

DGD on “The rights of all children in the context of international migration”

Global overview of case studies on specific challenges faced by children in international migration situations and some successful approaches for addressing them

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Dear members of the Committee on the Rights of the Child, boys and girls, distinguished guests and colleagues,

First of all, I would like thank you very much for the opportunity to participate in this very important meeting, on the rights of all children in the context of international migration.

I would like to take you through a child's journey, using the experience from Save the Children's programs where we are working directly with children on the move, promoting their rights to care and protection.

“Children and families migrate to find a better life, to have a normal life” – this is what a girl, 13 years old, told us during a consultation process Save the Children organised for this Day of General Discussion.

The lack of opportunities to study, work and thrive, humanitarian disasters or violence and abuse against children in their own families, are reasons why children decide to migrate and start their journey. Sometimes with family, friends or people they trust. Sometimes with strangers. Often on their own. It is a journey to safety, which promises new opportunities but also a journey which can put their very life in danger.

When children, young people and their families consider migration they need information to make an informed choice. They want to understand the risks and the opportunities. But also very practical information: which documentation they need to travel and work abroad, the employment opportunities and regulations in the country where they are heading to, which support and help they can find at each stage of their travel for example if they find themselves in the hands of traffickers and exploiters.

Children are well aware that traveling alone is the most risky way of migrating. They are often scared and wish that their parents, relatives and other adults were there with and for them.

At key points of border crossings, the travel can become particularly dangerous and children are often vulnerable to violence, theft, sexual exploitation and abuse. Of particular concerns is the violent treatment that they often suffer, including by the hand of State officials, border police and military personnel.

“If I think about the travel, the main danger is the police at check points. They ask money from you (...). If you pay there is no problem (..) If you don't have it, sometimes they beat you because they think you have the money. But if you don't have it, they can beat until you

die and you cannot do anything because you don't have the money" – This is what a Boy from West Africa told SC.

Despite States' legal obligations under international law to protect children, many governments see children on the move as criminals or illegal migrants leaving them open to prosecution or unsafe repatriation. The fear of arrest and the inhuman conditions of detention have a profound impact on children and their families and the traumatic experience of detention features constantly in what children tell us about their travel.

Arriving in a new country, while opening new opportunities, can also be a very daunting experience for children. Children with no legal status often experience discrimination and stigma. They may be denied access to basic services, a safe home or family based care, if they travel alone. Fear of being deported creates a de-facto obstacle to accessing health and education services.

Many children say that peer support is particularly important. Being able to rely and relate to other young people represents a key point of reference for information and emotional support.

Children also stressed that in order to identify the best short and long term solutions for them – whether in the host country, in a third country or in their country of origin – they wanted to be consulted and having their views taken under serious consideration: *"The child him/herself should have the right to speak for him/herself first. The child knows everything about what's going on"* – this is what young people in Myanmar told Save the Children.

Some of the children who are on the move have the opportunities to access international protection mechanisms – refugee and asylum seeking children, children who have been trafficked and children in need of humanitarian assistance. But the majority of children falls between the cracks and do not fully enjoy their human rights. Save the Children recognizes that all these children move in and out of different categories within the same journey or over time and, as such, they need protection and support mechanisms that are *holistic, coherent* and *coordinated* within and between countries.

At country level child protection systems should ensure that all children have the same rights and access to services such as education, health, protection and family-based care. Formal procedures should be in place to identify durable solutions for each child, taking their best interest into account.

But properly considering and engaging with the situation of children who cross borders also involves cooperation between actors in different countries. Without understanding the background of these children, their situation, their possibilities for the future, these children can simply end up detained, deported or left to fend for themselves.

In our day-to-day work, we have seen this happen all too often. We have reflected on how transnational cooperation can best happen. And we know it is very challenging. And it is an issue which has been raised up by our colleagues and

partners in broader discussions within the inter-agency group on children on the move – UNICEF, UNHCR, ILO, IOM, Terre des Hommes, Plan International, World Vision, the African Movement of Working Children and Youths and ENDA.

So what would cooperation involve?

Cooperation starts with reducing the needs for unsafe migration. One example of international collaboration to **prevent unsafe migration** is a Save the Children supported cross-border migrant program between Italy and Egypt. It links young people who are planning to leave Egypt and youths who have migrated to Italy through information sharing about the realities of the journey. Many young people in Egypt have been able to make more informed choices as a consequence and avoided risks they were not even aware of.

Transnational coordination mechanisms are also necessary to **help identify the child and establish both short and long-term solutions for his or her care and protection**.

For example, Save the Children has helped setting up cross-border coordination working groups in the borders of Mozambique and South Africa and between Zimbabwe and South Africa. These bring together state and private actors working at the borders and beyond in order to identify and implement short and long-term solutions for children on the move. They improve coordination and communication between social workers and law enforcement agencies on both sides of the borders and develop protocols and guidelines for family tracing and reunification and for the provision of psychosocial support for children.

Yet, despite these, still isolated, examples, the extensive experience of many stakeholders working directly with children on the move shows that, too often, these children are failed by a lack of appropriate systems of protection **within** national borders - before they start their journey, in transit and at destination - and because of a lack of adequate coordination and communication **across** countries and between actors that have the responsibility for their protection and support.

Perhaps we can begin to think together about:

- how such transnational cooperation should be put in place;
- which obligations and principles this cooperation should be based on;
- what actors should be involved;
- which accountability mechanisms should support transnational cooperation; and
- which resources would be needed.

This day of General Discussion could be the opportunity to start addressing this fundamental dimension during the discussions and in its deliberation.

This is why the members of the Inter-Agency Group on Children on the Move are recommending that:

an in-depth independent global study be carried out on the transnational cooperation measures necessary to ensure the protection of children on the move and to guarantee their rights independently of their immigration status.

A study could begin to analyse key gaps in coordination between state or non-state actors within and between States and provide concrete, yet ambitious, examples of measures that are or should be in place to achieve policy coherence and coordinated mechanisms between areas of origin, transit and destination to ensure that the rights of children on the move are fulfilled.

Such a study could contribute to the High Level Dialogue on Migration and Development that the UN General Assembly will hold next year as a way of mobilizing countries to seriously commit to protecting and supporting migrant children as part of their strategies on migration and development.

Migration is a reality that cannot and should not be stopped. Children are an integral part of migration flows. Recognising this is a start but it is not enough. We must do more. We must change the way the world sees and treats them. We must guarantee that the rights of children on the move, like all children, are truly protected, respected and fulfilled everywhere they are.

Thank you.