

# You don't lock up a child. **Period.**

## Information file

### 1. About the campaign "You don't lock up a child. **Period.**"

#### 1.1. Why this campaign "You don't lock up a child. **Period.**"?

The Belgian Federal Government has plans to build a new closed center in order to detain families with children. These plans were mentioned in the [Government Agreement of 9 October 2014](#). Since the beginning of this parliamentary term, the Platform Minors in exile and UNICEF Belgium have asked the government to stop this project.

After the State secretary for Asylum and Migration, Theo Francken, reaffirmed his intentions to complete this project in 2017 in his [General Policy Note of November 2016](#), the Platform Minors in exile and UNICEF Belgium decided to set up a campaign in order to create widespread public awareness of this issue.

More than 90 organisations already signed our position against child detention. With our campaign "You don't lock up a child. **Period.**", we wish to inform the public and mobilise them against the Government's plans.

**We do not want children to be detained in our country, solely on the basis of their or their parent's or guardian's migration status. We want all children to be treated as children, to be free, to be looked after and protected, and to enjoy the same rights.**

#### 1.2. What are the plans of the government?

The Belgian government wants to build a new closed centre, specifically to detain families with children. The following information is mainly retrieved from the answers Theo Francken, State secretary for Asylum and Migration, gave to a parliamentary question by Monica de Coninck on 15 February 2017.

The closed centre would consist of 5 separate units, called "closed family units". Three of them could house up to 6 people, while 2 of them could house up to 8. At the time of the opening, there will be no playing facilities; they will be added later on.

The closed centre will be built next to centre 127bis, near Brussels Airport. This is surprising, as proximity to an airport played a role in the conviction of France by the European Court of Human Rights for detaining children in inappropriate conditions.

The aim of the new closed centre is, according to Mr Francken, to discourage families from absconding from the return houses. In the future, families will be informed, upon their arrival in a return house, that they can be transferred to a closed centre if they disappear from the return house. That said, we are worried that once the centre is built, other families will be detained there as well.

Mr Francken explains that the length of stay will be "as short as possible", while adding that this "depends on each case" and that "the collaboration of the person involved [also] plays a role". We do not have precise information at the moment about the maximum length of detention.

Be that as it may, even one day is one day too many, because : "You don't lock up a child. **Period.**"

### 1.3. Who set up the campaign “You don’t lock up a child. Period.”?

The campaign "You don't lock up a child. Period." was launched by the Platform Minors in exile and UNICEF Belgium, in collaboration with Vluchtelingenwerk Vlaanderen, CIRÉ, Caritas International and JRS-Belgium.

More than 90 organisations already announced their support for our position against child detention in Belgium. Click here to learn what you can do to support us.

### 1.4. Why are we against child detention?

- ✘ Child detention constitutes a child rights violation.
- ✘ Immigration detention of children always contravenes the principle of the best interests of the child

Convention on the Rights of the Child, article 3:

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

- ✘ The profound and negative impact of detention on child health, development and well-being has been demonstrated repeatedly, even for a short period of time and when it takes place in a relatively humane environment.

Furthermore...

- ✘ Detention does not incite people to collaborate with their return.
- ✘ The European Court for Human Rights has stated several times that child detention constitutes an inhuman and degrading treatment, if one takes in consideration the specific vulnerability of children.

Detention is expensive... because of the initial construction costs of the closed centres, and also because of the costs for personel and maintenance. (In 2017, detention in a closed centre costs 192 euro per person per day.<sup>1</sup> Detention in a return house costs about half of this. In comparison, accomodation in an open centre costs a third.<sup>2</sup>)

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<sup>1</sup> Article 17/7 of the *Arrêté Royal du 08/10/1981 concernant l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers* sets a flat-rate amount of EUR 180 for costs related to detention in a closed center. After indexation on 01/01/2017, this amount increases to EUR 192. This was written in [a note of teh Immigration office of 03/03/2017](#).

<sup>2</sup> UN High Commissioner for Refugees (UNHCR), *Alternatives to the Detention of Asylum-seekers in Belgium*, October 2011, p. 10. (See: [www.refworld.org/docid/524fc3ef4.html](http://www.refworld.org/docid/524fc3ef4.html) [accessed 30 May 2017])