

**Congress: *What European policies for Unaccompanied Children?***  
**Roma, 17<sup>th</sup> December 2010**

**Palazzo Valentini – Via IV Novembre 119/A – « Sala di Liegro »**

**‘The European Union action in favor of unaccompanied minors’**

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Every day, thousands of minors, somewhere in the world, are travelling alone, without the assistance of their parents or a legal guardian. In recent years, more and more attention has been paid to the growing number of a specific group of minors travelling alone, namely the unaccompanied minors arriving in the EU, children of less than 18 years of age, belonging to a country outside the European Union and unaccompanied by a legal representative.

The situation of these separated children is indeed particularly vulnerable, since they are travelling without the assistance of their parents, and are as a consequence more exposed to the dangers of becoming victims of human trafficking, smuggling and exploitation.

The protection risks confronting the children while en route to Europe are indeed severe: there are reports of children disappearing, being shot at, killed, subjected to forced labor, or detained by smugglers awaiting additional payments. But even upon arrival in Europe, they might remain under the control of the smugglers and they are not always aware of or able to access to protection procedures. Many live in constant fear of being discovered and expelled to their country of origin. The number of children and young adults who are victims of trafficking and smuggling is growing, as is the number of children found roaming the streets of many key cities in Europe. In many respects, it is difficult to see happy endings for these children regardless of the outcome of their journey. The issue of unaccompanied minors is wide-ranging and increasingly global and needs the commitment to engage, involving all child protection actors.

Unaccompanied minors usually have various reasons to come to the EU: they escape from wars, poverty or natural disasters, discrimination or persecution. Often they are sent by their families in the expectation of a better life or the possibility to have access to a well-developed schooling-system. Sometimes they attempt to join other family members already in the EU. Some are minors in transit or runaways and drifters. Some are left behind by their parents in the knowledge that their child will have more rights as an unaccompanied minor. Others are victims of human trafficking and exploitation.

All EU-Member States are affected by the growing challenge of unaccompanied minors. Therefore we welcome the European Commission Action Plan on Unaccompanied Minors of last May that will give us the opportunity to set up a common approach to meet this challenge, combining preventive and protection-measures, with the principle of the best interest of the child as a paramount basis. The search for sustainable solutions, whether in the country of origin or in

the host-country, must be guided by the same principle. We thank the Spanish EU-presidency as well to have given special priority to the approval of the action plan by the Council in June. However...this was only a starting point in a long-term process and its implementation depends on the support and work of all stakeholders: EU institutions and agencies, Member States, third countries and civil society.

Belgium has worked in the footsteps of the Spanish Presidency and we also have given particular attention to the issue of unaccompanied minors and their vulnerability. Our Presidency worked along the lines of the action plan and its conclusions on unaccompanied minors.

Many events focalized on children during our Presidency:

- there was the European Family Conference in October;
- there was a two days expert conference in November organized by the Justice department and Child Focus, on the problem of runaways in the broader context of child disappearances and sexual exploitation ;
- there has been another conference last week of the Justice Department and the Fundamental Rights Agency which examined in particular the situation of separated and unaccompanied, asylum-seeking children in one workshop;

And finally we had an expert meeting last week on separated children crossing the external borders of the European Union in search of protection, which brought together field actors who, in one way or another, could get in contact with unaccompanied minors when they cross the external borders of the European Union.

This expert meeting offered a platform to exchange best practices on detection, identification, age determination and protection of unaccompanied minors. Practical recommendations were drawn up after the workshops and presented in a plenary session. These recommendations focus on child protection safeguards at the border which should ensure that separated children who are at risk of inadequate care or potential harm are both identified and referred to services providing special protection and assistance. We hope these recommendations will inspire new projects within the framework of the European External Borders Fund.

The expert meeting identified some of the main challenges that must be addressed to improve early identification and detection of children at risk of inadequate care or potential harm. The following actions should be considered as actions which would contribute to the implementation of the EU Action Plan on unaccompanied minors:

☞ More and ongoing data is needed regarding the circumstances of children travelling to and within European countries.

☞ The follow-up of children at risk cannot be limited at one's countries' borders. That's why it is essential that information regarding unaccompanied children should not only be shared between different actors within one country, but also

need to be shared between all Member States. Only then can a real follow-up be ensured.

☞ Standardized data on these children travelling throughout Europe should be gathered systematically.

☞ Next to the importance of information sharing and centralization, the recommendations of the expert meeting wanted to raise particular attention to the necessity of an in-depth training for actors at the borders, founded in a child rights and protection perspective.

☞ Regional guidance on age assessment procedures, should include specific provisions on issues raised at the border. More multidisciplinary oriented academic research is needed regarding age assessment practices and possibilities.

☞ Children should be provided with information in a manner they understand and adapted to their age and maturity.

☞ Standard documentation and agreed processes with carriers should be introduced.

☞ The proposal to install National Contact Points within every Member State which may be contacted by border authorities, as adopted under the Portuguese Presidency, might be extended to ensure that every Member State has an operational National Contact Point, and that this Contact Point covers all children present in an EU country, regardless their status.

☞ Existing legislation on unaccompanied children should be implemented and evaluated.

☞ Pilot studies should be done to explore outreach programs providing children on the move with sufficient information and care (for ex in Pakistan, Turkey, Italy, Calais, etc).

And many other key issues. These recommendations will be published next week on our website EU trio (<http://www.eutrio.be/>).

We will also transmit the recommendations to the future Hungarian Presidency who will have the opportunity to present them to the Council for further discussion.

By joining our forces and continuously strengthen our efforts in addressing the vulnerability of unaccompanied minors, we will ensure that the best interest of the child is protected. That is our duty and responsibility. There is no quick fix to the dangers and risks of unaccompanied minors on the move in Europe, but there is a need to move ahead in a constructive manner and to work toward a holistic approach with all relevant actors.