Protection of Children in Mixed Migration Flows

Introductory Remarks

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This International Catholic Migration Commission (ICMC) workshop will address the protection issues, concerns, and strategies for children who transit alone or who have become separated from their family in transit or upon arrival as part of “mixed” migration flows – refugees, asylum seekers, stateless, trafficked, smuggled, regular, irregular, forced and voluntary – “migrants” all. They include children who are smuggled abroad for work or reunification with family abroad; children who arrive traumatized by the abuse and violence that they have witnessed against their families and communities; children who themselves are victims of violence - beaten, drugged, or starved by traffickers and smugglers.

These children are part of virtually every movement of migrants – whether they are crossing the waters of the Mediterranean, the Atlantic, or the Gulf of Aden, or traveling instead a dangerous journey by foot or hidden in a truck through Mexico or Malaysia. As recently as two days ago, for example, UNHCR held a press briefing to report on the denied entry of Eritreans and Ethiopians in Yemen, where 87 Ethiopian asylum seekers have now been detained, including 10 women and two children; 25 more Ethiopians were just removed by Yemeni authorities from a vehicle transporting new arrivals to the UNHCR reception center. As of last Friday (17 October), a total of 37,333 people had arrived in Yemen this year on smugglers’ boats; a total of 616 people died so far, including children.

Mixed migration flow is the name given to the phenomenon of the movement of people crossing borders in “irregular” ways, who do not fit into one category or legal status. As their numbers have grown, as their routes and destinations have expanded, and as the risks and tragedies of their journey have become better publicized, the mixed flow movement has taken centre stage on the world stage in a number of significant ways. Less than a year ago, UNHCR unveiled its “10 point plan” to address mixed movements within a clear framework, in recognition of the need for more protection. It also held the first ever High
Commissioner’s Dialogue on Protection Challenges, focusing especially on the complexities of mixed migration situations. It devoted this full issue of its *Refugees* magazine to the asylum-migration nexus. For its part, the International Red Cross and Red Crescent have pledged improvement of the treatment of migrant persons, irrespective of status, and have established a special office to do so.

ICMC is working closely with UNHCR and others to call attention to the severe protection and assistance gaps for vulnerable migrants post-arrival and post-rescue in countries of transit, destination, and return. I have brought with me a number of materials we have developed to that end. You will see that ICMC is advocating for standards that will guarantee access to medical, psychosocial and legal assistance. Further, we must see that better identification, differentiation, and response procedures, with special emphasis on women and children, are designed and carried out. And ICMC is calling for a reinforced commitment to the human rights of migrant children, to a human rights-based response approach. Children’s rights are human rights, and human rights are children’s rights. Similarly, we need to continue to push for ratification and wider application of the International Migrant Worker Convention to provide further safeguards for these children and their families. More and more countries are asking for clear guidance on human rights obligations towards vulnerable migrants arriving in mixed flows, and the “what to do” dilemma posed by their arrival has become more pronounced in many political circles.

So the time is right, the time is NOW, for this workshop– which will concentrate on solutions, on promising practices, on strategies for response. We invited three panelists best equipped to do just that; each is well respected for his or her first-hand and in-depth knowledge on this topic. Their complementary areas of expertise will allow us to cover the globe as well as to address specific vulnerable cohorts of migrant children.

Maureen Lynch is at Refugees International, as Senior Advocate for Statelessness Initiatives; her stellar investigative and advocacy work includes the stateless in Malaysia, where as we speak the government is threatening mass deportations of hundreds of thousands of stateless, including children, from Sabah. The action will also leave many children alone, as their parents are swept up in night raids and put on deportation boats. Mary DeLorey is the Strategic Issues Advisor at Catholic Relief Services headquarters in Baltimore, where she has had a particular focus on the Latin America and Caribbean regions. In that capacity, she has recently completed a research project that looked at the children at the Honduras-Mexico border – especially those who were being returned to Honduras. Lastly, we will hear from Bill Frelick, the Refugee Policy Director at Human Rights Watch. Human Rights Watch produced a report in July of 2007 entitled “Unwelcome Responsibilities: Spain’s Failure to Protect the Rights of Unaccompanied Migrant Children in the Canary Islands.” More recently, Bill conducted field work in Greece and Turkey, accessing the situation of unaccompanied minors there.

Each will speak for approximately fifteen minutes, which should leave us ample time for discussion. I will ask that you hold your questions until after all of the panelists have spoken. The panelists have brought hand-outs to accompany their presentations, and their speeches will be reproduced in a conference summary that will be sent to you.