



THE FAILURE OF FRENCH AUTHORITIES TO RESPECT, PROTECT AND GUARANTEE THE RIGHTS OF AT-RISK UNACCOMPANIED CHILDREN (UAC)

at France's internal land borders (French-Italian,
French-Spanish and French-British)



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ABBREVIATIONS

CAES	Centres d'accueil et d'examen de la situation <i>Reception and assessment centre</i>
CAO	Centre d'accueil et d'orientation <i>Temporary reception and orientation centre</i>
CASF	Family and Social Action Code
CESEDA	Code of Entry and Residence of Foreigners and the Right of Asylum
CGLPL	Controller General of Places of Deprivation of Liberty
CRC	Convention on the Right of the Child
CNCDH	National Consultative Commission on Human Rights
CRA	Centre de rétention administrative <i>Administrative detention centre</i>
DGCS	Directorate general of social cohesion
FTDA	France Terre d'Asile
UAC	Unaccompanied children
RYS	Refugee Youth Service

INTRODUCTION

The concept of "unaccompanied children" (UAC)' refers to a person under the age of 18, who does not have French nationality and who is not accompanied by a legal representative on French territory.^{2,3}



Photo credit: Abdul Saboor

¹. In this report, the term "unaccompanied children" (UAC) is used to mark the importance of the child's isolation over the fact that he or she is a foreigner. We are referring to children who have self-declared as minors to the associations they met. Several expressions will be used throughout the report to designate UAC: children, unaccompanied minors, young people, vulnerable children, unaccompanied children, minors, at-risk young people.

². This means that he or she has been separated from both parents and is not cared for by an adult who, by law or custom, is responsible to do so (i.e. parental authority or delegated parental authority).

³. As this notion does not correspond to a legal category, the French association "InfoMIE" explains that "the protection of these young people is therefore based on the notion of children at risk, as provided for in the French children protection legal framework, which is applicable regardless of nationality" (InfoMIE, Foreign unaccompanied children / at-risk children, 2014).



Photo credit: Human Rights Observers

The protection of unaccompanied children by public authorities⁴ falls within the framework of the International Convention on the Rights of the Child (CRC), article 20, which stipulates that any child who is "temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State". Therefore, **unaccompanied children must be treated in the same way as French children would in a similarly dangerous situation**⁵, and must, like all at-risk children, be welcomed and receive care and protection from the authorities, as provided for by both domestic⁶ and international law.

However, for many years now, associations operating at France's borders with Italy, Spain and the United Kingdom have witnessed numerous violations of children's rights occurring on a daily basis.⁷ When they arrive onto French territory, **some children fall victim to dysfunctional child protection provisions, administrative gaps and legal loopholes**. Some are also **detained in appalling conditions**, often with adults. Others find themselves **on the streets, left without any**

effective access to protection, to competent jurisdictions and to information about their rights. Many of these children have suffered violence in their country of origin, whilst on the move, or upon their arrival in France, inevitably accumulating traumatic experiences. Despite numerous alerts formulated to the authorities⁸, **the French State has continued to fail these children, thereby violating fundamental rights that are recognised by the CRC**.

Without covering the wide array of challenges that unaccompanied children face throughout France, this report aims to present the failure to protect many children in the border regions⁹ of the south (**borders with Italy and Spain – part 1**) and the north (**border with the United Kingdom – part 2**).

NOTE REGARDING THE ENGLISH VERSION OF THIS REPORT

This report was originally published in French language in October 2020. The English version was published in February 2021, and may therefore contain certain details which are somewhat out of date at the time of publication.

⁴ Since 1980, child protection policy falls to regional departments which exercise it through their child welfare service (ASE, or "aide sociale à l'enfance" in French).

⁵ Article 2 of the CRC, which bans any discrimination based on nationality.

⁶ Article 375 of the civil code and article L112-3 of the Family and Social Action Code (CASF in French).

⁷ It should be noted that many rights violations of children accompanied by a representative (parent or other) have also happened in internal border areas (for instance: pushbacks without respect for rights, lack of accommodation and access to fundamental rights and international protection, etc.).

⁸ For example, please see National Consultative Commission on Human Rights, *Declaration – Alert on the treatment of migrants*, 17 October 2017.

⁹ In this report, we do not consider borders to be "lines" as they appear on maps, but as areas starting from the linear border and extending over the territory and/or as a network of possible crossing points between France and another state, whether or not it is a member of the Schengen area.

PART 1

Failure to protect unaccompanied children at the French-Italian and French-Spanish borders.



Since 2015, France has reintroduced controls at its internal borders in application of the Schengen Borders Code¹⁰, which means, in practice, at French-Italian and French-Spanish borders¹¹:

- **Controls and identity checks of people on the move, including unaccompanied children, along the French-Italian border,** are performed on an almost permanent basis on trains, footpaths, cars and buses, in particular:
 - Between Ventimiglia and Menton and in the Roya valley since July 2015;
 - Between Oulx, Montgenèvre and Briançon, especially since 2016;
 - Between Bardonecchia and the tunnel from Fréjus to Modane.

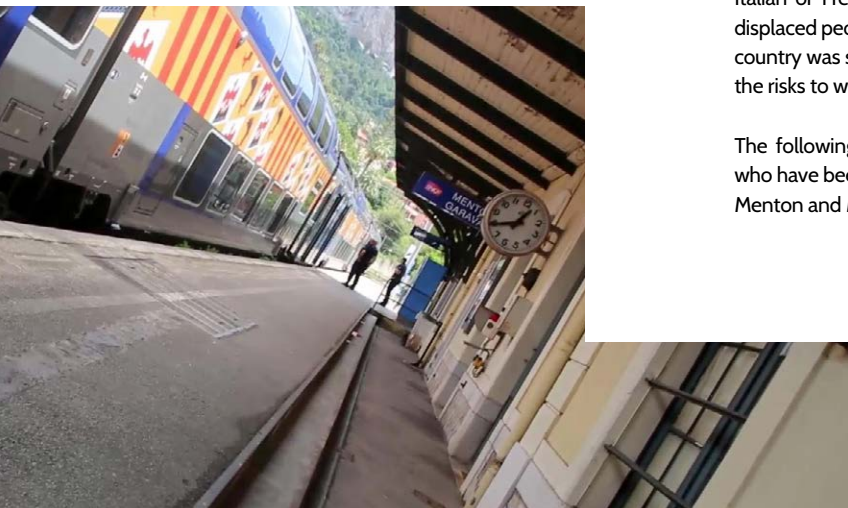
- **Controls and identity checks of people on the move, including unaccompanied children, at the French-Spanish border,** in particular controls to the west of the border (in the Basque country, between Irun and Hendaye) on buses, trucks, cars, trains and in the streets.

At both the French-Italian and the French-Spanish borders, the use of pushbacks takes precedence over all else and at the expense of protecting displaced people, children in particular. For instance, during these checks, the French Border Police is reported to not respect the guarantees provided for by law. People are stopped and refused entry through irregular and expedited proceedings, without having their circumstances properly examined by competent authorities¹². This deprives them of the opportunity to exercise their rights, including the right to seek asylum. In the case of unaccompanied children, despite the fact that their minority is "declarative" at the border, the French authorities often choose to ignore this declaration or challenge it, rather than respecting the legal principle of the presumption of minority. This further hinders children's access to rights and protection. Many children are thus pushed back to Italy or Spain, sometimes simply because of their "adult appearance" (if they have "stubble" for instance), and, in some cases, the authorities may record a different date of birth from the one stated by the young person on their refusal of entry document.

These procedures, based on French Border Police officers' subjective assessment of individuals' physical appearance, are contrary to the law which sets out specific age assessment methods which must obey certain principles¹³. In any case, the texts stipulate that a foreign child "cannot be subject to an expulsion order"¹⁴ and must be protected, as would any vulnerable child, after an assessment of his or her age by the Department.

Despite the public health crisis caused by the Covid-19 pandemic, no specific health protection measures were put in place by the French authorities at the French-Italian or French-Spanish borders: no personal protective gear was provided to displaced people, nor were pushbacks to Italy suspended, despite the fact that the country was severely affected by the pandemic. The situation has only heightened the risks to which unaccompanied children are already exposed.

The following paragraphs will present the situation of unaccompanied children who have been controlled and pushed back by the French authorities to Italy (from Menton and Montgenèvre) and to Spain (from Hendaye).



¹⁰ Internal border controls were officially reintroduced in France for the first time on 13 November 2015 within the framework of the COP21. They were then extended following the terrorist attacks on French territory (articles 23 and 24 of the Schengen Borders Code). Since then, internal border controls have been renewed every six months (the last extension up to 31 October 2020) on the basis of articles 25, 26 and 27 of the Schengen Borders Code, and despite the fact that the reintroduction of internal borders cannot, in theory, exceed two years (article 25.4).

¹¹ French authorities can carry out checks in a 20-kilometre perimeter from the border line with another EU Member State, as well as in train stations, sea ports and international airports (article 78-2 of the Criminal Procedure Code). In the context of the reintroduction of internal border controls, identity checks and entry requirements can be enforced more intensively at internal borders. Additionally, in the same context, people who are stopped within a 10-kilometres perimeter from an internal land border and who are unable to satisfy entry requirements on French soil may be notified with a refusal of entry (article L. 213-3-1 of Code of the Entry and Residence of Foreigners and the Right of Asylum (CESEDA)).

¹² According to articles L. 213-2 onwards, any entry refusal procedure must be carried out following an individual assessment of a person's situation, in compliance with a certain number of rights : right to an interpreter, right to contact a lawyer or third party, right to medical assistance from a doctor, right to a "clear day" (it refers to a 24-hour period, starting from the notification of the decision to refuse entry, during which a person cannot be deported), right to seek entry on the grounds of asylum. "Special attention" should be granted to vulnerable people, particularly children. Unaccompanied children must be assisted by an ad hoc administrator so as to ensure their legal representation, their right to a clear day, an automatic right for UAC at Schengen's external borders, removed at internal land borders by law no 2018-778 of 10 September 2018 " for a controlled immigration, an effective right to asylum and a successful integration "

¹³ Circular of 25 January 2016 and Decree of 20 November 2019 relating to the document verification procedure and age assessment.

¹⁴ Article L. 521-4 of CESEDA.

1. THE FRENCH-ITALIAN BORDER

The work of associations at the border¹⁵ (collecting testimonies and observing the practices of French law enforcement agencies), as well as reports from independent authorities¹⁶, show that **some unaccompanied children are pushed back to Italy by the French police, regardless of their underage status**, whereas other children are taken into care¹⁷, without any apparent logic as to who gets pushed back and who gets let in.

In many cases, the date of birth written on the refusal of entry document¹⁸ does not match the child in question, either because he or she was unable to express it (for example, if there is no individual interview or interpreter at the border police station) or because the police disputed their age. In some cases, children have witnessed police officers confiscating or even destroying their identity documents. Furthermore, it has been noted that when children wish to apply for asylum at the border, their application is often not considered.

Therefore, children who are regarded as adults by the police are returned to Italy without any protection. As a result, they take further risks to cross the border, which can have fatal consequences¹⁹.

More precisely, in 2018, associations present in Montgenèvre for a specific action to observe the situation reported that at least eight unaccompanied children were turned back in a 48-hour period²⁰. In Menton, in 2019, over 310 unaccompanied children²¹ were pushed back by the French authorities to Italy. During the summer of 2020, according to associations in Ventimiglia and Menton, many unaccompanied children, especially those of Sudanese and Afghan nationality, were pushed back to Italy from Menton.

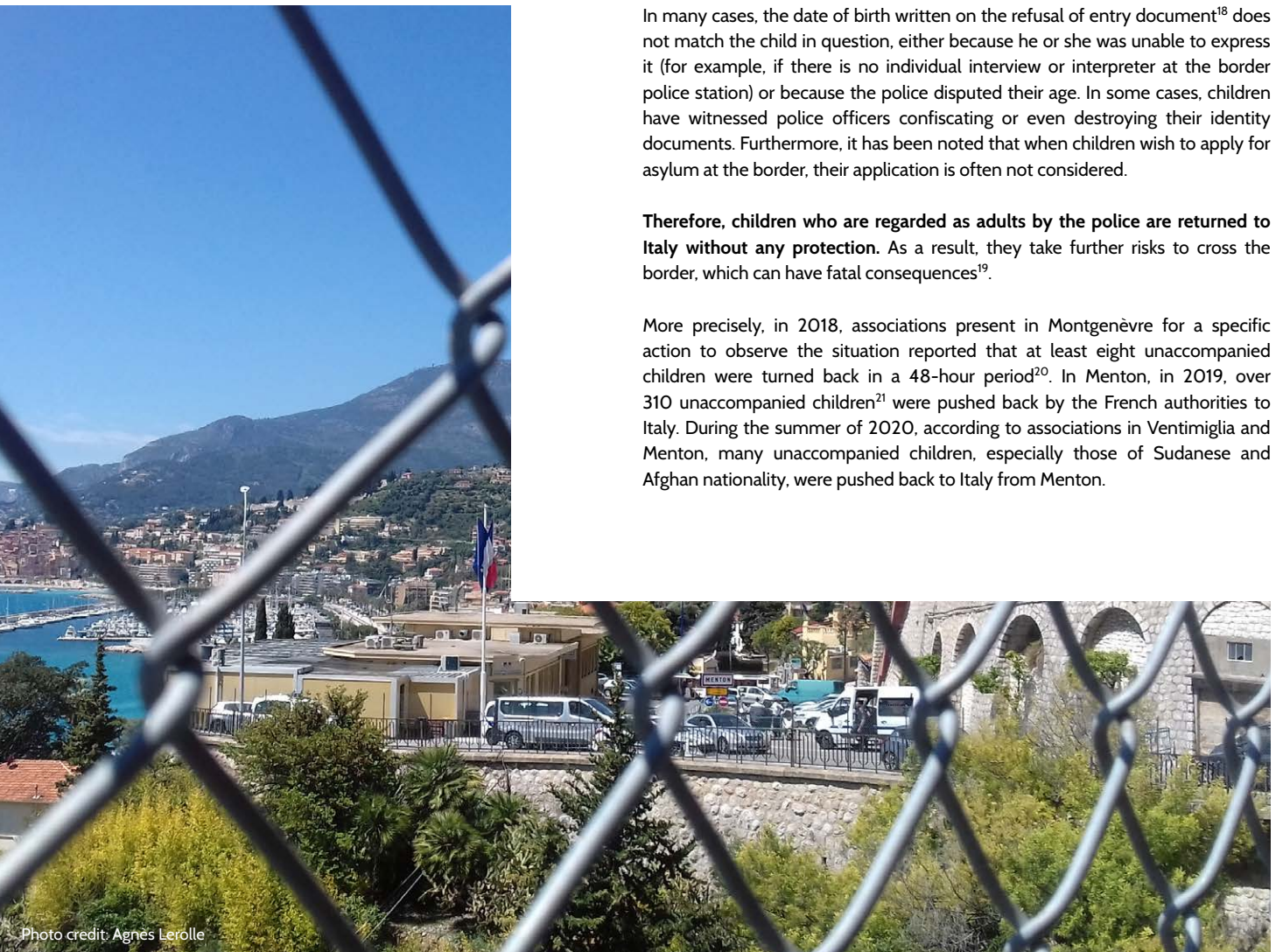


Photo credit: Agnès Lerolle

¹⁵ Anafé, *Persona non grata – Consequences of security and migration policies at the French-Italian border*. Observation report, 2017-2018, February 2019 ; Human Rights Watch, "It depends on their mood": Treatment of unaccompanied migrant children in the Hautes-Alpes, 5 September 2019 ; Intersos, *Unaccompanied and separated children along Italy's northern borders*, 2017.

¹⁶ CNCDH, *Opinion on the situation of migrant people at the French-Italian border*, June 2018 ; CGLPL, *Visit reports of 2017 and 2018*.

¹⁷ An organisation mandated by the Alpes-Maritimes department will then come to collect them from the French Border Police to place them in a shelter.

¹⁸ Any refusal of entry to France must be the subject of a written and reasoned decision (article L. 213-2 of CESEDA).

¹⁹ For example, in October 2016, a young Eritrean girl aged 16 died, hit by a truck on the A8 motorway, as she attempted to reach France. Similarly, in March 2017, a young Guinean boy aged 17 died as he tried to reach France from Italy via the "Pass of Death" near Menton.

²⁰ Press release, *French-Italian border / Systematic rights violations of displaced people in Briançon must stop*, October 2018.

²¹ According to information collected by volunteers who are present at the border on a daily basis (collective Keshu Niya Kitchen).

M.

For example, M., a young Sudanese boy of 16 years old, was pushed back to Italy on 19 August 2020, with his refusal of entry document showing "01/01/2002" as his date of birth (this particular date of birth is often the one that French Border Police agents or officers write down when they do not consider the date of birth expressed by the child).

S.

The case of S., a minor of Afghan nationality, is equally shocking: despite having documentation from Austria which listed his date of birth as "04/06/2004", S. was stopped at the border by the police and pushed back to Italy on 17 August 2020 with a refusal of entry document which stated he was born on "04/06/2002".

Deliberately disputing someone's age has a clear consequence: it makes it nearly impossible for unaccompanied children to assert their rights. However, thanks to the work of local associations, some actions have been taken. In November 2018, a report was filed with the prosecutor of Nice regarding the failure to acknowledge two young people's underage status²². Moreover, whenever unaccompanied children who had been pushed back to Italy have lodged a complaint with the administrative court of Nice, the court has issued multiple rulings finding that the pushback of children was in fact illegal. In particular, in the cases of six minors between 2019 and 2020, the court reiterated that any decision to deny entry to an unaccompanied child should come with specific guarantees aiming to safeguard the best interests of the child²³.



Photo credit: Anafé

²² Press clipping, *Elected officials and organisations raise the alarm on the treatment of foreign minors in Menton*, France 3, 20 November 2018.

²³ TA de Nice, n° 1904929, 18 octobre 2019 ; TA de Nice, n° 2000572, 7 février 2020 ; TA de Nice, n° 2000570, 7 février 2020 ; TA de Nice, n° 2000856, 24 février 2020 ; TA de Nice, n° 2000858, 28 février 2020 ; TA de Nice, n° 2000948, 28 février 2020.

S.

This lack of protection can be illustrated by the story of S., an unaccompanied child aged 16. S. was returned to Italy by the French authorities on 6 October 2019 despite self-declaring as a child. He was able to contact a lawyer and lodge an appeal with the administrative court of Nice. By ordinance of 18 October 2019, the court found that the return was illegal, and that S. could present himself once again at the Menton border post to be taken in by child protection services. On 25 October 2019, S. arrived at the border post with the judge's order and his Bangladeshi birth certificate, which showed his photo, but the authorities sent him back to Italy once more. It took another attempt the day after before young S. could access protection on French territory.

If they are not expeditiously pushed back to Italy, unaccompanied children who are stopped at the French-Italian border can be detained for several hours, sometimes all night and parts of the day. This detention can take various forms. To the north of the border, unaccompanied children can be kept in a waiting zone in Modane (the only place of deprivation of liberty that operates within a legal framework at the French-Italian border²⁴) for up to 24 hours²⁵, in inadequate conditions.

On the rest of the French-Italian border, in places like Montgenèvre and Menton where the French Border Police have their offices, individuals – including unaccompanied children – can be detained for various periods of times on SNCF premises (on the first floor of Menton Garavan train station), in French Border Police facilities, or in nearby modular structures. They are detained outside of any legal framework and in undignified conditions, without any strict separation between adults and minors.

As a result, in Menton²⁶, when a child's age is not disputed, the child can be detained for several hours in a so-called "waiting" room in the French Border Police's office. With no information

on their situation, they must wait for the arrival of the association that is appointed to look after them by the department. They wait in rough conditions, sometimes alongside other families who have been arrested and are waiting to be turned back.

In cases when their age has been disputed, unaccompanied children considered as adults can be held in container structures near Menton's Border Police office. Arranged in a U-shape around a fenced courtyard, these 'office container' structures are about fifteen square meters each. Operating outside of the legal framework, associations, elected officials²⁷ and even lawyers are denied access to these spaces. According to testimonies collected, they are devoid of any furnishing. Only a few metal benches are installed. A tap as well as chemical toilets, often in a deplorable hygienic state, are accessible in the fenced courtyard. People detained there have testified that they did not have access to sufficient food, blankets or even hygiene kits. People's luggage is left in a room facing the street, the door often open, without a system to ensure that each person can retrieve their personal belongings. Dozens of people, including unaccompanied children, can be detained for hours in these shameful conditions²⁸.

²⁴ When a person is refused entry onto a territory, either because they do not meet entry conditions or because they wish to seek entry on the grounds of asylum, they can be detained in a waiting zone where they can be turned back at any time. The waiting zone is defined by the [law of 6 July 1992](#) as a physical space which extends "from points of embarkation and disembarkation to points where border control checks are carried out. It may include one or more accommodation providing foreigners with hotel-type services, either on the premises or near the station, the port, the airport or the place of disembarkation" (article L. 221-2 of CESEDA).

²⁵ According to remarks made by the French Border Police during a visit from Anafé on 30 January 2018 and reiterated during several visits undertaken in 2018, 2019 and 2020. This 24-hour hold in the waiting zone corresponds to the clear day period, the right not to be turned away during the 24 hours following an arrest, which is an automatic right for unaccompanied children.

²⁶ For more information on the conditions of deprivation of liberty in Menton, please refer to: CGLPL, Visit reports, previously cited; Anafé, [Persona non grata - Consequences of security and migration policies at the French-Italian border. Observation report 2017-2018](#), February 2019, pp. 73.

²⁷ Until the beginning of 2018, elected officials were able to access these detention centres. However, at the end of 2019 and the beginning of 2020, several elected officials were turned away and refused access following an internal note from the French Border Police's central directorate. The note dealt with the right of elected officials to access places of deprivation of liberty and presented the modular buildings of Menton's border police and Montgenèvre's border police as "shelter arrangements".

²⁸ In its report to the government regarding a visit carried out in November 2018, the European Committee for the Prevention of Torture (CPT) considered that the material conditions of stay in these premises could undermine people's dignity.



During the summer of 2020, many unaccompanied children were detained for hours in these premises. Testimonies find that between 50 and 80 people were held each night, adults as well as children, without any separation or any sanitary precautions in spite of the pandemic.

N.

This was the case of N., an unaccompanied child, who met a volunteer psychologist from Médecins du Monde on 23 July 2020 after he was pushed back by the French police. The volunteer testified that N., at first silent and haggard, eventually explained how he had spent a day in an 'office container' type of building and was separated from his belongings.

Despite the fact that associations at the border have raised the alarm, and that human rights bodies have spoken out against the detention of children in numerous recommendations²⁹, **unaccompanied children continue to be deprived of their liberty on a daily basis, outside of any legal framework and in undignified conditions, at the Italian border.**

Photo credit: Anonymous

²⁹ The UN Human Rights Committee, the UN Committee against Torture, the National Advisory Commission on Human Rights and the Defender of Rights have all made recommendations to prohibit measures depriving unaccompanied children of their liberty. For example, the Commissioner for Human Rights of the Council of Europe reiterated on 31 January 2017 that "there are no circumstances under which the detention of a child on the basis of their migrant status, whether they are unaccompanied or with family, could be in their best interests. The total abolition of the detention of migrant children should be a priority for all states".

2. FRENCH-SPANISH BORDER (HENDAYE/IRUN)

Associations working at the French-Spanish border³⁰ have reported **almost systematic pushbacks of displaced people towards Spain by the French authorities, with no respect for procedural guarantees, including in the case of unaccompanied children.** It is not uncommon for the authorities to dispute children's age and return them to Irun.



Photo credit: Anafé

³⁰ MSF, French-Spanish border: the intolerable treatment of migrants by the authorities, 6 February 2019.



Photo credit: Anafé

Even when age is not in doubt, **pushbacks take precedence over everything else, including child protection**. For example, on 6 June 2019, a minor met Anafé, a French association, in Irun. He had been returned to Spain from France without any protection or attempt to be taken into care, despite the fact that his refusal of entry document proved that he was a minor. Moreover, several associations and lawyers have denounced the pushbacks of unaccompanied children from the city of Pau to Spain, leaving young people at risk and unprotected, without any form of support, right after the Somport tunnel, on the Spanish side of the border³¹.

The lack of protection for unaccompanied children at the French-Italian and French-Spanish borders, with no consideration for their "best interests", leads to pushbacks to the other side of the border where they are left on their own. Some still continue their journey to the north of France.

³¹. Press clipping, *Billière: lawyers raise the alarm on the treatment of unaccompanied minors by border police*, France 3, June 2019.

PART 2

Failure to provide effective access to care and protection to unaccompanied children at the French-British border.



Since the Calais 'Jungle' was dismantled in October 2016 and thousands of displaced people were moved from Calais to temporary reception and guidance centres throughout France, many informal settlements have been built, and frequently destroyed, along the French-British border³².

Today, the progressively increased securitisation of the border³³, the lack of legal routes to the United Kingdom, and the French authorities' policy designed to prevent the establishment of "fixation points", have only worsened the extreme destitution in which over two thousand displaced people already live. **The abuse of displaced people's fundamental rights**, which has become more common and acute over time, **affect all people on the move in the region and vulnerable people in particular, including unaccompanied children**. They live – or rather survive – in inhumane and degrading living conditions, among adults, and the solutions put forward by authorities with a duty to protect them remain limited and often inadequate³⁴. To make matters worse, since March 2020, Covid-19 has put extremely vulnerable children at an even greater risk.

On 28 February 2019, the European Court of Human Rights condemned France in a legal judgement. The court ruled that the French authorities' failure to provide protection had pushed an unaccompanied child to live for several months in the Calais "Jungle" in a situation that amounted to degrading treatment³⁵. After arriving in France in September 2015 at the age of 11, Jamil Khan, an Afghan national, lived for approximately six months in a "hut" in the southern part of the "jungle". The court found that he lived in *"an environment totally unsuited to his status as a child, whether in terms of safety, housing, hygiene or access to food and care, and in unacceptably precarious conditions in view of his young age"*.

Yet, to this day, the circumstances of Jamil Khan's case are similar to what many children, boys and girls, still face in the region. **The same problems remain**. The French State has failed to guarantee the fundamental rights of children at the French-British border (I) and to ensure their protection, as stipulated by Article 20 of the CRC (II). Even as difficulties persist, repeated eviction operations endanger further these children, even leading to their disappearance, by exposing them to greater risks of human trafficking and exploitation (III). Finally, the ever-changing context of Brexit makes the current situation of unaccompanied children all the more concerning (IV).



Photo credit: Human Rights Observers

³² In this report, the "French-British border" refers to territories along the Channel coast.

³³ Border control agreements between France and the United Kingdom include a number of measures to secure borders and strengthen cross-border collaboration ([Sangatte Protocol](#) signed in 1991 and its [additional protocol](#) signed in 2000, [Le Touquet Treaty](#) signed in 2003, and the [Sandhurst Treaty](#) signed in 2018); [Refugee Rights Europe, Help Refugees, Human Rights Observers, Refugees and displaced people in Northern France: A brief timeline of the human rights situation](#), April 2020. Finally, on 9 August 2020, the British government appointed an ex-Royal Marine officer to tackle illegal Channel crossings which have recently multiplied. [In this especially created role](#), Dan O'Mahoney will be mainly responsible for *"making the Channel impossible for small boats to cross"*.

³⁴ The situation, denounced on a number of occasions over many years, remains unchanged: UNICEF, [Neither safe nor sound: Unaccompanied children on the coastline of the English Channel and the North Sea](#), June 2016; Doctors without Borders, [Unaccompanied children, symbols of a policy of mistreatment](#), July 2019; Defender of Rights, [Exiles and fundamental rights, three years after the Calais report](#), December 2018.

³⁵ European Court of Human Rights, [Khan v. France](#) (request 12267/16), 28 February 2019.

1. OVERVIEW OF THE SITUATION AT THE FRENCH-BRITISH BORDER

A. CONTEXT

1. Calais and surroundings

At the end of August 2020, an estimated 1,500 displaced people lived in **Calais and its surrounding municipalities**, the majority of them single men, as well as unaccompanied women, families (including pregnant and breast-feeding women, young children and infants) and unaccompanied children. They live in informal settlements, often scattered due to the growing number of violent eviction operations³⁶.

As an indication, throughout August 2020, associations that work near Calais, but are not mandated by the French state, reported meeting **254 unaccompanied children** living on the streets. The youngest was 13 years old.

Associations believe this figure under-estimates the actual number of unaccompanied children who lived on the streets in Calais and its surroundings in August. Indeed, associations have a limited presence on the sites where people live and are unable to identify all unaccompanied children. This is due to the fact that young people are extremely mobile (due in particular to the nearly daily evictions), some do not wish to communicate with associations, while others seek shelter through the association mandated by the child protection competent authority and are therefore not identified or included in the figures mentioned above.

2. In Dunkirk and its surroundings

At the end of August 2020, between 400 and 500 displaced people were estimated to live in **Grande-Synthe and its surrounding municipalities**. It is difficult to get accurate estimates of the number of people and living sites in the region because eviction operations have forced populations to flee and hide in numerous scattered and informal settlements that are hard to identify.

Among these people, there are many families with young children. For example, on 28 August 2020, associations estimated that 70 families, including 145 children under the age of 12 and 17 children under the age of 2, were present in Grande-Synthe.

It is extremely difficult to get a good estimate of the number of unaccompanied children. For reference only, **33 unaccompanied children were reported by associations working in the area in August 2020**. The youngest was 12 years old. This number is most likely higher in reality. Unlike in Calais, none of the mandated associations conduct activities targeting unaccompanied children. Moreover, children are often at higher risk of being controlled by malicious adults, preventing associations from interacting with them. Finally, in a highly unstable context, displaced people including unaccompanied children are constantly on the move, making it more difficult for associations to identify and report them.

In addition to these sites, it is important to note that many children live in similar conditions in other regions along the French-British border, such as Dieppe, Cherbourg, Caen, Ouistreham and elsewhere.

³⁶ Amnesty International France, Médecins du Monde, Médecins Sans Frontières France, la Cimade, Secours Catholique – Caritas France, [Situation of displaced people on the French-British coastline: An open letter to Gérald Darmanin](#), 21 July 2020.



B. LIVING CONDITIONS FOR UNACCOMPANIED CHILDREN

In the Calais and Dunkirk areas, unaccompanied children sleeping on the streets are trying to survive in undignified and unsanitary conditions, often alongside adults, and where their access to basic services, such as drinking water, food, hygiene, health care or information, is unequal, insufficient (in quality and quantity) and unsuited to their specific needs, if available at all. Extreme and inhumane living conditions lead to the risk of transmitting infectious diseases, to the worsening of existing medical conditions and to detrimental effects on mental health³⁷.

The response of the public authorities varies depending on the area. Even when basic services are offered, accessing them can prove extremely difficult. For instance, the geographic distance between services and settlements, as well as repeated obstructions by law enforcement, can make access uneven or unsuitable.

M.

In the Calais area, M., 16 years old, is living in an informal settlement and explains that he has to walk 15 kilometres, round-trip, for about three hours, to access food distribution, water points, showers and toilets provided by the State.

On 20 July 2020, during a 'maraud'³⁸ organised by the association Refugee Youth Service (RYS) which works with unaccompanied children near Calais, several young people explained that they didn't know how to access food, water or sanitation facilities, and that the police had stopped them from accessing places where these services were normally provided to them.

³⁷ Primo Levi Centre, Médecins du Monde, [The psychological suffering of displaced people, a public health emergency](#), June 2018.

³⁸ In this context, the term maraud is commonly used to describe outreach sessions/walks conducted by a team with a minimum of two people, who are visiting areas whereby children are trying to survive outside. These visits are to survey needs with a view to providing assistance.

In order to compensate for the public authorities' failures and to address what the Defender of Rights has described as "*a real denial of existence*", British and French non-state mandated associations are doing their best to cover the basic needs of displaced people by setting up "maraudes" and providing medical care, information and food and non-food items... However, it isn't enough: every day, associations on the ground encounter people who have not been able to drink water all day and are thirsty and hungry, or even children who are seeking shelter but don't know where to ask for help.

Such living conditions heighten the distress these people already experience and foster a climate of insecurity and tension. As access to basic services is largely under-dimensioned, or non-existent in some places, associations fear that there may be a controlled "user charge" or "a right of way", although this phenomenon has not been sufficiently documented to date. Associations report several cases of self-inflicted violence, such as self-harm, addictions (alcoholism), risky behaviour, violence, suicidal comments, etc. The context leads directly to situations of control, exploitation and human trafficking.

In sum, at the French-British border, **unaccompanied children on the streets are facing inhuman and degrading living conditions**, in addition to facing barriers to accessing protection.



Photo credit: Human Rights Observers
Grande-Synthe

2. BARRIERS TO ACCESSING CHILD PROTECTION SYSTEMS AND STRUCTURAL DYSFUNCTIONS



Photo credit: Human Rights Observers.
Water points, April 2020, Grande Synthe

At the French-British border, the child protection systems that have been put in place by decentralised competent authorities are uneven, insufficient and undersized to meet the specific needs of unaccompanied children and do not provide adequate protection to every unaccompanied child.



Photo credit: Human Rights Observers

A. IN CALAIS AND ITS SURROUNDINGS

In the Pas-de-Calais department, the association France Terre d'Asile (FTDA) has been mandated by the authorities³⁹ to provide information to unaccompanied children met in the area by different public institutions (police station, hospital, administrative detention centre, reception and assessment centres, etc.), to refer them to the only temporary emergency reception centre available whereby they can access basic care and further orientation and support⁴⁰. The same team visits known living sites on a daily basis (these change constantly) to identify and refer those who are living on the streets towards services.

However, in 2017, the CNCDH condemned the French State for failing to look after unaccompanied children in the Calais area, and some of its concerns remain relevant today. The commission indicated, in its intervention in the case of Jamil Khan v. France, that *"the failings of the French state are numerous and systemic: court decisions are not enforced, there are structural issues with reception and care, the material conditions of life and housing are insufficient, protection against trafficking and smuggling is non-existent, and finally the rights to education and health are not guaranteed"*⁴¹.

The same observations were recently reiterated by the Defender of Rights after her visit on 22 and 23 September 2020⁴²: *"Unaccompanied children, some only 12 or 14 years old, are at risk and vulnerable to [smuggling] networks. If outreach by*

France Terre d'Asile and other non-State mandated associations sometimes leads to minors being transferred to the reception centre in Saint-Omer, the Defender of Rights notes that the system is still not sufficient. The introduction of, at minimum, an easily accessible and dedicated day reception centre, as has been recommended in previous works by the Defender of Rights, remains an imperative to protect children in accordance with the Convention on the Rights of the Child (CRC) to which France is a signatory. The access to the temporary emergency shelter for underage people, which requires in the evening or at night for minors to present themselves at the police station, has a dissuasive effect due to the fact that the same police forces have repeatedly dismantled living settlements."

Therefore, specific outreach by FTDA's "maraude" cannot fully meet the needs identified on the ground and isn't suited to all situations they encounter in the border area. In light of the geographical spread of unaccompanied children over the territory, the diversity of their profiles and the unfavourable environment described above, and despite efforts undertaken to respond to their needs, these children come up against many obstacles when seeking protection: the limited time and geographic scope of the FTDA "maraudes"; the lack of resources and appropriate training to support young people of the profiles met around Calais; the lack of harmonised information given to children by the wide range of different actors; and repeated refusals to recognise the age and constant questioning of individuals' self-declared ages.

³⁹ In the department of Pas-de-Calais, FTDA works with unaccompanied children in a number of ways: a "maraude"/outreach work is organised in order to inform, identify and orient unaccompanied children towards the emergency reception centre in Saint-Omer (a locality situated around 25 miles away from Calais) and, once their age assessment has been conducted and their minority has been confirmed, children are referred to child protection specific structures. Their mission is primarily funded by Pas-de-Calais's Department, the departmental council, decentralised authority competent in child protection for the area of Calais and surroundings. However, the State (through the General Directorate of Social Cohesion) provides financial support for the information they provide during the "maraude".

⁴⁰ This place is in Saint-Omer and is unconditionally open to minors.

⁴¹ CNCDH, *Third party intervention in the case of Jamil Khan v. France*.

⁴² Press release, *The Defender of Rights raises the alarm on degrading and inhuman living conditions faced by displaced people in Calais*, 24 September 2020.

A. & M.

For example, A. and M., two children aged 11 encountered in January 2020, were reported twice to the department and the judicial authority due to their age, their isolation, and suspicions of abuse and exploitation by criminal networks. They were both given access to the temporary emergency reception centre. However, given the lack of appropriate resources to meet their specific needs (particularly the limited individualised support, not adapted to their vulnerability to control and exploitation by these networks), they left the centre. To these associations' knowledge, these two children spent five months on the streets, with no protection. The associations do not know where they currently are. This example echoes the situation of many unaccompanied children on the French-British border.

Beyond this specific scheme for unaccompanied children, there are other "entry points" to access child protection, such as the police station or the hospital. However, **the lack of training and accountability mechanisms means that hospital staff and law enforcement officials do not always report children at risk**⁴³, marginalising them even further from child protection systems. Numerous testimonies from unaccompanied children and associations have highlighted the discrimination these children face, raising the alarm over failures to respect the presumption of minority and barriers to accessing health services or other routes towards child protection (such as the police station).

Indeed, with the increase in evictions, the trust between young people and the police has been severely damaged, which inevitably puts children off from approaching the authorities or viewing them as a safe actor through whom they could seek protection. This further exacerbates the **failures of the referral system to child protection, given that these referrals indeed need to be done via precisely police stations**. For example, for several months, the police stopped referring UAC to the only provisional emergency shelter in St-Omer past 10 pm, even though many children were identified during this time slot. Associations have also flagged several incidents that have

slowed down or prevented young people from seeking shelter, such as their inability to enter the police station meaning they are left waiting on the sidewalk, at times for hours, regardless of the weather conditions; the lack of information or contradictory information shared with associations by the police; unjustified delays in the police sharing information about these children with the mandated association so they can send a vehicle and proceed with their care (in a recent case, there was a two-hour delay between the child's arrival at the station and the notification to FTDA). It is worth noting that the police station is the only gateway to child protection mechanisms after 5.30 pm. As a result, all these malfunctions slow down or prevent many young people from receiving care and protection. Yet, in an area where several cases of suspected abuse and exploitation of children have been reported, it is crucial that the police play a protective role.

It is important to note that there is an ongoing constructive dialogue between the department of local authorities in charge of child protection, the mandated association (FTDA) and other associations like ours, which has unblocked some situations but not addressed all the challenges to date.

⁴³ According to article L. 266-2-1 of the Family and Social Action Code (CASF), the following people must imperatively report a minor who is or could be at risk: National Education staff, hospital staff, gendarmerie and police services, services for the legal protection of young people (PJJ), doctors and nurses, people participating in the provision of Child Welfare services, people in perinatal and early years services. In addition, according to article 434-3 of the Criminal Procedure Code, any person, association or institution must report a minor at risk. Finally, according to article L 226-4 of the CASF, all associative structures and actors in the public or private sector have a duty to refer minors at risk to the State Prosecutor.

B. IN DUNKIRK AND ITS SURROUNDINGS

The lack of action by public authorities in this region is glaring, despite their legal duty to protect unaccompanied children.

With regards to available mechanisms, an organisation called AFEJI was understood to be mandated by the State⁴⁴ to carry out daily "maraudes" for displaced people and guide them towards the region's temporary reception and orientation centres (CAO) and reception and assessment centres (CAES).⁴⁵ It also has a mandate to identify, report, inform and orient unaccompanied children towards child protection mechanisms. In contrast with the Calais region, there is no provision for socio-educational outreach activities specifically aimed at UAC in transit, nor is there a temporary emergency reception and unconditional sheltering scheme that is easily accessible for children.⁴⁶

The geographic spread of AFEJI's "maraude" is too restricted to meet existing needs. Indeed, as mentioned previously, repeated evictions have led to the dispersal of displaced people and, as a result, unaccompanied children are spread out across different living sites that are not visited by AFEJI. The association does not visit living sites in Dunkirk either. Furthermore, according to associations, AFEJI's "maraude" is not proactive enough in its outreach to children, even when some children have been specifically identified in advance.

In the Grande-Synthe area, UNICEF⁴⁷ made several recommendations for proactive outreach, stressing the need to target young people who are least likely to seek protection. Activities must focus on where young people are active, live or are in transit to help create a bond and a relationship based on trust, especially as they are often unaware of the care and support that is available to them. Building a connection is essential to building trust from the very first interaction. But young people recognise AFEJI teams primarily from their presence alongside police forces during eviction operations. This leads to confusion and mistrust and keeps young people away from care instead of encouraging a relationship based on trust, which is necessary to signpost them to child protection services.

Most of the time, unaccompanied children are identified and receive guidance and information from associations and volunteers at the French-British border who have not been mandated by the authorities nor received any specialist training. These associations are the only ones to report the presence of at-risk children to the departmental Council and the State Prosecutor, often with no response.

Thus, despite these detailed reports, **the lack of any appropriate mechanism, suited to the circumstances described above, is a barrier to effectively protecting these young people.**

Finally, unaccompanied children are also let down by the **police or public health services**, which are key gateways to the child protection system yet have, on many occasions, failed their duty as public agents to care for or refer young people to the appropriate services. In these cases, young people are left without protection, in a street situation, and the duty to protect falls back onto the non-mandated and untrained associations that identified them in the first place.



Photo credit: Human Rights Observers.
Living spaces in Grande-Synthe, April 2020

⁴⁴ In Grande-Synthe, AFEJI works with displaced people to inform, orient and report adults and unaccompanied children to the relevant services. Their work is funded and mandated by the department as well as the State.

⁴⁵ Since the publication of this report, the writers received information from the Department that AFEJI does not in fact have any specific mandate related to unaccompanied children.

⁴⁶ In accordance with articles L. 223-2 and R. 221-11 of CASF, as soon as an unaccompanied child is identified or has presented themselves, the president of the regional council must set up emergency reception arrangements lasting five days.

⁴⁷ UNICEF, *Neither safe nor sound: Unaccompanied children on the coastline of the English Channel and the North Sea*, June 2016.

C. DIFFICULTIES FOUND IN BOTH LOCATIONS

Along the French-British border, **the lack of and unequal access to reliable, comprehensive and age-appropriate information in the children's own language, pose serious concerns.** When unaccompanied children arrive at the border, they are rarely informed about their rights and/or the existence of safe and legal routes to the UK. Therefore, they are often vulnerable to smuggling networks and/or view the UK as their only option.

Yet, in both the Calais and Dunkirk border areas, there are no prevention and protection mechanisms against trafficking, smuggling or exploitation. Civil servants and association staff, who already struggle to build a rapport with young displaced people in appropriate and confidential settings, are rarely able, due to a lack of training, to identify situations where young people are being abused, manipulated or constrained. As a result, they fail to report them. When they do report cases, institutional responses are often late, inadequate and insufficient. Reports too often lead to inaction, which creates a sense of despair among associations. In this regard, public authorities have completely failed.

In addition, **there has been a rise in the disappearance of children.** This happens in different circumstances: state-organised evictions which lead some children to "flee" to unknown places; young people leaving for other geographical areas (other departments) or running away from establishments; children losing contact after confiscation of their phone by the police during an eviction or after their battery has died (due to lack of access to charging stations), etc. Regardless of the circumstances, a disappearance rarely leads to a dedicated investigation. All of this only exacerbates the risk of child exploitation, encouraging young people to take ever more dangerous routes and increasing the risk of trafficking along the French-British border.

These practices constitute additional barriers for children, reinforcing their mistrust of institutions and keeping them away from child protection mechanisms.

Y.

The Journey of Y., a young girl aged 14, perfectly shows the gaps in child protection discussed above. After fleeing Eritrea, Y. arrived in Italy where she was in transit for several months before reaching the French-Italian border. She then arrived in Calais where she lived for several months in an informal settlement before making her way to Steenvoorde, another settlement in the north of France, where she lived for six months. During this time, she risked her life on several occasions by trying to climb onto trucks to join her brother in the UK. She eventually came across an association that informed her of her right to be reunited with her brother, safely and legally. Y. had previously never received any information on this topic. It is through a non-mandated association that she was referred to child protection services. Family reunification proceedings were initiated, and Y. was safely reunited with her brother in the UK. Her journey is identical to many children at the French-British border.

To all this must be added the violence exerted by security forces and the increasingly harmful consequences of evictions.

3. THE MULTIPLICATION OF EVICTION OPERATIONS THREATENS THE SAFETY OF UNACCOMPANIED CHILDREN EVEN FURTHER



Photo credit: Human Rights Observers
Calais, September 2020

Eviction from settlements in the region are on the rise, to the detriment of displaced people's human rights⁴⁸. For information, since the beginning of 2020, 725 eviction operations have been conducted in Calais (as of 4 September) and 56 in Grande-Synthe (as of 31 July).

⁴⁸ Human Rights Observers, *Observations of fundamental rights at the French-British border*, Annual report 2019 ; Leilani Farha, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context, wrote in a report published in March 2020 that she was "profoundly worried about the housing and living conditions of refugees and migrants near Calais in the Hauts-de-France region. [...] The practices that were reported to me [...] constitute a systematic and glaring violation of the right to adequate housing under international human rights law. They also constitute a violation of the rights to health, food and physical integrity. The systematic and repeated nature of forced evictions during the winter months suggest that they also constitute a cruel, inhuman and degrading treatment against one of the most vulnerable populations in France [...]"



These operations often go hand in hand with the **destruction and/or seizure of personal belongings**⁴⁹, such as tents, sleeping bags, clothing, documents or mobile phones. This is in spite of the fact that mobile phones, for example, are an essential survival tool on a daily basis and a form of "guarantee" against isolation (providing access to information, directions to find basic services, translation or tools to learn a language, a way to maintain connections with family, friends and local associations, etc.).

Evictions also lead to **acts of violence from French security forces**⁵⁰ who regularly rely on chemical agents (tear gas), conduct frequent arrests and place people, including unaccompanied children, in administrative detention centres. **Thus, during these operations, a number of failures by the authorities to uphold their fundamental duty to respect, protect and guarantee the rights of at-risk unaccompanied children are observed.** They also further weaken the mental health of many of the children.

In both Calais and Grande-Synthe, the authorities do not take into account the presence of unaccompanied children during eviction operations, despite numerous reports by associations. **There is no preliminary demographic census and social diagnosis** (as provided by law⁵¹) before the evictions, and **there are no child protection mechanisms in place** to identify, care for and shelter any children present at the site of the eviction, even if the authorities have been notified of their presence. On multiple occasions, associations have been informed that **unaccompanied children were forced to board buses and transported to reception centres for adults, sometimes into the competency of other regional departments, or that they had been left on the streets** when it could have been avoided.



Photo credit: Human Rights Observers
Calais, September 2020

⁴⁹ Human Rights Observers, *Evictions in Calais and Grande-Synthe*, 1 August 2018 – 1 June 2019.

⁵⁰ Human Rights Watch, *It's like living in hell – Police abuse against migrant children and adults in Calais* July 2017; Médiapart, *Violence against migrants: When police officers break the silence*, 20 May 2020.

⁵¹ According to the *circular of 21 January 2018* relative to the slum clearance programme and the *inter-ministerial circular of 26 August 2012* relative to the "anticipation and support of operations to evacuate illegal camps" which provided that before any eviction, a diagnosis of the occupants' situation, the provision of support and the proposal of alternative solutions to eviction must be implemented.

In addition, **acts of violence perpetrated by security forces are common during evictions**. There have been reports of:

- Physical violence towards unaccompanied children, as well as destruction and confiscation of their goods;
- Failures to report the identification of unaccompanied children, as mandated by law.



The role played by the police during evictions detracts from the possibility of building a trusting relationship with these young people, essential to facilitate their access to child protection services. It is also important to note that, on several occasions, **children were arrested and sent to administrative detention centres** without any age assessment. In the 2019 national report on detention, several associations⁵² wrote that *"in 2019, 264 people told our associations they were under-age but were regarded as adults by the administrative authorities. The Pas-de-Calais prefecture alone is responsible for 25% of all detentions of children, most of whom were arrested upon trying to cross the French-British border. A large number of them claimed that the date of birth that made them adults in the eye of the law had been arbitrarily assigned to them by the police or by the interpreter during their questioning."*

For example, during an eviction that took place on 10 July 2020 in Calais, at least four young people who had self-declared as children were arrested and placed in the administrative detention centre in Coquelles. They were all later freed and sign-posted to child protection services. As the Defender of Rights has denounced repeatedly, including in her 2018 report, unaccompanied children in transit *"are deemed to be foreigners first, and at-risk children second"*, in breach of French law.

The increase in what is understood as a policy of evictions, forced transfers far from the borders and daily harassment by the police have also led to **restrictions in access to basic services**. For example, after the evictions that took place in Calais on 10 and 30 July 2020, the main food distribution centre, managed by the State, was removed. Many displaced people, including children, found themselves without access to food distribution and had to rely on voluntary associations to meet their food needs, which remained largely insufficient.

Moreover, **evictions weaken existing state and non-state mechanisms for the identification and orientation of unaccompanied children, which are useful points of reference for young people** in displacement near the border. For instance, the evictions that took place in Calais on 10 and 30 July 2020 disrupted the mechanisms operated by FTDA. Indeed, with a large number of living sites destroyed and then fenced off, meetings points that had worked for both young people and social workers and non-mandated associations, disappeared. New informal settlements took their place elsewhere, where associations reported the presence of many young people. These new living sites were not immediately identified by FTDA's "maraude", leaving young people without access to the emergency shelter or information about their rights for a while. Informal living sites are increasing progressively, following the pace of dismantling operations. This situation weakens even further everyone's ability to identify, inform and refer children living on the streets to child protection mechanisms .

It is clear that numerous evictions in Calais and Grande-Synthe have made young people even more vulnerable, leading in many cases to disappearances.

⁵² National report, *Administrative detention centres and holding facilities*, 2019.

4. GROWING CONCERNS FOR UNACCOMPANIED CHILDREN IN THE UNCERTAIN POLITICAL CONTEXT OF BREXIT

These barriers to child protection systems are all the more concerning in the unpredictable context of Brexit.⁵³ Currently, after joining FTDA's sheltering programme, children can be transferred legally to the UK to be reunited with a family member. However, ongoing political negotiations on legal and safe routes to the UK, which provide children with concrete solutions, suggest that these measures could disappear.

With the end of the Dubs amendment, which allowed the UK to welcome particularly vulnerable unaccompanied children⁵⁴, the only way for a child to join the UK from the French-British border is now only covered by the provisions of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013, known as "Dublin III". Nevertheless, given the current state of negotiations, these provisions will cease to apply at the end of the transition period, which was established after Britain left the EU, on 31 December 2020.

A few months before this deadline, **the lack of prospects for a legal alternative route to the UK is particularly worrying**.⁵⁵ On the ground, associations are already observing an upsurge in disinformation targeting children, with malicious individuals trying to take advantage of this uncertain context. Some children, who could benefit from safe and legal routes, give up trying to access child protection systems and take reckless risks with their lives and integrity (by boarding makeshift boats to cross the Channel, jumping in trucks, relying on smugglers) even though legal routes are still available.

The UK is sending strong signals⁵⁶ that it is unwilling to welcome unaccompanied children from France and/or the rest of the European Union, and this is having disastrous consequences at the border.

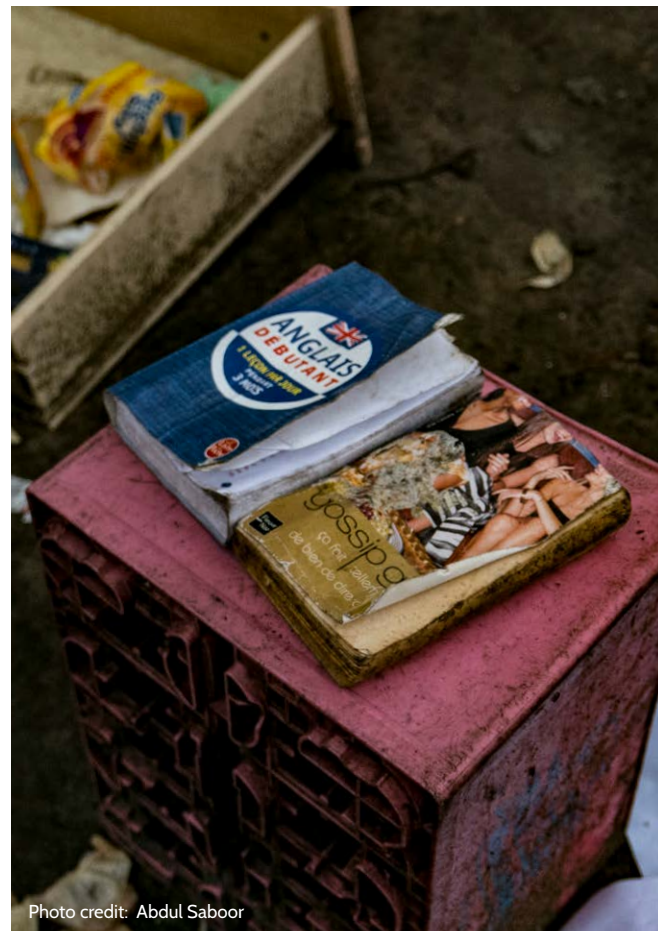


Photo credit: Abdul Saboor

⁵³ This report was originally published in French in October 2020. The English version, published in January 2021, therefore contains certain details which were out of date at the time of publication.

⁵⁴ The Dubs Amendment amends Section 67 of the "Immigration Act". It was put forward by Lord Alfred Dubs and was adopted in May 2016. Originally planned for 3,000 young people, the programme was eventually closed after welcoming 480 minors.

⁵⁵ This report was originally published in French in October 2020. The English version, published in January 2021, therefore contains certain details which were out of date at the time of publication.

⁵⁶ In January 2020, Parliament revoked an amendment to the EU Withdrawal Agreement Act, which forced the government to protect the right to family reunification by negotiating an alternative to the Dublin III provision. At the same time, in April 2020, the British authorities reviewed and restricted their interpretation of the right to family reunification. Many minors in France saw their application denied under false pretences of delays. In May 2020, the British government published a working document setting out the basis for an agreement with the EU on the topic of family reunification. This restrictive text removed essential procedural guarantees currently in force. Finally, in June 2020, Parliament refused an amendment to the Immigration Act which would have enshrined the right of unaccompanied children to a safe route to the UK. These developments make our organisations pessimistic as to the continued existence of safe ways post-Brexit, particularly as the EU has recently announced it did not have a mandate from its members to negotiate on this issue. Therefore, without any willingness from Member States to give the EU a mandate, any European solution seems compromised.

CONCLUSION

At France's borders with Italy, Spain and the United Kingdom, the authorities responsible for protecting unaccompanied children fail to take sufficiently into account their best interests, instead focusing on their "transit situation" and on the fact that they have not requested care and protection from the state.

Young people's age is constantly put into question – a practice that remains contrary to the principle of presumption of minority – and they are subjected to fingerprints, physical violence, deprivation of liberty, pushbacks and/or evictions, among many other violations, leading to a loss of confidence in the authorities, rather than perceiving them as a route to protection.

All of this contributes to unaccompanied children being constantly on the move, travelling from France's southern borders to the north of the country. They find themselves exposed to abuse and exploitation by smuggling networks and are forced to take increasingly risky routes, even when they have a right to child protection.

The precariousness of living conditions and ineffective access to child protection have a direct impact on the physical and mental health of unaccompanied children. Deprived of their childhood during their journey into exile, they grow up in a context where their rights as children are continually violated.

A complete paradigm shift is needed regarding unaccompanied children. Instead of being seen as yet another migratory flow to be curbed, it is time to see them for who they are: children in extremely vulnerable situations who must be protected.



RECOMMENDATIONS

Our organisations make the following recommendations to the French authorities:

- Any unaccompanied child arriving at France's borders must be admitted to the territory unconditionally and must be able to benefit from effective care and protection;
- Children who are at risk must effectively and unconditionally benefit from child protection services; special attention should be paid to children who are potentially unaware of the concept of "minority" (namely a person under 18) and the right to be protected;
- Anyone self-declaring as a minor must be presumed as such and protected until proven otherwise, and their minority should only be disputed by a court order;
- During the procedures, unaccompanied children must be guaranteed access to clear and understandable information in a language that they understand, and to the effective exercise of their rights (ad hoc support by an administrator in the cases provided for by law, right to an interpreter, right to care, right to seek asylum, etc.);
- There is an urgent need to guarantee the right of every child to join or be joined by a family member if it is in their best interests;
- An appropriate mechanism to detect, identify, refer and support victims of trafficking, whether presumed or proven, should be put in place alongside regular training for the competent authorities;
- There must be an immediate and definite end to the detention – in any shape or form – of unaccompanied children at the borders and throughout the whole of French territory;
- Unaccompanied children must be effectively protected from any expulsion procedures that could endanger them.



THIS REPORT WOULD NOT HAVE BEEN POSSIBLE WITHOUT THE CONTRIBUTIONS OF ALL THE ASSOCIATIONS OPERATING IN THE BORDER AREAS

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