



High-Level Roundtable

“Working Together to End Child Immigration Detention”

12:30 – 15:30, 20 September 2016
14th Floor, UNICEF House, 3 UN Plaza, New York, NY 10017

Background Note

Background

Every day, all around the world, refugee, asylum seeker and irregular migrant children are placed in situations of extreme vulnerability simply because they lack the proper visa or travel documents. These children often undertake perilous journeys during which they are met with xenophobia, violence and—increasingly—the threat of immigration detention.

It is important to recall that every child, regardless of their migration status, enjoys the fundamental right to liberty, which is guaranteed under the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), and every other major international and regional human rights instrument. The prohibition on arbitrary detention is one of the few absolute and non-derogable human rights standards, a peremptory norm of customary international law or *jus cogens*, and includes any arbitrary detention that arises in the context of administrative immigration enforcement.

In accordance with the right to liberty, and being conscious of States’ primary obligation to safeguard the best interests of children, States have been urged to protect refugee and migrant children against all forms of illegal or arbitrary deprivation of liberty by “expeditiously and completely” ending the immigration detention of children. There is now overwhelming agreement from international experts and across the United Nations system that immigration detention is never in the best interests of children poses a serious challenge to child safety and well-being.

Recently, UN Member States stepped up to address this challenge. In the political outcome document for the **19 September High-Level Summit on “addressing large movements of refugees and migrants”**, States made a number of historic commitments to refugee and migrant children, including:

- to protect the human rights and fundamental freedoms of all refugee and migrant children; (para. 2.1)
- to address the special needs of refugees and migrants in vulnerable situations; (para. 2.2)
- to uphold the Convention on the Rights of the Child and to give primary consideration at all times to the best interests of the child; (para. 2.11)
- to affirm that children should never be criminalized or subject to punitive measures because of their or their parents’ migration status; (para. 3.16)
- and **to work to end the practice of child immigration detention**; (para. 2.12)

Objectives

Against this background, this High-Level Roundtable aims to convene a targeted group of leading UN Member States, UN experts, and civil society organisations to explore working together to end child immigration detention. A *Discussion Paper* will be circulated to all participants in advance of the High-Level Roundtable to help inform and guide the discussions.



The High-Level Roundtable will provide an opportunity to learn about the well-known detrimental impacts that immigration detention has on children's mental, physical and developmental well-being; to discuss the international legal framework regarding State obligations to protect the best interests of refugee, asylum seeker and irregular migrant children; to explore existing global models which have helped to bridge gaps in protection through coordinated multi-stakeholder collaboration; and to chart a path forward for States, working together with a diverse group of UN and civil society stakeholders, to begin to take steps to "work towards the ending of this practice" consistent with the political commitments made in the *New York Declaration* outcome document of the 19 September high-level summit.

Location, time and date

This High-Level Roundtable will take place from 12:30 – 15:30 on Wednesday, 20 September 2016 on the 14th Floor of the UNICEF House, in New York.

Note: Participants who do not have an UN (NY) grounds pass will need to bring a photo ID and arrive to the UNICEF House time to complete registration at UNICEF reception, and be escorted up to the 14th floor.

Participation and possible outcomes

This High-Level Roundtable is being convened by the Inter-Agency Working Group (IAWG) to End Child Immigration Detention, which is a consultative process seeking to build consensus among States on the need to end the practice of child immigration detention; to share positive practices regarding rights-based alternatives to child immigration detention; and to assist States to track progress and achievements of efforts to end child immigration detention. The High-Level Roundtable will bring together representatives of UN Member States, prominent UN experts, and leading civil society organisations to explore working together towards ending child immigration detention.

For more information or to confirm your attendance, please email: blewis@idcoalition.org.