

JOINT STATEMENT: Coercion of children to obtain fingerprints and facial images is never acceptable

Brussels, February 28, 2018: We, the undersigned civil society and UN organizations, are concerned by proposals now under consideration as part of the ongoing reform of the Common European Asylum System which would allow the use of coercion to take the fingerprints and facial images of children.



**What do you see?
A child or a fingerprint?**

The new EURODAC proposal being considered by the European Commission, Council and Parliament expands the purpose of the current database of asylum applicants to facilitate the identification of “irregularly staying third country nationals” through the use of biometric data. It also lowers the age at which a child must be registered from 14 to six.

We are concerned that the European Institutions are actively discussing allowing national authorities to use coercion to obtain fingerprints and facial images of children. The claim that obtaining biometric data by coercion is necessary to protect children from going missing, being exploited or ‘absconding’ is misguided.

The identification and registration of children contributes to their protection within and across borders. This must be done in a child-sensitive and child protective manner and the best interests of the child must be a primary consideration in such matters, in accordance with Article 3 of the Convention on the Rights of the Child (CRC). We agree with the opinion of the European Fundamental Rights Agency, and guidance from the UN Committee on the Rights of the Child, which say that collecting and using children’s data can only be justified if it pursues a clear child protection objective.



**It is never
just a fingerprint**

However, even when done with a child protection objective in mind, coercion of children in any manner or form in the context of migration related procedures, violates children’s rights, which EU Member States committed to respect and uphold.

Those working with children at the EU’s borders confirm that the most successful way to facilitate their registration is by employing appropriate child care and protection professionals to explain children’s rights and procedures in a child-appropriate manner and in a language children understand. This requires building trust and providing child-appropriate reception and care arrangements. In the case of unaccompanied children, trained guardians should be immediately appointed to make sure that the fingerprinting process happens in a child-appropriate context and in line with the best interest principle as set out in Article 3 of the CRC.

We urge the Council of the European Union, the European Parliament and the European Commission to exempt all children, no matter their age, from all forms of coercion in the EURODAC Regulation, in full compliance with the UN Convention on the Rights of the Child.

Signatories: UNHCR, UNICEF, OHCHR Regional Office for Europe, IOM, Save the Children, Missing Children Europe, Terre des Hommes, World Vision, Caritas Europe, Danish Refugee Council, International Commission of Jurists, PICUM, Child Focus, Act Alliance, CIRE, CNCD-11.11.11, Flemish Refugee Action, Kopin, The Smile of the Child, CIRE, European Evangelical Alliance, Centre for Missing and Exploited Children, Astra

NOTE: The UN Convention on the Rights of the Child (UN CRC) states that every person below the age of eighteen years is a child (art. 1). States Parties should take all appropriate measures to protect children from all forms of physical or mental violence (art. 19.1) and no child shall be deprived of his or her liberty unlawfully or arbitrarily (art. 37). The Committee on the Rights of the Child has affirmed that “No violence against children is justifiable; all violence against children is preventable”, where violence includes both physical and mental violence (General comment No. 13). It has equally clarified: “that the detention of any child because of their or their parents’ migration status constitutes a child rights violation and contravenes the principle of the best interests of the child”. Both the UN CRC and EU Charter of Fundamental Rights state that child's best interests must be a primary consideration in all actions relating to children (art. 3 UN CRC, art. 24.2 EU Charter).