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### Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,\* Antigua and Barbuda,\* Argentina, Australia,\* Austria,\* Bahamas,\* Barbados,\* Belgium,\* Belize,\* Bolivia (Plurinational State of), Bosnia and Herzegovina,\* Brazil, Bulgaria,\* Chile,\* Colombia,\* Costa Rica,\* Croatia,\* Cuba, Cyprus,\* Czechia,\* Denmark,\* Dominica,\* Dominican Republic,\* Ecuador,\* El Salvador,\* Estonia,\* Finland, France, Georgia,\* Germany, Greece,\* Grenada,\* Guatemala,\* Guyana,\* Haiti,\* Honduras, Hungary,\* Iceland,\* Ireland,\* Italy,\* Jamaica,\* Latvia,\* Lithuania, Luxembourg, Malta,\* Marshall Islands, Mexico, Monaco,\* Montenegro, Netherlands, New Zealand,\* Nicaragua,\* North Macedonia,\* Norway,\* Panama,\* Paraguay, Peru,\* Philippines,\* Poland, Portugal,\* Romania,\* Saint Kitts and Nevis,\* Saint Lucia,\* Saint Vincent and the Grenadines,\* Slovakia,\* Slovenia,\* Spain,\* Suriname,\* Sweden,\* Trinidad and Tobago,\* Turkey,\* Ukraine, Uruguay\* and Venezuela (Bolivarian Republic of): draft resolution

### 49/... Rights of the child: realizing the rights of the child and family reunification

*The Human Rights Council,*

*Emphasizing* that the Convention on the Rights of the Child constitutes the international legal foundation for the respect, protection and fulfilment of the rights of the child, bearing in mind the importance of the Optional Protocols to the Convention, and calling for their universal ratification and effective implementation,

*Recalling* all previous resolutions on the rights of the child of the General Assembly, the Commission on Human Rights and the Human Rights Council, the most recent being Assembly resolution 76/147 of 16 December 2021 and Council resolution 45/30 of 7 October 2020,

*Recalling also* all relevant international human rights treaties, in particular the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, the Convention against Transnational Organized Crime, the Protocol against the Smuggling of Migrants by Land,

\* State not a member of the Human Rights Council.



Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Worst Forms of Child Labour Convention, 1999 (No. 182), of the International Labour Organization,

*Taking note* of all relevant international instruments on the rights of migrants and refugees and stressing the need to continue working on comprehensive and balanced migration policies, international cooperation and partnerships between countries of origin, transit and destination,

*Recalling* General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, in which the Assembly adopted a comprehensive, far-reaching, indivisible and people-centred set of universal and transformative Sustainable Development Goals and targets, and the commitment to achieving sustainable development in its three dimensions – economic, social and environmental – in a balanced and integrated manner and to realizing the human rights of all, leaving no one behind and reaching those furthest behind first, and recognizing that the realization of the rights of the child is crucial to achieving the goals outlined in the 2030 Agenda for Sustainable Development,

*Reaffirming* that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation, survival and development, provide the framework for all actions concerning children,

*Welcoming* the attention paid by the Committee on the Rights of the Child to the issue of the rights of the child and family reunification, noting with appreciation its general comments, recalling the Committee’s day of general discussion held on 28 September 2012, which was focused on the rights of all children in the context of international migration, and taking note of the outcome report and recommendations of the Committee,

*Welcoming also* the attention paid by the special procedures of the Human Rights Council to the rights of the child in the context of their respective mandates, in particular the work of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on trafficking in persons, especially women and children, and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, as well as the work of the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict, and noting with appreciation their most recent reports submitted to the Council,

*Recalling* the twenty-fifth anniversary of the adoption of General Assembly resolution 51/77 of 12 December 1996, by which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was created, and the twentieth anniversary of the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and emphasizing that these anniversaries offer a valuable opportunity to raise awareness about conflict-affected children and to reflect on achievements, best practices and challenges,

*Recalling also* that the Convention on the Rights of the Child recognizes the right of the child to preserve his or her identity, including nationality, name and family relations, as recognized by law, without unlawful interference, and the right of the child to the protection of the law against arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and affirming that these rights should be fully respected, protected and fulfilled in relation to every child, without discrimination of any kind, regardless of their residency, nationality or any other status,

*Reaffirming* that children, for the full and harmonious development of their personalities, should grow up in a family environment, that the best interests of the child shall be the guiding principle of those responsible for their nurture and protection and that families’ and caregivers’ capacities to provide the child with care and a safe environment should be promoted,

*Reaffirming also* that States’ obligations to respect, protect and fulfil human rights entail taking positive measures to ensure that children are not separated from their families against their will, including by addressing the underlying causes of separation, and supporting

the reunion of separated family members, as well as refraining from actions that could result in family separations, except when competent authorities subject to judicial review have determined that such separation is necessary for the best interests of the child,

*Stressing* that all unaccompanied children and children separated from their families should have access to family reunification procedures, without discrimination of any kind,

*Profoundly concerned* that millions of children worldwide continue to grow up deprived of parental care or separated from their families for many reasons, including but not limited to poverty, discrimination, violence, exploitation, abuse, neglect, trafficking in persons, child labour, migration, displacement, humanitarian emergencies, armed conflict, natural disasters, climate change, death or illness of a parent and lack of access to adequate food, decent work and social services, such as education, universal health care and family-support services, and reaffirming the need to address the root causes of family separation, including by supporting all children and their families through the necessary protection and assistance for the well-being of the child,

*Deeply concerned* that the effects of family separation may undermine the full enjoyment of a vast range of the rights of the child, inter alia, the rights to life, to survival and to development, the right of the child to preserve his or her identity, including nationality, name and family relations, the right of the child to, as far as possible, know and be cared for by his or her parents, the right to acquire a nationality, the right to protection from all forms of physical and mental violence, the right to education and the right to the enjoyment of the highest attainable standard of physical and mental health,

*Noting with concern* that children are often deprived of their family environment, due to multiple and intersecting forms of discrimination on the basis of, inter alia, migration status, age, gender, health status, disability, nationality, race, ethnicity, language and economic and social background, and as victims of abduction, recruitment and use by armed forces and armed groups, including groups designated as terrorist groups by the United Nations, and stressing the need to ensure that all legislation, policies and measures to promote the right of the child to preserve family relations and the right to the protection of the law against arbitrary or unlawful interference with his or her family adhere to the principles of substantive equality and non-discrimination, including by taking into account and addressing the root causes of pre-existing gender inequality,

*Noting with deep concern* that girls are disproportionately affected by the effects of family separation due to their being at greater risk of various forms of discrimination, violence, exploitation and abuse, and stressing the importance of eliminating and preventing gender-based discrimination and violence, inter alia, by protecting girls from sexual and gender-based violence, including harmful practices, such as child, early and forced marriage and female genital mutilation, as well as from trafficking in persons and all forms of exploitation, including child labour,

*Expressing serious concern* that children with disabilities are subject to stigmatization, discrimination and exclusion, which can be a cause of family separation and impair their equal rights with respect to family life, and stressing the importance of preventing and eliminating all forms of mental, physical and sexual violence and abuse in all settings, including medical procedures performed without full and informed consent, while underscoring the need to prevent and eliminate discrimination arising from the intersection of gender and disability,

*Recognizing* that the separation of children from their families may be in their best interests in some circumstances, including where children flee from abusive family situations, exploitation, neglect and harmful practices, including female genital mutilation and child, early and forced marriage,

*Stressing* the importance of ensuring the inclusive and meaningful participation of children in decision-making affecting their lives, in accordance with the evolving capacities of the child, including in the context of formal best interests assessments and determination procedures,

*Noting with concern* that, in family reunification processes in the context of cross-border migration, children above 15 years of age may be provided with lower levels of protection than younger children, and recalling that all children are entitled to the same rights

and levels of protection, regardless of their migration or other status, in accordance with States' obligations under international law,

*Noting with concern also* that children may be separated from their parents and placed in alternative care by child protection systems when doing so is not in their best interests, and stressing that financial and material poverty, or conditions directly and uniquely attributable to such poverty, should never be the sole justification for removing a child from parental care, for receiving a child into alternative care, for denying access to family reunification or for preventing a child's social reintegration,

*Underscoring* that the removal of a child from the care of his or her family should be seen as a measure of last resort and that any placement children separated from their parents in alternative care shall be guided by the best interests of the child, recalling the Guidelines for the Alternative Care of Children,<sup>1</sup> which serve to help to inform policy and practice for the protection and well-being of children deprived of parental care or who are at risk of being so, and acknowledging the progress that has been achieved since the adoption of the Guidelines,

*Concerned* by the large and growing number of migrant children, recognizing that children are disproportionately affected in humanitarian emergencies and conflict situations and are placed in a particularly vulnerable situation when they are unaccompanied or separated from their families,

*Expressing serious concern* about the particular vulnerable situation and risks faced by refugee and migrant children, especially unaccompanied and separated children, which can arise from the reasons for leaving their country of origin, circumstances encountered en route, at borders and at destination, including trafficking in persons, or discrimination related to specific aspects of a child's identity or circumstances or a combination of these factors,

*Recalling* States' obligations to respect, protect and fulfil the human rights of refugee and migrant children at all stages of the migration cycle, and underscoring the importance of ensuring that children separated from their families and children with disabilities receive appropriate protection and assistance and of providing for their well-being and for their enjoyment of the highest attainable standard of physical and mental health, including but not limited to sexual and reproductive health and psychosocial health, as well as access to health information and health-care services, education and psychosocial development, ensuring that the best interests of the child are a primary consideration in policies on integration, return and family reunification,

*Strongly condemning* the recruitment and use of children by armed forces and armed groups, including those designated as terrorist groups by the United Nations, in violation of applicable international law, as well as all other violations and abuses committed by these actors against children in all circumstances, including those involving killing and maiming, abduction and rape and other forms of sexual and gender-based violence, acknowledging that sexual violence in these situations disproportionately affects girls, but that boys are also targets, as well as attacks against educational facilities, including schools, and hospitals and denial of humanitarian access,

*Recalling* the obligations of all parties to armed conflict applicable to them under international law, including international humanitarian law and international human rights law, emphasizing that children allegedly associated with armed forces and armed groups, including those designated as terrorist groups by the United Nations, should be treated primarily as victims, in accordance with juvenile justice standards, in accordance with relevant General Assembly resolutions, for those accused of crimes, taking the best interests of the child as a primary consideration, and in a manner consistent with their rights, and that no child should be deprived of his or her liberty unlawfully or arbitrarily, calling upon all parties to conflict to cease unlawful or arbitrary detention, as well as torture or other cruel, inhuman or degrading treatment or punishment, and emphasizing that the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time and that alternatives, including non-custodial solutions to detention, should be sought,

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<sup>1</sup> General Assembly resolution 64/142, annex.

*Stressing* the importance of the due integration of the rights of the child into all stages of all peace processes, in particular the integration of child protection provisions, and of the importance of peace agreements that put strong emphasis on the best interests of the child and the treatment of children who have separated from armed forces or armed groups, including those designated as terrorist groups by the United Nations, as victims of grave human rights violations and abuses and of violations of international humanitarian law, and of family-based and community-based reintegration, psychosocial reintegration through education and trauma-informed, long-term survivor-centred and gender-responsive rehabilitation,

*Taking note* of the key principles for the protection, repatriation, prosecution, rehabilitation and reintegration of women and children with links to United Nations-listed terrorist groups<sup>2</sup> and the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups,

*Taking note with appreciation* of the United Nations global study on children deprived of liberty<sup>3</sup> and welcoming the leadership of the Special Representative of the Secretary-General on Violence against Children in the follow-up to the study, in cooperation with the other entities on the United Nations inter-agency task force, the non-governmental organization panel and other relevant stakeholders, and encouraging the Special Representative to continue her work in this regard,

*Reaffirming* that every child should be registered immediately after birth and that every child has the right from birth to a name and to acquire a nationality, which can contribute to preventing, inter alia, poverty, marginalization, stigmatization, exclusion, discrimination, statelessness, illegal adoption, abduction, the sale of children, violence and abuse, human trafficking and exploitation, including child labour, child, early and forced marriage and other harmful practices, and child recruitment or use of children in armed conflict, and can also assist in the reunification of families separated by conflict, disaster or humanitarian crisis,

1. *Welcomes* the work of the United Nations High Commissioner for Human Rights on the rights of the child, and takes note with appreciation of her report on the rights of the child and family reunification;<sup>4</sup>

2. *Calls upon* States to consider ratifying the Convention on the Rights of the Child and the Optional Protocols thereto, and calls for renewed efforts towards their full implementation by all parties;

3. *Also calls upon* States to take all measures necessary to ensure the full respect, protection and fulfilment of the rights of the child, without discrimination of any kind, giving particular attention to the right to, as far as possible, know and be cared for by his or her parents and the right to preserve his or her identity, including nationality, name and family relations, as recognized by law, without unlawful interference, and taking positive measures to prevent family separation, including by reuniting separated family members, unless such separation is necessary for the best interests of the child, as well as refraining from actions which may constitute arbitrary or unlawful interference with family life;

4. *Urges* States to put into place, if they have not yet done so, appropriate legislation, policies, systems and procedures to ensure that the best interests of the child are a primary consideration in all actions affecting children, including those who may become or who have been separated from their families, and in all decisions taken relating to their family reunification, regardless the child's status, including in the context of cross-border migration;

5. *Reaffirms* that children shall not be separated from their parents against their will except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, including through psychosocial evidence, that such separation is necessary for the best interests of the child and that such determination is necessary in a particular case, such as one involving abuse or neglect of the child by the parents or one where the parents are living separately and a decision must be made as to the child's place of residence;

<sup>2</sup> A/74/677, annex V.

<sup>3</sup> A/74/136.

<sup>4</sup> A/HRC/49/31.

6. *Encourages* States to take further actions to support family reunification, unless it is not in the best interests of the child, taking into account that many children living without parental care have families, including at least one living parent and/or other living relatives;

7. *Calls upon* States to enhance policy coherence with respect to family reunification by reviewing relevant laws, policies and procedures, placing particular priority on the prevention of family separation;

8. *Urges* States to take effective measures to address existing barriers to efficient, transparent, child-friendly and age-, disability- and gender-responsive family reunification procedures, including by facilitating access to application processing and consular services, accelerating proceedings, providing all necessary information in a timely, accessible and child-friendly manner and by working towards easing financial burdens, taking into account that having insufficient financial resources should not prevent family reunification;

9. *Recalls* that the Convention on the Rights of the Child recognizes that a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State and that States parties shall, in accordance with their national laws and their obligations under the relevant international instruments in this field, ensure safe and appropriate quality alternative care for such a child, prioritizing family-based interim care;

10. *Urges* States to strengthen child welfare and child protection systems and improve care reform efforts, which should include increased multisectoral collaboration and comprehensive inter-sectoral policies between, inter alia, the child protection system and the welfare authorities in charge of health, food security and nutrition, education, justice, immigration, law enforcement and gender equality, and the active coordination among all relevant authorities and to improve cross-border cooperation, capacity-building and training programmes for relevant stakeholders and to enhance mechanisms to hold accountable those who profit from exploitation, including child labour, the sale of children and child trafficking;

11. *Also urges* States to take all appropriate and reasonable measures necessary to prevent businesses from causing or contributing to abuses of children's rights in the context of migration, and calls upon all business enterprises to meet their responsibility to respect the rights of the child by undertaking child rights due diligence, appropriate to their size, the risk of severe impact and the context of their operation, as outlined in the recommendations of the Committee on the Rights of the Child in its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, the Guiding Principles on Business and Human Rights, the International Labour Organization Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, and the Children's Rights and Business Principles;

12. *Recalls* that, in accordance with article 10 of the Convention on the Rights of the Child, applications by a child or his or her parents to enter or leave a State party for the purpose of family reunification shall be dealt with by States parties in a positive, humane and expeditious manner and that States parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family;

13. *Calls upon* all States to protect refugee, asylum-seeking, migrant and internally displaced children, in particular those who are unaccompanied or separated from their families, who are particularly exposed to violence, abuses and risks in connection with armed conflict and trafficking in persons, and to continue to pay more systematic and in-depth attention to the provision of trauma-informed, gender-, age- and disability-specific assistance and protection, in response to the development needs of those children through, inter alia, screening for protection concerns, including the proactive identification of children who are victims of trafficking, programmes aimed at rehabilitation, education and physical and psychological recovery and, where appropriate and feasible, local integration and resettlement, to give priority to family tracing and family reunification and reintegration and, where appropriate, to cooperate with international humanitarian and refugee organizations, as well as with child protection actors in disarmament, demobilization and reintegration processes;

14. *Urges* States to ensure that equal rights and appropriate standards of protection are provided to every child, including those above 15 years of age, regardless of their migration or other status, in accordance with their obligations under international law;

15. *Also urges* States to ensure the right to the enjoyment of the highest attainable standard of physical and mental health to all children, without discrimination of any kind and regardless of their status, including but not limited to sexual and reproductive health, and psychosocial health, throughout their life course, and to redouble efforts to prevent, respond to and eliminate all forms of violence, online and offline, including sexual and gender-based violence and domestic violence, and all forms of exploitation and neglect and harmful practices, such as child, early and forced marriage and female genital mutilation;

16. *Further urges* States to ensure that children have access to justice and timely, effective, inclusive and gender-, disability- and age-responsive remedies when their rights are violated in the context of cross-border migration and to uphold child-sensitive due process guarantees in administrative and judicial proceedings related to family reunification and separation, taking into account the best interests of the child as a primary consideration and that the child shall be provided the opportunity to be heard in such proceedings, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law, and to provide the child with relevant information concerning violations and reparation mechanisms, access to effective legal representation and assistance for children and, where relevant, for and through their parents, caregivers and legal guardians;

17. *Urges* States to comply with their obligations under international law, including international humanitarian law and international human rights law, particularly the Convention on the Rights of the Child and the Optional Protocols thereto, emphasizing the importance of accountability for all violations and abuses of the rights of the child;

18. *Calls upon* States to continue fostering international cooperation to tackle the existing gaps with respect to family reunification, strengthen family tracing and enhance policy coherence and the availability and accessibility of safe and regular family reunification processes, and to provide universal access to functioning civil registration systems, taking into account that the collection, use and retention of, and access to, children's personal data, in particular biometric data, should comply with strict enforcement of appropriate rules thereon and shall be consistent with States' obligations under the Convention on the Rights of the Child;

19. *Also calls upon* States to take appropriate measures to respond to the separation of children from their families in cross-border migration settings, including humanitarian contexts, inter alia, by giving priority to family tracing and family reunification and reintegration and, where appropriate, by strengthening cooperation with international humanitarian and refugee organizations, in line with their obligations under international law, including international humanitarian law;

#### **Migration and international protection**

20. *Calls upon* States to use alternatives to the detention of migrant children, including by promoting the use of non-custodial solutions, implemented by competent child protection actors engaging with the child and, where applicable, his or her family;

21. *Urges* States to undertake a preventive approach to family separation in the context of migration by ensuring that no child is subjected to arbitrary or unlawful interference with his or her family, and that children have the protection of the law against such interference and can fully enjoy their right to preserve family relations and grow up in a family environment, including by:

(a) Recognizing the importance of family reunification and promoting its incorporation into relevant national legislation in order to enable migrant children to grow up with their families;

(b) Ensuring that the principle of the best interests of the child is a primary consideration in all actions concerning children undertaken pursuant to migration laws, policies and programmes and that all migrant children, regardless of their migration status, are treated first and foremost as children, including by developing child rights-based procedures and guidance directed to all relevant institutions and persons involved in migration procedures;

(c) Developing and putting into practice a best interests assessment and determination procedure, with the participation of child welfare authorities, aimed at identifying and applying comprehensive, secure and sustainable measures on a case-by-case basis, including in cases requiring further integration and settlement in the country of current residence, return to the country of origin or resettlement in a third country;

(d) Taking specific measures to ensure that the right of the child to preserve family relations is duly taken into account when assessing children's best interests in decisions on family reunification in the context of migration and that any restrictions thereof are legitimate, necessary and proportionate;

(e) Ensuring that unaccompanied and separated children are identified promptly and protected, in border controls and other migration-control procedures within States' jurisdiction, with the participation of qualified authorities, including welfare authorities, in line with a multidisciplinary, child-friendly and age-, disability- and gender-responsive approach, that children are identified and treated as such, promptly referred to child protection authorities and other relevant services and appointed a guardian, if unaccompanied or separated, and increasing efforts to put into place the measures necessary to trace and reunite unaccompanied or separated children with their families, taking into consideration the best interests of the child as a primary consideration;

(f) Enabling unaccompanied and separated children to communicate with their families without delay by facilitating access to means of communication along routes and at their destination, as well as access to consular missions, local authorities and organizations that can provide assistance with contacting family members, except when this is not in the best interests of the child;

(g) Ensuring that decisions with regard to family reunification in the country of origin are guided by the best interests of the child as a primary consideration and are not pursued when against States' obligations under international law, including where there is a reasonable risk that such a return would lead to the violation of the rights of the child;

(h) Taking steps to facilitate the joint temporary accommodation of families with children that are in transit or at their destination, in a safe and child-friendly environment;

(i) Consider providing avenues for status regularization for migrants in an irregular situation residing with their children, including when a child has been born or has lived in the country of destination for an extended period of time, or when returning a child to the parent's country of origin would be against international obligations, including the child's best interests;

(j) Taking appropriate measures for children's inclusive and meaningful participation relating to migration and family reunification, taking into account that every child capable of forming his or her views has the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child, including by providing children with all relevant information in a timely, child-friendly and age- and disability-responsive manner;

(k) Integrating child-friendly and gender-, disability- and age-responsive measures into the migration laws, policies and procedures relevant to the protection of children from the effects of family separation, including by addressing risks of violence and abuse, sexual and gender-based violence, both online and offline, exploitation and human trafficking in all its forms and manifestations and smuggling of migrant children;

22. *Encourages* States to develop effective and accessible family reunification procedures that allow children to migrate in a regular manner and to facilitate access to procedures for family reunification for migrants at all skill levels through appropriate measures;

23. *Calls upon* States of origin, transit and destination to find effective and timely responses to the needs of unaccompanied or separated children as soon as they are identified as such, including, where appropriate and feasible, their integration, voluntary and safe return, in keeping with the principles of due process, the best interests of the child and the principle of non-refoulement, in accordance with international law, and urges States to develop agreements that standardize approaches for identifying and implementing



sustainable solutions for unaccompanied or separated children, including a procedure for monitoring their return;

**Children allegedly associated with armed forces and armed groups, including those designated as terrorists by the United Nations**

24. *Urges* States to ensure that children associated, or allegedly associated, with armed groups or terrorist groups are treated primarily as victims, with the best interests of the child as a primary consideration, to consider non-judicial measures as alternatives to prosecution, as well as alternatives to detention for those accused of crimes, recalling the juvenile justice standards as adopted by relevant General Assembly resolutions, and to take measures that are focused on rehabilitation and reintegration in an environment that fosters the health, self-respect and dignity of the child, in accordance with relevant provisions of international humanitarian law, as well as international human rights law, in particular the Convention on the Rights of the Child and the Optional Protocol on the involvement of children in armed conflict;

25. *Stresses* that States should not detain, prosecute or take punitive measures against children who have been associated with armed forces or armed groups solely for their membership in such forces or groups, while recalling that detention should be used only as a measure of last resort and for the shortest appropriate period of time, in line with their obligations under the Convention on the Rights of the Child;

26. *Also stresses* the need to pay particular attention to the treatment of children associated, or allegedly associated, with all non-state armed groups, including those who commit acts of terrorism, in particular by establishing standard operating procedures for the rapid handover of such children to relevant civilian child protection actors;

27. *Encourages* States to redouble efforts to ensure that children are reunited with their families and communities or integrated into a family and community environment as soon as possible after their release from armed forces or armed groups, unless contrary to the best interests of the child, and to invest in measures to decrease stigma and discrimination against children associated or allegedly associated with such forces or groups, including those designated as terrorist groups by the United Nations;

28. *Also encourages* States to focus on long-term and sustainable reintegration and rehabilitation opportunities, with special attention paid to programming across the humanitarian-development nexus, for children affected by terrorism and armed conflict that are gender-, disability- and age-responsive, including access to health-care services, psychosocial support and education programmes, as well as to raising awareness and working with communities to avoid the stigmatization of such children and to facilitate their return and family reunification, while taking into account the specific needs of all girls and boys, to contribute to the well-being of children and to sustainable peace and security;

**Follow-up**

29. *Encourages* the special procedures and other human rights mechanisms of the Human Rights Council to continue to integrate a child rights perspective in the implementation of their mandates and to include in their reports information, qualitative analysis and recommendations on the rights of the child, paying attention to the adverse impact of family separation on the full enjoyment the rights of the child;

30. *Invites* all human rights treaty bodies to continue to integrate the rights of the child into their work, in particular into their concluding observations and general comments and recommendations, paying attention to the adverse impact of family separation on the full enjoyment of the rights of the child;

31. *Welcomes* ongoing efforts to mainstream the rights of the child into the work of the United Nations system, requests the United Nations High Commissioner for Human Rights to prepare a comprehensive report, in an accessible format, in follow up to the high-level panel on human rights mainstreaming held in 2020, with specific recommendations on how to strengthen a child rights-based approach in the work of the United Nations, in consultation with all relevant stakeholders, including the United Nations Children's Fund, other relevant United Nations bodies and agencies, the Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Committee on the Rights of the Child, relevant

special procedure mandate holders, regional organizations and human rights bodies and civil society, including through consultations with children themselves, and to present the report to the Human Rights Council in its fifty-fifth session;

32. *Decides* to continue its consideration of the question of the rights of the child in accordance with its programme of work and its resolutions 7/29 of 28 March 2008 and 19/37 of 23 March 2012, and requests the Office of the United Nations High Commissioner for Human Rights to organize its annual full-day meeting on the rights of the child in 2023 on the theme, “Rights of the child and the digital environment”, and to make the discussion fully accessible to persons with disabilities;

33. *Requests* the United Nations High Commissioner for Human Rights to prepare a report on the rights of the child and inclusive social protection, in close cooperation with all relevant stakeholders, including States, the United Nations Children’s Fund, other relevant United Nations bodies and agencies, the Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, relevant special procedure mandate holders, regional organizations and human rights bodies, national human rights institutions and civil society, including through consultations with children themselves, to make the report available in an accessible and child-friendly format and to present the report to the Human Rights Council at its fifty-fourth session, and requests the Office of the High Commissioner to organize the annual full-day meeting on the rights of the child in 2024 on the theme of the rights of the child and inclusive social protection and to make the discussion fully accessible to persons with disabilities.

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