



EU Law and Policies for the Protection of Unaccompanied Minors

Annual Conference of the German EMN Contact Point
Unaccompanied Minors in Germany and Europe
14 June 2018, Berlin

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Large numbers of migrant children continue to arrive to Europe

- In 2017, **32,963** children arrived in Greece, Italy, Spain and Bulgaria.
- Of those, **19,858** (or 60%) were **unaccompanied** or **separated**.
- Arrivals of children (total) decreased in 2017 by 67% compared to 2016, but
- the proportion of **children arriving unaccompanied/separated** has increased from **34%** in **2016** to **60%** in **2017**.

(Source: UNHCR, UNICEF & IOM data - <https://data2.unhcr.org/en/documents/download/63435>)

Trends regarding unaccompanied minors

- In **2017**, **31 400** asylum seekers in the EU were unaccompanied minors.
- This is a decrease when compared to previous years (**63 200** unaccompanied minors in **2016**, and **95 200** in **2015**), but over two and a half times higher than the annual average during the period 2008-2013 (around **12 000** per year).
- In 2017, a majority of unaccompanied minors seeking asylum were **males** (89%), of **whom: 77%** (or about **24 200** persons) were **aged 16-17**, 16% (around **5 000** persons) were **aged 14-15**, and **6%** (almost **2 000** persons) **below 14**.
- **Afghan** (17%, or around 5 300 persons) continued to be the main citizenship of unaccompanied minors applying for asylum
- In 2017, the highest number of asylum applications from unaccompanied minors was registered in **Italy** (with over 10 000 unaccompanied minors, or 32% of all those registered in the EU Member States), followed by **Germany** (9 100, or 29%) and **Greece** (2 500, or 8%).

(Source: Eurostat, <http://ec.europa.eu/eurostat/en/web/products-press-releases/-/3-16052018-BP>)

Communication on the Protection of Children in Migration (COM(2017)211 final)

1. EU External Action aimed at addressing the **root causes of migration**.
2. Arrival to the EU: swift **identification, registration** and ***prise en charge*** by the competent authorities.
3. Providing **adequate reception**: accommodation and access to basic services.
4. Access to **status determination procedures** and **procedural safeguards**.
5. Finding and implementing **durable solutions** (integration, return)
6. **Cross-cutting actions**: training, EU funding, internal child safeguarding policies, provision of information to the children, etc.

Arrival to the EU

Key actions - with the support of the Commission and the EU agencies, the Member States are encouraged to:

- Collect and exchange **comparable data** to facilitate the **cross-border tracing of missing children** and the **verification of family links**;
- Supply child-friendly and gender-sensitive approaches when collecting **fingerprints and biometric data**;
- Ensure that a **person responsible for child protection** is present at an early stage of the identification and registration phase
- **Child protection officers to be** appointed in each hotspot
- Put in place procedures and protocols for unaccompanied **children going missing**.

Providing adequate reception

Key actions - with support from the Commission and the EU agencies, the Member States are encouraged to:

- **Vulnerability and needs assessments** of children are carried out upon arrival.
- Ensure that all children have **timely access to healthcare** (including preventive care) and psychosocial support, as well as to **inclusive formal education**.
- Provide **alternative care options** for unaccompanied children, including foster/family-based care.
- Integrate **child protection policies** in all reception facilities hosting children.
- Create effective **alternatives to the administrative detention** of children in migration.
- Set up systems for **monitoring** the reception conditions.
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- Use forthcoming **EASO guidance** on **operational standards and indicators on material reception conditions for unaccompanied children**.

Access to status determination procedures and procedural safeguards

Key actions

The **Commission and the EU agencies** to:

- Establish a **European guardianship network** (*done*)
- **EASO** to update **guidance on age assessment** (*done* - <https://www.easo.europa.eu/news-events/easo-publishes-practical-guide-age-assessment>)

Member States to:

- Strengthen their **guardianship systems**.
- Implement reliable, multi-disciplinary and non-invasive **age assessment procedures**.
- Ensure swift and effective **family tracing** - improved cross-border cooperation channels.
- Prioritize the processing of children's cases.

Durable solutions

Key actions

The **Commission**: promote the **integration of children** through available **funding** and **exchange of good practices** addressing non-discriminatory access to public services.

The **Member States** are encouraged to:

- Ensure equal **access to inclusive, formal education**
- Ensure timely **access to healthcare** as well as to other essential public services to all children
- Provide support to enable children in the **transition to adulthood** (or leaving care)
- Foster **social inclusion** in all integration-related policies, such as prioritising mixed, non-segregated housing and inclusive education
- Increase **resettlement** to Europe for children in need of international protection
- Ensure appropriate **family tracing** and **reintegration measures** for children who will be returned.

Follow up to the Communication (1)

Communication supported by

- **Council Conclusions** of 8 June 2017 (<http://data.consilium.europa.eu/doc/document/ST-10085-2017-INIT/en/pdf>) and
- **European Parliament Resolution** on the protection of children in migration of 3 May 2018 (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2018-0201+0+DOC+XML+V0//EN>)

State of play: Important work has been taken forward in several areas, but asylum, migration and child protection systems are still rather fragmented across the Member States , and several challenges still need to be addressed.

Follow up to the Communication (2)

The Commission committed to closely **monitor progress in the implementation** of the Communication and to **report regularly** to the European Parliament and Council.

- Bi-annual **joint informal child rights and children in migration expert meetings**.
(Minutes of first meeting on 1 December 2017 available at <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeeting&meetingId=1849>).
- **Overview of the actions implemented by the Commission and EU agencies** published online.
(https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/children-migration_en#documents)
- **Surveys of progress made by Member States** in implementing the Communication published online.
(http://ec.europa.eu/newsroom/just/document.cfm?doc_id=49908)