

Written Input:

OHCHR Report on protecting the rights of the child in humanitarian situations – Human Rights Council Resolution 34/16

Executive Summary

This submission outlines the results of the Refugee Rights Data Project's (RRDP) independent research on the situation for children and unaccompanied minors in various research locations in Europe throughout 2016-2017. The submission provides evidence on the main challenges in protecting the rights of the child in humanitarian settings. We will cover the following topics:

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1. About RRDP

- 1.1.** The Refugee Rights Data Project is a non-profit project set up in late 2015 in response to the humanitarian crisis in Europe. The project is run by professionals from a range of different sectors, and includes academics and researchers, human rights specialists, media and communications experts, asylum workers, NGO managers, refugees, policy analysts and students.
- 1.2.** The project 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 the current research is to provide information relating to the lived experiences of refugee children in Europe. This data will help policy-makers better understand the situation facing children and unaccompanied minors in Europe in order to uphold the human rights of those in displacement, including the rights of the child as stipulated in the Convention on the Rights of the Child.

3. Background information

- 3.1.** The submission is based on our findings from research carried out in Greece (Chios and the mainland) and France (Calais and Paris) in 2016 and 2017.
- 3.2.** Research in Chios, Greece was carried out between 11-18 May 2017. RRDP researchers, alongside two researchers from our partner organisation, conducted 300 surveys in Arabic, Dari, English, Kurdish and Pashto. Interviews were semi-structured. Based on the estimated

population in Chios at the time of the study, our research sample represents between 8-13% of the refugee population on the Island. The study is based on responses from approximately 10% of the refugees on the Island.

- 3.3.** Research in Calais, France and the surrounding area was carried out 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.
- 3.4.** Research in Paris, France was carried out between 18-22 January 2017, conducting 342 surveys in the city's La Chapelle district in Amharic, Arabic, Dari, English and Kurdish.
- 3.5.** Research in mainland Greece was carried out between 7-12 November 2016. RRDP visited 9 different settlements, as well as a number of squats and community centres. We conducted 278 surveys in English, Arabic, Dari or Kurdish.
- 3.6.** The research findings presented in this report relate to children only; made up of age-disaggregated data from each of our research studies described above, unless otherwise specified.

4. Unaccompanied status

- 4.1.** In Chios, Greece, 50% of the children we interviewed were unaccompanied, with 72.4% telling us they have family somewhere in Europe.
- 4.2.** In Calais, 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.
- 4.3.** In Paris 96.2% of the children we spoke to were unaccompanied.
- 4.4.** Research conducted in mainland Greece documented a significant number of unaccompanied minors in the camps, who are at heightened risk.

5. Length of time spent in displacement

- 5.1.** The average time the children we spoke to had spent in Chios was 2.1 months.
- 5.2.** In Calais, 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.
- 5.3.** In Paris the amount of time children had spent in displacement varied, with nearly a third having previously resided in the Calais or Dunkirk camps (28.9%) and in government-run accommodation centres before finding themselves destitute in Paris.
- 5.4.** Of the respondents we interviewed, 42.59% had spent eight months in Greece, of which 10% were children.

6. Experience of violence and mistreatment

- 6.1.** During our research in Chios, Greece, we found that 13.3% of children had experienced police violence on the island. 13.8% had experienced citizen violence and 23.3% violence from other refugees. Moreover, 28.6% had witnessed someone die in Chios.
- 6.2.** In Calais, France 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. 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. 56% of children had experienced violence by citizens, of which 62.2% had experienced verbal abuse, and 51.1% physical violence.

- 6.3.** Of the children surveyed in Paris, 30.8% of children had experienced tear gas one to four times in Paris and 9.6% said they had been exposed more than 10 times. Children also faced other forms of violence by police including verbal abuse (25%) and physical violence (21.5%). 50% had been asked by police to move from where they were sleeping, without being given a secure alternative. 57.7% described this incident as 'violent' and had been 'scared' when it happened. 30.8% of the children reported having some of their belongings taken including sleeping bags, mobile phones and clothes. Around one third say these items were taken by police and another third said they were taken by refugees, with 12.5% reporting they had belongings taken from them by citizens.

Our research in mainland Greece highlighted that young women and girls were especially vulnerable to gender-based violence. One respondent told us "young women do not feel safe in the camps", while another told us "it's not as bad for us as for younger women and girls". There were also reported incidences of prostitution and so called "survival-sex" due to poverty and pressure from smugglers.

7. Health and safety

- 7.1.** In Chios, Greece, 73.3% of minors said they "never feel safe" or "don't feel very safe". 36.7% of children had experienced health problems in Chios, but only 18.2% of those had been able to access medical care.
- 7.2.** Our research in Calais found that 85.9% of children said they "don't feel safe" or "don't feel safe at all" in and around the Calais area. 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.
- 7.3.** 42.2% of the children we surveyed in Paris reported that they were experiencing health problems – largely due to the cold weather conditions in Paris. A number of these children were provided with shelters. However, some respondents were concerned about their hygiene standards. Others said that the facilities shut down during the day, forcing minors out onto the streets. 50% had been asked by police to move from where they were sleeping, without being given a secure alternative.
- 7.4.** Many women we interviewed in mainland Greece expressed deep concerns about the health of their children. Many felt that the authorities were not doing enough to redress the situation. Some experienced issues with accessing emergency healthcare for their children, while others reported issues with securing basic needs, such as infant formula for their children. Our researchers also spoke to one woman who had a six-year old son with disabilities, where she reported a lack of adequate care for her child's specific needs.

8. Access to education and information

- 8.1.** Of the children we spoke to in Chios, Greece, only 16.7% had access to information about their rights and opportunities, while just 20% had access to information about European rules and asylum law. When asked if they had applied for asylum in Greece, a whole 65.5%

said they hadn't yet done so. Alarming, 10.3% didn't know if they had done or not. 56.7% of child respondents said they do not have access to any form of education in Chios.

- 8.2. In Calais, 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.
- 8.3. Our research conducted in Paris revealed an alarming absence of asylum information for children. One 16-year old boy said he had applied for reunification with his family in the UK where he has two sisters and two brothers, but had not had a response and was feeling very confused.
- 8.4. The amount and quality of education provided for children varied widely between the different camps we visited in mainland Greece. One respondent told us that were few programmes for children around the site. Although the Greek government announced its aim to make schooling available for all refugee children in 2016, many respondents told us they did not want their children to participate due to the "unwelcoming environment". Others reported long waiting periods or transport issues interfering with schooling.

9. Conclusion: A summary of the biggest risks and concerns

- a. These research findings shine a light on the extent of the child protection failure taking place across Europe. A large proportion of refugee children living in the region are unaccompanied, and many of them have been in displacement for six months or longer.
- b. Across research locations our reports highlight a lack of health and safety for children in displacement, with many children telling us they "never feel safe" and reporting untreated health conditions. These appear to be a result of the largely inadequate living conditions across the locations we visited, although this is especially pronounced in Paris and Calais where many children are destitute on the streets or living in informal camps in surrounding forest. In Chios, Greece, our research showed an alarming number of children reporting mental health issues.
- c. The research highlights the lack of information and support for refugee children, including access to family reunion processes and other legal mechanisms. Due to the alarming lack of protection and tracking mechanisms in place, the children are exposed to heightened risks of sexual violence, exploitation and trafficking.
- d. Children in Calais and Paris in France, mainland Greece and Chios reported chronic police violence, including tear gas and beatings. Children also faced citizen violence which included both verbal and physical violence.
- e. A few examples of what the respondents told us about the situation for children in displacement across research locations:
 - *"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. Calais, 2017.
 - *"Every day I cry, because I am so worried about the future of my child. I want her to be safe that's all I want. And right now there is no certainty of that"* Woman, Greece, 2016.
 - *"We always thought our kids would be doctors or something respectable when we were in Syria. Now they have no education and no chance for a future"* Syrian respondent, Mainland Greece, 2016.

- *"I live in a [state sponsored accommodation] but it is very dirty. I share the room with three other people but we are all getting allergies and itchiness because of the dirt"* Sudanese Minor, Paris, 2017.
- *"I created a high sleeping place inside the tent for my child in order to keep her away from rats,"* – Syrian respondent, Chios, 2017

10. Recommendations

- a. Based on these research findings, it is evident that more needs to be done to ensure that the rights of the child are upheld in humanitarian settings in Europe.
- b. In order to address the situation northern France and Paris, there is an urgent need to provide more humane standards and protection systems. The severity of the situation means that medical staff, social workers and legal experts are urgently needed; rather than the current state response centred around violent actions by special police forces. To resolve the situation and ensure these vulnerable children are protected, more decisive action could also be taken by the British government to. A large number of the respondents in our research reported that they have family in the UK, suggesting they may be eligible for reunification under the Dublin Regulation. Moreover, it is also clear that many vulnerable children on the streets in Calais and Paris 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 and Paris. As well as decisive action on the British side,
- c. The situation in Chios, Greece is a situation at breaking point with children likely to suffer from the lack of education opportunities, humane living conditions, and legal support. Accelerated transfers of vulnerable children in displacement from the islands to mainland Greece and a strengthened system for processing child asylum applications are of utmost importance.
- d. Similarly, in mainland Greece, increasing the speed at which asylum claims and applications for family reunion or relocation are expedited would reduce the lengths of time children are trapped in unhealthy and harmful environments. As well as this, sufficient statutory funding ought to be made available to ensure that adequate information, medical and support services and protection services are available for children and families across all camps.
- e. Overall, effective and long-lasting policy action by national and European Union decision makers is urgently needed to secure the rights of the child in humanitarian settings in Europe. Human rights must be at the centre of any policy initiatives to ensure that children are given the protection and opportunity expected by international standards, and in particular in accordance with the Convention on the Rights of the Child. Such high-level engagement will help to successfully unlock the situation in which children are currently trapped, facing sub-par humanitarian standards and daily violations of their rights.