12th March 2025

58th session of the UN Human Rights Council

Item 3 – Interactive Dialogue with the Special Representative of the Secretary-General on Violence against children

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

We thank the Special Representative for her report and for highlighting that "that detaining child victims of trafficking is incompatible with their victim status and the principle of non-punishment of victims of trafficking, which applies to child victims of trafficking".

Indeed, the detention of child victims of trafficking is a harmful practice that exacerbates their trauma and violates their rights. It is imperative to adopt alternative solutions that focus on their protection, rehabilitation, and reintegration. Instead of being treated as victims in need of protection and rehabilitation, they are often treated as criminals, which further stigmatises and alienates them. In addition to psychological harm and rights violations, detention disrupts the critical developmental processes of these children.

Recognising the detrimental impact of immigration detention on children, it becomes imperative to explore and implement alternative solutions that uphold children's rights according to the UN Global Study for Children Deprived of Liberty. As we prepare a new Roadmap for Action 2025-2030, we emphasise that alternatives to detention not only mitigate the harm inflicted on children but also demonstrate cost-effectiveness and efficacy. Alternative solutions prioritise the best interests of the child, recognising their rights to safety, protection, and dignity. By employing child-friendly practices and trauma-informed care, these approaches mitigate the adverse effects of detention.

We call on Member States to:

- Strengthen training and capacity-building to inform all maritime and law enforcement actors about standard operating procedures (SOPs) on the protection of victims of trafficking.
- Ensure effective implementation of the obligation of non-refoulement and prohibition of collective expulsions.
- Implement clear legal measures to prohibit *de facto* and *de jure* deprivation of liberty of children due to their legal or migratory status, as well as that of their families.
- Ensure effective coordination with social and child protection systems.
- and; to implement the recommendations of the UN Global Study on Children Deprived of Liberty[1].

[1] United Nations Global Study on Children Deprived of Liberty, 2019
https://childrendeprivedofliberty.info/wp-content/uploads/2020/01/Full-Global-Study-Nov-2019.pdf

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