

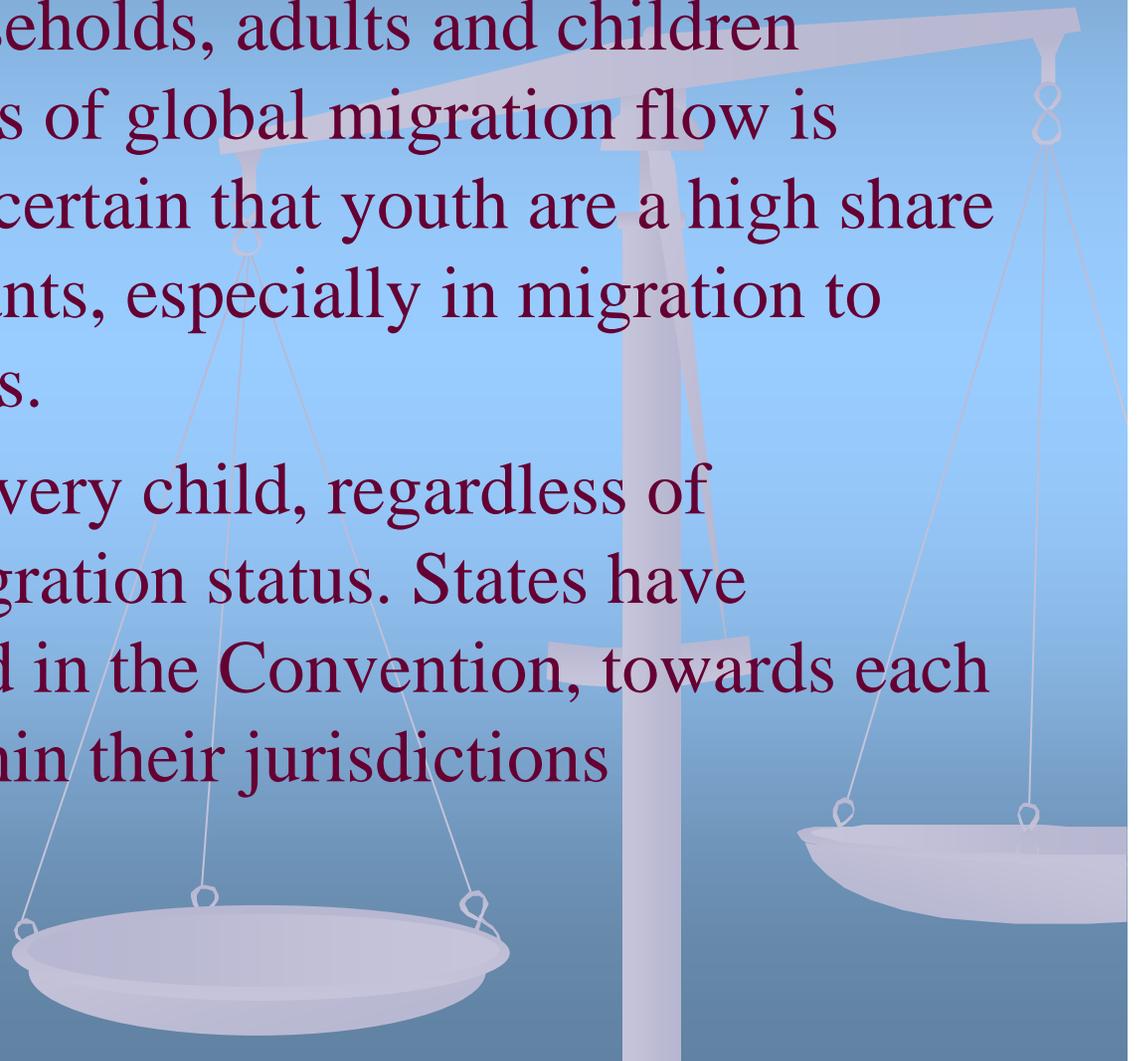


Children in the Migration Process – active agents

IDM Workshop
Migration and Trans-nationalism: Opportunities
and Challenges
Geneva
March 10

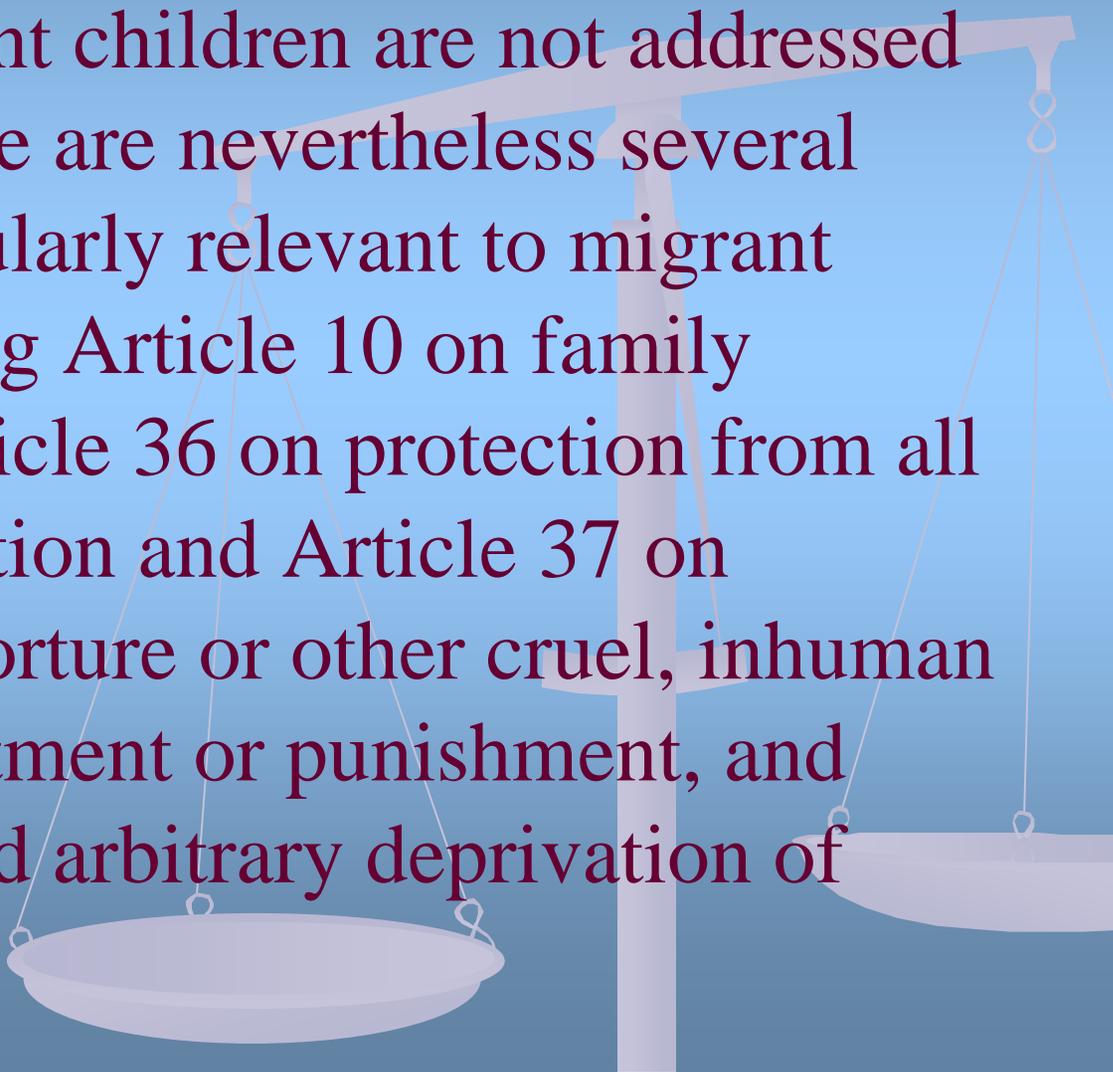
The International Legal Framework

- The number of households, adults and children involved in all forms of global migration flow is unknown. But it is certain that youth are a high share of the flow of migrants, especially in migration to developing countries.
- The CRC protects every child, regardless of nationality or immigration status. States have obligations, outlined in the Convention, towards each and every child within their jurisdictions



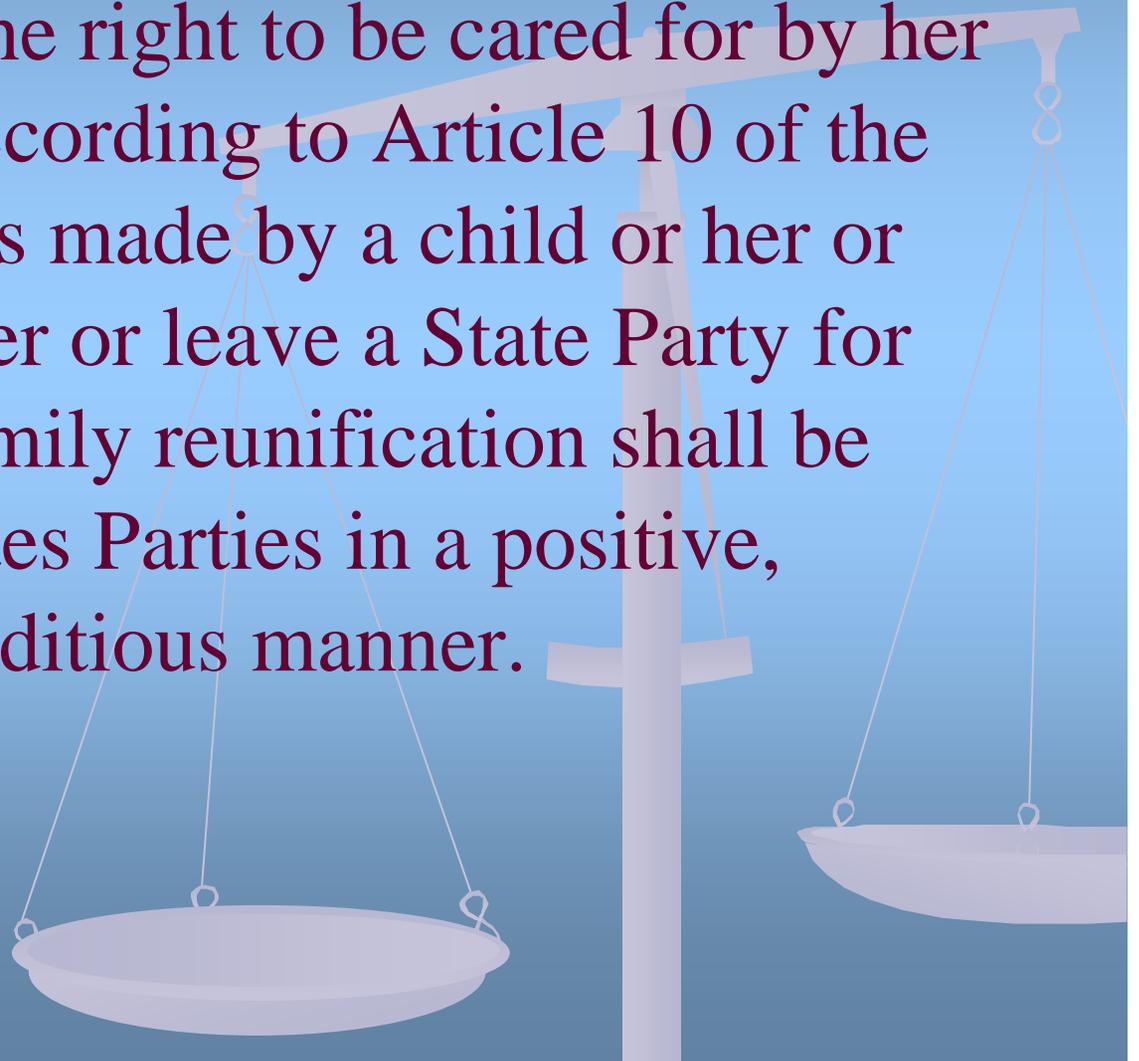
CRC - basis

The rights of migrant children are not addressed specifically. There are nevertheless several provisions particularly relevant to migrant children, including Article 10 on family reunification, Article 36 on protection from all forms of exploitation and Article 37 on protection from torture or other cruel, inhuman or degrading treatment or punishment, and from unlawful and arbitrary deprivation of liberty



Family union

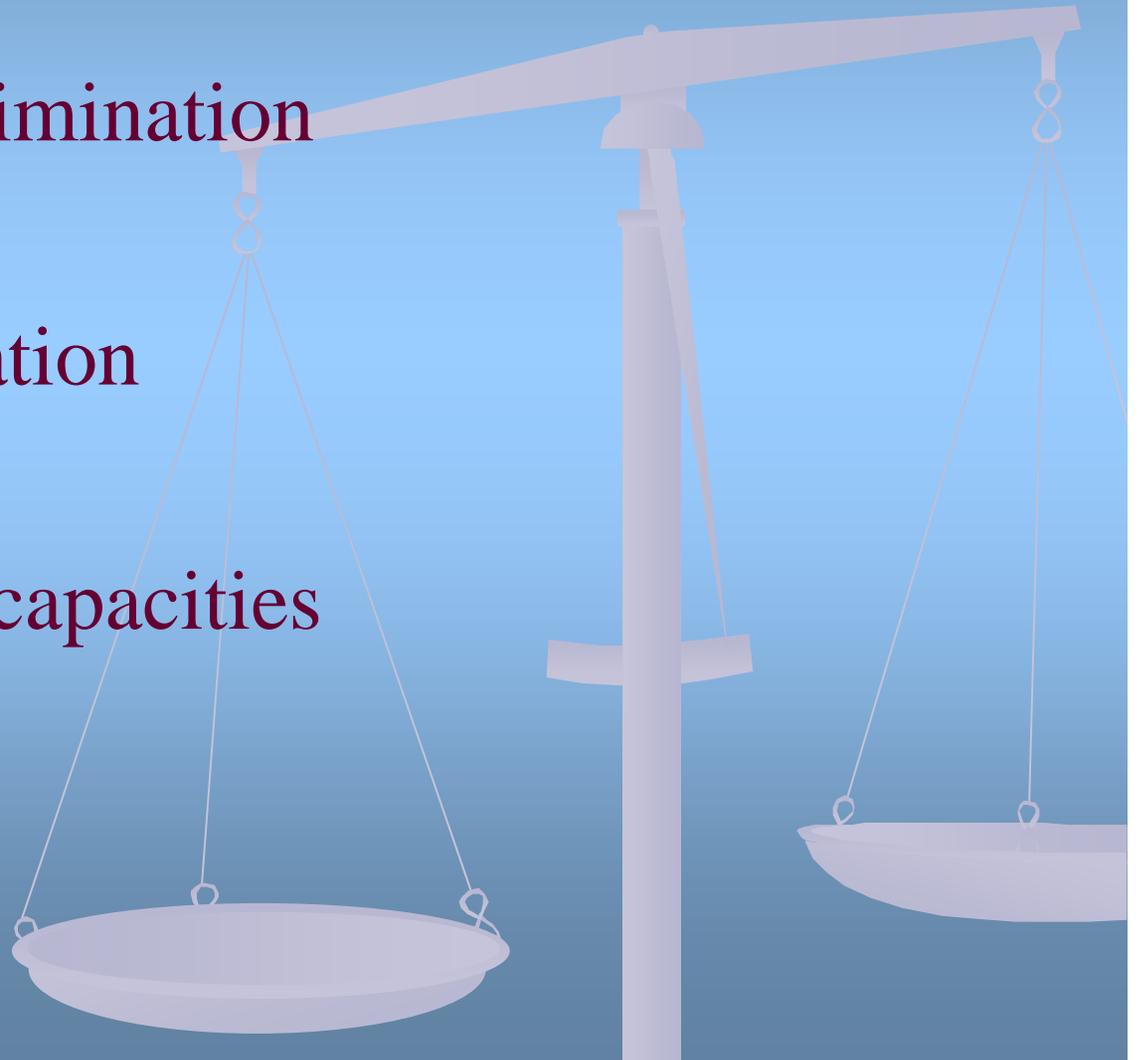
- Every child has the right to be cared for by her or his parents. According to Article 10 of the CRC, applications made by a child or her or his parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner.



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- The CRC is the first instrument gathering civil and political rights and economic, social and cultural rights in one;
 - **The right to education**
 - **The right to an adequate standard of living**
 - **The right to family life**
 - **Freedom of expression**

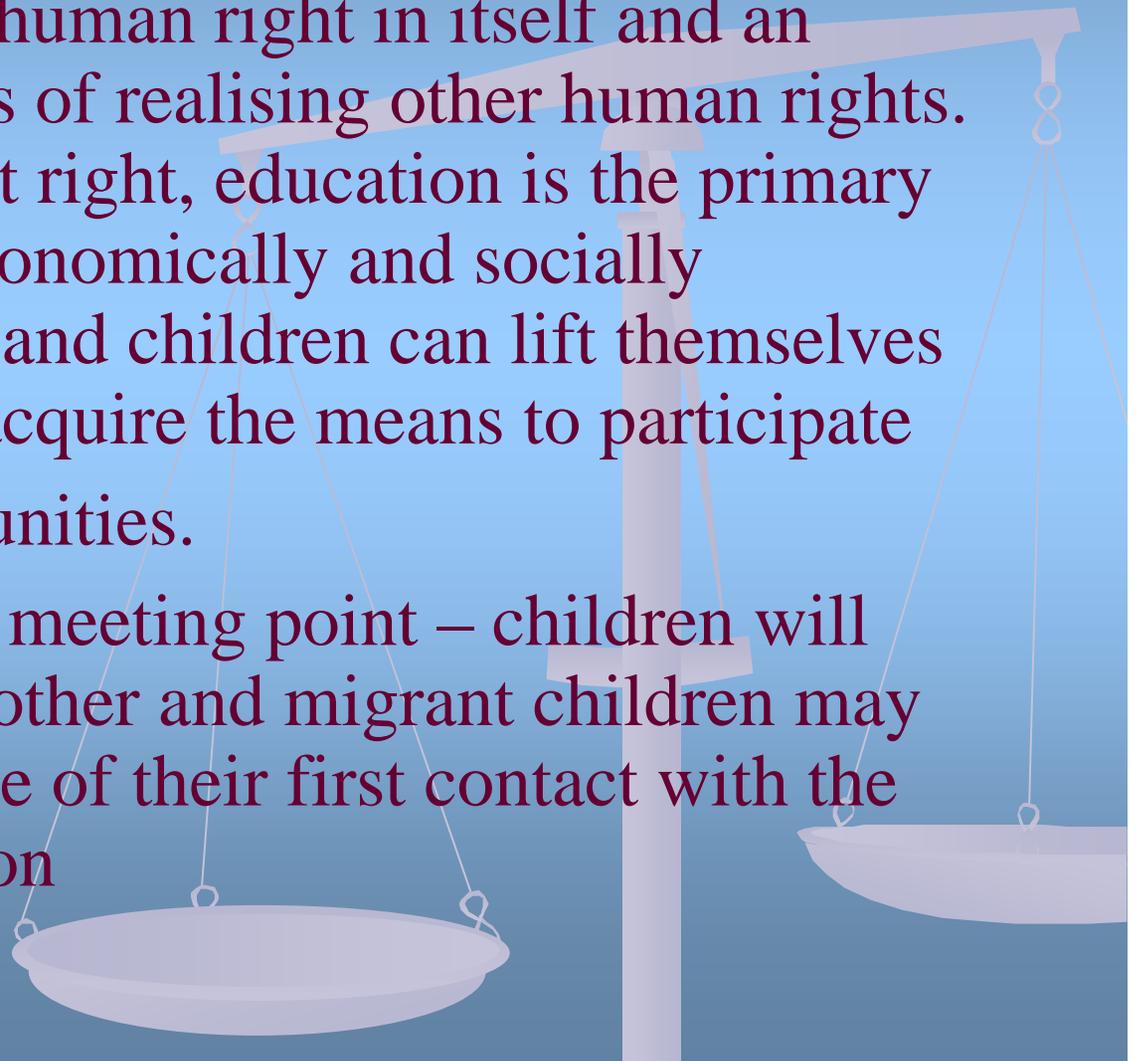
The Child as Active Agent

- Art 2 – non-discrimination
- Art 12 – participation
- Art 5 – evolving capacities

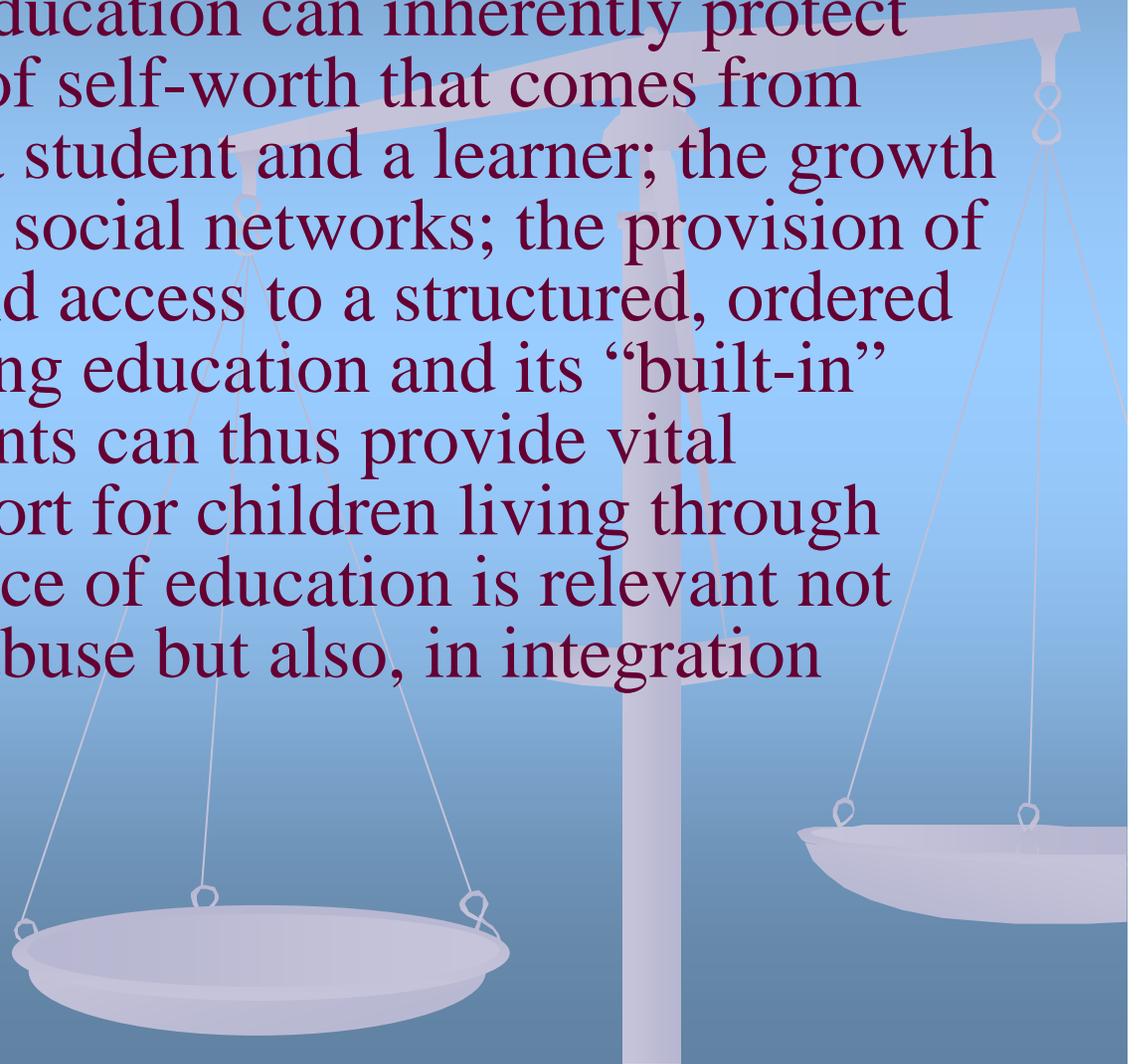


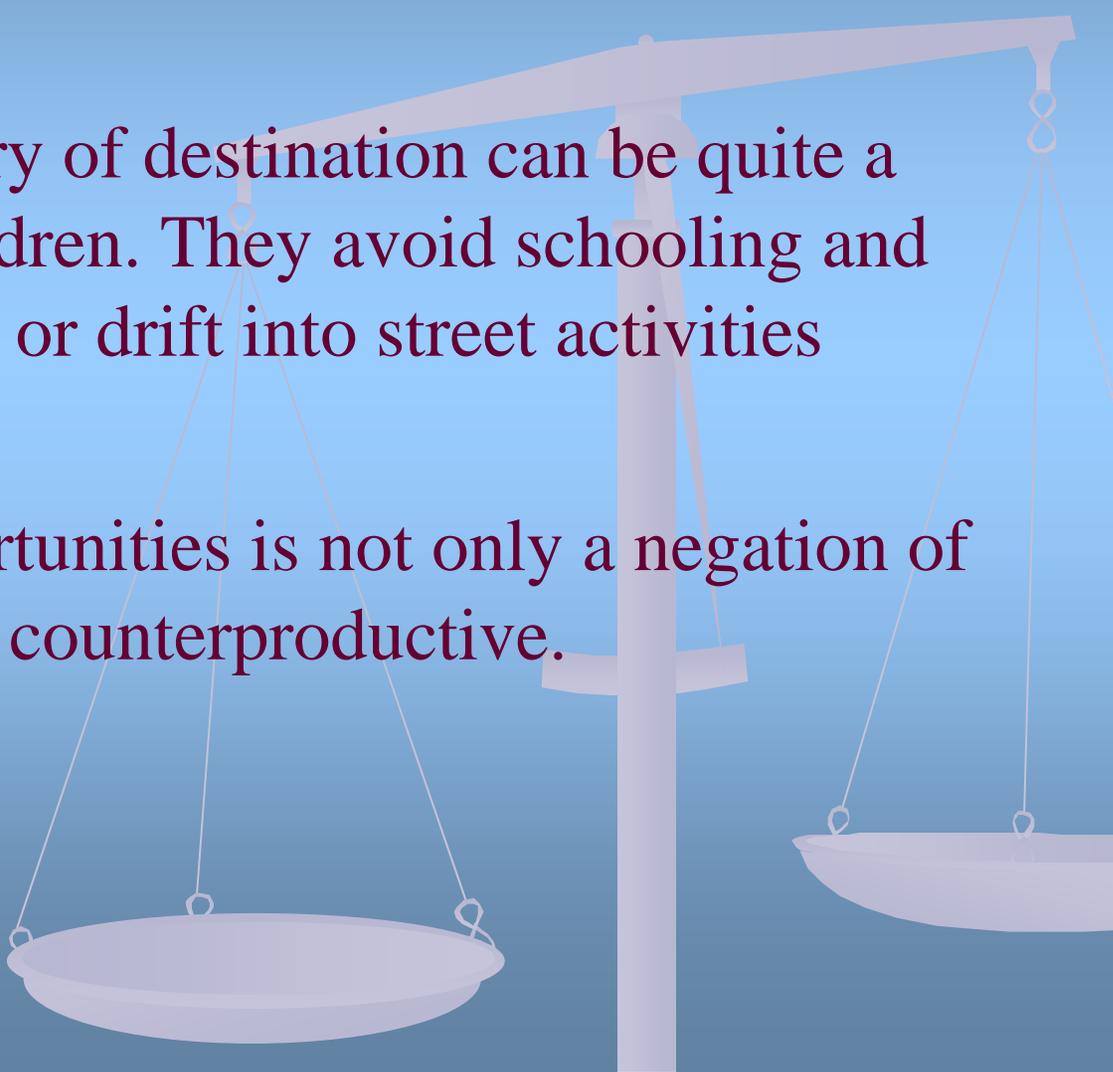
The School

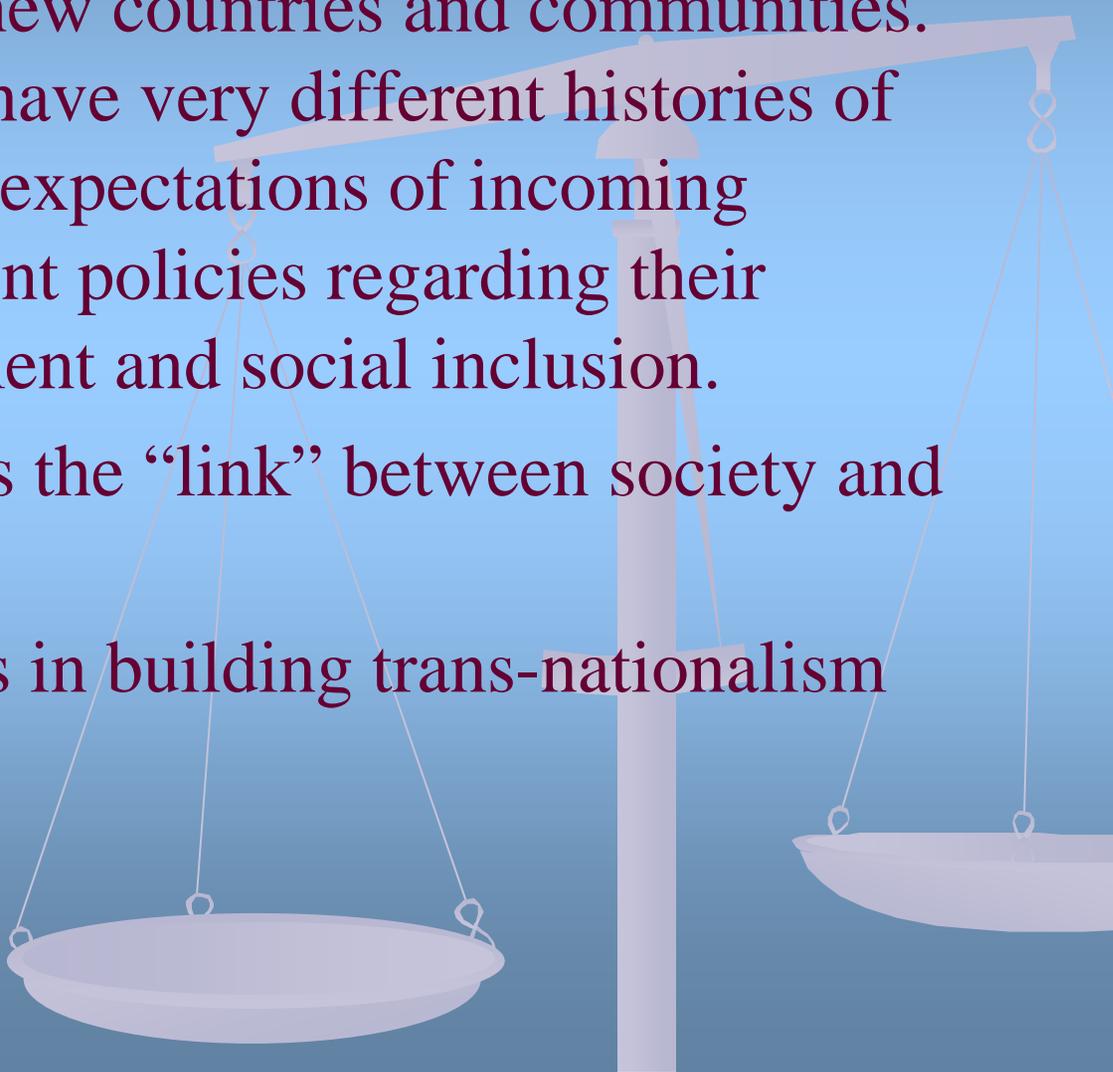
- Education is both a human right in itself and an indispensable means of realising other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalised adults and children can lift themselves out of poverty and acquire the means to participate fully in their communities.
- The school is also a meeting point – children will socialize with each other and migrant children may well here make some of their first contact with the country of destination



- Certain aspects of education can inherently protect children: the sense of self-worth that comes from being identified as a student and a learner; the growth and development of social networks; the provision of adult supervision and access to a structured, ordered schedule. Maintaining education and its “built-in” protective components can thus provide vital continuity and support for children living through crisis. The importance of education is relevant not only in preventing abuse but also, in integration processes.

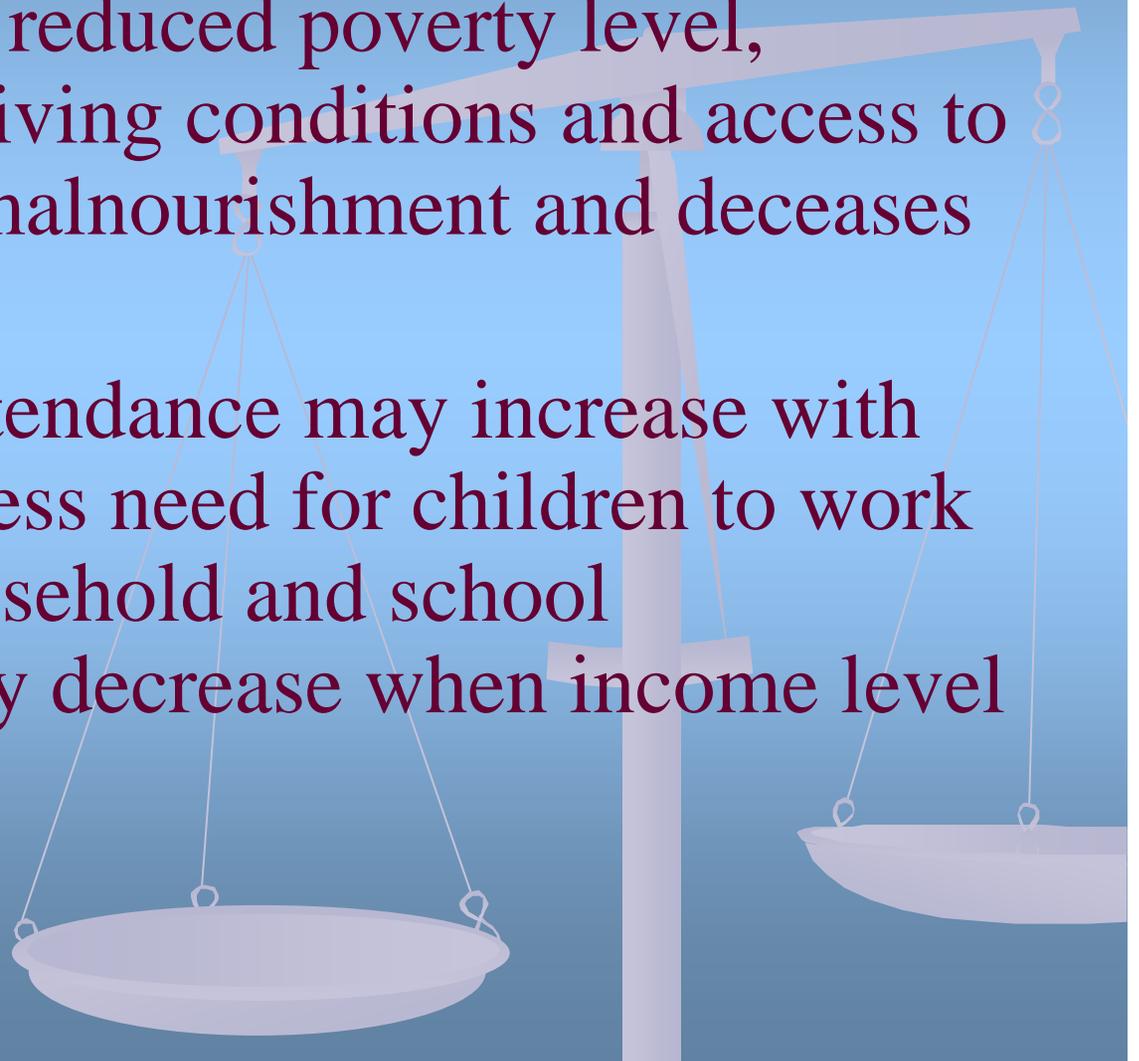


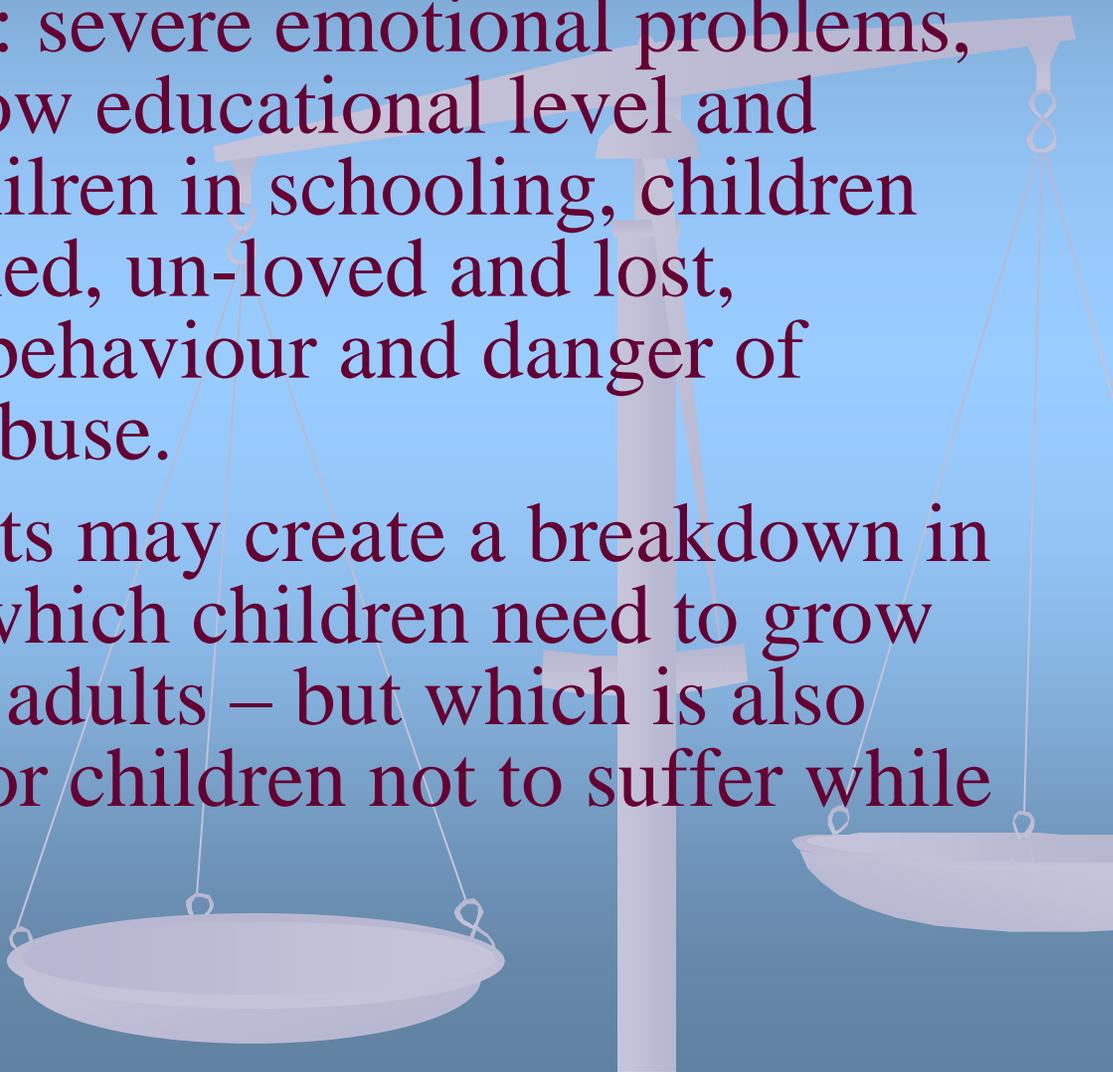
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- Arrival in the country of destination can be quite a shock for many children. They avoid schooling and many work illegally or drift into street activities
 - Such a lack of opportunities is not only a negation of basic rights but also counterproductive.

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- Children are at the front line in building the new social contacts necessary for successful social integration in their new countries and communities. Different countries have very different histories of migration, different expectations of incoming migrants and different policies regarding their education, employment and social inclusion.
 - Children often act as the “link” between society and parents
 - They are thus agents in building trans-nationalism

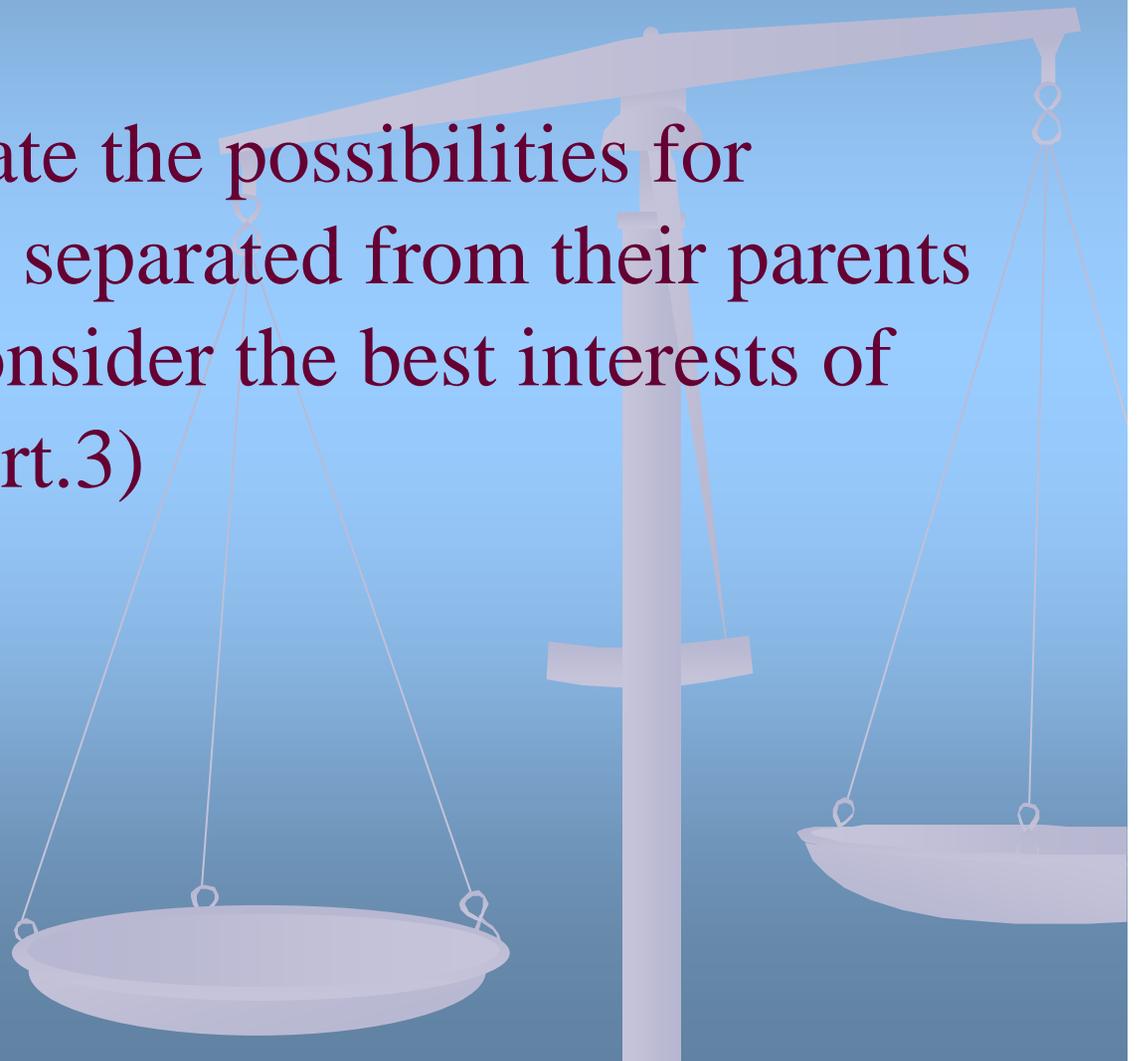
Children left behind

- Positive impacts: reduced poverty level, improvement in living conditions and access to basic services – malnourishment and deceases decrease.
- Further school attendance may increase with remittances and less need for children to work to sustain the household and school abandonment may decrease when income level increases



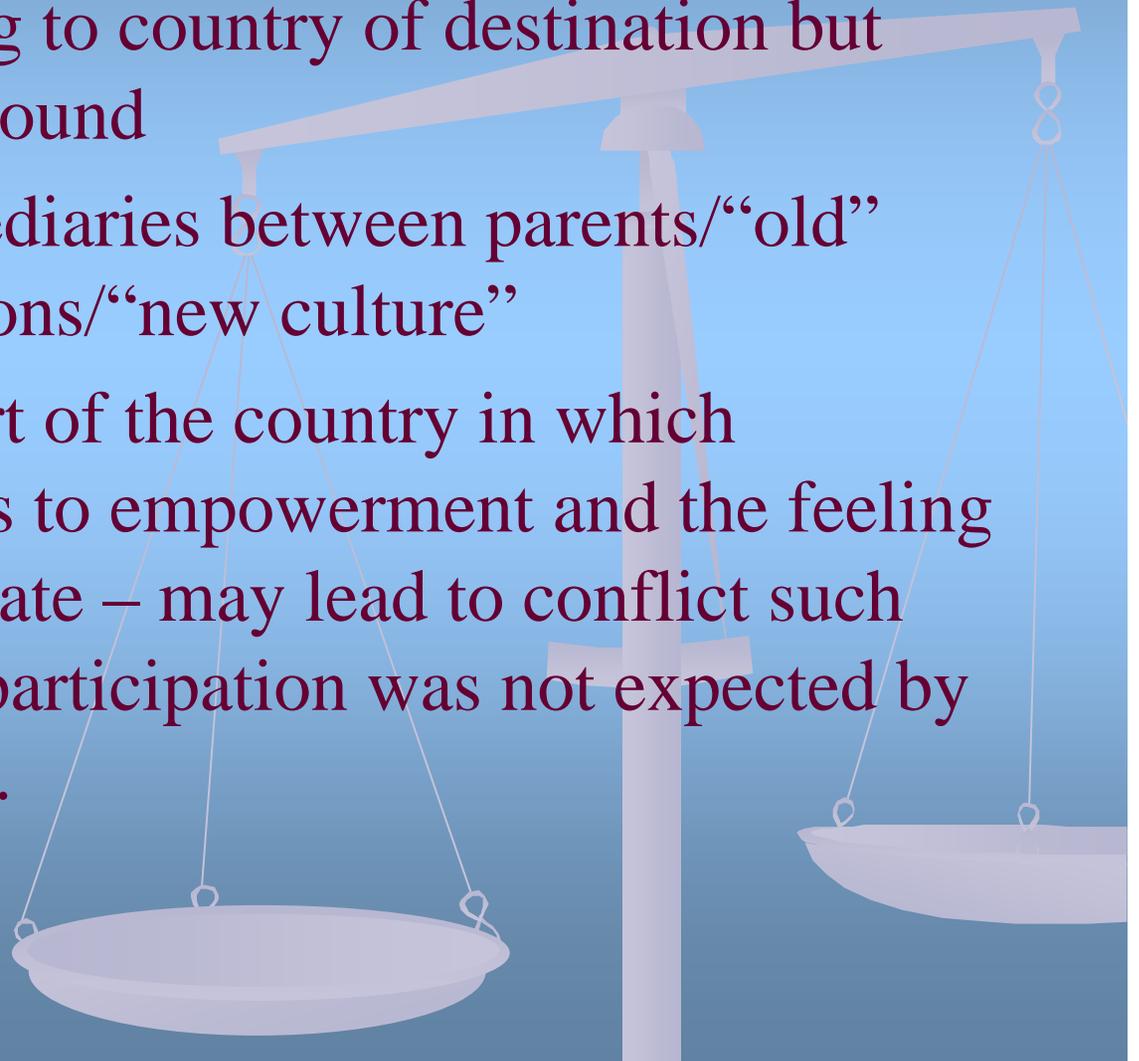
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- Negative impacts: severe emotional problems, caretakers have low educational level and cannot support children in schooling, children may feel abandoned, un-loved and lost, increase in risky behaviour and danger of being subject to abuse.
 - Migration of adults may create a breakdown in the social fabric which children need to grow up as responsible adults – but which is also needed in order for children not to suffer while they are children.

- States should create the possibilities for children not to be separated from their parents - policies must consider the best interests of the child (CRC Art.3)



“Second Generation”

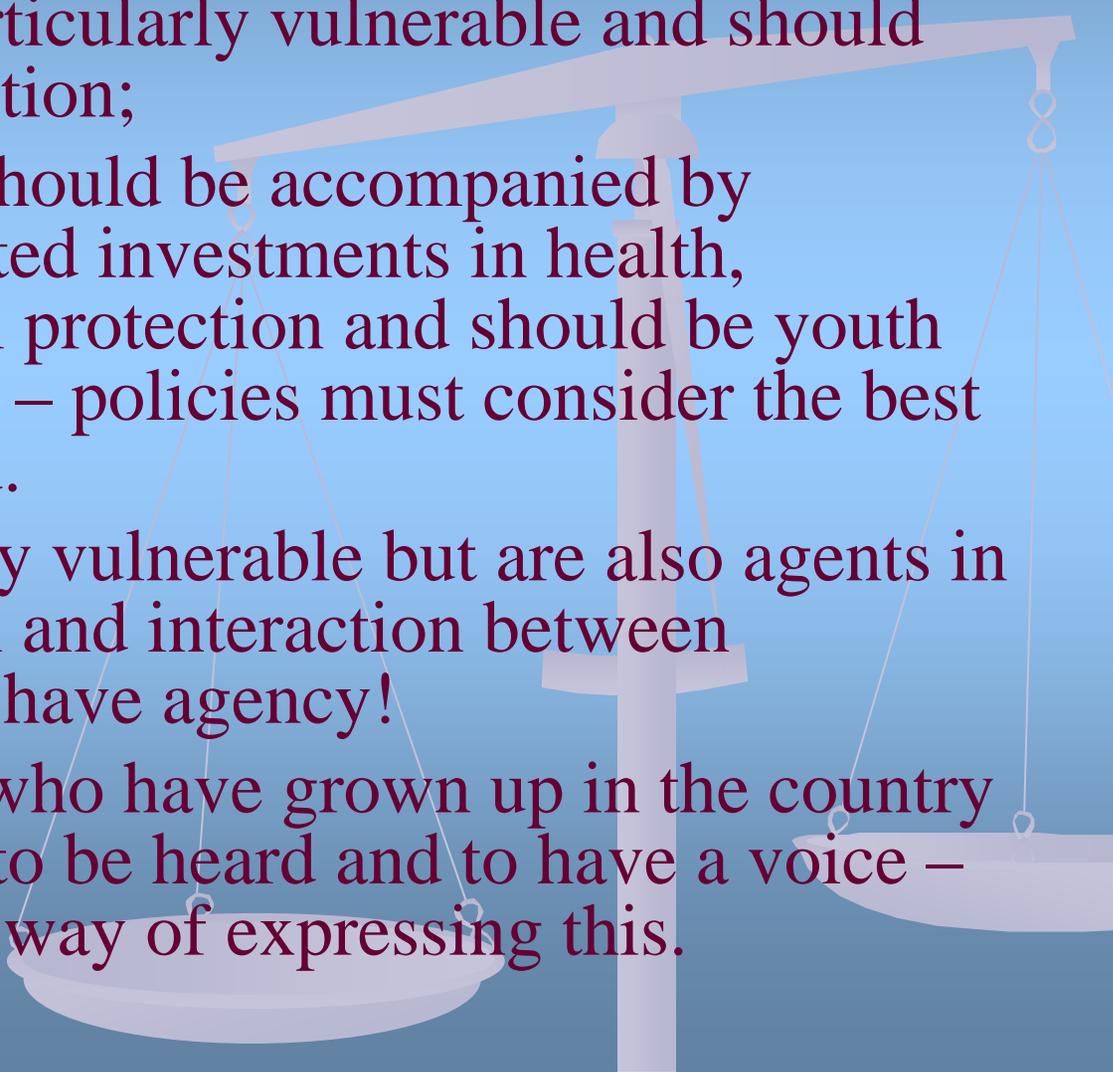
- Feeling of belonging to country of destination but with another background
- Often act as intermediaries between parents/“old” culture and institutions/“new culture”
- Feeling of being part of the country in which born/grown up leads to empowerment and the feeling of a right to participate – may lead to conflict such empowerment and participation was not expected by the host community.



- Higher crime rate
- Socio-economic conditions; levels of employment, housing, schooling and education.
- Higher focus on crime committed by non-nationals in the media
- Violence a desperate way of communicating when no other voice



Conclusions

- Recognizing that children and young people affected by migration are particularly vulnerable and should receive special attention;
 - Migration policies should be accompanied by additional and targeted investments in health, education and social protection and should be youth and family sensitive – policies must consider the best interests of the child.
 - Children are not only vulnerable but are also agents in fostering integration and interaction between communities – they have agency!
 - Young immigrants who have grown up in the country of destination want to be heard and to have a voice – positive or negative way of expressing this.
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Thank you!!

