

**Written Evidence to the ECtHR:
The situation of unaccompanied and separated minors in Calais, France**

Executive Summary

This submission outlines the results of the Refugee Rights Data Project's (RRDP) independent research on the situation for unaccompanied minors in northern France since the demolition of the informal camp in Calais. This research was undertaken between 5-9 April 2017 in Calais and the surrounding area, and enables us to present data on unaccompanied minors.¹ We will cover the following topics:

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1. About RRDP

1.1 The Refugee Rights Data Project is a non-profit human rights organisation set up in late 2015 in response to the humanitarian crisis in Europe. The organisation includes academics and researchers, human rights specialists, media and communications experts, asylum workers, NGO managers, refugees, policy analysts and students.

1.2 The organisation is independent of any political ideology, economic interest or religion. We believe in the indivisibility of human rights and we are united by our aim to defend the rights of some of the world's most vulnerable individuals.

2. Objectives

2.1 The objective of this project is to fill the data gap relating to children and young adults in northern France following the demolition of the Calais camp.

3. Background information

3.1 We carried out research in Calais and the surrounding area (excluding Dunkirk) from 5-9 April 2017. Our team interviewed 213 individuals, of which 86 were children under the age of 18. Local charities estimate that there are approximately 200 minors in the area at the time of the research, RRDP research surveyed 43% of the estimated total.

3.2 RRDP's founder and director, Marta Welander, would also be happy to give verbal evidence to the inquiry to expand on RRDP's findings and to give her view from the ground should this be useful to the inquiry. RRDP can be contacted on info@refugeerights.org.uk

¹ Refugee Rights Data Project (2017) *Six Months On*, available at <www.refugeerights.org.uk/reports>

4. Demographics

4.1 Of the 213 individuals we interviewed (both adults and minors), respondents came from Eritrea (39.4%), Sudan (29.6%), Ethiopia (19.7%), Afghanistan (4.2%) and Pakistan (3.3%), as well as a small number from Egypt, Iraq, Iran and Palestine.

4.2 Of the 86 children interviewed our sample consisted of 97.7% boys and 2.3% girls.

5. Unaccompanied status

5.1 Our results showed that 98.8% of the children interviewed were unaccompanied. Only 1.9% were accompanied by a family member. Some 30.6% of the children reported that they were now with 'friends' which, in this situation, tends to refer to other unaccompanied children or young adults they met at some stage of displacement.

6. Length of time spent in displacement

6.1 The average time children had spent in Europe was 7.85 months, with 64% of the children having been in Europe for more than 6 months. A whole 19% had been in Europe for a year or longer. The average time spent in France was 6.02 months. 7% had been in France for more than one year.

6.2 More than half (56%) of the children previously resided in the Calais camp (often referred to as the Calais 'Jungle'). 40.5% of children had not lived in the Calais camp before it was destroyed, and 3.6% of respondents stated that they didn't know.

6.3 Nearly half of the children (42%) said they have spent time living in Paris. Refugee Rights Data Project's research from January 2017 showed that a vast proportion of displaced people sleeping on the streets of Paris had experienced tear gas, and over a third had been subjected to other forms of police violence, while 9.1% had experienced citizen violence, and 53.2% were experiencing health problems.²

6.4 Nearly a third (28.2%) of respondents had previously stayed in French government-run accommodation centres for children, also known as CAOMIE (Centre d'accueil et d'orientation pour mineurs isolés étrangers). When asked why they had left the French accommodation centre, a number said they had been told by the French authorities that there was no way they would be able to reach the UK. A small number had been officially rejected by the UK Home Office. Many others reported that nothing was done by the French authorities to process their cases, so they decided to leave and take matters into own hands.

7. Reasons for remaining in the area, and reasons for wanting to go the UK

7.1 Our research found that 89.3% of the children interviewed remain in the area because they wish to go to the UK.

7.2 RRD found that 89.3% of minors think that the UK is the best country for them. When asked why they thought that was the best country for them 41.7% said it was because they had family members there, 28.6% stated that they thought there were better education opportunities, and 22.6% stated being able to speak the language as their main reason.

² Refugee Rights Data Project (2017) *Life on the Streets*, available at <www.refugeerights.org.uk/reports>

7.3 Nearly half the children reported that they have family in Europe (42.9%). The family members included brothers (36.1%), aunts and uncles (36.1%), cousins (11.1%) and parents (5.6%).

7.4 37.2% of children interviewed said that had family members in the UK. When asked whether they had applied for family reunification under the Dublin Regulation, 77.8% said they had not yet been given this opportunity. 2.8% had applied and had their application refused, while 19.4% applied but had not received any further information about the result.

7.5 Only 3.6% of children said they want to stay in France, while 8.3% didn't know. A whole 88.1% said they do not want to stay in France. Those who did not want to stay in France cited a number of reasons including lack of safety in France (49%) and wanting to join family or friends elsewhere (18%).

7.6 95.2% said they cannot return to their country of origin for fear of persecution, war or other life-threatening problems, 1.2% said they could go back and 3.6% said they didn't know if they could return.

8. Experience of violence and mistreatment

8.1 96.5% of minors had experienced police violence in the area. 79% had experienced tear gas, 56.8% other forms of physical violence, and 21% verbal abuse by police. 41% of children reported that they currently experience tear gas many times a week, with 20% telling RRDP that they experience tear gas every day.

8.2 91.8% had been told by police to move from where they were sleeping. 76.6% described the incident as 'violent' and 55.1% said they 'felt scared' when it happened. Some 84.6% of those affected were not provided with information about where they could sleep instead.

8.3 75.3% of children had been arrested or detained in the area.

8.4 56% of children had experienced violence by citizens, of which 62.2% had experienced verbal abuse, and 51.1% physical violence. Several respondents reported being chased by cars or motorbikes. Some had glass bottles thrown at them from the vehicles, while others were hit by the cars and sustained serious injuries. Verbal abuse was commonplace, often in combination with physically violent acts.

9. Health and safety

9.1 85.9% of children said they 'don't feel safe' or 'don't feel safe at all' in and around the Calais area.

9.2 63.1% had experienced health problems in France, and only 52.8% of those had received medical assistance. More than half (50.9%) thought the health issue had emerged due to violence or tear gas, while 18.9% said they were experiencing mental health issues rather than physical ailments.

10. Access to education and information

10.1 Only 16.9% said they access to information about their rights and possibilities to change their situation. A similar percentage, 4.8%, said they have access to information about European immigration laws.

11. Conclusion – summary of biggest risks and concerns of the children we interviewed

- a. These research findings shine a light on the extent of the child protection failure taking place in and around Calais six months on from the demolition of the informal Calais camp. A large proportion of refugee children living in the region are unaccompanied, and many of them have been in France for six months or longer.
- b. The research highlights the lack of information and support for refugee children, including access to family reunion processes and other legal mechanisms. Many of the children who had attempted to apply for family reunion under the Dublin regulations reported that nothing was done by the French authorities to process their cases, so they decided to leave and take matters into own hands. These children are undeniably at extreme risk of falling into the hands of traffickers who are known to offer the children an ‘alternative route’ to the UK.
- c. Due to the alarming lack of protection and tracking mechanisms in place on French soil, the children are exposed to heightened risks of sexual violence, exploitation and trafficking.
- d. The majority of children had suffered from police violence, including tear gas and beatings. As a result, many indicated that they do not wish to interact with French authorities. A few examples of what children themselves told us:
 - *“They said they’d process our family reunion but only took ten people out of 50 and left the rest of us. I didn’t have any option but to leave the accommodation centre.”* – Boy, 17, Eritrea
 - *“The national police ran after me and fought me, beat me by stick and sprayed me with tear gas on my face. I didn’t expect that to happen in a country like France.”* - Boy, 14, Ethiopia
 - *“Once in the middle of the night they threw tear gas on us, while we were sleeping under the bridge. Another time in the middle of the night, two police officers chased me and beat me with a baton and kicked me.”* - Boy, 17, Eritrea
 - *“France police beat me in the middle night when I was alone.”* – Boy, 17, Sudan

12. Recommendations

- a. Based on the research findings, it appears as though more decisive action is needed by the British government to protect these vulnerable children who face heightened risks of exposure to sexual violence, exploitation and trafficking. Our research documented that a large number of the respondents reported that they have family in the UK, suggesting they may be eligible for reunification under the Dublin Regulation. However, many have been denied the chance to join their family under this legal mechanism, some are still awaiting the outcome, while others have not yet had the change to apply.
- b. Moreover, it is also clear that many vulnerable children on the streets in Calais could be granted protection in the UK under the ‘Dubs’ scheme. The small numbers of transfers allowed under the ‘Dubs’ scheme is particularly worrying in light of the violence faced by these children in and around Calais.
- c. As well as decisive action on the British side, there is an urgent need to provide more humane standards on French soil. The current state approach of police brutality and intimidation does little to resolve the unsustainable situation that continues to unfold in and

around Calais, and rather pushes the children towards taking matters 'into own hands' which means a heightened risk of trafficking and exploitation.