

End the immigration detention of children - UN General Assembly

As global migration grows exponentially, calls from the UN General Assembly are clear.

PRESS RELEASE

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NEW YORK – Over More than 160 governments heard the call to end the immigration detention of children at the 2nd UN General Assembly High-Level Dialogue on International Migration and Development (HLD) in New York, October 3-4.

During the dialogue, UN Secretary General Ban Ki-Moon stated unequivocally “We need to create more channels for safe and orderly migration, and to seek alternatives to the administrative detention of migrants.”

This was echoed by similar calls from the UN High Commissioner for Human Rights, Navi Pillay, the UN Special Rapporteur for the Human Rights of Migrants, François Crépeau, and a number of government Missions and members of civil society, including Michelle Levoy, Director of the Platform for International Cooperation on Undocumented Migrants (PICUM).

Presenting to the floor of the HLD, Ms. Levoy outlined a number of critical issues facing migrant women and children and linking them to practical ways forward. She specifically highlighted the issue of children affected by immigration detention and the need to “expeditiously and completely” end this practice, linking directly to the recommendation of the UN Committee on the Rights of the Child:

“Children should not be criminalised or subject to punitive measures because of their or their parents’ migration status. The detention of a child because of their or their parents’ migration status constitutes a child rights violation and always contravenes the principle of the best interests of the child.

“States should expeditiously and completely cease the detention of children and their parents on the basis of their immigration status . . . [and] adopt alternatives to detention that fulfill the best interests of the child and allow children to remain with their family members and/or guardians in non-custodial, community-based contexts while their immigration status is being resolved”.

Committee on the Rights of the Child, Report Of The 2012 Day Of General Discussion: The Rights Of All Children In The Context Of International Migration

An expert meeting organized by the International Detention Coalition (IDC), the Office of the UN High Commissioner for Human Rights, and the Permanent Mission of the Principality of Liechtenstein to the UN, featured contributions by the UN Special Rapporteur for the Human Rights of Migrants, François Crépeau, and a number of government Missions and members of civil society.

The UN Special Rapporteur for the Human Rights of Migrants, François Crépeau noted the high financial and human cost of immigration detention, particularly its impact on the health and wellbeing of children. Given the associated risks of physical and sexual abuse, and the lasting psychological damage to children, Mr. Crépeau clarified that it can never be in the best interests of a child to detain them simply for migration-related purposes.

Grant Mitchell, Director of the IDC, said “States must look to implement alternatives to detention, which we have found are more humane, effective, and considerably less expensive than custodial detention approaches to migration management.”

“From community-based programs to case management models, IDC research has found a range of practices which show that alternatives to detention are on average 80% cheaper than custodial immigration detention while still ensuring compliance with immigration requirements. These are positive examples of how upholding human rights can ensure effective approaches to migration and be in the interest of states and migrants alike” said Mitchell, “The IDC joins the UN in urging states to respect the principle of the best interests of the child and to develop child-sensitive alternatives to detention in order to ensure that no child is detained for immigration-related reasons.”

Background

The IDC has developed a model to assist states with the implementation of these alternatives to detention and to end the immigration detention of children. Called CCAP, the Child-sensitive Community Assessment and Placement Model is the first ATD model which helps states to implement child-sensitive alternatives to effectively manage vulnerable child migrants in the community without resorting to rights-infringing custodial detention.

For more information on CCAP see: www.idcoalition.org/ccap.