

IPCAN

INDEPENDENT POLICE COMPLAINTS
• AUTHORITIES' NETWORK •

IPCAN Declaration on interaction between law enforcement and minors

December 2025

We, members of the Independent Police Complaints Authorities' Network,

- Ombudsman of the Republic of Croatia (CROATIA)
- Public Defender of Rights (CZECH REPUBLIC)
- Independent Police Complaints Authority (DENMARK)
- Chancellor of Justice (ESTONIA)
- Défenseur des Droits (FRANCE)
- Police Commissioner for the Federal Police Authorities (GERMANY)
- Fiosrú - Office of the Police Ombudsman (IRLANDE)
- Office of the Ombudsman (MALTA)
- Commissioner for Human Rights (POLAND)
- Police Investigations and Review Commissioner (SCOTLAND)
- Human Rights Ombudsman of the Republic of Slovenia (SLOVENIA)
- Médiation de la police (SWITZERLAND)
- CLEAR (Pennsylvania, (UNITED STATES))

Gathered, in Paris on December 5th 2025, in the premises of the Defender of Rights to share our expertise on subjects of common interest and launch a call on the national and European authorities to take positive action to ensure that the dignity and rights of minors are respected by law enforcement,

Recalling the Preamble of the Charter of the United Nations proclaiming the commitment of the member states to the fundamental rights, to the dignity and value of the human person,

Recalling the international and European standards, in particular the United Nations Convention on the Rights of the Child, under which States must:

- Ensure that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration (Article 3.1),
- Ensure that the institutions, services and facilities responsible for the care or protection of children conform to the standards established by competent authorities, particularly in the areas of safety, health, and the number and qualifications of their staff, as well as the existence of appropriate supervision (Article 3.3),
- Guarantee the child the right to express his or her views freely in all matters affecting him or her, as well as ensure that the child is provided the opportunity to be heard in any judicial and

- administrative proceedings affecting them, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law (Article 12),
- Take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians, or any other person who has the care of the child, and establish effective procedures for prevention, identification, reporting, referral, investigation, treatment and follow-up of such cases (Article 19),
 - Ensure that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment, as well as ensure that neither capital punishment nor life imprisonment without the possibility of release shall be imposed for offenses committed by persons below eighteen of age (Article 37 a),
 - Ensure that no child shall be deprived of his or her liberty unlawfully or arbitrarily, and that arrest, detention or imprisonment of a child shall be in conformity with the law and used only as a measure of last resort and for the shortest appropriate period of time (Article 37 b),
 - Ensure that every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner that takes into account the needs of persons of their age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so. The child shall have the right to maintain safe contact with his or her family through correspondence and visits, except in exceptional circumstances (Article 37 c),
 - Ensure that every child deprived of liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of their liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action (Article 37 d),

Recalling the European Convention for the Protection of Human Rights and Fundamental Freedoms, guaranteeing for all, without discrimination on any ground, the right to life (Article 2), the right not to be subjected to torture, nor to inhuman or degrading treatment and punishment (Article 3), the right to liberty and security (Article 5), the right to fair trial (article 6), and the right to respect for private and family life (Article 8), as well as the States' obligations to prevent failures by the security forces and to react to such failures, in particular by those tasked with ensuring effective investigations and providing effective remedies to individuals,

Recalling the Charter of Fundamental Rights of the European Union, which recognizes the rights of the child and provides that in all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration (Article 24),

Emphasizing the European Code of Police Ethics of the Committee of Ministers of the Council of Europe, under which:

- The police must carry out their duties fairly, taking inspiration in particular from the principles of impartiality and non-discrimination (Article 40),
- Police personnel must act with integrity and respect towards the public, taking particular account of the situation of individuals belonging to particularly vulnerable groups (Article 44),
- Police investigations must be objective and fair, and must take into account the specific needs of persons such as children, adolescents, women, member of minorities, including ethnic minorities, or vulnerable persons, and adapt accordingly (Article 49),

- The police must, as far as possible, separate persons deprived of their liberty who are suspected of committing a criminal offense from those deprived of their liberty for other reasons. Men should normally be separated from women, as well as adults from minors deprived of their liberty (Article 58),

Emphasizing the Guidelines of the Committee of Ministers on Child-Friendly Justice, in particular Section C “Children and Police”, which provides that a child-friendly attitude should be present in potentially risky situations, such as the arrest or questioning of children, and that the child should always have access to a lawyer or any other entity which according to national law is responsible for defending children’s rights, and the right to notify parents or a person whom they trust,

Emphasizing the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), in particular Rule 12, that states that police officers who frequently or exclusively deal with juveniles or who are primarily engaged in the prevention of juvenile crime shall be specially instructed and trained,

Emphasizing the obligation of all States to ensure that the rights of minors are respected and that they benefit from reasonable accommodations taking into account their age, level of discernment and development,

Inspired by the cases considered by the members of the IPCAN, as well as by their reports and national recommendations,

Convinced of the importance of cooperation, the common adoption of high standards and the promotion of good practices to achieve the respect of the texts aforementioned guaranteeing the fundamental rights of minors;

Noting violations of minors’ rights by law enforcement throughout the States of the IPCAN members, including the disproportionate use of force and coercive measures, discriminatory practices, particularly against minors belonging to minorities, and lack of recognition of the best interests of the child,

We recommend that our public authorities:

- Incorporate specific provisions on minors into national codes of ethics, as well as a specific provision establishing a “child rights reflex” in police work involving minors, ensuring that the best interests of the child are paramount in all interventions;
- In that perspective, provide sufficient and effective training to law enforcement personnel, both in their initial and continuous training, on how to address and behave with children and young people and on child psychology, age-appropriate intervention techniques, and proportional use of force, for them to be able to recognize minors’ specific vulnerabilities, and to assess appropriately their special needs;
- Give specific attention to minors and young persons with mental health and psychological issues ([see in this regard the 2024 IPCAN Declaration](#));
- Give specific attention to minors and young persons from minorities;
- Provide data to document and assess public law enforcement policies in this field related to interaction with minors;

- Issue clear and concrete guidelines to translate into practice the legal provisions concerning the use of coercion and force with regard to minors, with particular attention to their vulnerability and the primacy of the best interests of the child;
- Promote internal and inter-institutional cooperation between police, child protection services, social services and judicial authorities to ensure appropriate protection and support for children;
- Ensure in law an obligation to report violations, and provide protection as foreseen in the article 19 of the [Directive \(EU\) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law](#) which foresees that “Member States shall take the necessary measures to prohibit any form of retaliation against persons referred to in Article 4, including threats of retaliation and attempts of retaliation”.

Noting, in particular, occurrences of disproportionate use of force and restraint on children, including excessive use of handcuffs and potentially harmful policing tools, such as rubber projectiles in demonstrations where children are present,

We recommend our public authorities to:

- Strictly regulate the use of force on children and promote de-escalation techniques and dialogue rather than coercive methods when interacting with minors, wherever possible;
- For the countries where it is foreseen, prohibit the use of rubber projectiles or similar less-lethal weapons in demonstrations, due to the increased risk posed by this weapon, particularly for children and young people present;
- Ensure that all officers are trained in proportional use of force, situational assessment and child-specific vulnerabilities;

Noting the considerable gaps in procedures and safeguards for children in contact with law enforcement, sometimes resulting in violations of their fundamental rights, especially regarding the right to information of legal representatives, conditions of detention, and hearing procedures,

We recommend our public authorities to:

- Ensure that legal representatives are systematically informed of their right to be present during hearings or interrogations, and ensure that the information actually provided to legal representatives is recorded in the case file;
- Provide mandatory medical assessment for all minors placed in police custody, as well as in cases of extension of custody;
- Enshrine in law the right of minors to remain silent during police custody;
- Ensure that police officers in units specialized in cases involving minors are trained in the questioning of minors under investigation, so that the procedures take into account the child’s age, level of discernment and vulnerability;
- Establish dedicated interview rooms adapted to children’s needs (should they be victims or offenders).

Noting situations of concern regarding unaccompanied minors, often wrongly considered as foreigners before being recognized as children in danger, as well as child victims of human trafficking sometimes treated as offenders rather than victims requiring protection,

Understanding that these children are among the most vulnerable and require special protection, we recommend our public authorities to:

- Ensure that a comprehensive assessment of the situation of unaccompanied minors by social and education services takes place, under conditions adapted to their vulnerability, before any summons, hearing or systematic presentation to authorities for verification of their identity and minority;
- Avoid assumptions that the minor is an adult in case he or she refuses to undergo an invasive medical assessment;
- Implement alternatives to the detention of families with children and unaccompanied minors, in accordance with international law and the best interests of children;
- Ensure that children who are coerced into committing offences are considered primarily as victims of trafficking networks rather than as offenders;
- Strengthen training of professionals in contact with minors involved in delinquency to detect signs of human trafficking;
- Train investigators/actors, regarding minors who are victims of prostitution;
- Recommend the prevention, and cooperation between states regarding minors who are victims of prostitution.

Finally, we, members of the *Independent Police Complaints Authorities' Network*, also commit to our own accountability to:

- Commit to implement these recommendations in our own structures when addressing complaints related to minors, in particular establish a “child rights reflex” in our own institutions ensuring that the best interests of the child are paramount in all our interventions;
- Give a particular attention to empower minors and young persons from minorities to know their rights and give them sufficient confidence in our institutions to file complaints;
- Articulate our work with that of other national authorities in charge of protection human rights and in particular the best interest of the Child when they are not integrated in a unique organisation,
- Bridge as much as possible our work with services in charge of Child protection.