

## **Defence for Children International (DCI) statement before the 47<sup>th</sup> session of the UN Human Rights Council**

### **Item 3 – Interactive Dialogue with the Special Rapporteur on the Human Rights of Migrants**

Defence for Children International (DCI) welcomes the opportunity to speak on behalf of the [NGO Panel on Children Deprived of Liberty](#).

The NGO Panel thanks the Special Rapporteur for his report and we commend the Special Rapporteur for highlighting that “pushbacks deny migrants their fundamental rights by depriving them of access to protection defined in international and national law”.

Pushbacks violate children’s right to seek international protection and expose them to *refoulement*, and unlawful violence and detention. Indeed, the NGO Panel on Children Deprived of Liberty remains concerned that children continue to be deprived of their liberty in many settings around the world despite the detrimental effects on their mental and physical health, placing them at increased risk of violence, abuse, and torture.

Furthermore, children are affected by protection gaps in their access to asylum procedures and adequate reception. Including the use of age-assessment procedures to delay child protection, lack of legal assistance, lack of an effective remedy, the use of detention for age-disputed children; and a lack of child-friendly information on rights and procedures.

We call on Member States:

- to provide comprehensive procedural safeguards for all children in decision making affecting them, including in any screening, border, asylum, anti-trafficking and return instruments.

And to comply with:

- International human rights standards, including article 37 b) of the Convention on the Rights of the Child;
- Recommendations of the Special Rapporteur on the human rights of migrants, to “release all migrant children [...] from immigration detention and place them in appropriate alternative care and non-custodial reception facilities that promote and respect human rights”.<sup>1</sup>
- And; the recommendations of the [UN Global Study on Children Deprived of Liberty](#)<sup>2</sup>, which establishes that migration related detention is never in the best interest of the child and cannot be justified;

Thank you.

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<sup>1</sup> A/75/183, [Ending immigration detention of children and providing adequate care and reception for them](#).

<sup>2</sup> United Nations Global Study on Children Deprived of Liberty, 2019  
<https://childrendeprivedofliberty.info/wp-content/uploads/2020/01/Full-Global-Study-Nov-2019.pdf>