

Child Rights Bridging Papers: 2nd Edition

Recommendations

The series of bridging papers are looking at different points of the 5-year Action Plan for Collaboration from a child rights perspective. The aim is to examine the specificities affecting children on the move and children affected by migration the context of migration and inform more coherent approaches from a child rights standpoint.

The 1st edition developed for inputs at Civil Society Days of the Global Forum on Migration and Development (Istanbul, Turkey, 12th and 14th October 2015) has generated interest in the approach and request was made for a second edition for the Civil Society Days of the Global Forum on Migration and Development (Dhaka, Bangladesh, 8th and 10th December 2016)

Each one of the **six bridging papers** is structured in a similar way with **7 or 8 key recommendations for action**.

The first edition of bridging documents (January 2016), output of the CSD GFMD 2015 are available on <http://destination-unknown.org/child-rights-bridging-papers/> and on <http://madenetwork.org/documents>

The draft 2nd edition of bridging documents (December 2016) are available in English, Spanish and French on <http://destination-unknown.org/child-rights-bridging-papers-2nd-edition>. Hard copies are available at the Child focused organisations' stand at the GFMD Civil Society Days venue on 8th and 9th December 2016 in Dhaka.

Your inputs are welcome to finalise the documents by 15th January by writing to info@terredeshommes.org.

The revision highlights the references to the 2030 Sustainable Development Agenda¹, the New York Declaration for Refugees and Migrants², and the Recommended principles to guide actions concerning children on the move and other children affected by migration³.

BP 1 – Leave no one behind: the first year of the SDGs for children on the move and other children affected by migration

1. Send civil society and UN agency reports to the UN human rights treaty bodies and UPR to monitor the implementation of the SDGs which affect children, especially children on the move and other children affected by migration.
2. Develop a data collection system which can be used by different stakeholders, which includes disaggregated data by age and gender, take into account the views of children, and incorporate a system of delisting migrants who move to a new country.
3. Framed by the global strategy to end violence against children (mainly SDG 16.2), support models and uptake for inter-sectoral cooperation on responding to violence and abuse with a special attention to children on the move and other children affected by migration
4. Create a system for children, including those in the context of migration, to provide their views on the implementation of the SDGs and the development of the global compacts. This should be linked to the monitoring which children already take part in for the CRC.
5. The potential and impact of internal migration should be included in debates on policies and programmes to achieving the 2030 Agenda on Sustainable Development.
6. The link between internal and external migration (including children) with SDG 8 should be incorporated in policies for decent job creation and entrepreneurship, improving labour standards and providing protection and assistance in cases of abuse and exploitation.
7. Address the barriers which prevent children on the move and other children affected by migration from accessing services such as health and education, including those related to their migratory status and documentation.

1 http://www.un.org/ga/search/view_doc.asp?symbol=A/70/L.1&referer=http://www.google.co.uk/url?sa=t&Lang=E

2 <http://refugeesmigrants.un.org/declaration>

3 <http://destination-unknown.org/wp-content/uploads/recommended-principle-EN.pdf> and <http://principlesforcom.iimdo.com/>

BP2 – Engagement of diaspora and migrant associations: A child rights perspective

1. Fulfil the SDGs which increase the diaspora's impact before 2030 in order to reach the other SDGs.
2. Create the modalities to strengthen the role of diaspora and migrant associations as development actors and cooperate with national and local authorities to have a coordinated approach to development and child protection.
3. Develop diaspora policies that link the local to the national level in a joint and multifaceted approach.
4. Strengthen cooperation between diaspora, migrant rights, child rights, the media and the authorities to strengthen public policies, run anti-xenophobia campaigns and coordinate service provision for children affected by migration.
5. Build on diaspora advocacy campaigns on specific children's issues (e.g. trafficking, forced marriage or xenophobia) and develop broader campaigns on the rights of migrant children.
6. Research North-South and South-South diaspora engagement patterns to understand their impact on children and feed it into diaspora policies.
7. Facilitate and invest in the innovative potential of youths and children from the diaspora to better target their needs and issues of concern.

BP 3 – Migrants stranded in distress: a child rights perspective

1. Apply the Convention on the Rights of the Child (CRC) and other relevant treaties, together with humanitarian and national child protection policies and laws to maximise the respect of stranded children's rights.
2. Create an implementation plan to address the protection and legal needs of migrant children, especially those stranded in distress, while the compacts are being developed.
3. Collect and disseminate accurate disaggregated data on stranded children to develop policies and programmes that respond to their specific vulnerabilities and needs, as well as those who turn 18 while migrating.
4. Ensure the burden of proof to determine age and nationality of unregistered or undocumented children is not placed on them.
5. Fulfil the NY Declaration's commitment to work to end the practice of child immigration detention and adopt alternatives that fulfil their best interests.
6. Take children's views and best interests into account when processing their cases.
7. Take measures to provide education to stranded children within a few months of displacement.

BP 4 – Rights of migrant women: a child rights perspective

1. Call upon States to include a child and gender perspective in migration and asylum laws and policies in countries of origin, transit and destination in line with the CRC, CEDAW and other relevant treaties.
2. Call upon States to ratify and implement the ILO Convention on Domestic Workers and the Council of Europe Convention on preventing and combating violence against women and domestic violence.
3. Collect, disaggregate and analyse data according to age, sex and migration status and use it to inform programmes, influence policy, drive investment and track progress towards greater gender equality.
4. Address gender discrimination as part of the implementation of the SDGs within national development plans, non-discrimination laws and policies and by mobilising communities, families, men and boys to support girls and women.
5. Provide opportunities for more legal and safe migration, better working conditions for migrant women and girls, including independent work and residence permits.
6. Consult with migrant girls to design, implement and evaluate policies, programmes and services provided by States, international, non-governmental and diaspora organisations.
7. Pass or enforce laws and ensure accountability of legal frameworks that protect the rights of girls in the context of international migration, providing them with access to services and justice in line with States international obligations, especially for victims of trafficking and sexual exploitation.
8. Ensure that the police's duty is to provide services, protection and justice for victims (e.g. cases of gender-based violence) with irregular migrant status rather than denounce them to immigration enforcement.

BP 5 – Interaction of international mechanisms of migrants' rights protection

1. Advocate for States to ratify treaties or remove reservations which limit the rights of children in the context of international and national migration.
2. Use the provisions of the CRC and other treaties to address current violations (e.g. the return and refoulement of children and their detention) as well as to improve access to services and justice.
3. Using a child rights-based approach, coordinate civil society's advocacy to feed into relevant initiatives, including the joint general comment, monitoring processes (e.g. CRC, CMW and CEDAW) and non-binding guiding principles.
4. Advocate for thematic, regional and national consultations on children on the move and other children affected by migration in the development of the two Global Compacts.
5. Take the views of children into account in developing the two Global Compacts.
6. Collate best practices of initiatives taken by states (i.e. in federal states), municipalities and cities in protecting migrant children's rights and use them to develop the Global Compacts and other initiatives.

BP 6 – Labour rights for migrant workers: A child rights perspective

7. Address the factors which push children (taking into account age and gender) to migrate for work in development efforts, including in the implementation of the SDGs.
8. Ensure that the labour rights of migrant children legally allowed to work are covered in national legislation, the global compacts and the implementation of SDG 8.8.
9. Increase the outreach and assistance of migrant and labour units, and other stakeholders, to migrant working children, regardless of their labour and residence status.
10. Separate labour inspections and courts from immigration enforcement.
11. Disaggregated data on migrant working children, including by occupation, age and gender, and feed it into relevant policy debates and programmes.
12. States ratify and/or implement provisions of international treaties protecting the rights of migrant parents and children with the support of employers and other stakeholders.