

Third transnational workshop  
CADRE project

**Exchange of good practices on access to remedies for human rights  
violations in alternatives to detention for migrant children**

18 - 19 November 2021

Brussels

(with a possibility to participate on-line for those who cannot travel)

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This workshop will focus on the procedural rights of children, including the right to a remedy to challenge the lawfulness, necessity, and proportionality of the choice of a form of care applied as an alternative to detention, as well as for alleged violations of children's rights during such care.

It will deal with issues of representation, including legal representation, effective remedy, rights of the child to be heard and child-friendly procedures.

It will be a space to allow for discussions on advocacy and strategic litigation related to access to justice for migrant children.

Participants: national and international experts and practitioners linked to alternatives to immigration detention for children, including lawyers, judges, academics, social workers, guardians, child-care services, and policy makers.



**DAY 1 – 15h00 to 18h30**

15:00-15:15 Welcome and tour de table  
*Karolína Babická, International Commission of Jurists*

15:15-16:30 **Access to procedural rights – access to information and access to a lawyer and legal representation**

*Moderated by Zsolt Szekeres, Hungarian Helsinki Committee*

- What are good practices with regards to access to information to migrant children on arrival / in reception centers / pending deportation?
- How can the access to information be improved?
- What are the challenges with regards to access to a lawyer and access to legal representation?
- What needs to be done to improve the access of lawyers to the children?
- How can case management be helpful for accessing procedural rights?

16:30-17:00 *Break*

17:00-18:30 **Right to be heard, child-friendly procedures**

*Moderated by Ornella Fiore, ASGI*

- How to overcome current obstacles in access to child-friendly procedures for migrant children?
- How to ensure children's right to be heard and to participate in the proceedings
- The role of the guardian in access to the rights of the child, especially the right to be heard
- How is the right to be heard implemented in case management?
- How is it implemented when migrant children are placed in mainstream child protection systems?

18:30 Wrap-up

19:00 *Dinner*



**DAY 2 – 9h30 to 12h30**

9:30-10:30 **Access to remedies for human rights violations**  
*Moderated by Grusa Matzevic, Hungarian Helsinki Committee*

- What are the **main obstacles in access to remedies** for human rights violations by migrant children and how can these best be overcome?
- What are the **good practice examples** in access to remedies?
  - In cases of children in **detention**
    - How to challenge the lawfulness, necessity, and proportionality of the actual detention of children?
  - In cases of children in **alternative forms of detention**
    - the need for procedural safeguards similar to detention (judicial review, right to have access to a lawyer, etc.) for the coercive nature in some cases
    - How to challenge the **alternatives to detention** that might be in violation of children's rights?
- What are the bad practice examples in challenging alternatives to detention?

10:30-11:00 *Break*

11:00-12:30 **Access to remedies for human rights violations** (continuation)  
*Moderated by Neil Falzon, Aditus*

- What are good practice examples in **strategic litigation and advocacy**?
  - Greece: the case of immigration detention of children in Greece (protective custody)
  - Belgium: the case of prohibition of detention of children in Belgian legislation

12:30 *Wrap-up*

12:30 *Lunch*

