Berne, 8 January 2019

**Switzerland’s comments on the General Comment No. 24 (201x), replacing General Comment No. 10 (2007) regarding Children’s rights in juvenile justice**

C – The minimum age of criminal responsibility, paragraph 33:

In countries like Switzerland, the sanction depends on the age. The priority for young offenders under Swiss juvenile criminal law is that they are protected and educated. For this reason the Juvenile Criminal Code provides for two types of sanction: protection measures and penalties. Examples for Protection measures are supervision, personal care or outpatient treatment. Penalties depend on the age of the children. Children are not deprived from liberty unless they are 15 years and older.

We suggest to the CRC to add to the GC the recommendation to adopt a penal law for children, which sets sanctions in function of ages.

F – Basic Principles, paragraph 96ff:

We propose to insert under “Basic principles” the principle that deprivation of liberty should not be used for children under 14 years.