



# Assemblée générale

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## Conseil des droits de l'homme

### Trente-cinquième session

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Point 2 de l'ordre du jour

**Rapport annuel du Haut-Commissaire des Nations Unies  
aux droits de l'homme et rapports du Haut-Commissariat  
et du Secrétaire général**

## **Communication écrite soumise par la Commission pour l'égalité et les droits de l'homme de Grande-Bretagne, la Commission nord-irlandaise des droits de l'homme et la Commission écossaise des droits de l'homme\***

### Note du secrétariat

Le secrétariat du Conseil des droits de l'homme fait tenir ci-joint la communication soumise par la Commission pour l'égalité et les droits de l'homme de Grande-Bretagne, la Commission nord-irlandaise des droits de l'homme et la Commission écossaise des droits de l'homme\*\*, reproduite ci-après conformément à l'article 7 b) du Règlement intérieur figurant dans l'annexe de la résolution 5/1 du Conseil des droits de l'homme, qui dispose que la participation des institutions nationales des droits de l'homme s'exerce selon les modalités et les pratiques convenues par la Commission des droits de l'homme, notamment la résolution 2005/74 du 20 avril 2005.

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\* Institution nationale des droits de l'homme à laquelle l'Alliance globale des institutions nationales des droits de l'homme a accordé le statut d'accréditation « A ».

\*\* La communication est reproduite en annexe telle qu'elle a été reçue, dans la langue de l'original seulement.



## Annexe

[Anglais seulement]

### **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.<sup>1</sup>

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.<sup>2</sup>

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

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<sup>1</sup> 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>

<sup>2</sup> 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.<sup>3</sup>

Thank you Mr. President.

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<sup>3</sup> 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.