

Transnational Exchange Workshop on litigation venues before the UN Treaty Bodies and the European Committee of Social Rights Immigration detention and alternatives to detention of children



5 - 6 June 2025

Hotel Josef

Rybná 20, 110 00 Prague 1, Czech Republic

This workshop will serve as a collaborative space to enhance understanding of the procedural and strategic aspects of litigating the rights of children in immigration detention before the UN Treaty Bodies, with the accent on the UN Committee on the Rights of the Child, and the European Committee of Social Rights (ECSR). Through a blend of case studies, expert-led discussions, and practical exercises, participants will engage with topics ranging from effective litigation strategies to advocacy and communications in support of legal cases.

- The most relevant jurisprudence of the UN Committee on the Rights of the Child in the area of child immigration detention and alternatives to will be discussed.
- Lawyers will discuss best strategies on how to select and approach the UN Treaty Bodies in migration cases and discuss practical litigation tips.
- The workshop will include a review of the collective complaints' procedure before the European Committee of Social Rights, considering its potential as a tool for challenging national practices regarding child detention.
- Advocacy and communication strategies that can enhance the impact of litigation and build public awareness around these issues will also be explored.

Thursday, 5 June

9:00 - 9:15

WELCOME AND INTRODUCTIONS

Introduction of the project, agenda, and key themes

Karolína Babická, Senior Legal Adviser (International Commission of Jurists, ICJ)

Alexandra Matiaško, Lawyer (Forum for Human Rights)

9:15 - 10:30

LITIGATING BEFORE THE UN CRC COMMITTEE

9:15-10:00 Intro to UN CRC mandate & individual communication procedure

- CRC's approach to rights of children in migration context and protection against detention, including CRC Committee's case-law
- Practical tips for lawyers

10:00-10:30 Q&A and discussion

Mikiko Ōtani, ICJ Commissioner, Member and former Chair of the UN Committee on the Rights of the Child (CRC)

10:30 - 11:00

COFFEE BREAK



11.00 - 12.30

BRINGING A CASE TO THE CRC COMMITTEE – PART 1

11:00-12:00 Practical insight into the litigation

Case studies and lessons learned from litigating before the CRC Committee

- *K.B.J. et al. v. the Czech Republic, Comm. no. 193/2022, pending*
- *E.B. et al. v. Belgium, Comm. no. 55/2018, 24 March 2022*
- *M.B. v. Spain, Comm. no. 28/2017, 28 September 2020*

12:00-12:30 Discussion

- *Panelists:*

- *Zuzana Pavelková, Lawyer (Organisation for Aid to Refugees);*
- *Hind Riad, Lawyer (Progress Law);*
- *Rafael Cid, Lawyer (Founding Partner and Director of Legal Strategy, Gentium);*
- *Mikiko Ōtani (ICJ)*

- *Moderator: Alexandra Matiaško, Lawyer (FORUM)*

12:30 - 14:00

LUNCH BREAK



14.00 - 15.30

BRINGING A CASE TO THE CRC COMMITTEE – PART 2

14:00-14:45 Break-out groups by countries

- *Identifying strategic entry points for CRC litigation*

14:45-15:15 Reporting back and discussion

Moderator: Alexandra Matiaško, Lawyer (FORUM)

15:15 - 15:45

COFFEE BREAK



15:45 - 17:00

CONTRIBUTION OF THE UN TREATY BODIES TO THE HUMAN RIGHTS LAW

15:45-16:30 Complaints mechanisms before the UN Treaty Bodies

- *Overview of the UN Treaty Bodies mechanisms and the UN special rapporteurs*
- *The inquiry procedure before the CRC as a complementary (collective) course of action*

16:30-17:00 Q&A and discussion

- *Experience with litigating before the UN Treaty Bodies*
- *Why litigating before the UN Treaty Bodies?*

Mikiko Ōtani (ICJ)

Rafael Cid (Gentium)

Moderator: Karolína Babická ICJ)

19:00

DINNER



Friday, 6 June

9:00 - 10:30 COLLECTIVE LITIGATION BEFORE THE ECSR

9:00-10:00 European Social Charter and Collective complaints mechanism

- Quick introduction
- Specificities of collective-nature litigation
- ECSR case-law in migration area
- Litigation tips for lawyers preparing a collective complaints mechanism

10:00-10:30 Q&A and discussion

Tatiana Puiu, Vice-President of the ECSR

Moderator: Laura Duchamp (ICJ)

10:30 - 11:00 COFFEE BREAK



11:00- 13:00 LITIGATION STRATEGIES BEFORE THE ECSR

11:00-11:20 ICJ and ECRE v. Greece, complaint No. 173/2018

- Quick description of the case and main outcomes
- Litigation strategy and lessons learned

Karolína Babická (ICJ)

11:20-11:40 Collective litigation before the ECSR – perspective of a national NGO

- Advantages and disadvantages of collective litigation
- Where do the national NGOs stand without standing
- Data collection for collective litigation – practical tips

Maroš Matiaško, Lawyer (FORUM)

11:40-12:30 Break-out groups

- Identifying strategic entry points for ECSR litigation
- Discussion on advocacy for ratification of the Protocol

12:30-13:00 Reporting back and closing remarks

Karolína Babická (ICJ)

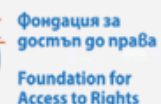
Alexandra Matiaško, Lawyer (FORUM)

13:00 CLOSING/LUNCH



This transnational workshop will convene European and international experts alongside national legal professionals, emphasizing both capacity-building and knowledge exchange. Participants will include experts affiliated with the Court of Justice of the European Union addressing **immigration detention and alternatives to detention of children**. The workshop offers a platform for sharing best practices, advancing ongoing and future litigation efforts, and strengthening legal practitioners' capabilities in strategic litigation.

This in-person workshop, part of a three-part transnational exchange series held in Luxembourg, Greece, and the Czech Republic, builds on prior national training sessions tailored for legal practitioners from the Czech Republic, Belgium, Malta, Greece, Bulgaria, and Poland.



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