

### **Workshop on Independent Child Migrants: Policy Debates and Dilemmas**

Organised by the Development Research Centre on Migration, Globalisation and Poverty, University of Sussex and UNICEF Innocenti Research Centre

12<sup>th</sup> September 2007, Central Hall, Westminster, London

#### **Overview**

The independent migration of children for work and education within and between developing countries and from South to North countries is a poorly understood migration phenomenon, which nevertheless affects millions of children. Independent child migrants like these constitute a very significant category of child migrants who travel and stay separately from their parents. This event is concerned with children who are not refugees and are not coerced or tricked into moving by third persons. They include children who move within their own countries and those who move legally across borders in developing country regions that have rights to movement. They include children moving informally and without documents into states that restrict entry. They include both children whose journeys are relatively short, and those who may move long distances in a series of steps. In much the same way that the numbers of adult migrants are growing, there is a widespread perception that more children are on the move, although there is very little evidence about their numbers, their movements and the consequences for them of relocating.

This one-day workshop is intended to stimulate debates and research on independent child migrants. The workshop is aimed at influential researchers, practitioners, donors, INGOs and NGOs working within the fields of migration, child protection and child labour who have an interest in research and practice in areas of origin. It is an opportunity for researchers and policy makers to exchange views on the independent migration of children and to identify gaps in evidence required to formulate policies

The workshop will also make visible the independent migration of children in a manner that enables stakeholders to discuss appropriate mechanisms of support. As such, we hope to identify what we need to know to do this and the policy spaces within which this can be done. Initially the conference will highlight what is known about children's motives and reasons for migrating and their experience. The evidence base is very thin. Recent research by the Development Research Centre on Migration, Globalisation and Poverty in Bangladesh, India, Ghana and Burkina Faso will be presented in the context of other research that emphasises children's own experiences and understandings of their movement for work and education, its links to their relationships with family and peers and their role in migration decisions.

In seeking to promote a much higher profile for the needs of these children in policy discussions, we need to understand better the sources of their vulnerabilities and the kinds of harm they suffer. Many factors cause vulnerabilities and harm to independent child migrants. It is likely that the kind of migration children are making will have a considerable effect. Some children face risky and hazardous journeys; some children find it difficult to find work and may have to steal, or break their moral codes in other ways to survive; some children find employment that is exploitative and abusive; some children are trafficked into situations of abuse; some children are treated badly by state agencies in destination countries. Other children, while facing risks, find their migration projects positive in a number of different ways.

Some areas of harm and vulnerability are already the subject of widespread debates and interventions. Policies on child labour exist to protect children of some ages and in some kinds of work. Do child workers who are migrants face more or different difficulties from those of child workers in general, who have difficulty in asserting themselves and their rights? Migration may be particularly closely linked with trafficking. Sometimes it seems that there is a widespread assumption within both international and national contexts, that children migrating on their own are necessarily trafficked. This raises more generally the role of laws in supporting children and the problematic issue of how they can be put into practice without criminalizing children.

### **Outcomes**

The workshop will bring together speakers, both academics and practitioners, who are beginning to address the experiences and needs of independent child migrants with an invited audience of academics, practitioners and policymakers from this and related fields in order to review the possible knowledge gaps, research priorities and policy spaces. The workshop will flesh out the nature of 'disagreements and agreements' amongst different actors working on children's migration to help promote research and improve practice at the point of origin. A reaction from policymakers and child protection experts to the issues faced by independent children migrants based on current evidence – would be timely. This will help prioritise research efforts. The meeting will also raise the profile of child migrants amongst policymakers, and the relation of child migration to development in origin countries, and open up spaces for further dialogue with relevant institutions and people.

There will be a report from the workshop as well as a dedicated web page on the Migration DRC website containing resources from the workshop including presentations, background papers, and useful links.

### **Organisation**

The workshop is organised and funded by the Development Research Centre on Migration, Globalisation and Poverty, University of Sussex and UNICEF Innocenti Research Centre with additional funding from The Department of International Development, UK (DFID) and the Nordic-Africa Institute, Sweden.

### **Themes**

#### **Theme 1: *Migration Projects: Children on the Move for Work and Education***

Children migrate for various reasons and with varied motives. Understanding these motives matters, for intrinsic reasons, because every child has a right to exercise life choices, as recognized by the Convention on the Rights of the Child. It matters also for instrumental reasons. Viewing children as passive objects in migration decisions and processes made by others fails to give attention to the ways in which structural factors impact on children's migration and how they respond to these.

Many of the life choices that children make – including whether or not to migrate, and the manner in which to migrate – are conditional on factors such as:

- Social and economic constraints at household and community level at the origin,
- Varied assumptions and knowledge about the value and process of migration,
- The evolving capacities of the child, with adolescents having different decision-making capacities and understanding when compared with younger children,
- Norms at the national and community level in terms of what adults think and deem acceptable for children to be doing,
- International norms on childhood.

This session focuses on what is known about children's migration projects and the factors affecting them in order to explore appropriate policies for the real life contexts in which children make choices in developing countries, and have choices made for them. It will examine how definitions and practice

around children's movement, working children and children's education match up with children's experiences of work and schooling through migration. It will explore examples of support for child migrants.

### **Theme 2: Migration and trafficking**

Children migrate and children are trafficked and the needs and experiences arising out of these kinds of child movements may be different. The connections between migration and trafficking and their differences are sometime difficult to establish in practice. This session will focus on these connections and differences, paying attention to the ways in which they may vary in particular, context specific migration flows, while also often being ambiguous. As this is a complex and contentious issue the session will also seek to explore how agreements and disagreements about priorities can be negotiated to meet the needs of all independent child migrants.

Some key themes are

- What is the role of blurred definitional boundaries and situational ambiguities in the 'migration – trafficking nexus'
- What are the sources of vulnerability of all independent child migrants, and their experiences of harm
- How does the social and cultural context of migration interact with definitions and practices around trafficking

The discussion will therefore cover similarities and differences between migration and trafficking that might exist in specific migration circumstances. It aims to clarify points of confusion in thinking on the two issues focusing on legal definitions, and assess the policy dilemmas of posing the two as a nexus. The purpose of the session is to keep in mind the welfare and needs of both trafficked and non trafficked child migrants and it expects to consider migration of children taking place within countries, from South to South Countries, from South to North Countries through intermediary South countries and a variety of migratory movements into EU countries.

### **Theme 3: Legal Issues and Criminalisation**

The position of independent child migrants vis a vis the law has two initial dimensions – the legal definition of age which defines children and the legal definition of migration status. A further prime issue is children's legal status with respect to work, in both international law and in national laws. In some migration contexts, there are legal issues with respect to the portability of specific rights across borders and places, such as in education, health, and social protection. This session aims to explore the legal issues in children's migration and citizenship, their right to work and the portability of rights to education and health services.

In some destination contexts there are important dimensions to children's undocumented migration and their contact with the state, in which children's illegal status rather than their rights as children are foregrounded. Definitions that put children on the wrong side of the law, also put children in conflict with the law, and mean that children are more open to exploitation, not only by non-state actors but also by state actors who feel no obligation towards 'illegal children'. This session will include an emphasis on the impact of legal issues, either formally, or how they are manifest in practice, on migrating children themselves. It will cover different kinds of migration flows, between a number of different kinds of origin and destination countries.

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