



General Assembly

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Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of
the High Commissioner and the Secretary-General**

Written submission by the Equality and Human Rights Commission of Great Britain, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission*

Note by the Secretariat

The Secretariat of the Human Rights Council hereby transmits the communication submitted by the Equality and Human Rights Commission of Great Britain, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission**, reproduced below in accordance with rule 7(b) of the rules of procedures described in the annex to Council resolution 5/1, according to which participation of national human rights institutions is to be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005.

* National human rights institution with “A”-status accreditation from the Global Alliance of National Institutions for the Promotion and Protection of Human Rights.

** Reproduced in the annex as received, in the language of submission only.

GE.17-08661(E)



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Annex

[English only]

Submission by the Equality and Human Rights Commission of Great Britain, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission

Panel Discussion on Unaccompanied Migrant Children and Adolescents and Human Rights (HRC Res. 33/7)

Mr. President,

This is a statement on behalf of the Equality and Human Rights Commission of Great Britain, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission.

Children and families are on the move in almost unprecedented numbers. The UN estimates that by the end of 2015, 65.3 million individuals were forcibly displaced worldwide as a result of persecution, conflict, generalized violence, or human rights violations. This is 5.8 million more people than in the previous year.¹

Globally we are facing the highest recorded number of unaccompanied migrant children since the Second World War. This presents a significant challenge to the relevant existing infrastructure. In relation to unaccompanied migrant children in local authority care in the UK, research indicates that around 13% went missing at least once in 2015.²

The UK is in the process of negotiating its exit from the European Union. At this moment of significant constitutional change, it is important to set out a positive vision for the kind of country we want to be after we have left the EU. We want the UK to retain its status as a world leader on human rights. We urge that any new asylum arrangements that the UK Government agrees with other countries must comply with the Refugee Convention and European Convention on Human Rights, and enable cross-border cooperation, and in particular protect child victims of trafficking.

The UK should ensure that service providers and other agencies provide effective support for unaccompanied asylum seeking children. We call on the UK Government:

- Immediately after the child's arrival, to appoint a guardian, as the main safeguard of their best interests and wellbeing, before any other proceedings take place;
- to introduce a statutory duty to record and report migrant children who go missing from care;
- to cease the detention of child asylum seekers;
- to ensure that children seeking refugee status receive appropriate protection and humanitarian assistance; and

¹ UNHCR (2016). Global Trends: Forced Displacement in 2015. URL for press release and link to report: <http://www.unhcr.org/afr/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html>

² ECPAT UK and Missing People (2016) Heading back to harm: A study on trafficked and unaccompanied children going missing from care in the UK, p.39. NB this was taken from a sample of 74 UK local authorities.

- to ensure that, where a person's age is uncertain and that there are reasons to believe they are a child, they are presumed to be a child until their age has been assessed objectively by an independent expert.³

Thank you Mr. President.

³ From speech by David Isaac, chair of the Equality and Human Rights Commission, at the British Institute of Human Rights' Civil Society report launch event, 22 September 2016.