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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the International Rescue Committee, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Immigration detention of children**

Every day, all around the world, tens of thousands of children and young people are affected by immigration detention. Whether detained themselves or impacted by the detention of their guardians, children and young people are particularly vulnerable to abuse and neglect. Because they are minors, often they are unable to advocate for their fundamental human rights. Children that are unaccompanied or separated from their parents or guardians are particularly at risk in places of immigration detention.

In accordance with international and regional human rights standards, states should not detain refugee, asylum seeker and migrant children. Rather, states should provide such children with access to safe and secure accommodation appropriate to their age, gender, cultural background, and family situation, pending a resolution of their migration status.

The general prohibition on the detention of children recognises that detention can have significant negative impacts on their health and well-being. Studies have shown that the detention of children undermines their cognitive, emotional and physical development. These findings detail that detained children suffer anxiety, distress, bed-wetting, suicidal ideation and self-destructive behaviour including attempted and actual self-harm. Other children suffered from specific psychiatric illnesses such as depression and Post Traumatic Stress Disorder.

Children who are at risk of immigration detention are vulnerable at three levels: as migrants, as people without documentation and as children.

Prior to being undocumented migrants, children are children. Central to upholding the rights as undocumented child migrants, states must recognise them primarily as children and act with their 'best interests' being a 'primary consideration.'

The International Detention Coalitions would like to make three recommendations to governments:

- States should not detain refugee, asylum seeker and migrant children. Rather, states should provide such children with access to safe and secure accommodation appropriate to their age, gender, cultural background, and family situation, pending a resolution of their migration status.
- States should provide refugee, asylum seeker and migrant children with access to protection determination processes that are child and gender-sensitive and consider the best interest of the child. Children found to be in need of international protection should benefit from this and be granted the relevant rights attached to such protection.
- States should provide asylum seeker, refugee and migrant children with educational and training opportunities appropriate to their age, experiences and the period of time in which they will remain within a state's territory.

The International Detention Coalition (IDC), as an international expert network on the immigration detention of children, will continue to engage with governments on this issue and pilot alternatives to child detention with its members in 50 countries. This is part of a global campaign that will be launched on the 21st of March (at a side meeting from 1:-2:30 pm at the Palais de Nations).

** The International Detention Coalition (IDC), an NGO without consultative status, also shares the views expressed in this statement.