



OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON
VIOLENCE AGAINST CHILDREN

UNODC Commission on Crime Prevention and Criminal Justice (CCPCJ)

Thematic Panel on:

Effective measures to prevent and counter the smuggling of migrants, while protecting the rights of smuggled migrants, particularly women and children, and those of unaccompanied migrant children

Statement by the Special Representative of the Secretary-General on
Violence against Children

Dr. Najat Maalla M'jid (5 min)

8 December 2021

Excellencies , Dear participants,

The past few years have witnessed growing numbers of children on the move, including migrant, displaced, refugee, and asylum-seeking children. They travel alone or with their families, within and across countries. Girls and boys, especially those who travel undocumented, unaccompanied or separated from their families or caregivers, are at high risk of exposure to various forms of violence, exploitation , smuggling and trafficking.

The crime of smuggling of migrants is a result of a mix of demand and supply factors. The drivers include political instability and lack of safety, conflict, natural disasters, poverty, social disparities, discrimination, lack of access to basic needs and opportunities, family reunification, fear of persecution and violence.

The demand for smuggling services is determined by the limited legal channels, which cannot satisfy the total demand for regular migration

These drivers of migration have been exacerbated by the COVID 19 pandemic. Travel and movement restrictions related to COVID-19 have not prevented children from undertaking perilous and at times even deadly journeys, including by making use of migrant smugglers. The dependence of migrants and refugees on smugglers for crossing borders seems to have increased in many regions,

In addition, the mid and long-term socio-economic impact of the pandemic as well as the increasing humanitarian crises will push many into a situation of extreme poverty and vulnerability and lead them to consider migrating.

This may, in turn, heighten the risk of aggravated smuggling of migrant children and trafficking, including for sexual exploitation, child labor and recruitment into criminal, armed or terrorist groups

Ladies and gentlemen,

In line with the Smuggling of Migrants Protocol, the Global Compact for Safe, Orderly and Regular Migration and the 2030 Agenda for Sustainable Development, some States have undertaken initiatives to protect children. They include: prohibiting immigration detention of children in their legislation; adopting migration policies allowing access to documentation, to education, health, justice, child and social protection services, residency and work; adoption of transnational child protection mechanisms; and the release of detained migrant children.

But many challenges remain.

Undocumented and unaccompanied migrant or refugee children lack access to child protection services, to an age- and gender-sensitive protection determination process, to legal representation, to accessible information about their rights and avenues of redress.

Even though detention of children is supposed to be a measure of last resort, it is often used as the first resort. Too many children end up in crowded facilities, often mixed with unrelated adults. They are deprived of liberty, detained, and separated from their family. They are deported to countries where there are substantial grounds for believing that there is a real risk of irreparable harm to the child.

They experience fear, anxiety, mental health problems, increased risk of self-harm and an aggravated sense of hopelessness, with a severe impact on their development and well-being

These are situations we need to address with a deep sense of urgency!

It is urgent to strengthen and provide adequate resources to transnational and national child protection mechanisms and systems, to which children on the move can be referred.

We **MUST INVEST** in prevention and in child rights-based alternatives to children's deprivation of liberty

Addressing the smuggling of migrant children while protecting them requires a comprehensive, rights-based strategy that considers its multidimensional, transnational and complex nature.

Less than eight years remains for us to make the ambitious targets of the 2030 Agenda a reality.

Migrant and refugee children have been left very far behind. As we build back better, we must look **beyond COVID-19** and be ready for other crises caused **by conflict, insecurity, natural disasters, climate change**. We must transform the continuum of violence that shapes the life of migrant and refugee children into a continuum of care and protection of their fundamental rights, ensuring that they are not left behind.

We have to keep in mind that children on the move are first and foremost children and their rights move with them!

Thank you!