

## Key take aways, Webinar

### **“The Right of the Child to Access Justice and Effective Remedy: Discussion with the CRC Committee Members about Key Challenges and Regional Perspectives”,**

**2 February 2026, 3 to 6 PM (CET)**

The webinar was held in the context of the ongoing drafting process of General Comment No. 27 on children’s right of access to justice and effective remedies, ahead of its finalisation by the Committee on the Rights of the Child (the Committee). It provided a space for in-depth dialogue between Committee members Benoît Van Keirsbilck, Bragi Gudbranson, Hynd Ayoubi Idrissi, Rosaria Correa Pulice, Thuwayba Al Barwani, together with Vanessa Sedletzki and participants on the key challenges, debates, and regional perspectives shaping children’s ability to seek justice in practice.

The webinar was organised by the University of Geneva’s Centre for Children’s Rights Studies, the Children’s Rights Academy, the Children’s Rights European Academic Network, and UNICEF and moderated by Roberta Ruggiero.

300 students, experts, practitioners, civil society actors, and other stakeholders took part in the discussion and had the opportunity to raise questions directly to the Committee members. The following sections highlight key takeaways from the exchanges.

#### **1. Access to justice as a prerequisite for the realisation of all children’s rights**

Access to justice was framed as a foundational right strengthening the realisation of all other rights under the United Nations’s Convention on the Rights of the Child (UNCRC). It requires more than the existence of legal mechanisms on paper: children must know these mechanisms exist, be able to use them in practice, and experience outcomes that are meaningful, timely, and safe.

States’ obligations include ensuring procedures that are adapted to various needs of children, legal aid, trained professionals, remedies that are meaningful to children and timely decisions and enforcement of outcomes.

## **2. From formal rights to children's realities: persistent barriers preventing children from seeking justice**

Key gaps persist between formal mechanisms and children's actual ability to use them. Structural discrimination, social norms, and how children are perceived by adults remain the first and most persistent barriers.

Other widespread and persistent barriers to children's access to justice include a lack of awareness of children's rights and available remedies by children, their care givers, and relevant professionals such as teachers and social workers. Procedures, and decisions are not accessible or adapted to children's age, language, and capacities. Many children, especially children with disabilities, remain dependent on perpetrators or caregivers for protection, housing, or basic needs, which significantly limits their ability to report violations or pursue complaints. Stigma, shame, and fear of negative consequences, such as family separation, retaliation, or social exclusion, further discourage children from seeking justice. Structural barriers such as geographic distance from justice institutions, poverty, and the costs associated with legal procedures also play a major role, particularly for children living in remote or marginalised contexts. In addition, the lack of birth registration prevents many children from being formally recognised as rights holders and from accessing justice mechanisms. Fragmented and poorly coordinated systems across judicial, administrative, social, and child protection services compound these obstacles. As a result, even when children speak up or attempt to signal harm, they are frequently not taken seriously, not believed, or not responded to in a timely and effective manner.

## **3. Effective remedies for children must go beyond punishment and deliver meaningful reparation**

An effective remedy for children goes beyond sanctioning perpetrators. It must include rehabilitation, protection, education, family and community support, guarantees of non-repetition, truth, acknowledgment, and reparation, including for economic, social, and cultural rights. Children should feel that justice has led to satisfaction, repair, and meaningful change in their lives.

## **4. Children as contributors to General Comment No. 27**

Children's participation was highlighted as a central element in the preparation of General Comment No. 27. Thousands of adolescents from diverse backgrounds, regions, ages, and situations contributed through child-friendly consultation processes. The perspectives of younger children were also taken into account through submissions by academics conducting research with younger age groups. Children's lived experiences

helped shape the identification of priorities, barriers, and solutions, reinforcing the need for justice systems that are designed with children, and not only for them.

## **5. Context matters: how legal traditions, conflict, social norms, and digital realities shape access to justice**

Access to justice is shaped by legal traditions, social norms, war and conflict situations, inequitably distributed resources, and rapidly evolving digital technologies. Armed conflict contexts where institutions are destroyed, requiring preventive, evidence-preserving, and accountability-focused approaches. Rapid digital developments outpacing state capacity, increasing risks and cross-border challenges.

Customary and informal mechanisms can offer accessibility, speed, and familiarity but carry serious risks, including power imbalances and social pressure. Children's rights should be a primary consideration in either formal or informal systems.

## **6. Structural exclusion of marginalised children from justice and remedies**

Children most excluded include children with disabilities, children in armed conflict, children in closed or institutional settings, indigenous and ethnic minority children, migrant, refugee, and undocumented children. Barriers include invisibility, lack of registration, inaccessible complaint mechanisms, fear of retaliation, cultural taboos, and absence of independent support.

## **7. What works: child-friendly, multidisciplinary practices**

Multidisciplinary, child-friendly models that minimize re-traumatisation were identified as effective, including specialised professionals, coordinated services, and family support. Safeguards are essential to ensure due process, child participation, protection from pressure, confidentiality, review mechanisms, and accountability.

## **8. Recognising children's autonomy while ensuring protection and accountability**

Children's evolving capacities must be recognised, including their ability to initiate complaints without parental consent where appropriate. When parents or caregivers are alleged perpetrators or block access to justice, states' due diligence obligations are immediately triggered, including separation, independent legal representation, confidential reporting channels, and protection from retaliation.

## **9. Bridging the gap: the role of independent institutions, civil society, and education**

Independent children's rights institutions, civil society organisations, and social-legal support centers are critical bridges between children and justice systems. Education on rights and remedies for children, families, communities, and professionals was identified

as a key condition for access to justice, including integration into school curricula adapted to children's evolving capacities.

#### **10. From individual cases to systemic change: bringing justice closer to children**

Access to justice must address both individual and collective violations, enabling structural remedies such as policy reform, monitoring, and budgetary measures. Justice should be brought closer to children, rather than children to distant systems. Digital technologies offer opportunities to overcome some barriers but must be inclusive and safe. The overarching message emphasised increasing accountability, combating impunity, and recognising children as independent rights holders.