**Human Rights Council Advisory Committee**

**UNACCOMPANIED MIGRANT CHILDREN AND ADOLESCENTS AND HUMAN RIGHTS**

**Questionnaire**

*This questionnaire forms part of consultations undertaken by the Human Rights Council Advisory Committee with* ***civil society organizations*** *with a view to developing a research-based study on the global issue of unaccompanied migrant children and adolescents and human rights, pursuant to Human Rights Council resolution 29/12.*

**Answers from Congregation of Our Lady of Charity of the Good Shepherd Sisters at the**

**"Haus Schloss Zinneberg" , Glonn, Germany.**

**Germany is a destination country.**

**Answers are in accordance to the situation in Bundesland Bavaria.**

**1. General situation**

* 1. What is the situation of unaccompanied migrant children[[1]](#footnote-2) and adolescents in your country? Please provide available statistics and relevant information.

*Youth Welfare centres are taking care of the unaccompanied minors and they are usually fully or partially supervised.*

**1.2** What are the main causes that force or encourage children and adolescents into situations of unaccompanied migration?

1. Structural causes.
2. Immediate causes. [[2]](#footnote-3)

*The main reasons for the unaccompanied migration: war, religious or political persecution, economical reasons, fear of forced recruitment to military service.*

*Some of them come from extremely poor backgrounds and they want to give a better life to their family in the home country. Many are under pressure to pay smugglers or the debts acquired by families.*

* 1. Based on your organization’s experience, what are the transit, reception and living conditions of unaccompanied migrant children and adolescents in your country?

*According to our experience, they get a quick assignment from the initial reception centres (E.g. gymnasiums) into the residential groups and measures are taken for integration courses, language teaching, and school. There is a close interaction and cooperation between the partners in the Youth Welfare and schools (home facilities, Youth Welfare Office, teachers, assistant teachers, social workers).*

**1.4** What are the main human rights violations faced by unaccompanied migrant children and adolescents in or from your country? Please give examples.

**2. Cross-cutting issues**

**2.1** In connection with article 12 of the Convention on the Rights of the Child, in your country or region, are there specific mechanisms or procedures to ensure that migrant children and adolescents’ views are heard and fully taken into account in all matters affecting them? If yes, please describe.

*Unaccompanied young people go directly into the hands of youth offices. That means: they live in small residential groups with socio-educational care. Also, a legal guardian is appointed until youth people reach their majority, they take care of the rights of them.*

**2.2** If your answer to question 2.1 is positive, what have unaccompanied children or adolescents expressed as their main reasons for migrating? And what did they describe as their reception and living conditions in transit and destination countries?

**2.3** Based on your organization’s experience, do you think the human rights violations inflicted on unaccompanied migrant children and adolescents are motivated by gender considerations?

**2.4** In your country, what is the legal definition of a child / an adolescent?

*In Germany: child, who is under 14 years of age, young people between 14 and 18 years (Paragraph 17 SGB VIII).*

**3. Laws, policies and coordination mechanisms**

**3.1** Do you consider that your country’s migration policies take into account the protection of the rights of migrant children and adolescents in general, and of unaccompanied migrant children and adolescents in particular? Is the migrant child/adolescent considered as a distinct right-holder by policy-makers? Are there any specific measures implemented to protect the rights of unaccompanied migrant children and adolescents? If yes, please provide details.

*Yes, through the above described protection of unaccompanied young people, through the public welfare/youth offices.*

**3.2** What are the main challenges and barriers (legal, political, financial, administrative, economic, social and cultural) that impede the effective protection of unaccompanied migrant children and adolescents in your country/from your country?

*We see no impediment before the protection.*

**3.3** As a civil society organization, do you participate and collaborate with governmental and other organizations to elaborate effective measures to protect the rights of migrant children and adolescents, and monitor and evaluate their implementation?

**3.4** Do you think there is an effective collaboration between countries in your region to guarantee the promotion, protection, respect and fulfilment of the rights of unaccompanied migrant children and adolescents? Please explain your answer.

**4. Others:**

**4.1** What is the role of your organization in the protection of unaccompanied migrant children and adolescents?

*Our institution offers social and educational support to the integration of unaccompanied minor refugees. We work together closely with a rule of the adjacent district vocational school. There is also close cooperation with this vocational school in the District. There is also a close cooperation with the District of Ebersberg. Here, common solutions for the needs are identified and we discussed together about cases.*

**4.2** Please provide examples of best practices with regard to issues related to unaccompanied migrant children and adolescents.

*(s. 4.1.) Project-oriented language teaching with young people takes place in the context of schooling. Also we offer long-term, school-related projects on focal topics (theatre, music, social media, costumes…) . For example: a weekly project on "Colours" (theatre, photo, costume) with a final presentation in conjunction with German rule students. What is in the centre is in one hand to promote linguistic projects and in the other hand to bridge German youths and unaccompanied minors and refugees. Currently, there are, for example, language and reading partners from the middle school that are doing with their foreign peers individual communication and conversation.*

1. According to CRC General Comment No.6 (2005), “Unaccompanied children” (also called unaccompanied minors) are children, as defined in article 1 of the Convention, who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so. [↑](#footnote-ref-2)
2. Structural and immediate causes are defined as follows: The structural causes are those depending on a system already installed. In the case of migration, this could be the control of production and distribution of national resources, social norms or social organization.

   The immediate causes or direct causes are actions, events, flaw, or forces that are the immediate, initiating, or primary agent which leads to, or allows an action, event, or state to happen. One can refer to: beliefs, behaviours, practices, access to services and people's capabilities. [↑](#footnote-ref-3)