

2021 WORLD CONGRESS ON JUSTICE WITH CHILDREN

15-20 November 2021

“Ensuring access to justice for all children: towards non-discriminatory and inclusive child justice systems”

Workshop Programme

Justice in the Context of Migration: The Global Situation of Unaccompanied Minors

Date	Wednesday, 17th November 2021	
Timing	14:00 - 15:30 Geneva	13:00-14:30 London
Organiser(s)	University of Oxford	
Type of Workshop	Panel Discussion	
Topics	Discrimination experienced by children and young people affected by migration, including refugees, unaccompanied foreign children and children of foreign parents.	
Region	Europe, International	
Language	English	

Abstract

This panel discussion brings together global experts to discuss how to arrive at inclusive child justice systems that are designed specifically for unaccompanied minors and separated children in the context of child migration.

It sets the stage by raising key questions around unaccompanied minors, including, but not limited to:

- a. pre-existing risks and vulnerabilities at the individual, household, community and structural levels that act as ‘push factors’ for unaccompanied minors,
- b. specific reasons for unaccompanied minors to migrate,
- c. specific conditions and experiences that unaccompanied minors face during the travel, transit and destination, including risks of disappearance, organised crime, human trafficking, sexual violence and other breaches of protection for children along the migratory route.

By specifically identifying discrimination and discriminatory considerations in the abovementioned situations, the discussion seeks to situate unaccompanied minors and their migration within existing structures, in particular:

- a. political shifts (e.g. specific governments, national policies on migration, linkages between security and migration) and
- b. recent developments regarding migration in times of COVID-19 pandemic.

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Against this backdrop, the panel would then address what justice looks like in the context of unaccompanied minors and migration, particularly in circumstances linked to – (a) contact with justice institutions and first responders from law enforcement along the migratory route, (b) immigration detention and procedural safeguards for children in places of detention, (c) justice in relation to children’s specific needs and vulnerabilities such as family contact, non-refoulment and best interest determination.

The panel shall proceed with consolidating key recommendations and insights from recent case studies and academic/policy studies on child-friendly justice approaches in the context of immigration. Panelists would also discuss how the different organisations/stakeholders are ensuring coordination of their activities for a holistic approach and response on this issue. The discussion would then be open to questions thereafter.

Three take-aways and one output of the session

- Assess the conditions, vulnerabilities and consequences faced by unaccompanied minors on the move
- Reflect on national policies, governance and practices that are discriminatory towards unaccompanied minors in contemporary contexts
- Highlight role of child rights stakeholders, organisations, academics and policy makers

Output: Contribution to improving outcomes for vulnerable minors along the migratory routes globally.

Objectives

- To convene a multi-disciplinary panel with regional experts on the specific topic of child-friendly justice within the framework of child migration, justice and protection for unaccompanied minors
- To capture the opportunities and existing gaps in access to justice for unaccompanied minors in the context of migration from various points of view – policy, academic, professional practice, institutional (State commitments, etc.)
- To share the developments and good practices in specific case studies and identify ways forward for a coordinated response among relevant stakeholders

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Expected outcomes

- A selection of good practices, research and policy developments linked to inclusive child justice systems are shared and considered with the specific focus on unaccompanied minors and separated children in the context of migration,
- Discussions highlight the ways in which child migration is not an isolated phenomenon, but integrated within existing political and structural developments as well as part of a larger issue of family migration, maritime security, etc.
- A consensus on situating children at the centre of programmes designed to ensure their access to justice, protection and long-term reintegration.

Speakers

- **Moderator**

- **Arpita Mitra**

- Arpita is a humanitarian and independent researcher from the Centre for Criminology, University of Oxford, UK. She has previously worked with international organisations to shape policies impacting children and young adults in post-conflict and transitional contexts, particularly in detention and migration contexts. She has also assisted the Inter-Agency Working Group on Disarmament Demobilisation and Reintegration (DDR) in the reintegration standard-setting for children formerly associated with armed forces and armed groups.

- **Panelists**

- **1. Dr Mark Greenberg**

- He directs the Human Services Initiative at the Migration Policy Institute in Washington, D.C. The Initiative focuses on immigration issues affecting children, families and humanitarian populations and intersections of immigration with health and human services programs. From 2009-2017, Mr. Greenberg worked at the Administration for Children and Families (ACF) in the U.S. Department of Health and Human Services, and served as Acting Assistant Secretary from 2013-17. Previously, Mr. Greenberg was Executive Director of the Georgetown Center on Poverty, Inequality and Public Policy; directed the Center for American Progress' Task Force on Poverty; was Director of Policy for the Center for Law and Social Policy (CLASP); and a legal services lawyer in Florida and California.

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2. Nantina Tsekeri

She is a strong and committed advocate for children’s rights. In her role as Director of Defense for Children International Greece, she provides direct legal services and support to children in urgent need, investigating and documenting children’s rights violations and litigating strategically to bring social change. Nantina works on the ground with the most vulnerable children, intercepting them on the streets, in the parks and at the camps. With her strong child-rights perspective she is a role-model for children’s rights advocates and lawyers all over the world.

3. Nadia Sebtaoui

Project coordinator, Unaccompanied minors at Médecins Sans Frontières (MSF). Nadia Sebtaoui is a Law and Political science graduate with 15 years of experience working with charities, such as France terre d’asile and Médecins Sans Frontières, in the fields of migration, asylum, unaccompanied minors, immigration detention and human trafficking.

She led strategic projects and programmes such as legal aid in immigration detention centres, combatting human trafficking in makeshift migrant camps in Northern France, capacity-building for European first responders on Vietnamese migration and trafficking, or advocacy and support project for unaccompanied minors.

4. Anaïs Elbassil

Deputy Head of the Children and Youth in Migration Programme, Terre des hommes, Anaïs has been working in the fields of migration, protection and humanitarian related activities since 2011, mainly in Europe, West and North Africa. Previously, she has gained experiences in project management, advocacy, policy development and capacity building activities with organisations such as Mercy Corps, the International Centre for Migration Policy development, the UNHCR and Save the children.