

Oral statement on unaccompanied migrant children and their deprivation of liberty

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Item 3: Panel discussion on unaccompanied migrant children and adolescents and Human Rights

Joint oral statement delivered by Defence for Children International on behalf of the NGO Panel for the Global Study on Children Deprived of Liberty (140 NGOs), including the International Catholic Child Bureau (BICE).

We welcome the report Special Rapporteur on the human rights of migrants on a 2035 agenda for facilitating human mobility as well as today's panel discussion regarding the specific issue of unaccompanied migrant children.

The SR firmly states in his report, (and some panelists recalled today) that unaccompanied migrant children and families with children must never be detained... both unaccompanied migrant children and families with children should always be provided with alternatives to detention. And alternatives to detention do exist (as we heard again from panel discussions today).

As repeatedly explained by the civil society and independent experts, Migrant children -- regardless of their immigration status -- are first and foremost children. Immigration detention of children is a clear violation of child rights and is never in the best interests of the child.

We therefore fully support target 4.3 of the SR: « *Expediently and completely end the immigration detention of children and their families, and protect the rights, dignity, welfare and best interests of migrant children in all cases* ».

Member States committed themselves in several occasions, including in the New York Summit last September to work towards ending the practice of child immigration detention, and recognizing the importance of improved data collection related to international migration.

We are unfortunately obliged to conclude that such statements remain often a dead letter and diplomatic language for high level international meetings in Geneva and New York.

One of the concrete actions that will contribute to the collection of data as well as to the identification of good practices and alternatives to detention, is the implementation of the **Global Study on Children Deprived of Liberty**.

As you know, GA Resolution of December 2014 (A/RES/69/157 para 52.d) commissioned the Study. It took almost two years for an Independent Expert to be appointed, Professor Manfred Nowak being finally appointed last October to lead the Study. The NGO Panel, comprising 140 NGOs from all over the world, pledges its full support to him in the exercise of his mandate, to make sure the Study is implemented in a collaborative and participatory approach, including all stakeholders: UN agencies, Member States, civil society organizations, academia and children.

Today, the 140 NGOs of the Panel are particularly preoccupied by the fact that the Global Study has received barely any financial or tangible support from UN Member States, with the remarkable exception of Switzerland and Austria. The NGO Panel is deeply concerned about the lack of financial resources to implement the Study, which will be a catalyst for change and a milestone in the development of alternatives to detention of children, including of migrant children.

In a recent open letter to the UN, UN Agencies and Member States, the NGO Panel calls for immediate action explaining why it is in the interest not only of children but also of Member States to make the Global Study a reality, particularly with respect to fulfilling the commitments made in the Sustainable Development Goals to leave no one behind.

We would like to ask the panelists' opinion and support for the implementation of the Global Study in link with the issue of unaccompanied migrant children today under discussion.