



## Human Rights Council 41<sup>st</sup> session

# Clustered Interactive Dialogue with the Special Rapporteur on trafficking

Mr. President,

The NGO Panel for the UN Global Study on Children Deprived of Liberty welcomes the report of the Special Rapporteur on trafficking in persons, especially women and children, and in particular its recommendation in paragraph 64 stating that “detention of children must always be banned”.

As inscribed in Article 37 of the Convention on the Rights of the Child, detention should only be used as a measure of last resort and for the shortest appropriate period of time, always taking into account the best interests of the child.

The Independent Expert Manfred Nowak reiterates this principle in the UN Global Study on Children Deprived of Liberty which will be presented to the General Assembly in October this year. The Global Study focuses on child detention in the administration of justice, in institutions, for migration-related reasons, in armed conflict, and on the basis of national security grounds. It also highlights the situation of children living in places of detention with their parents, and the cross-cutting themes of health, gender, disability, and child participation.

The NGO Panel also welcomes the Special Rapporteur’s report on her country visit where she denounces the appalling conditions in which children are sometimes detained. As the Global Study will demonstrate, there are many alternatives to detention, and children should not be behind bars. If, however, there are no alternatives and children are detained, then they should always be separated from adults, and their rights, in particular to health, protection from violence, education, a fair trial, and leisure must always be respected.

Madam Special Rapporteur, what, in your opinion, could be done to further prevent the detention of children and to promote alternatives to detention? And which alternatives do you recommend the most?

I thank you.