

Communication orale sur l'Etude globale de l'ONU sur la privation de liberté des enfants



39th session of the Human Rights Council Geneva, 10-28 September 2018 Item 3: Interactive Dialogue with Working Group on Arbitrary Detention

International Catholic Child Bureau (BICE) welcomes the opportunity to speak in this dialogue on behalf of the NGO Panel for the United Nations Global Study on Children Deprived of Liberty.

We thank the Working Group on Arbitrary Detention for its extensive revision of deliberation No. 5 on the deprivation of liberty of migrants.

We commend the Working Group for highlighting that the deprivation of liberty of asylum-seeking, refugee, stateless, and migrant children, including unaccompanied or separated children, is prohibited. They also make it clear that any form of administrative detention or custody must be applied only as an exceptional measure and for the shortest period of time. We also welcome the recognition that detaining children because of their parents' migration status violates the principle of the best interests of the child, and that children must not be separated from their parents or guardians. We support the call to seek alternatives to detention for the entire family, and urge all States to adopt these steps.

We have also witnessed an increased focus on deprivation of liberty of children in all settings from States, civil society, academia and the United Nations in recent years, including UN agencies, Special Procedures, and human rights treaty bodies. Furthermore, the recently finalised Global Compact on Migrants includes a commitment by States to work towards ending migration-related detention of children.

This increased awareness resulted in the UN Global Study on Children Deprived of Liberty, which is now firmly in its implementation phase. The NGO Panel, which comprises more than 150 NGOs, remains concerned that children continue to be deprived of their liberty, and that we lack comprehensive quality and quantitative, disaggregated data concerning these children. As part of the Study, States were asked to submit a questionnaire on this topic.

Therefore, we call on States to continue to support the Global Study by providing more quality, disaggregated data and examples of alternatives to detention, participating in the upcoming consultations, and contributing with political and financial support. This engagement is crucial for the effective success of the Study and its impact on the lives of the many children deprived of their liberty all over the world, including those detained due to migration-related reasons.