



SUMMARY RECORDS

**OF THE PANEL DISCUSSION HELD DURING THE 129th ASSEMBLY IN GENEVA
(OCTOBER 2013)**

on the subject item

**"The role of parliaments in protecting the rights of children, in particular
unaccompanied migrant children, and in preventing their exploitation in
situations of war and conflict"**

chosen for debate by the Standing Committee on Democracy and Human Rights

during the 130th Assembly in March 2014 in Geneva

The role of parliaments in protecting the rights of children, in particular unaccompanied migrant children, and in preventing their exploitation in situations of war and conflict

Item 3(c) of the agenda

Panel discussion on the subject item chosen for debate by the Standing Committee on Democracy and Human Rights during the 130th Assembly

Sitting of Tuesday, 8 October
(Morning)

The meeting was called to order at 9:15 a.m. with the President of the Standing Committee, Mr. O. Kyei-Mensah-Bonsu (Ghana) in the Chair.

The PRESIDENT introduced the two co-Rapporteurs who had been appointed at the 128th Assembly, Ms. J. Nassif (Bahrain) and Ms. G. Cuevas (Mexico), and two panellists, Ms. L. Aubin, Global Protection Cluster Coordinator, Office of the United Nations High Commissioner for Refugees (UNHCR) and Dr. M. Mattar, Executive Director, The Protection Project, Johns Hopkins University, School of Advanced International Studies.

He informed the Committee that the Assembly would be adopting various amendments to the Rules and Statutes of the IPU, including to the Rules of the Assembly, which would affect the working methods of the Standing Committees. He urged all Committee members to read the information paper that had been produced by the Secretariat, which outlined the key changes.

Ms. J. NASSIF, co-Rapporteur, said that parliamentarians needed to assume their responsibility in finding solutions to conflict situations, which often brought about extreme suffering for children. Despite the numerous international conventions relating to the protection of children, many governments were not sufficiently concerned with promoting the rights of children, meaning that in times of conflict many were exploited and were either encouraged or forced to join armed military or militia groups. It was essential that all parliaments upheld the United Nations Convention on the Rights of the Child and prohibited the involvement of children in conflict. Such exploitation of children prevented many from continuing their education, and witnessing that kind of violence at such a young age often had a lifelong psychological effect. Parliaments needed to ensure that the Convention on the Rights of the Child and its Optional Protocols were implemented effectively, so as to guarantee that children were protected, could have stable lives, and were able to contribute as citizens to the development of their own countries.

She drew attention to her background paper on the subject (document A/129/3(c)-R.1), which contained 11 separate recommendations on promoting and protecting the rights and interests of children, particularly through preventing their exploitation in situations of war and conflict. Bahrain had prepared a comprehensive report on the subject that would be made available online to all delegates and which she hoped they would all consult and find helpful.

Ms. G. CUEVAS, co-Rapporteur, said that parliamentarians needed to reflect on their role in protecting children, especially as it had been several years since a discussion on that topic had been held within the IPU. Countries had many different experiences to share and one of the most important steps would be to look at the definitions contained in legislative frameworks.

No children left home because they wanted to, but there were many reasons why children chose to migrate, including personal and family reasons, to seek better education, opportunities or health care, or to flee domestic violence or conflict, war and poverty. It was

clear that migration had increased in recent years, and some 33 million migrants worldwide – or 15 per cent of the total migrant population – were under 20 years old. The 15 to 19 years age group was the largest, followed by the 10 to 14 years age group. However, there was still not sufficient information on why individual children migrated. Such information was either scarce or difficult to obtain, meaning that the international community did not always know what the reality was, especially as the situation could vary considerably from country to country.

It was essential that all countries upheld the provisions of the Convention on the Rights of the Child and other relevant international instruments to ensure that the principle of non-discrimination was applied and children had the right to life, survival, development, protection from violence and due process. At present, some countries criminalized migration and detained or repatriated migrants. When children were involved, however, especially unaccompanied children, such practices had to stop. It was essential that interviewers were properly trained, as children often could not or would not explain why they were migrating, especially if they were being trafficked or exploited and felt threatened.

The resolution needed to ensure a protected status for unaccompanied migrant children, as well as establish appropriate due processes and the provision of food, a warm environment and clothes for children when their status was being assessed. It was not acceptable to deport children and risk leaving them in the hands of traffickers or criminals.

She looked forward to hearing the experiences and opinions of parliamentarians, which would provide valuable input for the resolution that the co-Rapporteurs would be drafting.

At the request of Ms. G. Cuevas, co-Rapporteur, a video produced by Save the Children was screened, which included interviews with children from various countries about their experiences as migrants and/or refugees.

Ms. L. AUBIN, Panellist, said that, as an agency focused on refugees, a main area of the work of UNHCR was dealing with child refugees, migrants and asylum seekers who had been forced to cross borders or move within their own countries in search of a better life. There were millions of such children around the world, but sadly the statistics were often no more than estimates, as there was a distinct paucity of accurate data, especially age- and sex-disaggregated data, making it difficult to tailor services to specific needs of individuals and fill the current gaps in the systems for protection. Countries needed to collect sufficient disaggregated data, especially on internally displaced children. The ongoing Syrian crisis exemplified well those challenges of data collection, registration, and profiling of child refugees and migrants and their needs.

Unaccompanied children were a tragic feature of almost all refugee situations but, because of challenges to data collection, they were often invisible. Within the UN humanitarian system, UNHCR worked with other actors and agencies to respond to the needs of children on the move and had set standards and policies and provided guidance and various tools to that end. Regarding asylum seeking, guidelines had been issued on ensuring that the specific needs were addressed of children who were at risk of persecution as a result of ethnic background, religious affiliation, language, or imputed political affiliation. There were also inter-agency standards on operational responses for protecting children.

Another key issue to be addressed was the risk of statelessness faced by many children. The rights to a name, registration at birth and identification were human rights and were essential for children if they were to be prevented from becoming stateless. It was all the more necessary for refugee and migrant children, as the appropriate documentation would ensure quicker identification at borders and a better level of protection. A lack of that documentation was often a bar to public services, including education, which had serious repercussions on families in terms of maintaining livelihoods.

Much had been said about the principle enshrined in the Convention on the Rights of the Child on the best interests of the child and how to implement that in practice. Often it required State authorities to work with other specialists, such as psychologists and protection specialists, to speak to the child and others in the community to determine the best outcome for that child. When dealing with children caught up in mixed migration movements, such action became critical. Those seeking asylum could be fleeing persecution or war, while others could be migrating simply in search of better opportunities. Various interventions were needed for different individuals and, as such, there needed to be coordination of the measures to be taken at all stages, whether in the countries of origin, transit, or destination. In the same way, the different services involved in national protection systems also needed to adopt a coordinated and coherent approach to fill any gaps in those systems and to provide the necessary protection to children on a basis of non-discrimination.

Sensitive arrival and reception procedures were needed for migrant, refugee and asylum-seeking children to ensure the necessary level of protection. It was important to identify children quickly and determine whether they were alone or accompanied and, if the latter, whether they were accompanied by parents or traffickers. Staff at borders or reception centres also needed to determine whether children had been victims of sexual violence or other human rights violations in order to tailor the necessary services to individuals. Children should be able to understand the procedures they were faced with; even young children could often articulate why they had been separated from their families or why they had travelled either to another country or within their own country. The staff who interacted with them therefore needed to be appropriately trained for dealing with children and their needs. They should be able to interview children sensitively and extract the information that was needed for assessing which services should be provided. Mechanisms also needed to be put in place to appoint legal guardians or representatives and to begin family tracing processes, as reuniting children with their parents or families was critical to ensuring there was a genuine protective environment for the child.

Mr. M. MATTAR, Panellist, provided an outline of the Model Law on Child Protection, a joint venture by the Johns Hopkins University School of Advanced International Studies and others, which sought to provide responses to the issue of unaccompanied migrant children and child protection. The Model Law was based on the four main principles of the Convention on the Rights of the Child: the best interests of the child; the principle of non-discrimination; the right to life and development; and the principle of participation and the right of the child to express her/his views and for those views to be heard. The Model Law was also based on other important principles recognized by international human rights law, including: the principle of non-criminalization and non-punishment of the child; the right of access for child victims to services including education, health care, free and equal legal assistance, justice, counselling and rehabilitation measures; the right to compensation, supported by the establishment of State funds for child victims; and the principle that the protection of a child required non-legislative measures, for example through addressing harmful customary practices. Such principles were embodied in international law, which should take precedence over domestic law in such matters. It was also pertinent to consider other relevant conventions in addition to the Convention on the Rights of the Child, including International Labour Organization conventions relating to child labour and the Convention on the Elimination of All Forms of Discrimination against Women, which prohibited child marriage.

The Model Law adopted an expansive definition of exploitation, including sexual, economic and other forms of exploitation to which a child could be at risk. Furthermore, the Model Law paid particular attention to the protection of children in vulnerable situations, including unaccompanied migrant children, children trafficked for sexual exploitation, children involved in begging or other forms of forced labour, children affected by armed conflict, child

soldiers, children living in countries in transition or under occupation, children with disabilities, and internally displaced, refugee, or asylum-seeking children. He urged for those issues to also be a focus of the IPU resolution.

It was essential that parliaments shared best practices and information on relevant laws in each country, so that they could learn from each other and the resolution could borrow from all effective laws worldwide. It would also be crucial to initiate not only responsive but also preventive measures, which could be done, for example, by cooperating with NGOs and others to provide necessary services to children, setting the age of admittance to the armed forces at 18 years or above, imposing stiffer penalties for trafficking or exploiting children, and prohibiting the use of children in political and social conflict or unrest.

Debate

Ms. M. KUMAR (India) said that nearly every fifth child in the world lived in India and they were considered a national asset. India sought to promote and protect children's rights through its Constitution, its ratification of the Convention on the Rights of the Child and through several legislative measures, including the Contract Labour (Regulation and Abolition) Act, which was relevant to the children of migrant families.

Migration of people within India posed particular problems, as migrants often constituted the most vulnerable groups of society, with the least assets, skills or education. Children made up a huge proportion of that migrant population and efforts were underway to educate families about entitlements and how they could be protected under the provisions of various laws. There was also legislation that ensured the State would provide shelter to any child who had no family or lacked support, through care and protection measures such as sponsorship, adoption and foster care. An integrated child protection scheme had been launched in India to bring together all existing child protection initiatives under one structure, thus enhancing capacity and intersectoral responses at all levels.

Although India did not currently face armed conflict, there were still situations of civil unrest. To protect children caught up in such situations, a pilot scheme had been launched in affected districts whereby trained local youth volunteers acted as defenders of children's rights.

Mr. M. AL-HAJERI (Kuwait) said that ensuring children were protected and looked after was the first step towards a society in which citizens could participate in the development of their country. Protecting the rights of children, including to education, health, and guidance, should be the priority of all. Regarding unaccompanied migrant children, Kuwait was focused on ensuring their safety and security, as child labour, exploitation and violation of their rights were all of concern to the authorities and it was essential that there should not be negative consequences on the education of those children.

He emphasized the need for legislative measures to reflect the provisions of relevant international instruments in order to address child labour and exploitation and to promote and advance environments that were favourable to children and their development. The Parliament of Kuwait had passed legislation aimed at protecting children and had incorporated the provisions of the Convention on the Rights of the Child into its Constitution, guaranteeing the rights of mothers and children.

Ms. J.-A. HAN (Republic of Korea) lamented the fact that, despite the efforts of States, organizations and civil society groups to step up the protection of children – particularly migrant children – and their rights, they were still among the most vulnerable groups in society. She underscored the principle of "non-refoulement" as the cornerstone of UNHCR's mandate to protect; universal compliance with that principle was essential, particularly with regard to protecting child refugees.

Recently, the human rights of unaccompanied migrant children from the Democratic People's Republic of Korea had been seriously violated, through their forced return to their country of origin from a neighbouring country. All parliamentarians needed to express their strong support for and interest in guaranteeing the legal protection of the human rights of such child refugees from the Democratic People's Republic of Korea, including through coordinated regional multilateral agreements. All countries needed to refrain from deporting people against their will and to ensure the protection of affected children, in accordance with international humanitarian norms.

Mrs. S. KOUKOUMA KOUTRA (Cyprus) said that it was true that there were many reasons why children migrated, but the challenges began when they reached their countries of destination and risked having their rights violated, including through being detained by the authorities, discrimination, and the risk of abuse, sexual exploitation, and child labour. The present economic situation of many countries should not be allowed to lead to further child victimization or to endanger their well-being.

Parliamentarians needed to act urgently to adopt legislation that was aligned with international legal frameworks and agreements such as the Convention on the Rights of the Child, to provide the necessary care for migrant children and to protect their human rights, especially for those who were unaccompanied. It was the duty of parliamentarians to encourage all relevant stakeholders to protect unaccompanied minors from exploitation and to instigate processes for reuniting unaccompanied migrant children with their families. All countries needed to recognize that the most effective way of tackling the issue would be to address the underlying causes of such migration.

Ms. M. MULARONI (San Marino) noted that the issue of protecting children in armed conflict was not new and remained a great challenge to the international community. In several countries, most notably the Syrian Arab Republic, child victims of conflict were being forced to flee their homes. Parliaments needed to act sensitively to raise public awareness and find appropriate solutions to protect those children. All States should ensure compliance with international humanitarian law to guarantee that protection at all times and to ensure that children were not at risk of being killed.

Ms. T. BOONTONG (Thailand) said that Thailand faced no internal conflict or wars but did provide humanitarian assistance and shelter to displaced persons and migrants who arrived in the country. Thailand also cooperated with countries of origin and international organizations to ensure safe passage for migrant children and their families back to their homelands.

Thailand was greatly concerned about the plight of unaccompanied migrant children and the risks they faced in conflict situations. Parliamentarians needed to use their position to prevent situations where such children could be exploited and should enhance their oversight of governments to hold them accountable on spending to ensure that appropriate amounts were allocated to child protection. Parliaments should also facilitate dialogue between parties in conflict to protect the lives and human rights of children, to stop them becoming unaccompanied migrants, and to prevent them from being enlisted into military service.

Mrs. Z. BENAROUS (Algeria) said that the violence suffered by children in conflict situations was not limited to developing countries but was also a reality in many developed countries. Each year, millions of children were exploited, forced to work in difficult circumstance or even killed. Experts had stated that protecting all children in the world would cost US\$ 29 billion, or the equivalent of just 2.5 per cent of global military expenditure.

Algeria had taken several measures to combat the exploitation and abuse of children, including through its Civil and Penal Codes, the ratification of relevant international treaties, including the Convention on the Rights of the Child and its Optional Protocols, and adopting a strategy in cooperation with UNICEF. The kidnapping of children was punishable by imprisonment and military service did not start before the age of 19. Algeria also sought to provide the necessary food, education and vaccinations to children in the Sahel region.

She expressed appreciation for the video that had been shown, but added that it would have been beneficial to hear from children in the Arab world, especially Palestine. The final resolution on the topic should include references to children in the occupied territories of Palestine, who were often deprived of basic services.

Ms. L. ALANSARI (Saudi Arabia) reported that her country's parliament, the Shura Council, strongly supported the development of legislation and infrastructure for the protection of children, especially as 40 per cent of the population was under 18 years old. Saudi Arabia had acceded to the Convention on the Rights of the Child and its Optional Protocols, as well as several other conventions with provisions on protecting children. A number of relevant laws had also been enacted in the country, including on protection from abuse and the prohibition of all forms of trafficking, including of children.

Her delegation recommended that the IPU should have a more structured approach to requesting periodic reports on countries' compliance with its resolutions and the status of implementation. Such an approach would increase awareness among parliaments on IPU resolutions, create a platform for sharing information on enhancing implementation and provide useful data for future planning.

Ms. A. NAUMCHIK (Belarus) underscored the importance of protecting children, above all in situations of conflict. All children needed the best possible conditions at the start of their lives, including access to education and opportunities to develop their individual abilities in safe and secure environments. Parliamentarians needed to use their role to ensure the material and moral well-being of children and to preserve their health and psychological, social, emotional and cultural development, which should be a priority at both the national and global levels.

In protecting and promoting children's rights, the international community should strive to eradicate poverty and fight HIV/AIDS; invest in education for all children; and ensure that their needs were met and they could participate fully in society.

Mr. A. ELZEIN (Lebanon) said that his country experienced many grave consequences of the conflict situations in the Middle East, not least the ongoing Syrian crisis and continued tensions with Israel. As a result of the latter, 650,000 Palestinian refugees resided in Lebanon, often in unacceptable conditions. The problem continued to grow, especially with the influx of Syrian refugees as well, which had serious consequences on the social, economic and political stability of Lebanon. Living conditions had worsened for many in the country, not least for refugees. Refugee children were among those who suffered the most, given their need for education, health care and nutrition. More than 1.3 million Syrian refugees were living in camps or elsewhere in Lebanon, and the country was concerned that it could not continue to take in such numbers without further damaging its already weak health care and education systems.

Mr. T. AKAEDA (Japan) explained that in addition to being a parliamentarian, he was also a gynaecologist and, in that capacity, had dealt with many problems affecting children, such as child abuse. The Japanese Parliament had enacted several pieces of legislation on child welfare, preventing child abuse and protecting the rights and interests of children and in recent years, some of that legislation had been further amended and strengthened.

There were over 200 child guidance centres nationwide, established as a result of the Welfare Act, which helped to protect abused children. Case workers were able to conduct investigations into such abuse and develop strategies for support for the affected children. Abuse constituted a serious violation of a child's human rights and it was therefore critical that all parliaments developed effective public policies for protection, especially as young children themselves were often unable to articulate their experiences and needs.

Ms. A. ČRNAK-MEGLIČ (Slovenia) reported that the status of unaccompanied children in her country was regulated quite well and those who sought protection had the right to residence, care, accommodation, education, legal assistance and to follow procedures in their own language. They also benefited from special NGO-led projects. However, despite the regulations and good legislative solutions, Slovenia faced various problems in ensuring the provision of accommodation and education to those children, whose situations were often aggravated by long, drawn-out procedures. Another problem was the lack of information on the routes taken by unaccompanied minors to Slovenia which, most of the time, was only a transit country as migrants continued to Northern and Western Europe.

It was essential that actions taken were always in the best interest of the child, which required close cooperation and a coordinated approach among countries of origin, transit, and destination. Parliamentarians could play a key role at the regional and global levels, not least through ensuring an appropriate declaration and action plan within the IPU to define priorities and develop a coordinated approach on the issue.

Mr. Y. SÁNCHEZ CUÉLLAR (Cuba) said that it was the duty of the international community to defend and protect children in order to guarantee a safer world for all. Cuba defended the best interests of children and their right to a healthy life, free of violence and discrimination, a home with their parents, well-being, and social and spiritual development.

Unaccompanied migrant children were extremely vulnerable, especially to the risk of sexual exploitation, child labour or forced detention. They were also easy prey for organized crime groups. As such, countries needed to have effective strategies to address the various causes of child migration and to uphold their international commitments on protecting and respecting children and their rights. Her country had enacted a number of laws and established a parliamentary commission to protect children, including migrant children, whether they were travelling legally or illegally. She urged all countries that had not yet ratified the Convention on the Rights of the Child to do so and proposed that the resolution to be developed by the co-Rapporteurs should make reference to reports by the International Organization for Migration (IOM) on unaccompanied migrant children and those involved in wars and armed conflict.

Ms. R. SHILENGA (Namibia) said that her country had ratified several international instruments on the protection of the rights of children, including the Convention on the Rights of the Child and its Optional Protocols and the African Charter on the Rights and Welfare of the Child. Those instruments had been incorporated into domestic legislation focusing on protecting children and their rights.

There were no known cases of child migrants entering Namibia unaccompanied by either a parent or guardian but should such a situation arise, the country had appropriate programmes in place to handle cases.

She underscored that it was the duty of parliamentarians to seek sustainable solutions to protecting the rights of children, including unaccompanied child migrants and those in situations of war and conflict.

Ms. M. ISASI (Chile) explained that Chile's parliament would soon be adopting legislation to advance the protection of children and promotion of their rights, including through addressing trafficking and regularizing the status of foreign children in the country. Children who had been sexually exploited would not need to appear several times before a judge, which often induced further trauma and psychological damage; instead they would make only a single statement.

Many countries remained indifferent to the plight of children moving from country to country, many of whom even died as they travelled. Parliamentarians, as the representatives of the people, needed to fulfil their countries' obligations to ratify all international agreements to protect children. There was no point in attending various meetings at the IPU or other international organizations if action was not taken to prevent children from suffering and dying as a result of hunger or violence. She added that she would be happy to share information on Chile's experiences and national legislation, as parliaments should cooperate to support all children.

Mr. S. AL KHATEEB (Syrian Arab Republic) reported that his country had committed to a number of international instruments on the rights of the child and assimilated the provisions into domestic legislation.

The current conflict in the Syrian Arab Republic, which was exacerbated by Al-Qaida and other terrorist groups, was depriving children of their rights. Schools had been occupied, for example, meaning that children could not access education. Children were also being used by terrorist groups and made to perpetrate horrible crimes, while others had been subject to abuse or sexual exploitation. All such acts ran counter to the various international conventions on protecting children and also to domestic legislation, which prohibited enlisting children in military operations.

Mr. B.V. NEATOBEI (Chad) said that the natural disasters, drought, social and political crises, and internal conflict in his country in recent years had led to the mass movement of people, with obvious repercussions for the social fibre of the country and for children. There were various causes of child migration, but often it was a case of forced migration and the need to flee violence, chaos, or poverty. Those child migrants were especially vulnerable.

Chad had ratified the Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child, and other international instruments, with the aim of taking all the necessary legislative and other measures to ensure the protection, development and survival of children.

Mrs. F. ALIA (Islamic Republic of Iran) said that the causes of migration, conditions in destination countries, and the economic consequences of migrants' integration into society were all key aspects of the issue under discussion. Migration had a considerable impact on families and children, large numbers of whom faced difficulties regarding their education and physical and psychological health. Unaccompanied migrant children faced even greater challenges and it was the responsibility of all communities to pay special attention to the needs of those children.

The Islamic Republic of Iran had hosted millions of refugees from neighbouring countries over the previous three decades. The country had sought to protect the rights of migrant children through acceding to the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict and signing other relevant bilateral agreements. Domestic legislation sought to ensure education for migrant children and, at present, more than 250,000 were studying in Iranian schools. The country remained committed to promoting the physical and psychological recovery and social integration of migrant children.

Ms. MO WENXIU (China) underscored the important role of parliaments in protecting the rights and interests of children, particularly regarding health, nutrition, education, and legal protection. All children should be guaranteed the right to education, regardless of gender, and schools should help to provide appropriate environments for children's protection and development. Bans on child labour and exploitation were also crucial.

China had always attached great importance to promoting children's rights and interests and in recent decades had taken various measures to ensure the necessary legal guarantees and protection to children, through legislation on education, health and sanitation, protection of minors and prevention of juvenile delinquency.

Mr. M. BUNDUKJI (Jordan) said that parliaments needed to take effective measures in cooperation with governments to protect the rights of children. Such measures could include adapting national legislation to the relevant international instruments on human rights and the rights of children; conducting studies and consultations with all parties involved in protecting children's rights; ensuring appropriate government procedures and policies in the area of children's rights; strengthening ties between parliaments and other organizations concerned with the welfare of children; and encouraging governments to combat all forms of poverty.

Ms. M. GREEN (Sweden) underscored the importance of agreeing a robust resolution that would help to protect children worldwide. As a member of the IPU's Committee on Middle East Questions, she recalled a recent mission to Israel and Palestine, including the West Bank and the Gaza Strip, and stressed the need to move from talking to acting when it came to helping Palestinian children and protecting their rights, through the provision of food, health care and social services.

Children worldwide were at risk of abuse, neglect, violence, exploitation and trafficking, especially those who were separated from their families. Parliamentarians needed to help ensure that those vulnerable children were protected.

Mr. S. NTAPANE (South Africa) said that South Africa was a party to several international and regional treaties on protecting the rights of children, including unaccompanied migrant children and the country's Constitution and Bill of Rights sought that same objective. Several laws also helped to protect those rights, including the Refugees Act and the Immigration Act. Any refugee child should be brought before a children's court and could be assisted in applying for asylum. The country's Children's Act further helped to ensure the general welfare of children and included provisions applicable to unaccompanied migrant children.

Mr. A.-C. MITU (Romania) stressed the key role of parliamentarians in ensuring that the needs of unaccompanied migrant children were met in national laws and policies, including through giving due regard to gender dimensions. Romania had adopted legislation that was in line with the Convention on the Rights of the Child and other relevant treaties. The legal framework was regularly updated to respond to the needs of children affected by exploitation, trafficking and illegal migration. In order to protect and promote the rights of all children, the relevant laws were applicable not only to Romanian nationals within Romanian territory, but also to those Romanian nationals residing abroad, children without citizenship on Romanian soil, children requesting protection as refugees in Romania, and other foreign children on Romanian soil in emergency situations.

Mr. G. KONSTANTOPOULOS (Greece) observed that the existing legislative framework for child protection in his country was not adequate enough to address the particular needs of child migrants arriving in Greece unaccompanied by parents or caregivers. Often those children were not accurately identified upon their arrival in Greece. He recommended that all countries ensure accurate identification and registration of unaccompanied children; establish a special registry for dealing with unaccompanied children; increase the capacity of reception

centres; and provide unhindered access to education for unaccompanied children. A single coordination body should also be established to evaluate the current situation and ensure effective cooperation and coordination between all stakeholders, which could also propose appropriate measures for protecting children and their rights.

Ms. A.A. AL QUBAISI (United Arab Emirates) said that there were increasing numbers of children migrating, all at risk of having their human rights violated, contrary to the Convention on the Rights of the Child, through violence, sexual abuse, forced labour or forced involvement in military activities. Her country had made considerable efforts to protect children, including through legislation prohibiting trafficking and the provision of necessary social, economic and humanitarian assistance to children. Campaigns had been run throughout the country to raise awareness of various aspects of children's rights and encourage education. Resources had also been allocated for the provision of clean water to children, not only in the United Arab Emirates but also in other countries, including the Syrian Arab Republic.

Ms. L.T. TAU LIN (Malaysia) urged all parliamentarians to pass specific legislative and policy measures aimed at protecting migrant children and preventing their exploitation, including by involving local authorities. To ensure adequate funding, public funds should be taken from corporations involved in the nuclear weapons industry.

Parliaments and the IPU should work closely with the Special Representative of the UN Secretary-General for Children and Armed Conflict and other relevant parties and should issue public statements urging countries in conflict to end the use of children in the armed forces. Ministries of foreign affairs and defence should prioritize the protection and promotion of children's rights.

Parliaments should seek to disseminate information packages on the rights of the child and guidelines on protecting children to all relevant actors and should also actively encourage the establishment of local child protection networks.

Mrs. A. WOLDESEMAYAT ESHETE (Ethiopia) reported that her country had taken significant measures to assimilate the Convention on the Rights of the Child into domestic legislation, which recognized the full range of civil, social, and economic rights of children. Her Government had facilitated access by refugees from neighbouring countries to higher education and employment in Ethiopia and provided schooling for children in refugee camps.

Mr. T. YAHYA (Indonesia) said that there was no place for violence against or attacks or assaults on children at any time, whether in war or peace. In situations of war and conflict, however, children were the most vulnerable segment of the population, often suffering trauma, exploitation and displacement. It was crucial that their rights and safety were protected in compliance with the Geneva Conventions and other international instruments. Indonesia had committed to protecting and fulfilling the human rights of children, including migrants, through its national laws.

When a tsunami had hit Indonesia a decade previously, the country had worked to protect tsunami-affected children from trauma, exploitation and the risk of being trafficked out of the country. The international community needed to continue working to ensure that the safety and security of all child victims of emergency situations were protected, especially the 1 million Syrian child refugees who had been uprooted from their homeland.

Ms. A. RAZA FAROOQ (Pakistan) said that her country recognized all the principles embodied by UNICEF and enshrined in the Convention on the Rights of the Child. The Constitution provided for compulsory education up to 16 years and slavery, human trafficking, and forced labour were all prohibited.

As children were the most vulnerable group in any society, there was a dire need to harmonize legislative and policy efforts among States to stop the rise in the violation of

children's rights. As a result of the conflicts and wars in the region, Pakistan hosted nearly 3 million refugees from Afghanistan, a considerable proportion of whom were under 14 years of age. She urged the international community to cooperate with Pakistan through strong political will and parliamentary oversight to promote the well-being and rights of those children, especially while Pakistan remained on the frontline of the war on terrorism.

Ms. C. NABWALA (Kenya) stated that it was important for national immigration laws to be informed by the Convention on the Rights of the Child, which provided the international framework for addressing the needs of unaccompanied migrant children. It enshrined key principles of non-discrimination, and the rights to life, survival and development but above all of those was the defining principle of promoting the best interests of the child.

Kenya had taken steps to integrate those principles into domestic law, including provisions to guarantee the protection of children seeking refugee status and to safeguard the interests of children. She underscored the need to enact legislation and policies aimed at protecting those children who were most at risk.

Ms. I. AL-WAZIR (Palestine) said that, under the occupation of her country, many children suffered through being separated from their parents, from exploitation, or from being imprisoned. There were at present over 30,000 children in Israeli prisons who had no access to their families or lawyers and were deprived of an education. Some were also tortured. She underscored the need for the effective protection of all children affected by the occupation, as well as for those who had migrated to the Syrian Arab Republic and, as a result of the conflict there, had been forced to move on again to Lebanon and other countries.

Mr. I. KOOHEJI (Bahrain) stated that parliaments around the world needed to implement laws prohibiting the involvement of children in what were usually described as peaceful demonstrations but where those children were often at risk of violence and being used as human shields. After such events, many children suffered damaging psychological effects. Bahrain had implemented such a law, whereby anybody found bringing a child to a demonstration could be imprisoned, and hoped others around the world would too.

Ms. R. BENMASSAOUD (Morocco) said that Morocco had enshrined the promotion of children's interests in its Constitution and had created a national entity to oversee the protection of children's rights. The parliament had taken steps to harmonize domestic legislation with relevant international instruments and had recently put forward bills on strengthening the protection of children and criminalizing human trafficking.

There were also national initiatives to regularize the situation of migrants, particularly as Morocco was both a transit and destination country. She called on other countries, especially those in Europe, to cooperate with Morocco to ensure that appropriate security measures were in place and other relevant coordinated action was taken, particularly to ensure that migrant children were protected.

Mr. K. KIYINGI BBOSA (Uganda) said that parliamentarians had a clear legislative role to play in ensuring that children were protected in war and conflict, based in part on provisions defined by UNICEF. There were various legislative measures in Uganda aimed at such protection, including the Constitution, the Penal Code and a National Council for Children. Parliamentarians represented the people and were uniquely placed to give voice to the concerns and needs of their constituents, including refugee children. It was also essential that parliaments held the executive to account, ensuring the effective implementation of laws and policies on protecting children.

Mr. J.F. MUDENDA (Zimbabwe) reported that the International Organization for Migration was working closely with civil society organizations in Zimbabwe to address the problems faced by migrant children. Zimbabwe had ratified international instruments on the

rights of children and integrated their provisions into domestic law. The Constitution addressed several of the problems faced by affected children and included provisions for granting citizenship without any questions asked to all abandoned or unaccompanied children.

Mr. J. MWIIMBU (Zambia) said that in many countries the rights of children were taken for granted and laws for child protection were often violated. Parliaments needed to ensure the protection of the rights and interests of children in all situations if the provisions of the Convention on the Rights of the Child were to be upheld. To do so, parliaments needed to develop legislation guaranteeing the protection of children and their rights; enshrine child protection in national constitutions; assimilate relevant international instruments into domestic laws; oversee government action to ensure children's rights were protected; and allocate resources for such protection.

Ms. H. ESUENE (Nigeria) said that children constituted about 35 per cent of Nigeria's population, so the government was very aware of the issue of child protection and had enacted legislation prohibiting the trafficking of persons, ensuring children's rights and providing free and compulsory education. There were, however, still many challenges, including the need for legislators to bring an end to the practice of families sending young children to religious leaders for instruction in Islam. They were often never able to reunite with their families and were denied basic rights, including education; many were also recruited by criminal groups. Nigeria welcomed ideas on how to address the issue.

Mr. C. ABELA (Malta) remarked that, as the mid-way point between North Africa and Europe and the southern border of the European Union, Malta faced a large and steady influx of immigrants and was particularly concerned about unaccompanied migrant children. The country received unaccompanied minors in accordance with its international obligations but appealed for coordinated action among all countries of origin and destination, as the latter could not always deal with migrant children alone, especially when the necessary resources were lacking. All countries needed to share the responsibility in order to guarantee the rights of every child.

Mr. J.R. LEÓN RIVERA (Peru) urged the Committee to take a firm position on how to address the issue of a new generation of children turning to delinquency and growing up to become paid killers. The law in Peru currently imposed criminal penalties on those aged 18 years and above but the parliament was struggling to reduce that age to 15 years. He hoped that the IPU would help to provide a solution to the issue.

Mr. G. MOHABA MESU (Equatorial Guinea) said that it was difficult to speak about children without mentioning their parents since, if parents were in a good situation then their children would also be. While his country did not face situations of exploitation of children or of war, it did face illegal immigration. The IPU should urge countries to reduce the requirements for visas, as a large portion of illegal immigration came as a result of the restrictions imposed by western countries.

Ms. B. ALJESHI (Arab Parliament) stressed the role of human rights organizations in protecting the rights of children, especially in situations of conflict. Those organizations did not always act effectively to protect children from being used as human shields. Those children could often not prove their innocence and were then punished and denied the right to education.

She expressed concern that there were still some Arab parliaments that, despite having ratified the Convention on the Rights of the Child, had still not harmonized its provisions with domestic legislation. She reported that there were, however, plans to develop a multilateral Arab instrument on that issue.

Ms. U. KARLSSON (Sweden), speaking in her capacity as a member of the IPU Committee to Promote Respect for International Humanitarian Law, recounted a recent mission to countries that were hosting Syrian refugees, including more than a million child refugees. In Jordan, the group had met refugees who had fled the Syrian Arab Republic that same evening.

A robust resolution was needed to protect children, especially those refugees who were suffering as a result of a lack of health care and education, as well as exposure to abuse and sexual violence. The resolution also needed to emphasize the rule of law and condemn the many child marriages that were being allowed to occur in the camps, which affected more than a third of the girls under the age of 18 years.

Dr. M. MATTAR, Panellist, took note of the general consensus that he had heard during the discussion. It was clear that countries had recognized the many problems relating to migrant children and many parliamentarians were acting to address them. He proposed that the resolution should include not only a study on the full scope of the problem but also a review of existing mechanisms in countries, including the various laws that had been outlined on child protection, child labour and child trafficking. The key question would be to what extent those mechanisms were actually helping to resolve the issues experienced by child migrants and children in conflict situations?

It was obvious that child migration was a transnational problem and all countries, whether they were countries of origin, transit or destination required the resolution to contain clear provisions on international cooperation. He recalled the various mentions of the African Charter on the Rights and Welfare of the Child and underscored that such regional instruments were also crucial to cooperation. All countries had an obligation to cooperate with NGOs, as grass-root organizations which most often worked on the ground and understood the issues at hand.

There had been several comments on the issues of trafficking, child labour, sexual exploitation, children being used in civil and political conflict, and of children in occupied territories or in other conflict situations. It was essential that the resolution included clear definitions on vulnerability, conflict and exploitation, so that the full scope of the issue could be understood. If those aspects were not addressed, it would be impossible to address the overall subject of unaccompanied migrant children.

Ms. L. AUBIN, Panellist, said that she had been struck by the willingness expressed by speakers to ensure that best practices and experiences were shared so that common areas of risk could be identified and all systems could work together to protect children. The need for a resolution on the issue of migrant children and children in conflict situations was, sadly, a sign of the times, as many children continued to be put at risk as they fled humanitarian emergencies, persecution or war. Ensuring access to education, health care, and general protection services for all children at such times was an imperative, although it should not be forgotten that public services would require additional support to absorb the extra needs of those children.

The principle of non-discrimination should also be employed in favour of asylum-seeking children and refugee and migrant children. However, appropriate civil documentation, such as birth certificates, was essential if children were to access those services, and the early identification of children travelling alone was of particular importance.

It was clear that the test of any legislation enacted in countries for the protection of children was in its implementation and parliaments should work to ensure that the necessary services were sufficiently funded, essential staff were trained, and that there was coherence and coordination among service providers.

Ms. J. NASSIF, co-Rapporteur, said that, despite countries all having their own legislation aimed at protecting children, it was clear that it was not enough to stop the violation and abuse which continued in different parts of the world. With the risk of new situations of conflict arising at any time as a result of political or social changes, parliamentarians needed to be aware of the importance of taking decisions when they had the chance in forums such as the IPU Assembly. She hoped that all delegates would continue to cooperate with the co-Rapporteurs on the issue in the coming months.

Ms. G. CUEVAS, co-Rapporteur, underscored the importance of strong political will to do something for the children on which the discussion had focused. The overriding question was: If countries had ratified so many international instruments, why was it not sufficient to stop the suffering faced by unaccompanied migrant children? Preparing legislation was an important first step but it was essential that parliamentarians ensured that such legislation was effectively implemented, and indeed amended if necessary, to provide real solutions to the problems.

Although data was often hard to obtain, the resolution would need to outline as far as possible the current reality. That would depend on support from all parliamentarians in providing information on the legal frameworks and the risks faced by children in each country. Another consideration was what did the Committee hope the resolution would achieve? Emphasis should be placed on eliminating the criminalization of migration and the detention of child migrants. Deportation also needed to be prohibited to stop thousands of children being returned to dangerous situations on a daily basis. To ensure such provisions worked in practice, it was clear that effective supervision and monitoring systems would be needed. Parliamentarians therefore had a duty to look at how that could be achieved through appropriate legislation.

The PRESIDENT thanked the panellists, experts and parliamentarians for sharing their experiences and ideas for the resolution that would be developed.

The meeting rose at 12.50 p.m.