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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Human rights bodies and mechanisms

**Global issue of unaccompanied migrant children
and adolescents and human rights***

**Progress report of the Human Rights Council
Advisory Committee**

Summary

The present report was prepared pursuant to Human Rights Council resolution 29/12, in which the Council requested the Advisory Committee to develop a research-based study on the global issue of unaccompanied migrant children and adolescents and human rights and to submit it to the Council at its thirty-third session for consideration. The report was prepared by the Rapporteur of the drafting group on unaccompanied migrant children and adolescents and human rights, Carla Hananía de Varela, with the valuable contribution of Fabio Cano Gomez.

* The present report was submitted after the deadline in order to reflect the most recent developments.

Contents

	<i>Page</i>
I. Introduction.....	3
II. Main reasons why children and adolescents are forced or encouraged to migrate unaccompanied	4
III. Situation of unaccompanied migrant children and adolescents.....	7
IV. Main human rights violations faced by unaccompanied migrant children and adolescents	11
V. Gender considerations	14
VI. Regional and inter-State coordination	15
VII. Role of civil society	16
VIII. Recommendations.....	18
IX. Best practices	19

I. Introduction

1. In its resolution 29/12, the Human Rights Council requested the Advisory Committee to develop a research-based study on the global issue of unaccompanied migrant children and adolescents and human rights, in which it identifies areas, reasons and cases where that issue arises in the world, and the ways in which human rights are threatened and violated, and makes recommendations for the protection of the human rights of members of this population, and to submit it to the Council at its thirty-third session.

2. At its fifteenth session, the Advisory Committee established a drafting group for the preparation of the above-mentioned study, which currently comprises Mario Luis Coriolano, Laura Maria Crăciunean-Tatu, Hoda Elsadda, Carla Hanania de Varela (Rapporteur), Obiora Chinedu Okafor, Katharina Pabel, Anantonia Reyes Prado (Chair) and Changrok Soh.

3. The present report aims to provide a comprehensive analysis of the situation of unaccompanied migrant children from a human rights perspective. The analysis and recommendations contained in this report provide guidance for ensuring that the commitments assumed by States parties to the Convention on the Rights of the Child and other relevant human rights treaties are fulfilled. The fulfilment of those commitments guarantees the appropriate and timely protection of children who find themselves in situations of high vulnerability because they are forced to migrate unaccompanied by their parents or guardians. In line with article 1 of the Convention on the Rights of the Child, “a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”. Unaccompanied children are children “who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so”.¹

4. Two methodological tools were used to carry out the study: (a) an ad hoc questionnaire addressed to States, national human rights institutions, non-governmental organizations (NGOs) and international organizations; and (b) documentary research.

5. The drafting group developed questionnaires to seek the views and input of Member States, international and regional organizations, special procedure mandate holders and treaty bodies, national human rights institutions, civil society organizations and other relevant stakeholders. In total, 80 responses were received, of which 19 from States, 47 from NGOs, 13 from national human rights institutions and 1 from the United Nations Children’s Fund (UNICEF).

6. The present report contains information about the rights of children who are forced to abandon their homes and lands, children with a life, rights and special needs related to nutrition, education, medical attention and protection from abuse. According to UNICEF, in 2014 60 million people were chased from their homes by war, violence and persecution, of whom an estimated 30 million were children. Worldwide, nearly 232 million people live beyond the borders of their native land;² among them are 35 million children, some of whom are not accompanied by an adult.³ From 1990, rising insecurity and political instability have contributed to preventing mobility or have forced migrants to seek more

¹ See Committee on the Rights of the Child, general comment No. 6 (2005) on the treatment of unaccompanied and separated migrant children outside their country of origin, para. 7.

² The Committee refers to people who leave their country of origin for different reasons.

³ UNICEF, “Protecting children on the move”, briefing note (November 2015).

distant destinations. There are three main categories of unaccompanied and separated children, each of which must receive a different response:

(a) Children separated from their family or caregivers during the move. Civil society and international organizations and social workers should take measures in reception and transit centres to enable prompt family reunification;

(b) Children who started their journey as unaccompanied or separated children and are currently travelling with groups of people. Most are males aged 14-17 years who avoid being registered or pretend to be young adults;

(c) Children who have interrupted their migration owing to a lack of resources. In the context of the European migrant crisis, children in this category are often found in urban areas in Greece and Italy and are particularly vulnerable to all types of abuse, exploitation, trafficking, enrolment by criminal groups and violence.

II. Main reasons why children and adolescents are forced or encouraged to migrate unaccompanied

7. The reasons why individuals migrate are often multilayered and depend on the country of origin, social and cultural background and personal or familial aspirations. In most cases of child migration, the immediate and structural causes are closely interlinked.

8. There are often important differences in the motivations of migrant children who apply for asylum and the motivations of those who do not. Children who seek asylum often flee their country out of fear of persecution or because of a generalized state of violence. Children who do not apply for asylum are often moved by the desire to find a better future. Moreover, such children do not always want to be registered or be cared for in reception centres, which greatly limits the information available on them.

9. Information provided by Central American States shows that, while there are several reasons why children migrate, the common factor is the multiple violations of human rights of children in their countries of origin: migrant children lack protection from different manifestations of violence, poverty, lack of opportunities, poor access to education and health services, maltreatment at home, different kinds of threats, intimidation and insecurity.

10. In Latin America, the low level of public education needs to be addressed. In the case of migrants from the “northern triangle” (El Salvador, Guatemala and Honduras), the level of education is insufficient to break the intergenerational transmission of poverty that constitutes a key factor in children’s migration.⁴

11. There has been much discussion in Central American countries about the new phenomenon of forced displacement, including of children and youth. There is an increasing movement of young people forced by threats and violence to migrate. Some States, such as Honduras, accept that forced displacement (internal and external) is the most important cause of migration, while others, like El Salvador, emphasize that the reasons for migrating are multilayered.

12. Some countries, like Colombia, have reported that many teenagers have left their places of origin owing to violence and have never applied for refugee status. This phenomenon is also beginning to show in some isolated cases in the Dominican Republic,

⁴ Information provided by the Dirección de Investigación en Derechos Humanos, Procurador de los Derechos Humanos, Guatemala.

where adolescents migrate to avoid violence and for economic reasons. For Bolivian and Ecuadorian children, however, the main motivation for migrating is economic. Cases of children and adolescents migrating as a result of natural disasters have also been reported, mainly in respect of Haiti.

13. As the difference in living standards and wages between countries of destination and of origin continues to grow, children are attracted to nations with higher standards of living and better job opportunities than they are able to find in their own countries. In regard to the migration flows to North America, for example, children have the perception that migrating northward is the best way of improving personal status and quality of life, given the gap between North and Central America⁵ in terms of human development.

14. Many respondents to the questionnaire indicated that children view irregular migration as a “necessary risk” and perceive the authorities as an obstacle to reaching their destination; only in very few cases are they associated with the obligation to protect children’s rights.⁶

15. Extreme poverty has historically been one of the main reasons why children have left their homes, including in Central America. In Guatemala, 41.7 per cent of children suffer from chronic malnutrition; that percentage is even higher in regions with large indigenous populations. According to interviews conducted by the Social Welfare Department and the Attorney General’s Office of Guatemala with 10,166 unaccompanied migrant children and adolescents in 2015, 67 per cent travelled in search of work, 23 per cent to reunite with their family, 2 per cent in search of better opportunities and 0.4 per cent without knowing the reason (population aged 0-5 years). Only 0.1 per cent mentioned direct violence as the reason for moving.

16. In El Salvador, the returnees care centre attended to 4,114 migrant children and adolescents between June 2014 and July 2015, of whom 45 per cent were unaccompanied. When asked about the reasons for migrating, 36.1 per cent of the children said they wanted to join their family, 31.7 per cent mentioned better living conditions and 27.48 per cent said they moved because of threats.⁷ Violence has become a growing factor in migration in Central America. In Honduras, it has been reported that parents decide to send children abroad to prevent them from being recruited by gang members.⁸

17. It is also difficult for asylum seekers to meet the strict criteria for family reunification through the regular channels. In Europe, adults often have to meet minimum income requirements before they can sponsor their children’s migration in the context of family reunification (low-income migrant workers are excluded), which sometimes has a particularly discriminatory effect on migrant women. Despite the existence of common European Union legislation on family reunification, in some European Union member States there continue to be restrictions based on the age of the child and the family members who are able to sponsor the child. Furthermore, some migrant workers are unable to apply for official family reunification, as they are not legal residents in the country of destination. This leads to many children migrating unaccompanied or separated in order to join parents or other family members in countries of destination.⁹

18. The International Organization for Migration (IOM) estimates that 2.2 million people, including 1.5 million children (55 per cent of the total), have been displaced

⁵ Centro de Derechos Humanos Fray Matías.

⁶ Aldeas Infantiles SOS Nicaragua.

⁷ Returnee care centre.

⁸ National human rights commission of Honduras.

⁹ Platform for International Cooperation on Undocumented Migrants.

internally as a result of the conflict in north-eastern Nigeria. It is estimated that there are nearly 400,000 Nigerian refugees and internally displaced persons in neighbouring Chad, in northern Cameroon and in the Diffa region of the Niger. In Zimbabwe, which has seen a steep increase in child migration flows in recent years, the main reported causes of child migration are: sexual abuse by caregivers, peer pressure, the death of a caregiver (mostly from HIV- and AIDS-related complications), the breakdown of traditional families, public budgets that do not prioritize child rights, deteriorating education standards, high school dropout rates and poverty.¹⁰

19. In Senegal, children who agree to talk about the causes pushing them to migrate cite mainly economic reasons. Their parents entrust them to people who promise to find them work in neighbouring regions or other African countries. Most are subjected to the worst forms of child labour, however.¹¹ In Swaziland, children migrate mainly to flee from war and persecution and therefore try to go to a non-neighbouring country where human rights are respected.¹²

20. In West and Central Africa, migration is strongly influenced by the region's rapid population growth. Conflicts in the Central African Republic, the Democratic Republic of the Congo, Mali and Nigeria result in huge numbers of people being displaced, a large proportion of whom are children. In addition, because of the high demand for cheap and productive labour, young people are very attractive to contractors. A high proportion of those active in agricultural fields, gold and diamond mines, stone quarries, the informal sector and domestic work are children working in exploitative conditions.

21. In Bangladesh, as in other Asian countries, there is a tradition of engaging in labour migration during the transition from childhood to adulthood. Children are urged to migrate as a passage to adulthood and are often forced by their families to leave and migrate in order to bring money to the household. Cultural norms and traditions contribute to children being trapped in poverty, increasing their vulnerability to abuse and exploitation.¹³ These cases tend to also have a strong gender dimension, as is the case of the marriage market in India.

22. In May 2015, the European Migrant Network produced a synthesis report entitled *Policies, Practices and Data on Unaccompanied Minors in the EU Member States and Norway*. In it, the main reasons and circumstances encouraging children to migrate, as reported by the States receiving them, were grouped into three categories: a fragile environment, other reasons and special reasons.

Fragile environment

23. The following countries cited security concerns: Austria, Belgium, Bulgaria, Croatia, Cyprus, Germany, Greece, Finland, France, Hungary, Ireland, Italy, Lithuania, Malta, Poland, Portugal, Slovakia, Slovenia, Sweden, and Norway.

24. The following countries cited economic and aspirational reasons, including education: Austria, Belgium, Cyprus, Czech Republic, Estonia, Germany, Greece, Finland, France, Hungary, Ireland, Luxembourg, Malta, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Norway.

¹⁰ Information provided by Terre des Hommes Zimbabwe.

¹¹ Information provided by Caritas Senegal.

¹² Information provided by Caritas Swaziland.

¹³ Information provided by Caritas Bangladesh.

Other reasons

25. The following countries cited domestic violence: Finland, Germany and Hungary.
26. The following countries cited the recruitment of child soldiers: Austria, Finland and Germany.
27. The following countries cited forced marriage: Austria, Germany and Norway.

Special reasons

28. The following countries cited reunification with family members: Austria, Belgium, Czech Republic, France, Germany, Hungary, Ireland, Luxembourg, Netherlands, Poland, Portugal, Slovakia and Slovenia.
29. The following countries cited joining the diaspora or a migrant community: Austria, Belgium, Luxembourg, Poland and Slovenia.
30. The following countries cited education, economic and aspirational reasons: Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovenia, Slovakia, Spain, Sweden and Norway.
31. Although there are different causes and categories of migrant children, the Committee on the Rights of Child recommends being cautious when trying to put migrant children into boxes. The complexity of the migration dynamics could make many children fall into several categories and the excessive categorization could prevent the carrying out of a comprehensive analysis of their human rights situation.

III. Situation of unaccompanied migrant children and adolescents

32. In the responses to the questionnaires, most States did not provide accurate data about the living, reception and transit conditions of unaccompanied migrant children. Important information has been provided instead by NGOs.
33. Migratory policies based on detention and deportation have failed to discourage irregular migration. Usually, transit migrants use less guarded and riskier areas. An increasing number of migrant families hoping to make the journey abroad contact traffickers, which may lead to the separation of children from their families, leaving most children without any protection. Migrant children usually choose to go through country roads and thus are not very visible to the local population, the organizations offering services and the immigration authorities.
34. Unaccompanied migrant children separated from their families are the most vulnerable group among all migrants; the lack of information about their situation is one of the most important barriers faced by institutions and States seeking to effectively protect their rights.
35. Across the European Union, age determination procedures are frequently intrusive and unreliable and unaccompanied children are often subjected to the same violations as undocumented adults. If apprehended and, in particular, if not recognized as children,

unaccompanied minors face detention,¹⁴ deportation and violence.¹⁵ National authorities treat illegal entry into the country as a crime rather than as mere violation of administrative regulations.

36. During the first nine months of 2015, more than 200,000 children applied for asylum in European Union countries.¹⁶ Some did not reach their destination. In the same year, nearly 700 children are believed to have died crossing the Mediterranean Sea.¹⁷ Each day, 700 children arrive Europe, many of them exhausted and distressed and some in need of medical assistance.¹⁸ In the former Yugoslav Republic of Macedonia, the number of unaccompanied children and adolescents increased six-fold, from 932 in August to 5,676 in October 2015. In the first months of 2015, more than 23,000 unaccompanied migrant children and adolescents applied for asylum in Sweden alone¹⁹ and more than 30,000 were expected to apply in Germany by the end of 2015.

37. Most European States bordering the Mediterranean Sea are countries of both transit and destination. For example, in 2014 a total of 14,243 unaccompanied migrant children landed in Italy, of whom 3,707 absconded after landing and 10,536 were hosted in centres organized by local municipalities charged with providing reception. Up until August 2015, a total of 8,944 unaccompanied migrant children arrived in Italy. According to IOM, between January and July 2015 a total of 5,459 unaccompanied migrant children entered the country, 27 per cent (1,467) of them coming from West Africa (Gambia, Nigeria, Mali and Senegal).

38. In October 2015, 3,125 migrant deaths and missing migrants in the Mediterranean Sea were recorded, of whom 40 per cent were of unknown origin, nearly 32 per cent were from sub-Saharan Africa and 11 per cent from the Horn of Africa.

39. In Belgium, owing to a lack of reception places, children used to be housed in hotels with little assistance, in inappropriate reception structures or in adult shelters. In 2013 and 2014, however, there were enough places to accommodate unaccompanied children since – additional facilities were created, but especially since there was also a decrease in the number of asylum seekers. Nonetheless, since May 2015 there has been a sharp increase in the number of migrant children, putting the reception network under pressure once more.

40. In the midst of the biggest flow of migration in Latin America, Mexico is a country of origin, transit, destination and return. Among the migrants are children of Mexican and other origins intending to enter the United States of America and non-Mexican children who view Mexico as country of destination. In recent years, the arrival and irregular movement of children and adolescents in Mexico, mainly from Central American countries, has increased enormously.²⁰ According to the UNICEF office in Mexico, the number of unaccompanied migrant children and adolescents who were detected by Mexican immigration authorities increased by 333 per cent from 2013 to 2015.²¹

¹⁴ In accordance with article 37 of the Convention on the Rights of the Child, migrant children should not be detained.

¹⁵ Information provided by the Platform for International Cooperation on Undocumented Migrants.

¹⁶ Eurostat.

¹⁷ UNHCR.

¹⁸ UNICEF, “Protecting children on the move”, briefing note (November 2015).

¹⁹ Swedish Migration Agency.

²⁰ According to the National System for Integral Family Development, most children and adolescents who are in transit or in an irregular migration situation in Mexico were adolescent males with basic education.

²¹ UNICEF Mexico.

41. In the United States, Customs and Border Protection officers and Border Patrol agents encounter and identify unaccompanied children. After carrying out the necessary administrative steps, they either transfer the child to an institution or, if permitted under the limited circumstances provided by law, arrange for the child's voluntary return. While they are assigned accommodation, migrant children should not be in the custody of Customs and Border Protection for more than 72 hours. However, they are in the custody of the Border Patrol for extended periods of time, in temporary locations and under conditions that affect their development and emotional health.²²

42. In 2015, the number of migrant arrests in the United States declined but the number of arrests and deportations from Mexico to Central America increased dramatically. This is due in some degree to pressure exerted by the United States on Mexico.²³ Despite the decrease in arrests in the United States, repatriation practices are still common. In 2014, 14,352 Mexican children were repatriated by the United States. The corresponding figure for the period from January to July 2015 was 6,772.²⁴

43. In Mexico, immigration authorities detain unaccompanied migrant children from Central America who are detected at points of entry and by patrols along railways and roads. According to the Migration Act, the National Institute of Migration shall remove the children and accommodate them in the facilities of the National System for Integral Family Development. Contrary to the amendment to article 29 of the Migration Act, however, children are detained for long and uncertain periods after being apprehended by the immigration authorities.²⁵ The National Human Rights Commission of Mexico has found that of 35 migrant holding centres only 11 have areas for families and more than 50 per cent lack specific spaces for the accommodation of children and adolescents. Moreover, the focus of migration policy in Mexico is on the detention and return of irregular migrants, including unaccompanied children. From January 2014 to June 2015, 14,864 unaccompanied migrant children were returned to their countries of origin.²⁶

44. Other sources reveal that more than 85 per cent of unaccompanied migrant children from Central America in Mexico end up being deported. Mexico does not comply with the 2011 reforms made in the Migration Act, including the requirement to consider the best interests of the child before repatriating migrants.²⁷

45. The massive number of child returnees and the lack of preparation to reintegrate them is a severe issue in Central America. Of the children arrested by immigration authorities in the United States in the first half of 2014, most came from Honduras (13,282), Guatemala (11,479), Mexico (11,577), El Salvador (9,850) and other countries (829).²⁸ For instance, from 2012 to July 2014, El Salvador reported that 5,411 children and adolescent migrants had been returned, of whom 96 per cent had come from Mexico; 34.7 per cent were girls and young women while 65.3 per cent were boys and young men.²⁹ In 2015, 3,091 unaccompanied child migrants were returned to Honduras, 7,545 to El Salvador and 9,613 to Guatemala.³⁰

²² Information provided by the Asociación de Consultores y Asesores Internacionales.

²³ WorldVision Latin America and the Caribbean Regional Office.

²⁴ Mexico, Ministry of the Interior.

²⁵ Information provided by the Congregation of Our Lady of Charity of the Good Shepherd, Mexico.

²⁶ Mexico, Ministry of the Interior.

²⁷ Centro de Derechos Humanos Fray Matías.

²⁸ See www.oas.org/en/iachr/media_center/PReleases/2014/067.asp.

²⁹ El Salvador, General Directorate of Immigration.

³⁰ Information provided by the ministries of foreign affairs of El Salvador, Guatemala and Honduras.

46. Although some Governments in Latin America have participated in special training sessions and workshops on childhood, migration and human rights, most migration officers have no personnel assigned exclusively to work with unaccompanied migrant children. There is almost no local authority or institution in the region that works specifically on that topic. Despite the fact that legal frameworks to protect migrants and children are well developed, there are no laws on unaccompanied migrant children as a specific category. Some countries, including Nicaragua, have no migration policy at all, which means that responses tend to be instrumental, short-term and uncoordinated.³¹

47. In South America, internal migration in Paraguay constitutes a special case. Children are constantly displaced from rural areas to cities in order to be trafficked for labour exploitation. This practice, commonly referred to as “criadazgo”, is widespread in Paraguay and is organized by contractors who pretend to provide protection. Children become involved in domestic work without any financial compensation, in exchange for shelter, food, clothing and education. According to the findings of the Permanent Household Survey, it is estimated that 46,993 children and adolescents (2.5 per cent of all children in the country) are in a situation of “criadazgo”. Furthermore, authorities have perceived a strong social legitimization and normalization of the practice.³²

48. In Asia, the labour laws of countries such as India and Nepal allow the exploitation of child workers by defining 14 years as the beginning of adulthood. Caritas Bangladesh has reported that employers of children rarely consider the compensation they provide to child workers or their families as the fulfilment of duties to the children, nor do they see children as rights holders entitled to the right to fair treatment and compensation.

49. In India, which has the world’s largest population of children, the migration of children within states and across state boundaries is increasing. Gender-related issues are common causes of migration and human rights violations; in India, the main cause of migration is gender-based discrimination and the low status of women in society, which results in child marriage, a decline in the ratio of women to men and a division of labour along traditional gender roles. Migrant girls are increasingly forced, as service providers, to fulfil the demand for a vast array of personalized services in the entertainment and sex industry, in domestic work and in the marriage market.³³

50. In South Africa, the number of irregular migrants is difficult to determine; estimates range between 2.5 million and 7 million. According to IOM, every week about 2,000 irregular migrants, mainly from Mozambique and Zimbabwe, are deported. Some 20 per cent of them are children. These figures indicate that about 1.6 million migrant children stay in Mozambique, South Africa and Zimbabwe.

51. According to the *UNICEF Eastern and Southern Africa Regional Analysis Report 2014*, the crisis in South Sudan has led almost half a million people to move. Over 70 per cent of those people are children who then seek asylum in neighbouring countries like Ethiopia, Kenya, the Sudan and Uganda. An estimated 35,000 are unaccompanied children.

52. Children transiting through Zimbabwe lack access to many social services. Once the children are outside the family environment they are often left by themselves and may be exposed to hard living conditions. That said, the reception conditions have improved in recent years as child reception centres have been set up by IOM, UNICEF and the

³¹ Information provided by Aldeas Infantiles SOS, Nicaragua.

³² Information provided by Grupo Luna Nueva.

³³ As the ratio of females to males in India continues to decline, young girls are trafficked into the countryside and sold into marriage.

Government of Zimbabwe. Those centres provide basic social services for children and allow for family reunification.

53. A number of children in Africa are born in countries of transit in very precarious conditions. In Senegal, the phenomenon of *talibés* is growing. *Talibé* children are taken by marabouts (Koranic teachers) to cities, allegedly for the purpose of learning the Koran. In reality, the marabouts exploit the children and force them to pay money. Studies indicate that there are some 15,000 children without a family in Dakar who are victims of exploitation. In most cases, the children come from the southern regions or neighbouring countries like Guinea-Bissau.³⁴

54. In Haiti, the situation is among the most alarming in the Caribbean, as the country has no reception structures dedicated to children. Unaccompanied children are kept together with repatriated adults in transit centres operated by the Government. In general, the centres do not meet the general standards in terms of hygiene, water and appropriate food.³⁵

IV. Main human rights violations faced by unaccompanied migrant children and adolescents

55. A common denominator in almost every State is the lack of information about human rights violations faced by unaccompanied migrant children.

56. Specifically, the rights under the Convention on the Rights of the Child that are most often violated in respect of unaccompanied asylum-seeking children are the right to non-discrimination, the right to development, the right to have a name and a nationality, the right to family reunification, the right to health and medical care, the right to education and the right to special protection measures; in addition, the principles of upholding the best interest of the child and of respecting the views of the child are often violated.³⁶

57. Unaccompanied migrant children are among the most vulnerable groups, as such children can be subjected to forced labour, drug trafficking, human trafficking and sexual exploitation. Some face a situation of even greater vulnerability because they lack documentation from their country of origin, making it difficult to regulate their migration status and to access social services when arriving in a foreign country.

58. Discrimination based on race and ethnicity still exists in the United States, even in governmental institutions. For instance, the Office of the United Nations High Commissioner for Refugees (UNHCR) interviewed 100 Guatemalan children aged between 12 and 17 years who had entered the United States and were in federal custody. Of the total, 48 per cent identified as indigenous and complained of racism and discrimination against their community.³⁷

59. Trafficking for the purpose of sexual or economic exploitation, the removal of organs and other forms of violence are the most severe violations experienced by migrant children in Paraguay. These situations prevent access to other basic rights such as the rights

³⁴ Information provided by Caritas Senegal.

³⁵ Information provided by WorldVision Haiti.

³⁶ The international legal principles that prescribe the responsibilities of States to unaccompanied children are based on two main conventions: the Convention on the Rights of the Child, of 1989, and the Protocol relating to the Status of Refugees, of 1967.

³⁷ Center for Gender and Refugee Studies, University of California Hastings College of Law, and others, *Niñez y Migración en Centro y Norte América: Causas, Políticas, Prácticas y Desafíos* (February 2015) pp. 49 and 125.

to education, health, housing and a life free of violence. In response to the questionnaire, Grupo Luna Nueva reported different kinds of violations: sexual and labour exploitation, organ trafficking and the trading of girls for animals.

60. Human trafficking flows originating from sub-Saharan Africa have occurred mostly within the region, with the majority of victims being children. According to the United Nations Office on Drugs and Crime, Africa and the Middle East accounted for 62 per cent of the global share of trafficked children between 2010 and 2012, the highest proportion in the world.

61. In many countries of destination, migrant children commonly acquire a debt with the trafficker/exploiter, who takes away their documents and uses threats and violence to subdue them. The situation does not always improve when the children are sheltered with local authorities. Children are said to be physically abused, both by civilians and by government officials, as in the case of unaccompanied Zimbabwean children in Botswana who were introduced illegally into the country.³⁸

62. Unaccompanied migrant children in the Democratic Republic of the Congo are victims of labour exploitation. They carry out heavy work for little money, for example in artisanal mining, a job that prevents them from going to school and does not provide medical care.³⁹ According to UNICEF, there are approximately 40,000 children working in mines across southern Democratic Republic of the Congo. Unaccompanied migrant children are sometime arrested and jailed in adult prisons, as there are no juvenile prisons.⁴⁰ A similar situation prevails in Malaysia, a State that does not recognize refugees and asylum seekers since it has not signed the 1951 Convention relating to the Status of Refugees. Children are constantly harassed by law enforcement officers and many have been captured and placed in immigration detention camps, where no difference is made between minors and adults.⁴¹

63. In India, as in other countries in Asia, the exploitation starts from the time children leave home for the cities. On their way, they fear getting caught by the police. Once in the hands of an “agent”, they are taken to an agency and kept there until work is found for them. Physical and sexual abuse by agents and employers has been reported.⁴² In Bangladesh, similar cases of abuse have been reported.

64. Migrant children in Spain, whether accompanied or not, are subject to a regime that requires the administration to consider the best interests of the child in all proceedings affecting them. Nonetheless, there is no authority yet that specifically deals with children and young migrants.⁴³

65. Through its General Law on the Rights of Children and Adolescents, Mexico recognizes children and adolescents as rights holders and guarantees the full exercise, respect, protection and promotion of their human rights. All children are full subjects of the law. Therefore, they should enjoy the fundamental rights they are entitled to in their special capacity as persons in development, which are protected and embodied in international human rights instruments like the Convention on the Rights of the Child. In Mexico as is in many countries in Latin America, despite national and international laws and the important

³⁸ Reports by Terre des Hommes Zimbabwe.

³⁹ Information provided by Congregation of Our Lady of Charity of the Good Shepherd, Democratic Republic of the Congo.

⁴⁰ Ibid.

⁴¹ Congregation of Our Lady of Charity of the Good Shepherd, Malaysia.

⁴² Information provided by Caritas India.

⁴³ Information provided by the national ombudsman of Spain.

efforts made by Governments, there continues to be a big gap between the rights enshrined in human right treaties, their incorporation into domestic law and day-to-day practice.

66. In Chile, even children of migrants born in the country used to be registered as stateless because their parents were considered, owing to a biased interpretation of the Constitution, to be “foreigners in transit” (*transeuntes*). The legal definition of “foreigner in transit” changed two years ago, however, so that the term can only be applied to tourists and crew members. Children born in Chile of foreign parents are considered Chilean. Nonetheless, there are still reports of children who are registered as “children of foreigners in transit”, which denies them the right to a nationality or official identity.⁴⁴

67. In some European States, including Austria, children have to apply for asylum in order to gain access to basic services and receive immediate legal representation, which is first provided by the legal adviser at the initial reception centre and subsequently by the provincial youth offices. Once the competent authorities have established contact with migrant children, the competent authorities should provide a solution that addresses all their protection needs, taking into account their views and favouring family reunification, except when that is against their best interest or against their will. Progress in that respect has been made in recent years. Specific laws based on the Convention on the Rights of the Child have been adopted to guarantee that children and adolescents will be heard on all matters affecting them.

68. In Guatemala, little has been done to enforce the right of children to freedom of opinion and expression; there are many obstacles to the fulfilment of this right, such as authoritarian attitudes among adults.⁴⁵ The immigration policy of Guatemala lacks a human rights approach, nor has the Government developed specific policies to protect, serve and assist unaccompanied migrant children.⁴⁶

69. El Salvador has an official mechanism for interacting with children in such a way as to take their views into consideration. An advisory council formed by children and adolescents representing the country’s 14 departments has been operating since 2014.⁴⁷ In addition, the specialized staff of the national council for children and adolescents assists returnee children and conducts interviews with the aim of knowing their views, problems and needs.

70. In Paraguay, the code dealing with childhood and adolescence (arts. 44-47) established municipal councils for children and adolescents. The councils work with representatives of children’s organizations. Despite the existence of such councils, many organizations in Paraguay continue to complain about the lack of real and effective spaces for active participation.⁴⁸

71. New laws concerning the reception of foreign protection seekers, for instance in Italy, envisage and consolidate children’s right to be heard in all matters affecting them. In Belgium, a preliminary draft bill has been proposed that would ensure that all accompanied children have the right to be heard, without the presence of their parents or legal guardians, so that they can speak freely.⁴⁹ Furthermore, children already have the right to refuse accommodation provided by the responsible federal agency and to choose to live with an

⁴⁴ Congregation of Our Lady of Charity of the Good Shepherd, Chile.

⁴⁵ Information provided by Casa Alianza Guatemala.

⁴⁶ Information provided by the Dirección de Investigación en Derechos Humanos, Procurador de los Derechos Humanos, Guatemala.

⁴⁷ Information provided by Aldeas Infantiles SOS, El Salvador.

⁴⁸ Information provided by Grupo Luna Nueva.

⁴⁹ The bill is expected to enter into force in 2016.

adult, who often is a member of their immediate or extended family. Children leave a reception centre only once it is guaranteed that the adult in question can adequately accommodate them.

72. In Serbia, the lack of proper measures by the responsible institutions means that the language barrier hinders migrant children from explaining their situation. That also effectively renders them unable to express their own opinion and prevents the authorities from determining whether their choice was voluntary and what were the underlying reasons that motivated them to migrate.⁵⁰

73. In Honduras, there is a programme for underage foreign migrants, as part of which trained technical teams attend to that population. There is no national policy that deals with the issue of migrant children. Moreover, in the case of returnees, only one centre is specialized to assist Honduran migrant children returning from abroad and undocumented foreign-born children.

74. In Zimbabwe, migration policies take into account the protection of the rights of migrants, but the practical implementation of those policies remains a challenge. Zimbabwe recently passed the Anti-trafficking Act, which seeks to protect unaccompanied children. Furthermore, the establishment of reception centres for unaccompanied children deported from Botswana, Mozambique and South Africa (along the main borders in Beitbridge, Plumtree and Nyamapanda) is based on the protection of the rights of children. Those children are provided with basic social services such as temporary shelter, food, clothing, medical care and, if possible, family reunification.

V. Gender considerations

75. As almost no information is provided by States on violations of human rights of migrant children, information on gender-based violations is missing as well.

76. Despite the lack of information, gender does appear to have an impact on international migration patterns in Mexico. For instance, a teenager named Maya Mam stated in an interview that, in order not to be subjected to sexual abuse, she had to ask a male fellow traveller to introduce her to others as his girlfriend, a pretence for which he asked to be paid.⁵¹ Heterosexual women are not the only ones to be the target of gender-based violence: discrimination and persecution has also been experienced by lesbian, gay, bisexual, transgender and intersex children.⁵²

77. Employment in domestic service is common for female migrants in Mexico, the vast majority of whom are under the age of 18. Female migrants from Guatemala tend to have indigenous origins. This vulnerable group has been subjected to labour exploitation and to have been denied minimum labour rights, such as a legal contract and a legal residence permit. Moreover, it is almost impossible for migrant girls to obtain temporary or permanent residence status given the costs involved and the interests of their employers.⁵³

⁵⁰ National ombudsman of Serbia.

⁵¹ Center for Gender and Refugee Studies, University of California Hastings College of Law and others (see footnote 38), p. 145.

⁵² Information provided by the General Coordinator of the Mexican Commission for Refugee Aid.

⁵³ Centro de Derechos Humanos Fray Matías.

78. The authorities in Guatemala report that in many cases the danger of rape is so high that traffickers themselves, in order to prevent pregnancy,⁵⁴ force teenage girls to undergo a contraceptive injection before starting on their journey.

79. Most victims of sexual exploitation are female. For instance, most of the unaccompanied migrant children in Italy originating from Nigeria who are reported to be victims of trafficking and exploitation are girls.

80. In Senegal, there is a clear gender dimension to the kind of work that migrants seek to engage in. Thus, domestic work is mostly designated to female migrants and jobs that require physical strength are mostly designated to males. The data indicate that migration has gradually become more “feminized” and that Senegalese girls represent two out of three victims of trafficking.⁵⁵

VI. Regional and inter-State coordination

81. For the purpose of effective decision-making and ensuring the legal rights of migrant children, many countries work with multi-agency coordination mechanisms involving the authorities of the federal public administration, international organizations, members of academia and civil society organizations. Various procedures are put in place between ministers, government agencies and local institutions for the purpose of sharing information and collaborating on the issue of migrant children, but in many cases these procedures are not efficient or designed from a human rights perspective.

82. Cooperation between countries in Latin America is focused on the arrest and repatriation of children and adolescents to their countries of origin, hence the invisibility of children as stakeholders. The need for protection is often absent in analyses of situations that expose children, which is why the granting of refugee status is not an option in most cases, despite the fact that children sometimes have legitimate reasons and are eligible for asylum. International collaboration is rarely focused on prevention.⁵⁶

83. At the regional level, Mexico is part of the Regional Conference on Migration, a multilateral forum on international migration for countries in the Caribbean and in Central and North America dealing with issues concerning countries of origin, transit, destination and return of migrants. The members of the Regional Conference on Migration have formed an ad hoc group on migrant children in order to promote immediate action and effective protection of unaccompanied migrant children during all phases of the migration. However, despite its importance, this effort has had little real impact.

84. Regional treaties to which Mexico and States in Central America and the Caribbean are parties do not impose specific obligations on countries of transit or destination with respect to guarantees for children in migration processes, such as the prohibition of detention, due process and the principle of the best interests of the child.⁵⁷ Regional bodies such as the Central American Integration System and the Central American Commission of Directors of Migration⁵⁸ have been key to the dialogue and the implementation of decisions on migration. Although regional agreements for the free movement across borders such as the Central America Four-Border Control Agreement and the single Central American visa

⁵⁴ Information provided by Aldeas Infantiles SOS, Guatemala.

⁵⁵ Information provided by Caritas Senegal.

⁵⁶ WorldVision Latin America and the Caribbean Regional Office.

⁵⁷ Centro de Derechos Humanos Fray Matías.

⁵⁸ The Central American Commission of Directors of Migration is an initiative embedded within the Regional Conference on Migration.

have favoured mobility within the region, efforts must be made to ensure the effective protection of rights and the social integration of Central American migrants. There has not yet been effective collaboration.

85. In 2014, the Inter-American Court of Human Rights issued its advisory opinion No. 21 on the rights and guarantees of children in the context of migration and/or in need of international protection. The advisory opinion was issued in response to a request made in 2011 by the States that were members of MERCOSUR at the time, namely Argentina, Brazil, Paraguay and Uruguay. It was the first time that a block of States appeared before the Inter-American human rights system with a common position on an issue of concern for the protection of human rights in the region. Advisory opinion No. 21 is a regional achievement that provides novel guidelines that define and expand the scope of the rights and interests of migrant children. Furthermore, the opinion highlights the principle of the primacy of childhood over immigration policy and, in that regard, the principle of upholding the best interests of the child in all measures adopted under immigration proceedings.

86. Youth Care is a network of private organizations structured by regional authorities in Belgium. Through the network, non-governmental entities organize services that are, however, recognized and funded by the Government. All children, regardless of their age and the moment of reception, can at any time be referred to Youth Care, on condition that they have “special” needs recognized by the authorities. The services provided include reception in residential structures, foster care and guidance on living alone. Given the nature of the services and the kind of funding available, Youth Care assists in a very different way from how federal agencies operate in terms of the type of accommodation and infrastructure, the number of staff, the training provided to staff and the number of children living together. There are long waiting lists, however, for gaining access Youth Care services and the network is not able to meet all the needs of the youngsters.

87. In Europe, there is some institutional collaboration for the purpose of protecting unaccompanied children seeking asylum. The Dublin III regulation on family reunification calls for collaboration on a case-by-case basis.

88. In Southern Africa, efforts have been stepped up through the implementation of joint projects involving three countries. For example, the “Destination unknown” campaign, which is being implemented in Mozambique, South Africa and Zimbabwe, is being funded by Terres des Hommes Germany. That said, regional efforts and coordination need to develop significantly if unaccompanied migrant children are to be protected.⁵⁹

VII. Role of civil society

89. Many countries with serious migration issues have strengthened the relationship between Government and civil society. In that regard, States recognize the work that civil society organizations do in order to serve, assist and guide migrant children in their primary or basic needs, as well as in the promotion of their human rights. Other reports, however, such as the one presented by Caritas Myanmar, indicate that there continues to be a lack of collaboration between government entities, international and national NGOs and United Nations organizations.

90. Civil society plays a prominent role in uncovering the problem of insecurity, providing services and a range of institutional networks with experience in migration and

⁵⁹ Information provided by Terre des Hommes Zimbabwe.

ensuring that States guarantee all the fundamental rights of unaccompanied migrant children.

91. Civil society intervenes in the area of prevention and in responding to the abuse, neglect, violence and exploitation of children; they make sure that children have legal documentation and that durable solutions to the specific needs of children are met, taking into primary consideration the best interest of the child. Many organizations provide educational and medical assistance, psychosocial support, food, shelter, water and sanitation. Some NGOs have even brought legal actions in the case of severe violations committed inside government agencies.

92. There are international NGOs and global networks like Casa Alianza and ECPAT International that promote training programmes for staff and experts in the police, social workers and youth welfare authorities on measures to protect child refugees from trafficking and sexual exploitation and on general human rights protection.

93. Civil society has significant experience in communication and raising awareness of the need to respect the human rights of migrant children. Thus, civil society organizations have tried to reach institutions, social organizations, children, the media and the general public in order to convey their views, generate structural changes and influence public policies.

94. NGOs have demonstrated a far better level of coordination and cooperation than States on migration issues. As an example, Caritas works with governmental and international organizations for the protection of children. Caritas partners include national ministries, UNICEF, IOM and the United Nations Educational, Scientific and Cultural Organization. In Guatemala, there is a group coordinating civil society action on migration, in the framework of which organizations such as Casa Alianza have participated in the construction of proposed policies and in advocacy before the commission for migrants of Congress. Moreover, the Regional Network of Civil Organizations for Migration represents civil society organizations and individuals from 11 countries in Latin America at global forums.

95. In Africa, the civil society organization Terre des Hommes plays the role of an umbrella body for all NGOs dealing with children's rights in Zimbabwe. It coordinates activities and advises the Government on how to protect the rights of migrant children. It monitors and evaluates every activity through periodic reports on the state of children's rights in Zimbabwe, which are then sent to the Committee on the Rights of the Child and the Working Group on the Universal Periodic Review of the United Nations, the African Committee of Experts on the Rights and Welfare of the Child and the Southern African Development Community.⁶⁰

96. Thanks to the useful cooperation among all relevant stakeholders operating in the centres financed with European funds, many families have been reunified. For instance, in Italy a father living in France was reunified with his children, who had no documents proving their identity; the reunification was made possible by a DNA test.

97. The Federal Association for Unaccompanied Minor Refugees has been working to improve the legal situation of children who arrive in Germany without the support of a guardian through a project to enhance the social integration of young refugees. Numerous obstacles often hinder integration, yet many adolescents succeed in actively leading a socially committed life and fulfilling their personal goals.⁶¹

⁶⁰ Ibid.

⁶¹ ECPAT International, Germany.

VIII. Recommendations

98. The Advisory Committee recommends that Member States should:

(a) Whether they are countries of origin, transit or destination, adopt a human rights perspective and assume the same protection-related responsibilities towards unaccompanied and accompanied migrant children, as the human rights of children have no nationality or border;

(b) If they are States of origin, reinforce their legislative, administrative, budgetary and political efforts to prioritize the rights of children, address the lack of basic requirements, such as education, food and training for work, and provide special protection against all forms of violence and discrimination, which are basic reasons why children decide to abandon their lands. Local, national, regional and international protection systems should be revised and strengthened. In most cases, the problem is not the lack of legislation or of programmes designed to protect migrant children but the lack of effectiveness in their application;⁶²

(c) Design and implement migration policies guided by the child's best interests and ensure that there are funds earmarked for child migrant issues in the budgets of the main government agencies;

(d) Whether they are States of origin, transit or destination, implement a participatory national policy on child migrants. Such a policy would be based on a human rights approach and take into account the financial, economic, social, cultural and administrative aspects of child migration, in particular in relation to child trafficking and labour exploitation;

(e) Eliminate the gap in the living conditions of unaccompanied migrant children and the living conditions of children in the care of welfare authorities. Unaccompanied migrant children should not be discriminated against because of their migration status;

(f) Make efforts to change the negative perceptions of migration in order to end the criminalization of migrants. In many countries migration issues continue to be dealt with from a perspective that prioritizes the protection of borders and security rather than the protection of human rights;

(g) Bring domestic law into line with international standards, and review outdated practices and laws. Many countries are not yet respecting the individual rights set out in the Convention on the Rights of the Child. For example, regulations on the grounds for expulsion and the procedure for carrying out such expulsion do not make special mention of children. Meanwhile, legislation aiming at the protection of children does not take into consideration the particular situation of unaccompanied migrant children;

(h) Develop boundary committees that allow partners from countries of origin, transit and destination to meet and discuss issues and problems of common interest, and improve coordination for more effective and efficient protection of the rights of unaccompanied migrant children;

(i) Make efforts to incorporate, at every level of the migration and reception system, staff who have been specially trained in how to treat children and in the rights of the child. Regular training sessions for officials on how to treat unaccompanied migrant children should be organized and implemented by the State;

⁶² Congregation of Our Lady of Charity of the Good Shepherd, Mexico.

(j) Ensure that the support centres serving as first points of contact for unaccompanied migrant children have special and secure accommodation solely for that particular group of children;

(k) Establish programmes, in centres, that give priority to the social integration of migrant children, including language and integration courses, learning support, educational programmes and preparing for independent living;

(l) Provide information to migrant children that is adapted to their age and cultural conditions, using simple and clear language and the support of an interpreter, if necessary;

(m) Process quickly and efficiently any application for asylum by an unaccompanied child and ensure that, in the meantime, applicants are housed in shelters that meet international standards;

(n) Continue to care for unaccompanied migrant children in the country of destination, to support their transition to adulthood in that country;

(o) Take into account the different categories of unaccompanied migrant children, their characteristics and their situations, in the design of policies and programmes aimed at the realization of their human rights. Doing so should not, however, lead to abandoning a holistic approach to children's rights.

IX. Best practices

99. In order to face the increase in unaccompanied migrant children in Italy, a new system was implemented in 2015 with the aim of setting up first-aid reception centres dedicated to migrant children.⁶³ The first health-care actions taken in respect of children in Italy are regular steps aimed at the identification of any physical or psychosocial problems, at the very early stages, in order to ensure adequate health and educational support during the rest of the reception procedure. Customized psychosocial support is needed because of the psychological and physical stress caused by the journey and the painful personal experiences of migrant children.

100. In some countries, social workers, guardians, educators or legal representatives are assigned to an unaccompanied migrant child before the asylum procedure begins.⁶⁴ Those persons accompany the child from the beginning of the application (first interview) throughout the entire asylum-seeking process until a final decision is issued and applied.⁶⁵ Asylum-seeking children have by law access to legal information from the beginning.

101. In many countries, operators of asylum centres are responsible for providing schooling and other services aimed at maintaining and developing the skills of children. Some national education laws have safeguards to ensure equal access to education for all migrants at all levels. For instance, Germany is a desirable destination for migrant children because of the support they receive and the special treatment granted by youth welfare

⁶³ Information provided by the Ministry of Foreign Affairs and International Cooperation of Italy.

⁶⁴ In some countries, temporary and permanent residence permits are granted to children only if the application has been made by a legal representative.

⁶⁵ In the United States, legal representation is provided to children in certain cases only. The United States is not a party to the Convention on the Rights of the Child. Nevertheless, children have the right to be represented in legal proceedings by counsel and there are various programmes available to assist them.

authorities.⁶⁶ Children in initial reception centres are quickly assigned to residential groups and different measures — such as courses, including language courses, and school assignments — are taken to foster integration.⁶⁷

102. In Azerbaijan, some shelters provide food three times a day, special medical assistance, housing and local language classes. Moreover, the United Nations High Commissioner for Human Rights has the right to enter any of the housing centres without prior notification and make recommendations that have to be implemented within a defined period. Not every unaccompanied migrant child receives respectful and proper treatment in Azerbaijan, however. As reported by the local ombudsman, children living on the streets have been picked by NGOs and placed in shelters, where they received no effective rehabilitation or professional legal aid.⁶⁸

103. In some cases, as in Denmark, the institution that provides housing and shelter for unaccompanied migrant children is the same that takes care of non-foreign children in need. That is also the case of Spain, where migrant children are often in centres with Spanish children in need of protection.

104. In Lithuania, government institutions coordinate most efficiently when returning migrant children, which they do without prioritizing what the child wants and without taking properly into consideration the situation that the child is going to find in his or her country of origin. If an unaccompanied migrant child is not returned to his or her country, he or she is provided with a temporary residence permit that is valid for no longer than one year.⁶⁹

105. In Belgium, the Flemish parliament has approved the implementation of a decree on “integrated youth care” that makes no distinction between asylum seekers and non-asylum seekers, giving rights and legal status as someone in need of protection to every migrant child irrespective of his or her origin and personal history. In 2009, the Government of Belgium established a task force on unaccompanied migrant children that examined possible actions to reduce the risks run by this group of migrants, particularly the risk of being a victim of smuggling and human trafficking. The task force addressed several recommendations to the minister in charge and emphasized prevention, detection, identification and monitoring of unaccompanied children in situations of potential abuse.

106. The German Federal Child Protection Act applies to everyone under 18 years of age, including unaccompanied migrant children and adolescents. The local youth welfare authorities are responsible for taking concrete action to ensure the well-being of children but these comprehensive protection measures cease to be applicable as soon as the person turns 18.⁷⁰

107. Pursuant to article 37 of the Convention on the Rights of the Child, the detention of unaccompanied migrant children is a serious human rights violation, although an exception is made in some countries, including Belgium: if a young person arrives at a border and there is a doubt about his or her age, he or she can be held in detention for three working days and, under exceptional circumstances, for another three working days. Once the person’s minority has been proved, he or she has to be transferred to an observation and orientation centre within 24 hours.

⁶⁶ ECPAT International, Germany.

⁶⁷ Information provided by the Congregation of Our Lady of Charity of the Good Shepherd, Germany.

⁶⁸ Information provided by the national ombudsman of Azerbaijan.

⁶⁹ Information provided by the national ombudsman of Lithuania.

⁷⁰ ECPAT International, Germany.

108. Migrant girls are seldom accorded special treatment. However, specific measures, such as the use of women interviewers within migration services in order to interview female victims, have been recorded in Azerbaijan.

109. In an initiative to recover the national culture and identity of Azerbaijani migrants, the ombudsman of Azerbaijan met with representatives of the Azerbaijani diaspora in Norway and Prague and donated secondary school textbooks and publications about the history and literature of Azerbaijan.⁷¹

110. Several States members of the European Union have implemented prevention and development projects in third countries to try to address the situation of unaccompanied minors who seek to travel to the European Union. Belgium has carried out several awareness-raising missions to the countries of origin of large groups of migrants. The Netherlands and Slovenia have implemented bilateral projects with Afghanistan. And Spain has implemented a project to prevent irregular migration from Senegal.

111. As a State with serious migration issues, Mexico has specific institutional capacities for the protection of migrant children. The National System for Integral Family Development, through the Programme for the Protection and Integral Development of Children, coordinates and oversees the operation of a strategy to prevent children from migrating unaccompanied and to treat unaccompanied migrant children. Its aim is to harmonize the efforts and actions of the three branches of government, private entities and national and international civil society organizations to address the needs of young migrants, including children, and returnees.

112. Most European countries have national programmes for protecting, receiving and assisting migrant children. Some European countries are implementing interventions aimed at creating a well-defined reception system with highly specialized structures and special facilities. For instance, the Danish Immigration Service has two teams specializing in interviewing unaccompanied children. Furthermore, it has developed internal guidelines and all caseworkers are trained in interviewing techniques so that they are able to approach unaccompanied children with age-appropriate questions.

113. In Italy, humanitarian visas are now being granted to vulnerable children who do not receive refugee status. The procedure for granting humanitarian visas is established in Italian law.

⁷¹ Information provided by the national ombudsman of Azerbaijan.