



P I C U M

PLATFORM FOR INTERNATIONAL COOPERATION ON  
UNDOCUMENTED MIGRANTS

## Undocumented young people: perspectives from Europe

Constructing Viable Futures

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## Diverse young people affected

- **Undocumented children: diverse & status changes**
    - Did not qualify for an official family reunification scheme (parent with regular status)
    - Parent loses work or residence permit
    - Application for international protection refused as family
    - Entered with one or more relatives irregularly
    - Children born in Europe to undocumented parents
    - Separated children who are not in contact with any services
  - Children whose own status is regular still affected by migration status of parent
  - Many become undocumented at age 18 (temporary protection as child)
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## Making children vulnerable

- **Almost no data** – e.g. UK 120,000 (65,000+ UK born), 2,400-5,200 Ireland
- No consideration - **gap in migration and social policy**  
(ref: current focus on asylum seeking children and families)
- **Absence of systematic consideration of best interests in migration-related decisions**
  - Residence – status linked to parents & rarely treated as individual in applications for protection
  - Subject to same immigration control measures as parents  
e.g. restrictions on basic social rights, detention, deportation
  - inc. in questions of family unity → family separation  
(child protection, detention, deportation)
  - Staff untrained in child rights and best interests assessments

## Young people & the transition to adulthood

- Often spent years in the country (& even been born there) = **formative years** of personal and social development
  - Varying protection across EU, but generally access to education until 16 or 18 = **learnt the language and had their schooling there**
  - Consider the **country of residence as home** & little connection to their – or their parent's - country of origin.
  - **Realise extremely limited future perspectives** – few options to regularise
    - No access to further **education and training**
    - Only **irregular work** in low-wage sectors, often in poor and exploitative conditions,
    - Unable to legally drive, or open a bank account, go to bars,
    - **Constant fear and risk** of arrest, detention and deportation.
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## Young people & the transition to adulthood

- **Critical time in young people's development** = blocked from rites of passage, ambitions, peers move forward
- Short & long term impacts on **health and personal & social development.**
- Alienation, rejection, hopelessness, exclusion, shame, secrecy
- Chronic headaches, toothaches, sleeping disorders, suicidal thoughts

*Since I have been arrested, anxiety and fear have become my everyday life. I am afraid to go out. I am anxious every morning when I get up to go to class because I am afraid of being deported, of waking up one day and thinking that I'm no longer among my own people... Besides, since I have arrived in France, I have done everything to integrate, adapt and build up my life. But I would not have thought, that this country did not need me as much as I needed it, that this country was not attached to me as I am attached to it, because all my roots and all those I would never stop fighting for are in this country. And today, I will keep fighting, hoping that one day I will be regularised and able to live like all the others, fearless.” - Hafidh, 21*

## Strategies to ensure regular residence status

- **Prevention** e.g. BID in decisions on applications; independent residence status from parent → child would not lose status with parent
    - IT – law gives independent permit to children of regular migrants
  - Some countries – should be **no ‘undocumented child’ legally**
    - FR – no residence permit required
    - IT – residence permit for all children (nb. not accessible for children of UDM)
    - But still some restrictions on social services, fear of enforcement action against parents, uncertainty and need to resolve status at 18.
  - Many **regularisation programs & mechanisms** in EU relate to length of residence, social ties, school attendance.
  - Barriers (e.g. fees, legal assistance, strict requirements, admin. barriers, awareness) & length of time often still long for young people
  - Many have **right to reside** re: private & family life but only deportation appeals
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## Strategies to improve the protection of young people

- **Protection in the community they live and in migration and residence procedures:**
    - **Age-appropriate migration policies and practices** = right to be heard, best interests of the child in all decisions (status and enforcement), no enforcement in violation of children's rights (detention or deportation)
    - **Secure residence status** = regularisation, non-discrimination in long-term residence & citizenship (inc. EU nationals after Brexit)
    - **Social protection systems** = access to education, health care, shelter, child and youth welfare
    - **Civil/ criminal justice** = tenants' rights, labour rights, police reporting
    - **Community mobilisation** = participation, support, empowerment, anti-xenophobia actions
  - **Urgent need for multi-stakeholder actions** : e.g. governments (all levels), social workers, service providers (teachers, doctors, shelters), legal services, children's rights organisations, youth organisations, school communities, undocumented young people and wider public.
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# Thank you for your attention



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