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Immigration detention of children

Motion for a resolution

tabled by Mr Mikael CEDERBRATT and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Detention of unaccompanied and separated children is still a common practice in Council of Europe member States. Children are forcibly placed in detention centres with a view to clarifying their identity, determining their age and sometimes preparing for their deportation. Without having committed any crime, these children have to endure prison-like conditions and stay without the support and protection of their family.

The detention of children is a denial of their fundamental right to liberty. Detention, even for a short period of time, can cause long lasting damage and is unnecessary for children. It undermines their psychological and physical conditions and compromises their development.

Most governments do not keep or release data about child detention. Children should be treated as children first and foremost and their status as migrants should be a secondary and not a primary concern. The United Nations Convention on the Rights of Child states that detention “is to be used only as a measure of last resort, for the shortest appropriate period of time and taking into account the best interests of the child as a primary consideration”.

Some European countries are successful in promoting alternative solutions to the detention of children. The Parliamentary Assembly, recalling its position stated in its Resolution 1810 (2011) that unaccompanied minors should never be detained, calls on its member States to refrain from the administrative detention of unaccompanied and separated children and provide necessary resources in order to develop alternatives to detention.

The Council of Europe should work towards ending the practice of detaining these children and should set up guidelines on age assesment of these children and mainstream best practices on alternatives to detention across its member States.

Signed (see overleaf)



*Signed*¹:

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