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1. Introduction

This report is part of Work Package 8 Migrant Children Transition and brings in the comparative perspective of the seven case studies conducted in refugee camps in Greece and Turkey, in asylum homes and reception centres in Slovenia, Austria, Poland and Italy, and in an informal camp in Calais, France. The studies covered different groups of migrant children in the 'middle phase' - in a liminal space where they are no longer in their countries of origin but have not yet started a life in the reception country - including asylum seekers, refugees, undocumented and irregular migrants. In the comparative report, the term 'migrant children' is used to refer to all minor migrants involved in the study, including adolescents. This decision stems from the fact that the conceptual background of the study is based on the UN Convention on the Rights of the Child (CRC), in which the term child refers to every human being under the age of eighteen (Article 1 of CRC).

The analysis is based on the D8.1. Case study reports on migrant children in transition. Its overall aim is to shed light on the diversity of contexts migrant children in transition face. More specifically, the analysis highlights the specific situations migrant children encounter, examines the processes of "transition" and summarises the main findings. Analytically, the report follows a child-centred approach and focuses on the issue of migrant children's well-being and participation rights. It reflects on migrant children's agency and other important factors that shape their migration journey, with the aim to provide general understanding of the situation in transit. It reflects on migrants' experiences of reception standards and support measures during the migration procedures (e.g. access to rights and relevant procedures, standards of reception and accommodation, access to social support and legal protection, access to education and/or language training, contact with and integration into the local community), as well as their experiences of well-being, daily life in transit and satisfaction with their lives in the host society.

The first part of the report provides a brief introduction to the conduct of the research and the key elements of the child-centred analysis perspective. It then explains the main structural conditions and social factors affecting migrant children's access to their rights, including discrepancy between legal principles and practice, border practices and procedures, the impact of age assessment, social exclusion and migrant children's agency. Next, the analysis focuses on the well-being of migrant children, including living conditions, relationships with institutional staff and access to information, health and access to services, schooling and relationships with family and friends. The subsequent analysis of participation rights during the asylum procedure comes mainly from the Slovenian case study and highlights the main challenges in legal support, interpretation, cultural sensitivity of staff and challenges related to credibility assessment. The last part of the report reflects on factors that facilitate migrant children's access to their rights. Here it is highlighted that civil society, access to education and compliance with the binding legal provisions of the CRC have the potential to overcome the challenges migrant children face on their long journey.

2. Methodology

The research began with a review of the existing theoretical and empirical literature on migrant children and assessment of the institutional support offered to migrant children through public policy and existing practises in each participating country. Researchers then moved to the field to conduct fieldwork activities in seven different settings; the research in asylum homes, reception centres, refugee camps and informal camp has started in 2019 and in some cases concluded in late 2021. Due to the Covid-19 outbreak, several adjustments have been made to the original schedule and plans. Against this backdrop, researchers were forced to adjust the original research methodology to a certain extent and adopt maximum flexibility in terms of methods and data collection. In some cases, it was not possible to implement the phase of participant observation, while in some others interviews with children were conducted online.

In Italy, the research included reception facilities for unaccompanied minor migrants in the countryside of Sicily. In Slovenia, research was conducted in asylum home – unit for vulnerable groups of migrants – families, women and children – located in the outskirts of small town of Logatec, where at that time most of the migrant children stayed. In Poland, research took place schools in Bezwola, a village in the Wohyń commune in the Lublin Voivodeship and in Tagówek district in the capital city of Warsaw, both of which were schooling children from nearby reception centres. In Austria research conducted interviews with children living in basic case accommodation, one in Vienna and one outside the city centre. There were multiple research sites in French case study, including informal camps, day care for migrants, administrations and institutions and overnight stay. In Greece research was conducted in Skaramagas refugee camp, while in Turkey, researchers selected neighbourhoods in city of Şanlıurfa, which is raked 4th city in Turkey with the highest number of Syrian refugees compared to the provincial population.

Altogether 158 migrant children were interviewed. The status of migrant children included children with temporary protection, asylum-seekers, and refugees pending relocation, irregular/undocumented migrants. The age of migrant children and youth involved in the study ranged from 7 to 19 years, males and females born in countries like Russia (Chechenia), Syria, Sudan, Iran, Libya, Eritrea, Tunisia, Pakistan, Afghanistan, Bangladesh, Morocco, Mali, Egypt, Somalia, Ivory Coast, Gambia, Ghana, Guinea, Sierra Leone, Yemen, Chad, Palestine, Algeria.¹

Interviews were unstructured, allowing for flexibility in line with children age and capacity. Due to differences in age of participants interviews differ in duration and focus. Researchers talked about their pre-departure experiences, access to rights and legal protection, access to education and/or language courses etc. They asked them what makes

¹ For more information on the samples, the sampling procedure, the methods used and the general research design, see D8.3 Reflexive methodology

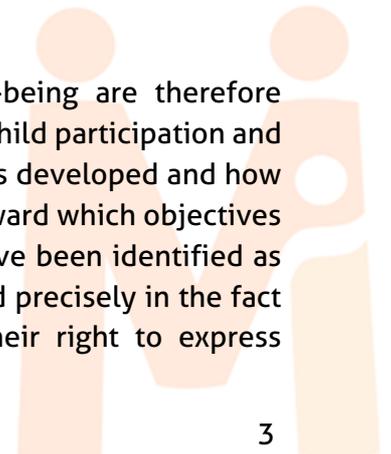
them feel good and secure, what is important to them and how they experience everyday life in asylum. They also talked about what they would change to improve conditions in the asylum system and what the most critical aspects are. Data was complemented by information we obtained through formal and informal interviews with actors working with asylum-seeking children, including legal guardians, legal experts, social workers and reception centre staff.

3. Analytical perspective: the child-centred approach

The child-centred approach has been used in various academic fields (e.g. sociology, anthropology, political science, social work, education, psychology, law, philosophy) and aspects of work with children (e.g. social protection, teaching, psychological care, administrative and legal procedures). In law and policy studies in particular, this approach is closely related to the Convention on the Rights of the Child - it is an approach that considers children's rights and their realization as the main goal and objective (Leviner, Kaldal and Lainpelto, 2015; Goldson and Muncie, 2012): A child-centred policy essentially involves 1) the rights of children in organizational procedures; 2) the recognition of children as individuals with special interests and needs in interactions with adults; and 3) the use of the child's individual perspective as a way of interpreting what the world means to children (Skivenes 2011: 171).

Nonetheless, the greatest agreement between them is evident in CRC 's advocacy for children's active participation and involvement in decisions that affect their lives in a variety of situations (Thorburn Stern, 2017: 5; Flekkøy, and Hevener Kaufman, 2010; Lückner-Babel, 1995; Parkes, 2015). The right to be heard, as provided for in Article 12 of CRC, has been listed among the four general principles of CRC, which means that this right must be taken into account when interpreting and implementing all other rights. Although great importance is attached to participation, a child-centred approach must not be taken as a position that children have the right to do whatever they like. An overemphasis on children's agency can have the effect of diminishing children's need for protection and making them responsible for ensuring their well-being. For this reason, authors generally emphasise that protective measures are equally important to maximise children's capacities (Ridge, 2002), even if they are not fully consistent with what a child decides, chooses, desires or wants at the time.

Within a child-centred policy, children's participation and well-being are therefore considered as a guiding principle and main objective. This policy has child participation and well-being as the main feature and principle of its operation (how it is developed and how it works), conceptualisation (what it builds on) and its orientation (toward which objectives its intentions strive) (Gornik, 2020). Well-being and participation have been identified as fundamentally linked: The position of child-centred policy is reflected precisely in the fact that it simultaneously demands the protection of children and their right to express



themselves - while protection sets the goal of well-being, participation embodies the methodology for achieving that goal.

Important with regard to this report is the fact that the right to be heard (Article 12 of CRC) is both an individual and a collective right. It requires governments to take into account the views of asylum seekers individually in administrative procedures and collectively when dealing with asylum seekers as a specific group of children in policymaking, drafting legislation, planning services, etc. (UNCRC, 2009). While the United Nations Committee on the Rights of the Child suggests various ways in which children's views can be included - for example, through the evaluation of systems by children who use such services, the involvement of children in research, consultation processes, representative bodies or the like (ibid.) - there are no mechanisms at the level of national policy systems to involve asylum seekers in the development of laws, policies and services. The findings of this report can therefore be seen as a basis for evaluating asylum policy from a child-centred perspective, as well as a framework for child-informed policy.

4. Socio-Political Conditions of Migrant Children's Access to Rights

4.1. Discrepancy between the legal principles and practice

All countries involved in the MiCREATE case studies are signatories to two important treaties that are fundamental with regard to the rights of migrant children in transit, namely the UN Convention relating to the Status of Refugees (the Refugee Convention) and UN Convention on the Right of the Child (CRC). The importance of the Refugee Convention is that it creates moral and legal obligation of states to protect migrant children and process their asylum claims. The right to apply for asylum in this way functions as one of the basic legal channels granting asylum-seeking children political and social recognition (access to territory and fundamental rights) and the right to (at least temporary) residence in the country of destination.

On the other hand, CRC plays a crucial role in the legal protection of migrant children, as it confers rights on children without any distinction- it applies to all children, including asylum seekers, stateless, undocumented and irregular migrants. As a result, the political status of asylum-seeking children differs from that of adult migrants, especially as CRC offers the most comprehensive set of civil, political, economic, social and cultural rights.²

² The international framework of children's rights, established with the adoption of CRC in 1989, has been, without a doubt, acknowledged as the cornerstone of the child-centred approach in law (ibid.). CRC is one of the most important and influential formal documents in the field of children's rights. Currently, 196 countries are parties to the treaty (some with stated reservations or interpretations), indicating that this legally binding document is a benchmark against which interpretation and implementation of a child's rights is measured (see Liefwaard and Sloth-Nielsen, 2017; Liefwaard and Doek, 2015).

Most importantly, the rights and procedural safeguards that CRC prescribes for state authorities in dealing with asylum-seeking children are not discretionary, but directly applicable and enforceable in court.

However, as the MiCREATE case studies show, there are many inconsistencies between the provisions of international law and national legislation on the one hand and the implementation of these principles on the ground on the other. Although national legislation in the countries participating in the study considers all migrants under the age of 18 as individuals with special needs and rights - in line with the Convention on the Rights of the Child migrant children are considered vulnerable and in need of protection to ensure their well-being and best interest, their right to be heard and their right to life and development - the findings clearly show that the protection of migrant children is compromised by their status as aliens (asylum seekers, undocumented migrants, irregular foreigners).

In many ways, the case studies reveal a tension between laws and policies aimed at protecting and supporting children and those concerned with migration control. The discrepancy between the child rights approach (which forms a visible part of policy principles at the declarative level) and actual practise, which is driven by concerns about migration management and the prevention of irregular migration, shows that child migration gives rise to contradictory approaches: on the one hand, authorities have a duty to respect the rights of migrant children, while at the same time they engage in violent and exclusionary practises. This vividly illustrates how "global" children's rights, when applied at the micro level in a particular socio-political context, are adopted and adapted to values, exclusionary practises, power relations and nation-state structures. The tension between "compassion and repression" (Fassin, 2005) is paradigmatic in this case.

4.2. Border practices and police violence

The rights of migrant children are at great risk when they are on the move. Migration to Europe can take months, even years, with long stopovers in cities or camps in Turkey, Greece, Serbia, Bosnia and Belarus before they reach EU countries. They travel in different ways: Some travel on foot, by train, hidden in the undercarriages of trucks or with the help of traffickers. During the journey, many sleep in forests without proper shelter: wild animals, low temperatures, bad weather, lack of food and water were just some of the challenges they faced on the way. Border crossings are special moments in the transit experience, as most of them travel without a valid entry visa. Some borders, such as the French-Italian, Slovenian-Croatian, Serbian-Hungarian and Polish-Belarusian borders, are particularly guarded. In these areas, migration repression takes precedence over the protection of minors.

Access to rights in the deepest sense is primarily conditioned by access to state territory. State practices in border areas vary and cannot be generalized. However, border crossing has proven to be problematic and traumatic for migrant children in many cases. Denial of children's rights occurs most frequently in the form of refoulement and readmission

procedures at the border, as well as physical violence by police and neglect of migrant children's basic needs, including the most basic rights such as the right to dignity and the prohibition of degrading treatment.

In Poland, for example, after the change of power and the formation of the government by the United Right in 2015, access to asylum procedures was affected by political populism: Polish borders were closed, leading to a protracted crisis at the land crossing with Belarus in Brest/Terespol. Asylum seekers travelling daily by train to the Polish border were denied access to protection procedures dozens of times. When they were finally allowed in, they were often detained for multiple attempts to cross the border illegally. Particularly affected were the children who camped for months at the Brest train station, without access to basic care and education, because they were not allowed to enter. Many of these asylum seekers were in critical health conditions. Neither doctors nor organisations with material aid or food were allowed to enter the place. At the time of the research, the push-back policy was a common practise of Polish border officials towards people who had crossed the border illegally.

In Slovenia, underage migrants are also frequently denied the right to apply for asylum by the police at the Slovenian border under accelerated readmission procedures based on bilateral agreements with Croatia.³ In these procedures, the age of the migrants is not taken into account: unaccompanied minor migrants are not assisted by a guardian and no formal procedure is used to determine their best interests. In addition, during readmission procedures at the Slovenian-Croatian border, migrants are often not provided with a translator, procedures are not treated on an individual basis, and there is no examination of whether the principle of non-refoulement could be violated by removal from Slovenia⁴ (PIC 2020). As a result, many of these minors were sent back to Bosnia or Serbia several times by police before they managed to finish the game, as they call crossing Croatia to reach Slovenia and other European countries. In Slovenia, many of the interviewees were detained for between one and five days before being taken to an asylum centre. Almost without exception, they reported that the police confiscated their property, especially communication devices.

³ In 2020, the Human Rights Ombudsman raised concerns about pushbacks and the discrepancy observed between the number of irregular border crossings (14,592 in total), returned migrants (10,025 in total) and asylum applications (4,008 in total) (PIC 2021). Testimonies of (adult) migrants after their return to Bosnia reported to PIC (2021) confirm that migrants were misinformed by the police during the procedure, e.g., that there was no asylum in Slovenia, that they were not eligible for asylum or that they would be accommodated in asylum facilities but were in fact sent back to Croatia.

⁴ The latter is of particular concern in view of numerous reports that have come to light since 2016 of violent practises and systematic pushbacks on the part of the Croatian police (see M.H. and Others v. Croatia), suggesting that the Slovenian police had valid reasons to believe that the migrants in question were at real risk of being subjected to inhumane treatment in Croatia in violation of Article 3 (prohibition of torture) of the European Convention on Human Rights if deported. The European Court of Human Rights has taken a clear position that in such cases Article 3, which does not allow for exceptions, implies an obligation on the part of the state not to return the person concerned to that country (see M.K. and others v. Poland).

After being on the road for days, we were caught, and it all happened so fast that I did not understand what was going on. Before we knew it, we were handed over to the Croatian police, who then sent us back to Serbia.

The situation is somewhat different in Calais, France, where the police are not trying to prevent entry into the national territory, but are actually trying to prevent attempts to leave France and enter the UK (including minors). Although the police have a duty to protect children at risk, police officers, who are supposed to embody both the social and the repressive state, tend to opt for the second option. The main objective of border policy is to "secure the border" using techniques of blockade and dispersal, harassment and violence. In doing so, both children and adults are subjected to police violence, evictions from camps, arrests and detentions at all times. The authorities prevent the creation of a permanent settlement. The French state thus pursues a policy of systematic harassment aimed at preventing, in the official language of the authorities, the creation of "fixation points". The aim is to drive people who cannot be expelled and whom we do not want to let through into self-eviction.

"The first time the police took our phone [...]: the Greek police just kicked me 2 or 3 times, the Serbian police caught me and beat me up, they beat me up and used pepper spray, like spray, when they used it, my whole face was burning."

"In France, I don't think torture is still allowed, but you know, for migrants, it's different. They hit us a lot. It's normal for them."

The use of physical violence, outside the legal framework is a technique used by police officers in the course of their duties to harass migrants. It is used as a deterrent to attempted transit and aims to physically and psychologically discourage migrants to give up transit and self-expulse. In addition, migrant children's experiences with the police have a major impact on their migration path. These young people are led to shape their journey to avoid or defy institutions, which further increases their vulnerability. Experiences with border police make minors even more insecure, leading them to evade the authorities (Thompson et al. 2019) and not use the child protection services offered by the state.

4.3. Age assessment and access to rights

The age assessment is another obstacle for migrant children to benefit from institutional care. Migrant children accompanied by their parents are in a favourable position in this respect compared to unaccompanied migrant children. None of the case studies on accompanied migrant children mentioned difficulties in age assessment, mainly because these studies focused on younger children where age was not in question. The situation is quite different with unaccompanied migrant minors, who can be sixteen or seventeen years old, which sometimes makes it difficult to determine their age offhand. In this case, it is not

so much about minority as about the access to child protection when they are identified as minors.

Age determination is particularly important for unaccompanied minor migrants as it gives them additional protection rights (e.g. right to a legal guardian, exemption from Dublin procedures, right to education, psychological treatment and professional counselling in case of abuse, access to age-appropriate information and access to leisure activities, etc.). Being a minor is therefore the entry point for claiming the full range of child protection rights. Through the social assessment system, minority recognition aims to distinguish between those who have rights and those who are excluded from protection. The problem is particularly acute when minority is not formally assessed but simply and arbitrarily disregarded:

"It's not easy to go to France! Sometimes you arrive at the French border, and the police pick you up and take you back to the other side. Even if you say you are a minor, they can do that to you. [...] they say, 'you go back.' Even once, in Ventimiglia, the Red Cross had given us a card with our name, a photo and the date of birth. And sometimes the police tell you, 'no, no, you are not a minor, you are lying.'"

"I've had so many people ask me questions, being asked questions sometimes is a real pain... and then you're always asked questions, questions, questions, so your life, it happens, it's like dictations, you're there answering, answering, answering. It's the same questions [...] you have to change, because I've stopped, I've moved on, it reminds you of stages that are so difficult to explain, so you're there, explaining, explaining..."

In particular, the French case study has highlighted that the institutional approach to UAMs is to question their minority and emphasised the difficulties for young people in accessing child protection. The study highlighted the suspicion of fraud that taints the application of a young person seeking care from the child welfare services. This suspicion is particularly present when it comes to the minority assessment interview or the appeal procedure before the juvenile court judge. The perplexity of interview procedures and its arbitrary nature was highlighted, as was the lack of accuracy of the medical examinations. The subjectivity of the assessor is sometimes questioned by the young people themselves.

In Slovenia, a different approach is taken in the initial stages of admission procedures. The age of unaccompanied minor migrants who manage to gain entry into the preliminary border procedures is not verified; migrants who claim to be minors are treated as children and the principle of 'benefit of the doubt' applies. However, it appears that this practice is applied for pragmatic reasons related to the temporary nature of migration in Slovenia. Since the vast majority of asylum seekers leave the country and travel on to other European countries within a few days or weeks of arrival, the government tends to avoid a costly age assessment procedures. Nevertheless, recognition as an unaccompanied minor which is in place, expands the scope of rights and possibilities for action compared to adult migrants - it grants them (or at least should) a right to stay on Slovenian territory, as unaccompanied

minor migrants are exempt from Dublin return procedures or bilateral agreements with Croatia. In practise, therefore, the status of unaccompanied minor helps to circumvent the restrictive EU border regime and avoid being deported.

In general, unaccompanied minor migrants are familiar with the fact that the status of a minor brings them significant advantages in terms of treatment by the police and in the asylum procedure. In this context, it is not uncommon for young adults to pretend to be younger than they actually are. Nevertheless, the assumption of being a minor in case of doubt is important, as is the need for correct and careful implementation of age assessment procedures. In the Italian case study, the multidisciplinary approach and modalities for conducting a socio-medical assessment are mentioned as good practise. In this procedure, the age of the child is established by the public security authorities with the support of cultural mediators, in the presence of the legal guardian or the temporary guardian if already appointed, only after the basic needs of the minor are guaranteed.

4.4. Spatial and social segregation

The rights of migrant children depend on their integration into society. While the European Commission (2020) argues that the provision of support at the earliest possible stage of the migration process is an essential feature of successful integration, this is not followed in the case of asylum seekers, refugees undergoing resettlement and irregular and undocumented migrants. The main reason for this is that their status, and therefore their legal stay, is conditional. It is not known whether they will be allowed to stay and start their new life in the country until a formal decision (e.g. relocation, recognition of refugee status, temporary residence permit) is made that makes their stay permanent.

Precisely because of their liminality due to their unsettled status, they are not perceived as (full) members of the host society and therefore, as the case studies have confirmed, do not receive enough attention from governments to take effective integration measures. On the contrary, governments tend to make this group of migrants as quiet, inconspicuous and invisible to the local community as possible. The case study findings show that migrant children's are often accommodated on the outskirts of cities, in remote neighbourhoods or rural areas cut off from basic community services - in line with Agier (2002: 337), who explains that these migrants are destined to live in *"waiting zone outside of society /.../ in the sense that they remain in peripheral zones provisionally or illegally occupied. Nothing can ever be brought to completion in these contexts; the incompleteness of the processes of integration is consubstantial with them"*

The host society's interest in integrating migrants into society is usually non-existent. Among the locals, some residents are intolerant of migrant children or avoid developing friendly relations. Migrant children face segregation in the basic services accommodation; they live in their own biotope in the shelter where they do not have the opportunity to speak the local language on the one hand or to interact with their local peers on the other. The

findings of the case studies have highlighted the observation that migrants feel like outsiders in the local society, part of a "parallel society" on the social fringe, and that "non-integration" can lead to feelings of social isolation, insecurity and helplessness.

4.5. Agency of migrant children

In trying to understand the structural conditions of access to rights for migrant children in transit, it is important not to view them merely as passive subjects who have no agency and no active role in decision-making. Rather, they are active agents who dynamically shape their migration process (Ensor, 2014, Dobson, 2009) and negotiate access to rights. Crucial in this context is the influence of their agency, which is particularly evident in the case of unaccompanied minor migrants (see White et al. 2011). The findings of the MiCREATE case studies confirm that while unaccompanied minor migrants are often perceived as epitomising vulnerability, they are also strong, responsible actors who make strategic choices to achieve their goals.

In this context, the lack of effective recourse to the procedural rights of minors (e.g. guardianship, legal counselling and legal representation) on the one hand, and the insufficient access to material rights (adapted reception conditions, health care, education and employment) on the other hand, is the real situation that unaccompanied minors face and which encourages them to travel on to other countries. As the Slovenian, French and Italian case studies show, many migrants choose to leave reception centres or asylum homes, even though this may result in them living undocumented and thus completely outside any institutional support in their chosen country of destination.

In addition, many unaccompanied minor migrants are placed in reception centres with poor prospects for the future. School is a particularly powerful integration institution in this respect, as it fills the empty time and offers the young person a perspective for the future, thus partially fulfilling their aspirations. Migrant children who do not go to school may be dissatisfied with the situation, feel they are wasting their time, stuck in this "existential immobility." Boredom, empty time, geographical and linguistic isolation therefore facilitate mobility and drive these minors to set off again in search of another place that could meet their needs.

Another factor that affects their decision to continue the journey is the lack of interaction with the local society. The lack of social anchorage further facilitates their mobility, especially when they have no relationship with local peers and no relatives in their immediate vicinity. These factors drive the youth to change countries, while their constant nomadism prevents institutions from getting a grip on these minors. Their decision to continue their journey outside institutional protection seems to be a solution to a problem over which they have no substantial control.

'... then I go in another centre close to Syracuse. I stayed there for one year. First the fingerprints. In Sicily. Nothing. No Speaking. Not doing anything. Only eating and sleeping. There is nothing, no school. One year. Sleeping, eating, playing. One year like that. After I took all my clothes and run away with my friends. Social workers not all good. 10% good. Small. Sicily no good. Important to speak Italian and no school to attend. Food is not good. [...] No clothes. Ugly room, not cleaning'.⁵

Police repression also results in migrants giving up being protected. This experience may lead migrant children to adopt strategies of avoidance or concealment from the authorities in the future. Socialising with peers and the information they receive from them are also important when migrant children make decisions about migration. Another factor that tips the balance in favour of finding alternative place is the racism that young people may face.

Placement in a state-run home is not a means to an end to cross the border. Therefore, some unaccompanied migrant minors, in their need to realise their (and their family's) migration plans, often choose not to avail themselves of institutional support from state agencies. Some of them simply use the shelters and reception home as a default resting place. Other young people choose not to register as minors in order to avoid institutionalisation, because they do not want to be seen as passive victims who need to be looked after and controlled. For other young people, it is simply a matter of not being separated from their adult relatives so as not to be alone.

"They put a bracelet on my wrist like all minors. When they docked, they separated the adults from the minors. I wanted to stay with my friend, so I said I was 20 years old. The Spanish didn't believe me. They sent me to a doctor, who examined my teeth and genitals in Alicante, and declared me a minor."

"I was told to say I was older so they wouldn't send me to a camp for minors. Because there are a lot of people in these centres."

The transitional nature of migrant children's stays is very literally evident in the Slovenian and French studies: the vast majority of migrants here have the goal of reaching the UK or other European countries. For many young people, however, the migration project is hardly geographically defined. It is rather based on the hope for future prospects.

"I cannot stay in Mazzarino, it's a small village, there is nothing here".

. "I don't know for how long I am supposed to stay here. I want to study and have my documents so that I can work to help my family. I don't know what to do, because I don't have any information about the procedure. They keep telling me that I need to

⁵ Catarci and Rocchi, 2017

wait...what am I waiting for? The lawyer keeps telling me 'wait and see...wait and see'..."

The decision to live outside child protection can be interpreted as dissatisfaction with the situation in which one finds oneself and against which one cannot immediately defend oneself. These young people develop tactics on their own, even though they have to take considerable risks. To put it simply, these young people are not looking for a particular country. They just want to be able to go to school, have papers, have a prospect of work. Apart from community, linguistic, historical or economic factors often cited by migrant children, they want to continue their journey because of negative experiences of care they have had that have led them to pursue their migration journey.

5. The well-being of migrant children

5.1. Living conditions

The importance of the physical environment for children's well-being has been confirmed in several studies. Researchers conducting MiCREATE studies with migrant children in transition have observed that many migrant children spend months or even years in inadequate facilities. In some cases, they live without basic amenities (e.g. in Turkey) and even without adequate housing (e.g. in Calais) in crowded spaces without basic community facilities and safety (e.g. Slovenia).

Some of the common challenges identified in France, Italy, Austria, Slovenia and Poland are related to social exclusion. As already mentioned, some reception centres were located in rural areas, in small villages with few services and without good access to local transport infrastructure. Even in cities and urban areas, as in Austria and Poland, social segregation can be observed as these accommodation facilities do not offer significant interactions with the local community. Migrant children face loneliness, difficulties in learning the language, inability to find a job because they are minors, inability to complete an education or employment programme because many centres are located in remote rural areas. The case studies confirm that the standards of reception and accommodation facilities often do not offer good prospects.

There is a certain inertia on the part of the authorities towards their duty to protect migrant children and provide them with adequate living conditions in institutional care (asylum home, reception centres, refugee facilities) and material support. Economic arguments are used as a pretext for not providing adequate care. The 'emptiness' of care does not stabilise young people - as it does not offer them good prospects for the future, many unaccompanied migrant minors decide to continue their search for a better life elsewhere, often outside the protection of state institutions, which exacerbates their situation of precariousness.

However, the quality of accommodation is not the only problem. Care is not very comprehensive, and the minors are left to fend for themselves. There is boredom. Many migrant children describe their reception experience as "eating and sleeping"

"I am not happy because I don't do anything, I don't work out, I don't play football. I have always been playing football since I lived in Guinea, I do nothing here".

The interviews with migrants showed that it is crucial for their well-being to have at least some degree of agency. The fact that some reception facilities function like a total institution (Goffman, 1962) has a negative impact on the well-being of unaccompanied minors. Not only are they cut off from society, but they also lead a formally administered life. They have to submit to the rules of the asylum home in order to use its services; food has to be eaten at specific times; they have to ask for clothes, sports equipment and hygiene items; staff have open access to the asylum seekers' bedrooms; their day trips outside the reception centre have to be announced and registered by security staff at the entrance. By agreeing to the accommodation, the young people have to give up their autonomy in favour of the institution that takes care of them. They experience a certain infantilisation as they are forced to submit to rules.

5.2. Relationship with staff and access to information

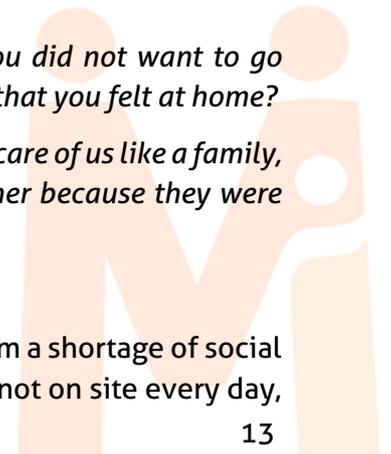
Interpersonal relationships and a caring approach by staff in different institutions (police, social workers, administrative staff and decision-makers, asylum officers, etc.) are crucial for the well-being of migrant children. Some children were satisfied with the treatment they received from the staff in the facilities, while others felt that they were treated without adequate care and respect.

I: Here I feel like I am in prison. Today, after talking to you, I feel much better. I feel better because someone comes and cares for me. So, that makes me feel like a human being... But who on the staff comes here and talks to us? No one... So, I feel like I am in a prison. Of course, it's not a good feeling, but you came, and you talked, I feel fine.... In Bosnia, we felt much better.... People were more friendly, like the guard, there was like, with the children, there was very good communication. So, though it was closed camp, we felt much better in Bosnia.

R: So, in Bosnia, when you were in Bosnia, you said that you did not want to go because you felt at home. What was the most important factor that you felt at home?

I: With Save the Children, we felt like family. They were taking care of us like a family, like a mother and ... I didn't feel like I am missing mother, father because they were such ... care, giving to us, Save the Children.

Many case studies have pointed out that reception centres suffer from a shortage of social workers. In Poland, social workers at the Grotniki reception centre are not on site every day,



but often have to commute between the Grotniki, Łuków and Bezwola camps. The situation was similar in Italy, where staff work in several centres managed by the same cooperatives in different villages. Therefore, their involvement in the institutions is not constant. The cultural mediators are likewise not permanently employed in the centres, so the migrant children cannot count on their constant and daily support. In Slovenia too, social workers had little capacities to offer support to migrant children because they were overwhelmed with the organisational aspects of life in the asylum centre. Some of them lacked adequate training, especially for working with migrant children. In Calais, the only representatives of the state are police officers. However, the need for support by staff is obvious:

"There should be one person, older, who knows France well, to take charge of each child. So that it becomes a bit like a parent for the minor. Because otherwise it's difficult, people don't have time to listen to us. [...] It's not necessary for someone to have full responsibility for you, but they should give each child a reference person to whom he can talk, with whom he can learn the language and integrate more easily into society [...] Because we need only one person we can count on to talk to. So at the hostel, we speak five words with them and they leave because they are busy. They don't have the time or the inclination. You ask a question, they never really answer you, because there are too many people asking questions. But if you are responsible for one person, you meet regularly, and you discuss problems, you solve them... There are a lot of volunteers! When I grow up, I'd like to do that too. There are so many families in France, I'm sure it could work."

In this regard, information from facility staff has also been shown to be essential to the well-being of migrant children. Without accurate information, migrant children experience stress and anxiety, especially when they do not know what is happening or what will happen to them. They often also worry about their educational opportunities and future employment. Case studies have shown that a lack of information has a negative impact on the well-being of migrant children. The information that migrant children receive is often not sufficiently culturally sensitive and age-appropriate. Information about their options and especially what will happen to them in the coming days, weeks and months during the formal procedures is often insufficient. In the interviews, the minors often expressed uncertainties and worries about their future. From their statements, it was clear that information about follow-up procedures, possibilities and opportunities, including education and employment prospects, is crucial for them, as is reassurance that they will be taken care of and protected.

5.3. Health issues and access to services

Health and well-being, nutrition and housing, mental health problems caused by war and violence, and living in a new culture are important issues faced by migrant children. In this view, migrant children are generally exposed to greater health risks. Migration taking place under conditions of loss of life, problems in obtaining status in the destination country, and



living and working in poor conditions for long periods of time significantly affect both physical and mental health (Tatlıcıoğlu, 2019).

Furthermore, unaccompanied migrant minors living in unsafe conditions are exposed to permanent tension, which leads to mental exhaustion that puts people in a 'survival mode' characterised by a sense of insecurity and a state of chronic stress, exacerbated by sleep disorders linked to living conditions and a loss of self-esteem that can go as far as a feeling of dehumanisation. A significant number of unaccompanied minors also suffer from acculturative stress resulting from attempts to integrate the differences between the culture of origin and the dominant culture, often accompanied by a range of stressful psychosocial experiences.

While the case studies highlight that migrant children generally have access to health services, some point out that medical care for asylum-seeking children is not fully efficient and adequate. Some highlight the lack of vaccinations, preventive measures, documentation, sufficient expertise, translation support and therapeutic capacity. Apart from basic health care, access to specialised medical treatment, especially for chronic diseases, is limited or difficult, sometimes due to unclear legal provisions.

5.4. Access to schooling

In all countries, school attendance is compulsory up to a certain age. School is usually the first and often only place of integration and socialisation with local peers and interaction with local society. The way migrant children are involved in the educational process varies greatly in the case studies and also depends on the age of the migrant children, the cultural proximity to the host society, whether they are involved in institutional care and the length of stay. Younger migrant children are more likely to attend regular primary school programmes, while older children are more likely to attend adapted education programmes. In Greece, Austria, Turkey and Poland, asylum-seeking children attend local schools and classes with local peers, although they are sometimes separated from the local pupils, which has a negative impact on their integration.

However, as the Slovenian, Italian and French case studies show, many asylum seekers, undocumented migrants and irregular migrants do not attend school or participate in regular programmes with local children. Reception centres are sometimes far from infrastructure, requiring transport to school and limiting opportunities for additional extracurricular activities. Motivation to learn and the frequency with which asylum-seeking children leave school could also be a problem. A temporary stay is not a valid reason for not attending school. Nevertheless, some migrant children do not go to school precisely because of their temporary stay. Some language courses are offered, sometimes by volunteers, such as in Calais. Legal status can also be a problem in accessing schools, as some schools refuse to enrol children without identity papers. Once again, there is a gap

between key principles, in this case the unconditional right to schooling, and its implementation, especially for minors in transit.

5.5. Relationship with family and friends

The opportunity to stay with family and friends is crucial to the well-being of migrant children, especially in terms of mutual support, socialisation and development. Family and friends help them maintain a sense of security, especially when children travel accompanied. A major theme that emerged from the children's responses is that their relationships with their family and bonding with siblings and friends are important sources of hope. The participants stated that they can turn to their family when they have a problem and that they need the support of their parents who understand their concerns and help them feel safe and secure.

Help... my family, I will let them know and my closest friends, if they will be able to help me or to give me some advice, most of the time I'm going fix the problems by my own. So, I just need some advices.

When migrant children migrate unaccompanied, the situation is somehow different. As the case studies in Slovenia, France and Italy show, the importance of family ties in these studies is perplexed. While migrant children stay in touch with relatives along the way and are often part of a network of friends and family that extends beyond their immediate location, in some cases they did not wish to talk with family members. Talking to family at home proved comforting for some, but others said that it is stressful for them to talk to their parents, especially because they feel that they are worried about them. Moreover, as most unaccompanied migrants travel in consultation with their family, they felt responsible for reaching the destination country and managing the journey. The situation experienced in Europe is unspeakable or shameful for many minors. They do not want to explain the conditions under which their journey takes place. Silence, concealment or lies sometimes seem preferable in order not to worry their relatives.

R: What is the problem that you don't have connection to your family? Is it the phone or something else?

I: I talked already, once, but I do not want to give my family any bad news...

R: Was it difficult, like, not talking to your family for you?

I: Yes, it was difficult. They get worried, you know, for us. They got worried since we started from Morocco, you know. They were worried for us. They were asking us, "When will you be in Europe, when you will be in which country ...?" They were worrying about us.

But for unaccompanied minor migrants, the presence of this family member also provides a compass during the journey. It forms the destination of the journey. Once arrived, the young person knows that he or she can count on material, emotional and family support to start his or her new life in the country. This relative also offers support during the journey to



send money. This relative may be a key figure in getting the young person to register for a family reunion procedure. Supporting the family back home is also an important longer-term goal. Studying, working, sending money or even catching up with relatives is one of the purposes of migration. Sometimes this is an explicit mandate from the family. If you do not achieve the desired goal, it is tantamount to not fulfilling that mandate. Some young people therefore feel obliged to seek their family's consent to end their transit experience.

6. Migrant children and participation rights

6.1. Right to information, counselling and legal representation

Migrant children often find it difficult to obtain clear and complete information about their rights and opportunities. However, it is also important to note that many young people do not face a lack of information, but rather have to process a variety of information that is sometimes contradictory or even wrong. This leads us to the question of how young people choose information. One element is the degree of credibility attributed to the informant. On this point, an adult peer of the same nationality who shares the same living conditions and migration experience is often considered more credible than a foreigner who belongs to an organisation where it is difficult to identify him or her as a member of the authorities or an independent institution. Building a relationship of trust is therefore crucial to ensure that the young person complies with the service.

Their lack of command of the host society's language puts them in an awkward position. Several testimonies from case studies in France, Slovenia, Austria and Italy show that migrants did not understand the procedures properly. They showed an obvious lack of knowledge about the follow-up procedures and expressed confusion about their rights. As some of them said, they would welcome more legal advice and information about the options they have and, more importantly, about what will happen to them in the coming days, weeks and months. From their testimonies, we could conclude that these children have not benefited from the protection measures to be effectively heard, especially as they have not been fully informed, which is necessary for the full implementation of the right to be heard and to express their views.

"She didn't explain everything to me in terms of how I have to, in my head, I have to prove that I'm well integrated in France, that I speak the language well etc... so when I went to the interview, I wanted to do what: 'Monsieur, I grew up in France, and I speak French well'. The only thing I had in my head was that I had to prove that I spoke French."

Essential to the exercise of their participation rights is also legal advice and representation. UAMs have limited capacity to take legal action, firstly because they do not have a legal representative. They also rarely have the skills to navigate a legal system that is not very clear. In this respect, the role of the legal guardian for unaccompanied asylum seekers is very important. The Slovenian and Italian case studies show that the legal guardian

assists them in the procedure for recognition of international protection and in the areas of health, education, protection of property rights and benefits, and in the exercise of reception rights. The guardian is also present at the hearings, not as a legal expert, but as someone who informs the child and ensures that their interests are taken into account. However, some of the unaccompanied migrant minors from reported that the support they received from their legal guardians was not effective. The problem is that the financial remuneration of guardians is insufficient and there is no monitoring of how the guardian's role is actually performed. The discrepancies in the performance of this important function are the result of the different personal characteristics of the guardians and their willingness to make an effort.

6.2. Asylum determination procedures

The Slovenian case study showed that asylum procedures are to some extent, but not fully, adapted to the fact that migrants are minors. Although legal representatives stated that the hearing protocol is adapted to children (e.g. minors can take short breaks during the hearing), these adaptations do not seem to be sufficient. Some migrant children admitted that they were nervous and anxious before and during the hearing, especially the first time when they did not know what to expect. Some said they would feel more comfortable if they were accompanied by friends, while others said it would be easier for them to tell their story to a person they trust and feel close to. In Slovenia, for example, the first hearing is usually completed in half an hour, while the following hearings usually last 3 or even up to 6 hours and are much more detailed.

Even more important is the observation that the questions that the officials ask the migrants are not tailored to their age or cultural background. The culture as well as the different levels of education of the asylum-seeking children can lead to misunderstandings among decision-makers and affect how the children imagine important events, legal terms, time and dates. There is a particular need for cultural competence on the part of judges processing children's applications, as conceptions of childhood vary culturally and cultural norms influence what kind of information parents in different cultures share with their children (UNHCR, 2014). In addition, interviewers often ask children questions that contain abstract concepts that are not understood by asylum-seeking children, the legal expert explained:

I: For example, the question arises: "Please explain all the reasons why you are applying for international protection... But the notion of "reasons for international protection" is a very abstract notion in a way, no. Instead, interviewer should ask: "What were your problems? Who did you have problems with? What threatened you? What do you think could have happened? Has something similar happened to your family before? Can you tell me everything you know about why you left your country?"

The Slovenian case study has highlighted another critical problem regarding a (lack of) child-centred approach in asylum procedures, namely the assessment of the credibility of the child. Sometimes children are expected to know things that decision-makers take for granted. In Slovenia, the asylum procedure includes pre-trial documentation and statements from migrants at the border are used in practise to assess discrepancies between the applicant's statements as part of the applicant's credibility assessment. This is problematic, especially as migrants often do not have a translator in the police procedure and the procedures are not conducted individually (PIC, 2020: 22). Moreover, migrant children sometimes give different stories during the preliminary procedure at the border and then during the asylum procedure for different legitimate reasons. While the circumstances that lead to inconsistencies in the child's story are occasionally taken into account by decision-makers in the asylum process, we found in our study that decision-makers more often disregard these circumstances. Instead, they examine the information provided by a child and look for inconsistencies between the first and second interviews and consider these discrepancies as a factor in determining the child's (lack of) credibility.

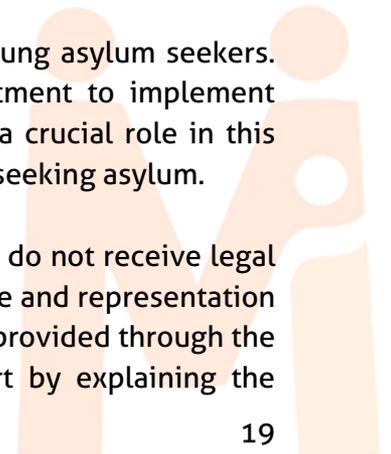
In Slovenia, the translation of the children's statements during the interviews was also mentioned as a major problem throughout the asylum procedure. Some of the respondents felt that their participation was jeopardised and that their story was not adequately conveyed to the decision-makers. It was found that interpreters for some languages are not available in Slovenia, or are only available for a limited time, or the interpreters provided are not up to the task and do not have the appropriate skills and knowledge. A major obstacle to the proper implementation of the right to be heard is that translators are often not sufficiently qualified, so they often interpret rather than translate what asylum seekers say. The inclusion of common sense assumptions and subjective opinions in interpretation has immense implications for decision-making in the asylum procedure, especially because the decision in the migration procedure is based on their history and can thus have a negative impact on both the asylum procedure and the assessment of credibility.

7. Migration dynamics and factors influencing the integration process

7.1. The role of civil society for protection of migrant children rights

States are rarely interested in taking the initiative to empower young asylum seekers. When progress is made, it is often because of the state's commitment to implement minimum standards or because of NGO support. Civil society plays a crucial role in this regard and contributes to improving the situation of migrant children seeking asylum.

Of particular concern is the fact that asylum-seeking children often do not receive legal assistance, as national legislation may not provide for free legal advice and representation for applicants in first instance proceedings. This service is then often provided through the project-funded activities of a selected NGO. NGOs provide support by explaining the



procedure, helping to draft the appeal, translating documents and selecting and meeting a lawyer. Civil society also helps children with legal resources, especially in litigation and family reunification procedures for Dublin transfers. This situation shows how little access children have to their rights. To have one's rights recognised and to have concrete access to related services, one still needs to know about them and to claim them. And finally, one must have legal support to claim them when they are denied. Without this non-institutional assistance, access to fundamental rights for minors would only be a mirage.

NGOs also contribute to the implementation of other support measures. Here, many volunteers, activists and associations help migrant children in reception centres to organise daily activities, play afternoons, walks or storytelling evenings, theatre games or handicrafts, toddler care, park care and after-school care, parents' evenings and courses. Some also helped with information about school and university, professions or job search. Other associations distribute goods (e.g. mobile phones, shoes, sleeping bags and tents, etc.) and provide health services. The role of civil society in creating better opportunities, integrating migrant children and their interaction with the local community is particularly important.

7.2. The role of education for the integration of migrant children

The school is the entity that organises most integration events in the local community - they are events for the whole family. Schools, together with sports clubs or cultural activities, can fulfil this need for belonging and stabilise the young people they welcome. These institutions have the advantage of fulfilling young people's aspirations. Children who represent the school in external challenges strengthen their bond with the school and the community. An important part of education policy is language learning, which can foster a sense of belonging and is considered crucial for the successful integration of refugee children.

Many good practises are introduced by teachers in schools. They are usually based on introducing elements of intercultural teaching, introducing the history and culture of the asylum seekers' home countries and individual approaches to teaching them. Teachers often allow asylum seekers to explore and realise their ideas in the school community, believing that this might be interesting for others and draw attention to their history, which is by definition inclusive. Teachers often promote positive intercultural coexistence and help refugee students psychologically adjust to the new environment.

Students report positive experiences in the school environment. They emphasise that they feel safe, supported and valued by teachers and note that school provides opportunities to interact and build relationships with members of the host society. Peer relationships provide refugee students with a network of support and a sense of belonging in their new environment. Contact with local peers plays a crucial role in the feeling of being accepted. Reception centres and asylum homes rarely fulfil this function.

7.3. The role of CRC for the migrant children

In many ways, the key findings of the case studies illustrate how restrictive migration policies dominate over child protection policies, despite the fact that migrant children are generally in a very delicate position in terms of their basic needs and well-being due to their particular situation. The result is that migrant children, especially asylum seekers, irregular and undocumented migrants, are often excluded from the framework of child rights policies that would treat them as children first and migrants second (Crawley, 2006; Bhabha, 2001).

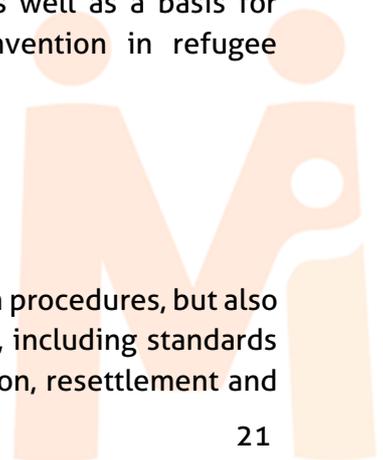
Importantly, once migrant children are in the territory, they trigger the state's obligation to protect the rights they have as children, as well as the rights they have as asylum seekers (if they apply for international protection). Legally, there is no hierarchy between the Refugee Convention and CRC, they both apply equally and simultaneously. Finally, this means that state authorities must commit to the principle of the best interests of the child (Article 3 of CRC) in all actions affecting migrant children (Zerematten 2015), whether carried out by public or private social services, courts, administrative authorities or legislative bodies.

It is important to note that CRC is a binding framework for conceptualising the protection rights and needs of refugee children, focusing on their physical safety, well-being and normal psychosocial development. A child-centred approach to asylum procedures therefore requires an alignment of these two distinct but interrelated legal systems - the child rights regime and the asylum regime - in order to improve the protection of asylum-seeking and refugee children (Pobjoy, 2017). As Pobjoy (ibid) explains, when determining the status of a refugee child, the Convention on the Rights of the Child can be used as a procedural guarantee to include protection in the asylum procedure; secondly, it can be used as an interpretative aid for interpreting the Refugee Convention.

The alignment between the Refugee Convention and CRC brings with it a potential expansion of protection for migrant children in transit. Article 3 of CRC requires decision-makers to consider the best interests of the child in all actions affecting the child. As Pobjoy (2018: 31) explains, a consideration of the best interests of the child may prohibit the return of a child to his or her home country even if the child is not entitled to protection under the Convention or the principle of non-refoulement. In this sense, CRC provides a binding legal framework for the general treatment of children seeking asylum, as well as a basis for reinterpreting, recontextualising and expanding the Refugee Convention in refugee determination procedures when the applicant is a child.

8. Conclusion

Child-centred asylum policy concerns not only asylum determination procedures, but also other aspects that affect children when they become asylum seekers, including standards for reception conditions, access to children's rights, family reunification, resettlement and



return procedures, etc. (e.g. Newbigging and Thomas, 2011; Watters and Ingleby 2004). In general, empirical findings conclude that a child-centred approach to asylum policy requires organizational commitment to ensuring well-being, continuous assessment of children's needs, migrant involvement in service development, multi-agency partnerships, effective communication and advocacy, and personalized, outcome-focused and culturally sensitive social care. In this way, asylum seekers are recognized as a social group with specific needs, and as political actors and speaking subjects, able to define their interests and articulate their demands.

We have found important difference is treatment of migrant children in case they are accompanied or unaccompanied. Younger children more of them come to Europe accompanied with family members, which offers greater sense of security, however unaccompanied minors enjoy additional protection rights (e.g. right to guardian, exemption from Dublin procedures). There are also differences in view of access to rights and protection when migrant children live in reception centres or outside of state institutions (e.g. informal camps, in the city undocumented); in state institutions, children usually attend school and have better access to health care services. Although the national contexts and institutional frameworks for migrant children vary widely across countries, the results obtained point to some common findings and needs for improvement at the policy and practise levels.

Migrant children are often exposed to police violence, especially when they attempt to cross borders clandestinely. In some countries, border and or accelerated readmission procedures also apply to accompanied and unaccompanied minor migrants. As they usually travel in small groups, they are not always treated individually during police procedures, nor are they always provided with a translator who speaks their mother tongue. During police procedures, Article 3 of CRC (the best interests of the child) is often not taken into account. The lack of access to information and the lack of caring approach by the police have a negative impact on their well-being. Migrant children are also exposed to detention.

The social integration of children in transit (refugee children, asylum-seeking children, undocumented children and irregular migrants) is not adequately addressed by local and national authorities. These children mostly live in spatially segregated or ghettoised areas and have little contact with the local community. More comprehensive promotion of social contacts and general support for integration and inclusion in local communities is needed at the earliest possible stage. As a first step, the basic needs of migrant children should be met in terms of housing, health care and psychosocial support, legal advice, legal representation, education and social participation, which should serve as the basis for all subsequent reception and integration measures after arrival.

School is usually the first and often only place of integration and socialisation with local peers and interaction with local society. However, many asylum seekers, undocumented and irregular migrants do not attend school or participate in regular programmes with local children. Particular attention should be paid to how to ensure more effective access to

education within regular programmes to promote the well-being and social integration of migrant children.

Migrant children in institutions receive basic material support and care, but the inadequate accommodation often suffers from lack of space and privacy, etc.). Inadequate financial and material support also has a negative impact on their well-being. Improving their living conditions and providing additional financial support are essential for improving the well-being of migrant children.

The well-being of migrant children largely depends on them having at least some agency. In particular, children who are housed in asylum centres are subject to regulations that in many ways hinder children's agency. Limited leisure opportunities and the inability to make decisions about their daily routines have a strong negative impact on their well-being. In order to adapt life in institutions to the needs of migrant children, a comprehensive restructuring of practises is needed so that they can live more autonomously and make decisions about at least some daily activities.

Being able to stay with family and friends is crucial for migrant children's wellbeing, especially in terms of mutual support and socialisation. Children reported that family and friends help them maintain a positive self-image and a sense of security. Consequently, when children are placed in institutions (e.g. detention centres, asylum centres, refugee camps), separation from family or people they trust (extended family and friends) should be avoided.

Case studies have shown that a lack of information has a negative impact on the well-being of migrant children. The information that migrant children receive is often not sufficiently culturally sensitive and age-appropriate. On numerous occasions, they indicated that they did not understand the procedures properly and showed an apparent lack of knowledge about the follow-up procedures and expressed confusion about their rights. Better legal advice and information about their options and especially what will happen to them in the coming days, weeks and months would be welcome. From their statements we can conclude that the children should be better informed about all legal procedures, possibilities and opportunities, including future educational and employment prospects.

Interpersonal relationships and a caring approach by staff in different institutions (police, social workers, administrative staff and decision-makers, asylum officers, etc.) are crucial for the well-being of migrant children. Some children were satisfied with the treatment they received from staff in the facilities, while others felt that they were treated without adequate care and respect. In order to make reception procedures and care services more responsive to the needs of migrants, additional staff resources should be ensured at all stages of reception and additional efforts should be made to train staff working with migrant minors, especially on culturally sensitive communication, children's rights and working with vulnerable groups.

Asylum procedures are not always fully adapted to the needs of migrants. Migrant children often need special support to articulate their claim for protection and to disclose their story, as feelings of mistrust and self-protection are the most common obstacles. Furthermore, the cultural background as well as the different age and educational level of the asylum-seeking children can lead to misunderstandings among decision-makers and negatively influence the final decision on the children's asylum claim. There is an urgent need for additional training for interviewers, translators and decision-makers so that they can adapt to the age, abilities and cultural background of the children.



9. References

- Agier, Michel. 2002. "Between war and city: Towards an urban anthropology of refugee camps." *Ethnography* 3 (3): 317–341. <https://www.jstor.org/stable/24048113>
- Bhabha, Jaqueline. 2001. "Minors or Aliens? Inconsistent State Intervention and Separated Child Asylum-Seekers." *European Journal of Migration and Law* 3 (3-4): 283–314. <https://doi.org/10.1163/15718160120959276>
- Dobson, M. E. (2009). Unpacking children in migration research. *Children's Geographies*, 7(3), 355-360.
- European Court of Human Rights. 2020. *The Case of M.K. and others v. Poland*. European Court of Human Rights. [https://hudoc.echr.coe.int/fre#%7B%22itemid%22:\[%22002-12916%22\]%7D](https://hudoc.echr.coe.int/fre#%7B%22itemid%22:[%22002-12916%22]%7D)
- European Court of Human Rights. 2021. *The Case of M.H. and Others V. Croatia*. European Court of Human Rights. [https://hudoc.echr.coe.int/fre#%7B%22tabview%22:\[%22document%22\],%22itemid%22:\[%22001-213213%22\]%7D](https://hudoc.echr.coe.int/fre#%7B%22tabview%22:[%22document%22],%22itemid%22:[%22001-213213%22]%7D)
- Fassin, Didier. 2005. « Compassion and Repression: The Moral Economy of Immigration Policies in France ». *Cultural Anthropology* 20 (août): 362-87. <https://doi.org/10.1525/can.2005.20.3.362>.
- Flekkøy, M. G. and Hevener Kaufman N. (2010) *The participation rights of the child rights and responsibilities in family and society*. London: Kingsley.
- Goffman, Erving. (1962) *Asylums: essays on the social situations of mental patients and other inmates*. Chicago: Aldine.
- Goldson, Barry, and John Muncie. (2012) Towards a global 'child friendly' juvenile justice? *International Journal of Law, Crime and Justice*, 40(1): 47-64.
- Gornik, Barbara. 2020. "The principles of child-centred migrant integration policy: Conclusions from the literature." *Annales-Series Historia Et Sociologia* 30 (4): 531–542 .
- Lücker-Babel, Marie-Françoise. 1995. "The right of the child to express views and to be heard: An attempt to interpret Article 12 of the UN Convention on the Rights of the Child." *The International Journal of Children's Rights* 3 (3-4): 391–404. <https://doi.org/10.1163/157181895X00177>
- Mahmoudi, S., Leviner, P., Kaldal, A., and Lainpelto, K. (Eds). 2015) *Child-friendly Justice: A Quarter of a Century of the UN Convention on the Rights of the Child*. Leiden: Brill Nijhoff.
- Newbigging, Karen and Nigel Thomas. 2011. "Good practice in social care for refugee and asylum-seeking children." *Child Abuse Review* 20: 374–390. <https://doi.org/10.1002/car.1178>
- Parkes, Aisling. 2015. *Children and International Human Rights Law: the Right of the Child to be Heard*. Abingdon, Oxon: Routledge.
- PIC. 2021. "The Asylum Information Database (AIDA) Country Report: Slovenia." Asylum Information Database. https://asylumineurope.org/wp-content/uploads/2021/03/AIDA-SI_2020update.pdf

Pobjoy, Jason M. 2017. *The Child in International Refugee Law*. Cambridge: Cambridge University Press.

Ridge, T. (2002) *Childhood Poverty and Social Exclusion: From a Child's Perspective*. Bristol: Policy Press.

Skivenes, Marit. 2011. "Norway: Toward a Child-Centric Perspective." In *Child Protection Systems: International Trends and Orientations*, edited by Gilbert, Neil, Nigel Parton, and Marit Skivenes, 154–179. New York: Oxford University Press.

Stern, Rebecca Thorburn. 2010. "Unaccompanied and separated asylum-seeking minors: Implementing a rights-based approach in the asylum process." In *Child-friendly justice: a quarter of a century of the UN Convention on the Rights of the Child*, edited by Mahmoudi, Said, Pernilla Leviner, Anna Kaldal, and Katrin Lainpelto, 242–255. Leiden: Brill Nijhoff.

United Nations Committee on the Rights of the Child (UNCRC). 2009. "General comment No. 12 2009: The Right of the Child to be Heard." UNHCR. <https://www.refworld.org/docid/4ae562c52.html>

Watters, Charles, and David Ingleby. 2004. "Locations of care: Meeting the mental health and social care needs of refugees in Europe." *International journal of law and psychiatry* 27 (6): 549–570.

White, Allen, Caitríona Ní Laoire, Naomi Tyrrell & Fina Carpena-Méndez (2011) Children's Roles in Transnational Migration, *Journal of Ethnic and Migration Studies*, 37:8, 1159-1170, DOI: 10.1080/1369183X.2011.590635

Zermatten, Jean. 2015. "Best Interests of the Child." In *Child-friendly Justice: A Quarter of a Century of the UN Convention on the Rights of the Child*, edited by Said Mahmoudi, Pernilla Leviner, Anna Kaldal, Katrin Lainpelto, 30–42. Leiden: Brill Nijhoff.

