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HUMAN RIGHTS COUNCIL
Eleventh session
Agenda item 4

**HUMAN RIGHTS SITUATIONS THAT REQUIRE
THE COUNCIL'S ATTENTION**

**Brazil, Cuba, Egypt (on behalf of the African Group), Haiti*,
Pakistan: draft resolution**

11/... The human rights of migrants in detention centres

The Human Rights Council,

Bearing in mind the report of the Special Rapporteur on the human rights of migrants (A/HRC/11/7), which focuses on the protection of children in the context of migration,

Bearing in mind also the report of the Working Group on Arbitrary Detention (A/HRC/7/4),

Bearing in mind further the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/10/44/Add.2), in which the Special Rapporteur considers that deprivation of liberty for administrative reasons for a prolonged period without knowing the length of the detention may amount to inhuman and degrading treatment,

* Non-member State of the Human Rights Council.

Emphasizing the importance of taking effective actions to address the issue of undocumented migrants in detention centres,

Stressing that international action is needed to address the problem of administrative detention of undocumented migrants, which creates potential conditions for the violation of their human rights, including cases of arbitrary detention,

Affirming the need for a global, integrated, concerted and balanced solution to this problem,

1. *Decides* to hold a panel of discussion on the matter at its twelfth session, with equitable geographic and gender participation of relevant experts and representatives of civil society;

2. *Invites* the members of the above-mentioned panel:

(a) To elaborate on how to reduce the overuse and duration of detention of persons who enter or remain in a country in an irregular manner;

(b) To discuss the current trends, good practices, challenges and possible solutions to the problem, considering the linkage between development and migration;

(c) To identify alternatives to detention and how to provide appropriate access to judicial review of those in detention;

(d) To explore general guidelines in order to prevent the violations of the human rights of the migrants and others in irregular situations and to identify remedies wherever applicable;

3. *Requests* the Office of the United Nations High Commissioner to provide the necessary assistance and support for holding the panel.
