

# KEY MESSAGES

## ADDRESSING THE REFUGEE AND MIGRATION INFLUX IN EUROPE



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The number of people who have been forcibly displaced is at its highest since records began, with children making up a large proportion of those on the move. The number of migrants also reached an all-time high of 244 million in 2015.

As a development and humanitarian organisation that works to advance children's rights and equality for girls, Plan International is calling for urgent action to protect the rights, and lives, of child migrants and refugees and their families, both within, at and outside Europe's borders.

## RESPECTING INTERNATIONAL LEGAL OBLIGATIONS

Whatever the reason people leave their homes, the EU and its Member States have a responsibility to ensure those seeking international protection are treated in a manner which protects their rights and dignity.

International human rights treaties, including the UN Convention on the Rights of the Child, to which the EU and its Member States are party, provide legal obligations to protect the human rights of all children regardless of their migration or asylum status. All Member States are also party to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. States must uphold the provisions of these Conventions for all children, at all times.

Migrant and refugee children should always be treated, first and foremost, as children, and their best interests must be paramount in any action or decision which affects them.

## CHILD PROTECTION

Migrant and refugee children face extreme challenges, and encounter particular risks. Girls can face specific difficulties and risks of rape or other sexual violence, gender-based violence and human trafficking.

Whether they are travelling with their families or alone, all migrant and refugee children have the right to be protected from violence, abuse, neglect and exploitation. Children need to be protected at all stages of their journey: at sea, in hotspots and detention and reception centers, during their status determination process and afterwards either throughout integration or return procedures. Particular attention needs to be paid to ensuring the protection of unaccompanied and separated children.

It is imperative that all organisations and States providing support to refugees and migrants have clear child protection policies in place, with staff who are trained in how to safeguard children and to effectively prevent and respond to all forms of violence, including sexual violence and abuse.

## GENDER AND AGE SENSITIVE RESPONSE

Throughout the migration chain, children and young people have different needs to adults, and girls have different needs and challenges compared to boys. Tailored responses, which recognise and meet these varied and specific needs, must be put in place.

In line with the UN CRC and the Refugee Convention, detention of child migrants and asylum-seekers should always be used as a last resort and only in exceptional circumstances. Detention and reception centres must adhere to international humanitarian standards and respect the dignity, safety and protection, especially for girls, and ensure that services are gender-sensitive, accessible, culturally sensitive and child-friendly.

Those forced to flee their homes and countries have undergone considerable trauma, both in their countries of origin and on their journey to Europe. Child and youth friendly spaces must be created in detention and reception centres in order to provide safe areas for young people to cope with their ordeal and situation, allowing them to access counselling, information, education, recreation and skills-building services and activities.

Girls and women experience particular forms of discrimination, persecution, violence and abuse on grounds of their sex. Gender-sensitive services and facilities for girls and women, such as sex-separated hygiene facilities and age, gender and culturally appropriate health and medical services in reception and detention centres, must therefore be provided.

Asylum procedures that are both child and gender sensitive must be provided. This includes ensuring that all arrivals to Europe receive information about their rights through a language they can understand in a cultural and age

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appropriate manner. Adequate legal and translation services must be provided and women and children's asylum claims must take their particular situation into account.

## **UPHOLD THE RIGHT TO EDUCATION**

Safe, inclusive and quality education, including learning opportunities for youth aged 19-24, provides children and young people with a sense of normality amid chaos, and improves psychosocial wellbeing.

Migrant and refugee children's right to education must therefore be upheld as an urgent priority.

## **RESPONSIBILITY AND SOLIDARITY**

EU Member States have responsibilities towards each other and partner countries, on and beyond Europe's borders. Responding effectively to migration and refugee flows requires a coherent and generous response, which goes beyond the lowest common denominator.

Acting together, EU Member States must uphold their obligations by not only fulfilling resettlement and relocation pledges, but by increasing them. EU Member States must facilitate safe and legal routes for entry and in particular must ensure that the right to family reunification is upheld and expanded.

As the world's wealthiest continent, Europe is in a position to show solidarity with other countries around the world who receive a far greater number of refugees and migrants than EU Member States themselves, by facilitating resettlement and creating safe and legal routes for entry to the EU.

## **NON-DIVERSION OF DEVELOPMENT AID**

The EU is the world's largest development and humanitarian aid donor. An ambitious external aid budget is critical to ensure the EU meets its existing commitments to poverty reduction, while maintaining its leadership and credibility in shaping sustainable development policy.

However, policies such as the new Partnership Framework have seen a shift in emphasis on the purpose of aid, compromising its integrity as a tool dedicated to tackling poverty and inequality. This trend has continued in the EU's 2017 budget. We have witnessed the wholesale reorientation of aid, with money earmarked for traditional development cooperation and humanitarian aid being diverted away to finance new initiatives aimed at border control and migration management.

This not only compromises the integrity of development aid, which is meant to address poverty and inequality, it is also unclear whether such an approach will achieve the EU's stated aims to "tackle the root causes of migration".



Migration control must not undermine and detract from existing EU development and humanitarian commitments. The purpose of development aid must remain the reduction of poverty in developing countries.

## **COMPREHENSIVE AND COHESIVE APPROACH**

Migrant and refugee children are among the most excluded and marginalised in society. EU and world leaders have signed up to the principle of leaving no one behind, through the adoption of the 2030 Agenda for Sustainable Development.

Taken together with the Addis Ababa Action Agenda and the Paris Climate Agreement, implementation of these commitments by the EU and its Member States will help address development deficits, conflicts and climate change impacts which drive displacement.

A comprehensive, integrated and ambitious EU strategy is essential to meet these global commitments, based on the principle of policy coherence. EU policies, for example in trade, agriculture or fisheries, must not create a push factor which forces people to leave their homes and countries, or negatively impact on the realisation of a person's human rights.