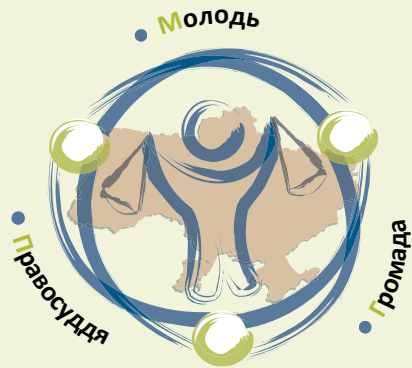


Encourages Restorative Measures that involve the Minors, Family and Community.

A Criminal Justice System for Minors encourages restorative measures that aim to hold the young person accountable for his/her actions, helps him/her understand the damage done by his/her actions and encourages reconciliation between the minor, the victims and the community affected by the offense, rather than a focus on punishment.

References:

CRC General Comment No. 10: пп. 3, 27



Principles of the Criminal Justice System for Minors



Promotes Role of Family and Community.

Criminal Justice System for Minors is based on collaboration of family, schools, public and community agencies and institutions and NGOs. A priority task is to maintain or reestablish links between the minor, family and community.

References:

The Beijing Rules: pt. 10.1, 11.3, 15.2, 18.2

The Riyadh Guidelines : pt. 6, 12, 13, 22, 32-34

CRC General Comment No. 10: pt. 19, 27, 50-51, 53, 54

Youth Criminal Justice Act: Sections 3, 4, 39



Проект Реформування Системи Ювенальної Юстиції в Україні

Партнери проекту



Міністерство юстиції України



Верховний Суд України



Canadian
International
Development
Agency

Agence
canadienne de
développement
international

Government
of Alberta ■

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