



Global Migration Group Symposium

Migration and youth: Harnessing opportunities for development

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I feel very honoured to participate in this important Symposium on migration and youth.

I would like to thank the Global Migration Group for their invitation, and UNICEF for hosting this important event.

It is a pleasure to address you in my role as Special Representative of the Secretary General on Violence against Children and also on behalf of the International Labour Organization, which is a strong supporter of my mandate and an important actor in the areas addressed by this meeting.

I would like to congratulate the organizers for this timely consultation which offers an excellent opportunity to reflect together on the opportunities and also the many challenges that confront young people in migration, including those under the age of 18; the meeting also provides a strong platform to identify good practices and formulate recommendations to safeguard the effective protection of their fundamental rights.

Dear Friends,

We live in a globalizing world, in constant change. The search for better economic opportunities and for a better lifestyle, on the one hand; and political instability and armed conflicts, violence and discrimination, climate change and natural disasters, on the other, are some of the reasons behind international and internal migration flows – from South to North, and more significantly, across and within countries in the South.

Some 214 million persons worldwide - or 3.1 per cent of the world's population - are international migrants, while 740 million persons migrate within borders. According to the World Bank, **about a third of the migrant flow** from all developing countries, are young people between 12 and 24 years of age. This includes millions of children below 18 years who migrate, either together with their parents or on their own.

These numbers are likely to increase in the years ahead, driven by population dynamics, by lack of development and employment opportunities, in particular in rural areas; and also as a result of environmental changes: according to some estimations, by the year 2050 there will be some 200 million ‘climate refugees’.

Given its young and rapidly growing population, Africa will be a particularly affected region. The UN predicts that, in the period between 2010 and 2020, children between 10 and 14 years of age alone will increase by more than 27 million. Given current patterns, many of these children will grow up in rural areas; and as teenagers will want to migrate in search of opportunities elsewhere.

Thanks to meetings like this one, we are becoming increasingly aware of the participation of children in migratory movements, and also better informed of the many risks they face in this process – when they migrate with their families; and certainly also when they move on their own, within countries and across borders. Challenges are present at every moment of the migratory process and violence illustrates this well.

Violence against children knows no geographic boundaries; it takes place in all settings, including in the context of migration. This was recognised by the UN Study on Violence against Children, and is confirmed by the work of international organizations, by available studies and media reports. At the same time, as all sources also stress, **violence against children can never be justified and in fact can be effectively prevented.**

**In my role as the Special Representative of the Secretary General on Violence against Children,** I am committed to work with strategic partners, within and beyond the UN system, to prevent and eradicate violence against children in all contexts, including violence affecting children on the move. Yet, this is an area where we still face many challenges!

**Children migrate as a result of violence** – at times, violence in the home or in the school; in other cases fleeing an arranged and forced marriage, persecution for

belonging to a minority, or armed conflict. **During the migration process**, they remain at high risk of violence, abuse and exploitation, including child labour.

When migrating on their own, children are especially vulnerable to exploitation, coercion and deception, a risk that tends to grow when they are very young, or do not speak the language of their destination. **Girls** are at high risk of trafficking, sexual abuse and exploitation.

Evidence from various studies shows that **child migrant workers** are particularly vulnerable to exploitation. They experience maltreatment by unscrupulous employers; and they suffer isolation, sub-standard working conditions, non-payment of wages, and the threat of being reported to the authorities and deported to their countries of origin.

More often than not, **child migrants travel across borders without proper documentation and identification**. Undocumented immigrants, both adults and children, are frequently unable to access basic social services, including education and health care, as well as protection services required to fight the forms of violence they may endure and to ensure their recovery and social reintegration.

**The arrest, detention or imprisonment of children** due to their migrant status, at times placed in inhuman conditions and together with adults, is not infrequent, although contravening the principle of the child's best interest. As called for by the CRC, deprivation of liberty cannot be unlawful or arbitrary, and can only be used as a measure of last resource; in the exceptional cases where it may be justified, it can only be established for the shortest possible period of time.

There are in addition reports of violence against unaccompanied children, forcibly and involuntarily repatriated to their country of origin, prevented from gathering their belongings, and delivered to border authorities rather than to child protection agencies.

Dear Friends,

Despite their growing numbers and the undeniable links between migration, violence and exploitation, child migrants remain largely invisible in debates about migration; and they are also absent from discussions on child protection and child labour. Policy responses are fragmented at best, and largely fail to protect the rights of children in migration and to offer them genuine opportunities for their personal development.

**The protection of the rights of children in migration is an ethical and legal imperative!!!**

In this process, governments bear a leading responsibility and their action must be framed by the solid human rights normative foundation agreed upon by the international community. The Convention on the Rights of the Child and its Optional Protocols prohibit discrimination of any kind, and require States to safeguard the rights of all children under their jurisdiction, including their protection from violence and exploitation, whether they are nationals, foreigners or stateless. The ILO Convention No. 182 on the Worst Forms of Child Labour provides a practical framework for the protection of children, including in migration, from the most serious forms of exploitation.

For its part, **the Roadmap for achieving the elimination of the worst forms of child labour**, adopted in The Hague in 2010, calls on Governments to “consider ways to address the potential vulnerability of children to, in particular, the worst forms of child labour in the context of migratory flows’.

**The Special Rapporteur on the Human Rights of Migrants** underlined the obligation of States ‘to ensure the protection of all children in all stages of the migration process’.

These legal instruments and political declarations establish a solid basis to prevent and address all forms of violence against children; and they provide a strategic opportunity **to integrate the protection of children from violence as a central component of the national policy agenda**, making sure that the best interest of children is given systematic and primary attention.

Dear Friends,

When we look ahead **and reflect on the approach needed to create a protective environment for children in migration**, it is critical to recognize one key point: many children and young people voluntarily choose to leave, often rural areas, in the hope of gaining better opportunities elsewhere. While there are many risks in the migration process, migration can also offer better prospects for development, education and, when they are old enough, for access to employment.

Our aim cannot be to stop voluntary migration, but rather to provide a **safe framework** that prevents violence and exploitation, including child labour; and **helps children make informed decisions**.

To achieve this aim there are a number of principles we should keep in mind:

**All children**, including those in migration, are entitled to the respect of their fundamental rights. **In all decisions**, the best interests of the child need to be given a primary consideration. **This is not a question of favour; it is a legal obligation!**

**The case of each and every child is unique**; it needs to be considered in the light of its specific circumstances and taking into account the age and special needs of the child. Moreover, **it needs to be informed by the views, perspectives and experience of the child**.

In shaping migration laws, policies and regulations, it is crucial to be guided by core international human rights standards, in particular the Convention on the Rights of the Child and its Optional Protocols, the ILO Conventions No 138 on the Minimum Age for Employment and No 182 on the Worst Forms of Child Labour, as well as the Palermo Protocols on Human Trafficking and the Smuggling of Migrants.

**But one major challenge remains – the lack of data and research on children in migration**, which in turn leads to the absence of children from the migration debate. As recognised by the UN Special Rapporteur on the Human Rights of Migrants, the lack of statistical information about children in the migratory process compromises the development of legislation, policies and programmes, as well as of budgets for the protection of children’s rights in this context.

**Further analysis is necessary** on the correlation between migration and violence, exploitation and abuse. **There is a need for disaggregated data and a coordinated research agenda**, based on methods that incorporate child participation and that make migrant girls and boys and the risk of their exploitation more visible the policy agenda.

**Lastly, whether migration flows are within or across borders, international cooperation is crucial**, both to prevent risky migration and to safeguard the rights of children on the move, and also to help develop a well-coordinated governance response between and across countries.

I hope that these two days will help to put the human rights of migrant children and young people in the spotlight, and will help shape the debate during the upcoming General Assembly session on migration and development. And I wish you much success in your endeavour.

Thank you!