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Human Rights Council

Combating Forced Separation and Illegal Exploitation of Children

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Introduction


Article 16 of the Universal Declaration of Human Rights states that everybody has the right to family life. Over the last few decades, as wars have broken out around the world, the number of families fleeing their country in search of safety and a better quality of life has increased exponentially. Unfortunately, however, often as a result of these conflicts, children are forcefully separated from their parents, placing them under greater risk of exploitation. Due to strict immigration policies, upon reaching their destination, many families are broken up with children being taken away from their parents, who are then detained. The aforementioned immigration policies, including the “zero tolerance” policies which were established by US President Donald Trump in 2018 without any guarantee of reuniting the children with their parents. Children who are kept after being forcefully removed from their parents often lack basic needs such as proper shelter, food and water (Global Protection Cluster). Forced separation can result in trauma which stays with the children for the rest of their lives given the gravity of the situation, which in turn leads to staggered development and higher incidences of mental health diagnoses, substance abuse, homelessness, crime and unemployment. These policies often marginalised minority communities, disproportionately affecting families of colour and therefore perpetuates inequality in more economically developed countries (upEND). Forcefully separated children are subject to exploitation, such as providing sexual services, unpaid labour or being used as mules for other crimes, preventing them from receiving education as they have a right to.

Key Terms

Forced separation: The act of removing children from their parents without either party consenting.

Illegal adoption: A type of forced separation which often occurs as a result of crimes such as kidnapping and human trafficking. These children may then be exploited.

Child trafficking: The illegal transport of minors across international borders, often with illicit intents including sexual exploitation.



“Zero tolerance policy”: Immigration policies put in place by the United States in 2018 which faced massive global controversy as they placed children in poor living environments without their parents, with no guarantee of ever being reunited.

General Overview

There are a plethora of reasons why children would be forcefully separated from their parents.


In situations of armed conflict, children are sometimes forcibly separated from their families as a result of violence, displacement, or abduction. Armed groups may use child soldiers, abduct children for ransom, or separate them from their families for strategic or tactical reasons. UNICEF states that tens of thousands of children have been taken to be used as child soldiers.

Some families attempt to flee these war zones in search of a better life, though upon reaching the border of their destination country, they are detained and separated.

One of the most well-known examples of this were the 2018 Trump administration separation policies in the United States. Announced in April 2018, the zero-tolerance policy aimed to prosecute all adults apprehended for illegally crossing the border, including those seeking asylum. This policy marked a departure from previous practices, which often resulted in families being released while awaiting immigration court proceedings.

As a result of the zero-tolerance policy, children accompanying adults who were detained for prosecution were separated from them and placed into the custody of the Department of Health and Human Services' Office of Refugee Resettlement (ORR). This led to thousands of children being separated from their parents or guardians, sparking widespread public outrage and condemnation from human rights organisations, religious leaders, and political figures.

Reports emerged detailing inadequate conditions in the detention facilities where separated children were held, including overcrowding, lack of access to proper hygiene and medical care, and instances of physical and emotional abuse. This led to increased public outcry, with President Trump inevitably signing an executive order in June 2018 to



halt family separations, instead advocating for the detention of families together. All in all, over 5,500 children were removed from their parents, 700 of which happened after the policy's end in June 2018. As of today, there are still over 2,000 children who have not been reunited with their parents.

In some cases, child protection agencies may intervene in families where they perceive a risk to the child's safety or well-being. This intervention can sometimes involve removing children from their homes and placing them in foster care or institutions. While these actions are often taken with the intention of protecting children from harm, they can still result in forced separation and have significant impacts on the children and their families. This is the case in countries such as Norway, whose child protective services have faced great backlash for their low tolerance when it comes to removing children from their parents, in some cases ignoring cultural norms.

In very few cases is forced separation of children from their parents considered legal or ethical. The only exception to this occurs in the case of abuse or neglect by the parents, in which case the children can be taken from their parents and sent to live with other family members or placed in foster care, though this can have effects on their adult lives.

Many children, particularly those who grow up in foster care and are left to their own devices at the age of 18, need to rely on desperate means in order to make ends meet. This could include providing sexual services, often because they were exploited at a young age and therefore don't know anything else. Various international organisations predict that there are between 2 and 5 million children who are victims of the commercial sex industry. On a larger scale, there are over 150 million child labourers of which some 6 million are not compensated for their work.

Major Parties/Countries Involved

United States: Infamous for their zero tolerance immigration policy which forcefully separated families who came to the border seeking asylum.

China: Although they deny it, has condoned the separation of Uyghur families who are placed in mass internment camps claiming that this is necessary for “counterterrorism and deradicalisation.”

Myanmar: As a result of the Rohingya refugee crisis and ensuing conflict, children have been forcefully separated from their parents.

Norway: Has some of the strictest laws in the world to prevent the abuse and exploitation of children, however in some cases this has meant that they go over the top, with children being separated from their parents before abuse is confirmed.

Brazil: Faces large levels of child labour and sexual exploitation, especially in the slums, though has recently been passing legislation in order to fix this

Timeline of Key Events

3 March 2017: The Trump administration begins to think about a policy which would deter immigration by separating families at the border.

7 May 2018: Although it had already been going on for months, the policy was officially announced.

20 June 2018: President Trump signed an executive order to revoke the immigration policy.

2 February 2021: President Biden signed an executive order which created a task force to reunite the families who still hadn't been reunited.

UN Involvement & Relevant Resolutions

[UN Convention on the Rights of the Child \(A/RES/70/137\)](#)

[A/RES/76/274](#)

[A/RES/44/25](#)

Possible Solutions

Pass legislation and ratify international law: Being strict about the law and following international legislation such as the Convention on the Rights of the Child or the

International Labour Organisation's conventions on child labour can help reduce the frequency of forced separation and illegal exploitation of children.


Set up or strengthen social services: Establishing or improving social services can help victims of forced separation or illegal exploitation work through their trauma and may reduce the risk of other mental health disorders.

Raise awareness within society: By raising awareness within society, pressure can be placed on governments to do the right thing and help fix this issue.

Improve access to education and employment opportunities: Children may be forced to resort to labour or working in the commercial sex industry if they live in areas with poor access/quality of education and in turn poor employment opportunities.

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