**Subject: Human Rights Council Resolution 45/30**

1. **a. How are the human rights of children separated from their families upheld in your country?**

**The human rights of children separated from their families are upheld in Egypt through:**

* The Egyptian Constitution.
* Child Law no. 12/1996 amended by the Law 126/2008.
* Law no. 64 of 2010 regarding Combating Human Trafficking. This law provides a definition of “crimes of Human Trafficking” and stipulates the penalties applicable. It also guarantees certain rights to victims of trafficking and imposes a duty of the state to ensure their full protection.
* Law No. 82 for 2016 on Combating Illegal Migration & Smuggling of Migrants.
* General Administration of Child Helpline, which consists of:

1. Child Helpline 16000: An emergency telephone service operating 24/7, a monitoring instrument to the situation of children in Egypt, and a source for data on children advising policy development and interventions.
2. Legal Support Unit.
3. Family Counselling and Psychological Support Unit.

* Childhood Protection Committees (CPCs): NCCM works to ensure the prevalence and quality of centralized and decentralized child protection mechanisms at all levels. These protection mechanisms are represented by CPCs which are technically supported by NCCM. In this regard, NCCM coordinates with the concerned organizations to provide urgent support to children through Child helpline 16000, through which all violations against child and mother rights are reported.
* Branches of the National Council for Childhood & Motherhood in the governorates.
* The National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons (NCCPIM &TIP).
* Children’s shelters and care institutions affiliated to Ministry of Social Solidarity (MOSS).

**b**. **What are the priorities to strengthen global and national frameworks for the prevention of family separation?**

* Strengthening child protection systems to prevent and provide response services to children and families to reduce family separation.
* Child-sensitive research is essential to understand the movement of migrant children and young people and it can explain the complicated dynamics not captured by more general research.

1. **a. How can the right to family life be upheld for children in cross-border situations, particularly migrant children who are separated from their families (taking into consideration Article 10 of the Convention on the Rights of the Child)?**

* Children and young people should be able to enter countries to see one or both of their parents, either permanently or as a visitor.
* Children and young people should be able to enter and leave countries in order to see a parent, and a parent should be able to enter and leave a country in order to see them.
* Give priority to programmes for [*family tracing*](https://context.reverso.net/translation/english-arabic/family+tracing) and reunification, and continue to monitor the care arrangements for unaccompanied and/or separated refugee and internally displaced children.
* To assist in the voluntary return of those who are not in need of international protection or who have no urgent humanitarian reasons to remain in the host country and who wish to return to their country of origin.

**b. How can the interests of the children separated from their families in cross-border situations, in particular migrant children, be more effectively upheld without discrimination?**

* By taking into consideration the general child well‐being[[1]](#footnote-1), which is determined by a variety of individual circumstances, such as the age, the level of maturity of the child, the presence or absence of parents, the child’s environment and experiences. The child well-being should be guaranteed by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies.
* Enforcement of Child Protection Systems.
* Establishing special protection mechanisms for victims of trafficking.
* Providing support and services to meet the immediate needs.
* Establishing and activating of well-functioning referral systems among all relevant actors (government agencies, international organizations, NGOs, legal advisors, social workers and health care providers) may increase the possibility of reaching the most appropriate outcome for each individual.

1. **a. What are the main human rights concerns for children living in conflict, children in detention or whose parents are detained, or children allegedly associated with terrorism or terrorist groups, regarding their right to be reunited with their families?**

In these circumstance children find themselves surrounded by many problems:

* Trafficking in children is increased, further depriving children of their parents.
* Insufficient psychological support and counsellors who can enforce the understanding between children and their families.
* Children could feel under pressure from peers to join terrorist acts or being spies to terrorists.

**b. How can the best interests of children separated from their families in these situations be more effectively upheld without discrimination?**

* Ensuring that a holistic approach is taken to establish a child’s best interests, considering all the characteristics of the child and his/her circumstances and needs.
* Involve all concerned organizations to ensure the comprehensive physical, psychological, moral and spiritual safety of the child and to enhance his or her human dignity.
* Making efforts to ensure that the processes are child-friendly, including through the provision of child-friendly information.
* Giving children the opportunity to be heard, in accordance with his or her age and level of maturity.
* Actively seeking the early establishment of trust.
* Ensure to [separate children from adults](https://context.reverso.net/translation/english-arabic/separate+children+from+adults) in detention.
* Ensuring that the child maintains personal relations and direct contact with both parents, unless it conflicts with his best interests.
* When the child's relations with his or her parents are cut off due to migration (child migration without parents or parental migration without the child), the family unity should be taken into account when assessing the best interests of the child in decisions regarding family reunification.
* When the crime is committed by parents or others with primary responsibility for the care of a child, alternatives to detention should be made available and applied (on a case-by-case basis), with due consideration to the potential effects of the various provisions related to the best interests of the child or children affected.
* Not only complying with the standards of the best interests of the child contained in the Convention on the Rights of the Child (CRC), but also with other conventions such as the Convention relating to the Status of Refugees.
* Authorities and decision makers must take into account the different types and degrees of vulnerability of each child because each child is unique and each case must be assessed according to the child's individuality, and an individual assessment of each child's history from birth should be undertaken with periodic reviews by a multidisciplinary team.

1. **What are the main gaps and strategic priorities to strengthen international cooperation on upholding the rights of children in cross-border situations who are separated from their families?**

* Encourage and facilitate the development of legal and policy frameworks to protect refugees, children, women and girls at increased risk, and victims of human trafficking.
* Develop specific child protection systems.
* Develop family tracing mechanisms with a special focus on unaccompanied/separated children.
* Ensure that all processes and procedures are sensitive to age, gender and diversity.
* Develop case management tools and support asylum procedures in emergencies and large-scale flows.

1. **General well-being** should include the views of the child, the need for a safe environment, family and close relationships, and development and identity needs. [↑](#footnote-ref-1)