



VULNERABLE AND VOICELESS ON THE MOVE

Unaccompanied child migrants in the EU

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A significant part of child migration is “often invisible in data and policy”, but available data shows that at least 5.3% of the over one million migrants who have lodged first time asylum application in the EU in 2016 were unaccompanied children in need of international protection and that the numbers are constantly rising. In spite of this alarming trend, unaccompanied asylum-seeking children (UASC) still suffer in Europe – particularly in Greece and Italy – seriously inadequate protection, inappropriate services to meet their needs and interests, as well as slow and poor procedures to process their files and ensure them asylum status, family reunification, or relocation, according to their needs. Such dysfunctions often encourage young migrants to escape the system and continue their journey relying on smugglers, with the additional risk of becoming victims of abuse and exploitation. The European Union should overcome the Member States’ increasing lack of solidarity and expand the EU regular migration package, starting from the family reunification procedures.

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In the past year, the EU continued to face the effects of the largest refugee crisis since World War II, with thousands of people forced to flee their countries due to insecurity, poverty, famine, conflicts or lack of prospects in many countries in Africa, Asia and the Middle East. Amid this crisis, these flows have challenged the migration systems of the whole of Europe, questioning indeed the solutions planned to address the specific needs of the most vulnerable of all, the unaccompanied child migrants.¹ Those “vulnerable and voiceless on the move”, in the words of [Pope Francis](#), who are willing to risk “[detention, rape, forced labour, beatings or death](#)” along dangerous routes to reach Europe.

It is very difficult to get exact figures for unaccompanied children who have entered the EU, as official registration procedures in some countries in Europe often do not allow for their identification and entry routes, legal statutes, and rights of child migrants vary across European States. Therefore, as stressed by the International Organization of Migration, a significant part of child migration into Europe is “[often invisible in data and policy](#)”. While some segments of this population are visible in EU data sets, like unaccompanied asylum-seeking children (UASC), others are scarcely evident, as in the case of undocumented migrant children who move for economic reasons.

Relatedly, even in the case of UASC, the phenomenon is constantly rising. Among the 1.2 million people who sought asylum in Europe in 2016² nearly [63,280](#) were unaccompanied children. According to Eurostat³ most of the asylum applications of unaccompanied minors considered in EU Member States concerned males mainly coming from Afghanistan (38% of the total number of unaccompanied minors registered in 2016) or Syria (19%), followed by Iraq (7%) and Eritrea (5%). Nearly two-thirds of the Afghans – representing the largest nationality of unaccompanied asylum seekers in half of the EU Member States in 2016 – were registered in Germany (15,000), the country that is also at the forefront of the reception of unaccompanied minor Syrian asylum seekers, given that 8 in 10 of them applied to this country.

Data like these point out blatant facts. Unaccompanied children in need of international protection make up more than 5.3% of over 1 million migrants who have lodged first time asylum application in EU. Their social and economic profile offers a faithful picture of the current global inequality, given that the majority of these children come from fragile and conflict affected countries with weak or absent welfare systems and high levels of insecurity and under-development. It is not surprising, therefore, that the majority of unaccompanied asylum-seeking children are boys between 16 or 17 years old, who consider migration as a the only possible coping strategy to seek protection and sustain family incomes. This age group accounted for 68.5% in 2016, 58.0% in 2015, 66.1% in 2012 and 54.7% in 2008 (Eurostat 2017).⁴ Relevantly, many of the young adults – [Sigona and Allsopp observe](#) – “who succeed in reaching Europe carry with them family obligations to fulfil and sizeable debts that they are expected to start to repay soon”.

¹ “An ‘unaccompanied minor’ is a child ‘who arrives in the territory of the Member States unaccompanied by an adult responsible for him or her whether by law or by the practice of the Member State concerned, and for as long as he or she is not effectively taken into the care of such a person; it includes a [child] who is left unaccompanied after he or she has entered the territory of the Member States”, Qualification Directive (2011/95/EU), Article 2 (l).

² Latest data released by Eurostat (last update: 16-08-2017), http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

³ <http://ec.europa.eu/eurostat/documents/2995521/8016696/3-11052017-AP-EN.pdf/30ca2206-0db9-4076-a681-e069a4bc5290>

⁴ In EU the resting groups of UASC are made at 9.9% by younger than 14 years old and at 21.4% by adolescents between 14-15.

According to the latest “[Flow Monitoring Survey](#)” from IOM, the percentage of children travelling alone for the above-mentioned push-factors also increased significantly in 2017, both on the Central and the Eastern Mediterranean Route. On the Central Mediterranean Route during 2016 and 2017, over 70% of all surveyed children between 14 and 17 years old were travelling unaccompanied. Despite the [EU-Turkey Statement](#) operating since 2016, similar developments have also been observed on the Eastern Mediterranean Route, where, according to the IOM’s Survey, the percentage of children travelling alone increased significantly in comparison to 2016, escalating from 18% to 55%.

The rise of unaccompanied minor migrants along the Eastern Mediterranean Route has fuelled escalating problems in Greece, a frontline country that currently hosts an estimated 19,000 refugee and migrant children, more than [3,150](#) of whom are unaccompanied. Despite the substantial funding provided by the EU, international organisations and national authorities, Greek hotspots⁵ remain structurally inadequate and this is especially true for children.

“Insufficient numbers of specialised shelters for children, risky living conditions inside camps, potentially hazardous and unsupervised co-mingling of migrant children with the adult migrant population, weak and insufficiently resourced child protection systems, lack of coordination and cooperation among responsible actors, and an inefficient and radically inadequate relocation scheme” are the [six major risk factors](#) that highly vulnerable unaccompanied minors are suffering in Greece according to Harvard University. The serious inadequacy child protection system has also been stressed by a recent official [EU audit](#) whose final picture is not so far from what Pope Francis [compared to “concentration camps”](#) just a few months ago.

The reality, almost two years after the entry into force of the EU-Turkey Statement, is that thousands of forced migrants are still stranded in Greece where they are waiting for a decision on their asylum claims. Meanwhile, daily, new asylum seekers continue to arrive on the Greek islands. This dramatic rise is worsening living conditions on island hotspots, places, where, according to [Save the Children](#), minors’ daily exposure to tensions, protests and violence inside camps is severely affecting their mental health. Stuck in limbo, despite the law requiring that they be prioritised, children in the hotspots continue to face the same threats as adults.

Notwithstanding the 2010 [EU Action Plan on Unaccompanied Children](#) and the following [EU](#) and [national](#) acts that clearly set the basic standards of protection to guarantee to minors temporary hosted in the hotspots, many [NGOs](#) and the [European Court of Auditors](#) have reported severe protection shortcomings both in Greece and Italy, such as the delays in transferring children to dedicated shelters and the scarcity of appropriate services to accommodate and process unaccompanied minors in line with EU standards. In Italy, in particular, Save the Children [reported](#) “a shortage of facilities for children in the areas where landings take place, so children are forced to stay in the hotspot centres. This constitutes a violation of the national law regulating the age assessment and identification procedures for unaccompanied minors”.

These frailties call into question the slow and problematic take-off of [relocation](#), the EU procedure in place since 2015 in the framework of the hotspot approach, to transfer people in need of

⁵ The EU 'hotspot approach' was designed by the European Commission in 2015 to ensure operational support to Member States facing disproportionate migratory pressure and to work in tandem with the EU relocation scheme. The hotspot approach functions through deployment of Frontex, EASO (European Asylum Support Office), Europol and Eurojust staff to carry out registration, identification, fingerprinting and debriefing of asylum seekers, as well as return operations of economic migrants.

international protection from one EU Member State to another EU Member State where they would be granted similar protection. According to the procedure, thousands of unaccompanied children that have arrived in Greece and Italy are eligible for relocation, however, only a few Member States have made places available for unaccompanied children and many more are needed.

According to latest statistics provided by the European Commission, as of [31 December 2017](#), 33,139 people have been relocated (11,436 from Italy and 21,703 from Greece) out of a total of [160,000](#) beneficiaries fixed by the EU Council in 2015. According to [IOM](#), as of 30 September 2017, only 329 unaccompanied or separated migrant children were relocated from Greece and 51 from Italy. The majority of them, 105 minors, were relocated in the Netherlands and 109 in Finland.

Moving from this flop, the [European Commission has recently urged](#) Member States to reply to the 190 pending requests for unaccompanied minors submitted by Italy, providing at least 200 additional places for the relocation of eligible unaccompanied minors in the pipeline but who cannot be assigned yet to any Member State due to the unavailability of pledges.

Meanwhile, while the relocation plods on⁶ under the friendly fire of a growing group of protectionist Member States, many eligible minors both in Greece and in Italy begin to label it as a less credible alternative. It was the case of Abiel Temesgem, an unaccompanied minor escaping from Eritrea landed in Italy last year, who became the symbol of the omissions and mistakes coming from what the [European Union Committee](#) of the British Parliament has defined “culture of disbelief and suspicion towards unaccompanied migrant children”. Save the Children [reports](#) that Abiel attempted to cross the border into Switzerland but he was refused entry. Re-entering Italy, he confirmed the need to find a legal way to join his brother based in Germany. When he realised that to be relocated as a child would have been a long process, he decided to declare himself an adult to attempt the relocation open to this category. After waiting for a month and a half, Abiel realised that relocation for adults was difficult too so, along with a group of other Eritreans, he attempted to try crossing the Northern border again. The outcome was harrowing: Abiel died in the Bolzano station while trying to board a freight train heading towards the Brenner Pass.

Slowness, omissions and mistakes in the implementation of the existing EU and national laws along with the mounting lack of solidarity across Member States are also behind the figures concerning the unaccompanied children who have gone missing after arriving in Europe. 10,000 people, [in the latest estimates of Europol](#), have fled from inadequate or dysfunctional protection systems and have decided to rely on smugglers to realise their migratory goals.

Inadequate reception conditions, lack of child-friendly information, inefficient relocation, scattered family reunification and guardian-appointment procedures, and fear of detention or deportation are shaping the silent escape from the EU reception system, especially in overstretched [Italy](#) and Greece. The ambition, for most children on the move, is to reach family and national networks in northern Europe, where unemployment is lower and social welfare more extensive. In this context, growing evidence confirmed the exposure of invisible children on the move to situations of exploitation and abuse. Save the Children, for instance, has pointed out that this target shows greater vulnerability to the abuse perpetrated by the criminal players operating underground in smuggling and in trafficking in human beings for sexual and labour exploitation.

⁶ The EU relocation scheme ended on 26 September 2017 and it rests valid only for people entered in Greece or Italy between 24 March 2015 and 26 September 2017.

The latest [communication](#) from the European Commission on the protection of children in migration clarifies that reception conditions for children on the move “include not only safe and appropriate accommodation, but also any necessary support services to secure the child’s best interests and wellbeing, such as independent representation, as well as access to education, healthcare, psychosocial support, leisure and integration-related measures”, themes identified as priorities since the adoption in 2010 of the [EU Action Plan on Unaccompanied Minors 2010-2014](#).

Today that plan has expired, and while it was key to increasing awareness about the protection needs of unaccompanied children on the move and in promoting protective interventions, much remains to be done. This is true especially if one considers the developments affecting the internal and external dimensions of the EU’s migration and asylum policies.

The United Nations Convention on the Rights of the Child, to which all EU Member States are signatories, mandates that the “best interest” of children rules every aspect of their stay, from the entrance into frontline countries to the possible relocation and integration all over the EU. However, although an EU legal framework for child protection exists, the tragic epilogue of Abiel’s story shows, that the skirmishes between the EU’s chancelleries have led to a breakdown of the system. To date Member countries and EU institutions disagree on how to update migration and asylum laws, and national systems diverge on how to handle cases involving children on the move. Thus, internal political infighting among the European states risks disempowering the innovation and scope of the EU strategy concerning the internal protection of children on the move.

Against this discouraging background it is not surprising that EU Members States become more inclined to address the root causes of migration, [funding](#) interventions along the migratory routes and in the countries of origin, and developing their national child protection systems. The recently revised [EU Guidelines on the Promotion and Protection of the Rights of the Child](#), for instance, go exactly in this direction.

Against this background, several issues remain evidently open. Given the growing global instability in Sub-Saharan Africa, in the Middle East and in Southeast Asia, it is realistic to believe that the humanitarian and socio-economic factors that push young forced migrants to seek better opportunities abroad – conflicts, poverty, inequality, unemployment – will continue. In this context, the EU countries are likely to continue to represent a refuge for forced migrants, especially for those at the beginning of their individual, educational and professional development.

With the newly established [Migration Partnership Framework](#), migration is now fully embedded into EU foreign policy and this includes the protection of children in priority partner countries. However, to guarantee full protection to the children on the move, in alignment with the international and EU standards, the EU and its Member States should enhance the coherence of their external action respecting what was settled with the [EU Strategic Framework on Human Rights](#) and the [EU Action Plan on Human Rights and Democracy 2015-2019](#).

In this framework, the EU should ensure that the “best interest of the child” principle and protection issues provided by United Nations Convention on the Rights of the Child have a substantial impact also on the formulation of the EU external policy and programme. To avoid the shortcomings experimented at the internal level, a coordinated and effective protective external response is essential, and that needs a child-sensitive dimension based on the effective protection of children's rights in countries of origin, along the route and in the destination countries. In this sense, better-managed international migration with open, safe and legal channels for unaccompanied minors



eligible for international protection, built on regional and sub-regional frameworks, is a global responsibility that must no longer be postponed. Analogously, as concern children moving alone for social and economic push factors, it is important to consider that [family reunification](#) in the destination countries is a powerful pull factor. This implies that the EU and Member states should also expand the EU regular migration package starting from the [family reunification procedures](#) and having in mind that legal channels to reach the EU remains the only way to protect children migrating alone and to dismantle the people smugglers business model that profits on them.