Session 4B: Mixed Migration Flows

Maureen Lynch of Refugees International spoke about statelessness within the context of mixed migration flows, specifically referring to the situation of children of undocumented Filipino and Indonesian migrants in Malaysia.

- In mass deportations, Malaysian authorities round up and deport undocumented migrant parents, and children are left behind.
- As de facto stateless children, they lack basic rights, including access to public education.
- Many become street children at risk of exploitation.

Mary de Lorey of Catholic Relief Services reviewed her research on “Monitoring Detention and Return of Central American Unaccompanied Minors.”

- The study was undertaken out of concern for increasing reports of children migrating alone, and of many of these children going missing. Research focused on children aged 12-17 from Guatemala and Honduras intercepted in Mexico and deported.
- The study found that the primary reasons for children’s migration were employment and family reunification.
- It identified a number of protection gaps, including in detention standards and care of unaccompanied girls. Although girls make up 30% of the migrant population, girls are absent from detention facilities/shelters along the Mexican border while there are many brothels in the area.
- Recommendations include strengthening consular services and bilateral agreements on standards and procedures for orderly and safe deportation/repatriation of unaccompanied minors.

Bill Frelick of Human Rights Watch shared his observations from recent fieldwork in Greece, where he investigated the mixed migration flows into the European Union.

- There is overwhelming illegality in mixed migration flows. Children are abused at every stage of their migration journey, and abuses occur far afield from relevant human rights laws or protection guidelines.
- Mixed migration flows are genuinely mixed and it is extremely difficult to disaggregate protection “categories” such as asylum seekers, victims of trafficking, economic migrants, etc.
- He shared compelling testimonies of Afghan boys and girls in Greece, illustrating the violence, fear and coercion children face in asylum interviews and interviews with police to determine their age.

Themes from the panel:

- Unaccompanied and separated children in mixed migration flows need to be considered first and foremost as children and protected because they are children, regardless of other legal status considerations. This approach suggests beginning with the Convention on the Rights of the Child before disaggregating relevant “categories” of protection, e.g., asylum seeker, stateless, victim of trafficking.
• Police and border officials play a predominant role in mixed migration flows and are determining how children are treated and how migration policies are implemented in practice. One recommendation is to strengthen other protection actors and remove the police from this role.
• There is a need for standards and consistent, humane procedures for deportation, repatriation and reintegration of unaccompanied children.
• Protection gaps exist for developed and developing countries alike, even those striving to adhere to their international obligations (Greece and Mexico, for example).

Moderator: Jane Bloom, International Catholic Migration Commission

Notetaker: Nicole Green