



Raising awareness among UAMs on their rights, by involving UAMs in the development of an info campaign

EUROPEAN BACKGROUND OF THE PROJECT

Unaccompanied Minors (UAMs) are defined as third-country nationals or stateless persons below the age of eighteen, who arrive on the territory of the Member States unaccompanied by an adult responsible for them whether by law or custom, and for as long as they are not effectively taken into the care of such a person, or minors who are left unaccompanied after they have entered the territory of the Member States. Note that, by definition, this excludes unaccompanied minors who are EU nationals.

The European Union (EU) is facing the challenge of a growing number of migrant unaccompanied minors. They enter the EU either legally or illegally. Some are seeking asylum or other types of protection out of a fear of persecution or because of human rights violations, armed conflict or disturbance in their home country. Some are victims of trafficking for sexual or other forms of exploitation, others have travelled to Europe to escape conditions of serious deprivation or to look for new opportunities or a better life.

They come to the EU from all parts of the world, most especially from Eastern Europe, Africa, and Asia. Separated from their communities of origin, unaccompanied minors experience an unfamiliar culture and a loss of their social network. They often enter a Member State which they leave quickly to continue their journey into another Member State where they seek asylum. Some are in transit, passing through the EU en route to a final destination.

Several Member States have been experiencing the arrival and reception of large numbers of unaccompanied minors during the last years. According to data¹ provided by Member States, the phenomenon is increasing. For example, 7.444 (of whom 5.680 unidentified) unaccompanied minors have reached Italy in the first three months of 2009, against 7.797 during the whole of 2008. Unaccompanied minors as asylum seekers made the headlines in Finland in 2008 as the number of applicants rose from 165 applicants in 2007 to 706, an increase of nearly 330%.

Dealing with UAMs has economic implications for Member States: they are offered accommodation, education, treatment, guidance, welfare and health care services, leisure services, legal counseling services, interpretation services, etc.

Several initiatives have been taken to promote an exchange of views on this issue among the EC and the EU Member States.

In June 2009, the European Commission's Immigration and Asylum Committee (IAC) has taken first steps to discuss the possible added value of deepening common action at EU level in this field.

¹ Source: EC/JFS/MIGRAPOL 239 - Unaccompanied Minors: exchange of views on possible added value of deepening common action at EU level.

In September 2009, Save the Children organised in Brussels, under the auspices of the Swedish Presidency of the Council of the EU, a conference “*Addressing the Protection Gap for Unaccompanied and Separated Children in the EU: Role of the Stockholm Programme*”.

In addition, two studies have been finalized: an EU comparative study of the European Migration Network (EMN) on "Policies on reception, return and integration arrangements for, and numbers of, unaccompanied minors" and a study of the Fundamental Rights Agency (FRA) on “Separated asylum seeking children in EU Member States: an examination of living conditions, provisions and decision-making procedures in selected EU Member States through child centred participatory research” (publication expected by September 2010).

The 1989 United Nations Convention on the Rights of the Child (UNCRC), which has been ratified by all EU Member States, is the first legally binding international instrument to incorporate the full range of children rights. The European Union has a responsibility to ensure that its own activities are in line with the standards set by the Convention and consequently to promote and protect the rights of the child in all its actions affecting children. Furthermore, the rights of the child form an integral part of the human rights which the EU and its Member States are required to respect under the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), as referred to in Article 6(2) of the Treaty of European Union. Finally, the rights of the child are laid down in Article 24 of the Charter of Fundamental Rights of the European Union².

Year to year, provisions on reinforced protection of children have been included in the relevant Community migration instruments, which address directly or indirectly unaccompanied minors, and the general principle of "the best interests of the child" has been taken into primary consideration when adopting and developing EU legislation and policies.

In line with the efforts mentioned above, **the European Commission (EC) released in May 2010 an “Action Plan on Unaccompanied Minors” covering the period 2010-2014³**. In response to the growing number of UAMs on the European territory, the Action Plan defines three main strands of action: prevention in third countries and transit countries, reception and legal guarantees at EU level, as well as the identification of durable solutions for these UAMs such as return and reintegration on one side, or protection through the granting of a legal status and integration on the other side. **Some specific challenges have also been highlighted in the Action Plan, including the disappearance of UAMs from reception facilities in Europe and the risks** faced by this particularly vulnerable group.

This European initiative was completed in June 2010 by the “**Council conclusions on unaccompanied minors**”⁴, which reaffirmed the principles contained in the EC Action Plan.

There is indeed an urgent **need to inform UAMs about the rights they are entitled to as children and the risks they face by escaping from reception structures**. In general terms, once an UAM has left the structure, the exercise of basic rights such as the right to education, health, housing etc. becomes extremely difficult. In specific cases, abandoning the structure can imply becoming involved in (or going back to) trafficking or other criminal networks and consequently being subject to sexual or labour exploitation.

² See also the Commission Communication "Towards an EU strategy on the rights of the child", COM(2006) 367 final, available from

http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0367en01.pdf. This Communication, adopted on July 2006, is a cross-cutting document encompassing EU internal and external policies affecting children's rights.

³ Document available online under the following link: [http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF)

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF).

⁴ See http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/114887.pdf.

DESCRIPTION OF THE PROJECT

In this context, the International Organization for Migration (IOM) has launched in 2009 a project called *“Raising awareness among Unaccompanied Minors (UAMs) on their rights, by involving UAMs in the development of an info campaign”* aimed at raising awareness among UAMs residing in host countries’ reception structures and potential UAMs still located in their countries of origin on the rights they are entitled to as children and on the risks they face either by leaving their country of origin alone or by leaving the structures they are hosted in.

This was achieved through:

- The submission of questionnaires to UAMs and the staff managing the structures;
- The identification of priority needs, constraints and possible solutions in the form of a report;
- A 6 EU MS seminar at national agencies and administration structures responsible’ level;
- The development of a large information campaign targeting unaccompanied minors throughout the EU.

The information campaign is made of:

- A movie;
- A final awareness raising event;
- Other tools (i.e. DVD, leaflets) to be broadly disseminated in the EU MS.

Through this project, the IOM compendium of “Best practices and key recommendations in first reception, protection and treatment of unaccompanied minors”, developed within the framework of the IOM/ARGO project⁵ in 2008, has been further updated to include findings and recommendations regarding the potential departure of UAMs from reception structures. This updated manual will be disseminated amongst policymakers, stakeholders and practitioners.

Using the fiction, the movie is showing through 6 different stories the rights granted to UAMs as children, how they can exercise these rights staying in the structures or in their country of origin, as well as the risks linked to the disappearance from the centres, such as being involved or going back to trafficking or other criminal networks, and in general how leaving the centres can make it difficult to exercise basic rights such as education, health etc.

UAMs were actively involved in the implementation of the action, by way of informing them on the fact that the questionnaire was going to be used for shooting a movie on them, submitting the questionnaire, requesting their opinion on the movie screenplay, attending the shooting and the screening of the movie and discussing the movie after its screening.

Though the activities were implemented in the 6 EU MS already involved in the IOM/ARGO project, namely Austria, Belgium, Bulgaria, Poland, Czech Republic and Romania, the awareness raising tools will be disseminated in the 27 EU MS by all means (electronic and paper tools) by IOM and its partners’ network of contacts set at all levels (national, regional authorities, international organizations, NGOs, and other civil society associations dealing with UAMS and children in general). It will also be distributed to UAMs reception structures. The movie is also being proposed to European film festivals dealing with asylum and migration issues as well as children rights. The movie will be broadcasted in some EU Member States’ TV channels, including the 6 EU MS involved.

Overall Objectives

- To contribute to the enhancement of a European culture based on a child’s rights approach;
- To support the strengthening of the capacity for the promotion and protection of UAMs’ rights at the national and EU level.

⁵ The manual can be downloaded on IOM Brussels’ website: www.belgium.iom.int/. For more information on the EUAM I project, see <http://avrr.belgium.iom.int/en/other-projects/unaccompanied-minors/euam-i.html>.

- To foster improved collaboration at international and European level on the promotion and protection of UAMs' rights.
- To promote cooperation and information exchange between EU Member States, on the promotion and protection of UAMs' rights.
- To strengthen level of expertise of participants on international and EU standards on UAMs' rights.

Specific Objective

To raise awareness among UAMs and potential UAMs on the rights they are entitled to as children and on the risks they face by escaping from the host structures.

Target Group

- UAMs present in the centres, UAMs assisted by street workers escaped from the centres and potential UAMs.
- The 12 national agencies and administration structures responsible for the reception and treatment of UAMs in the 6 EU countries involved.
- UAMs reception structures.
- NGOs and social services.
- Law enforcement agencies.
- Government authorities and public institutions working on children, migration and refugee issues.
- International organizations.
- Expert researchers, policy makers.
- Diaspora associations, other migrant associations in the EU MS.

Concrete Outputs

- 1 updated compendium on Best practices and key recommendations in first reception, protection and treatment of unaccompanied minors (200 paper copies, 10.000 available via DVD and made available on the IOM website for free downloading).
- 1 movie with subtitles in 17 languages and dubbed in 14 other (available via YouTube, MySpace and on the IOM website for free downloading, presented to film festivals, broadcasted by TV channels in the 6 EU MS).
- 10.000 DVD, including a booklet and all project tools broadly disseminated into the EU.
- 1 seminar of 2 days, gathering 12 participants from national agencies and administration structures responsible for the reception and treatment of UAMs in participating countries.
- 1 final awareness raising event in Brussels, gathering 200 policymakers, practitioners and stakeholders

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