

Europe's Dystopia: The Exploitation of Unaccompanied and Separated Child Refugees

Farhan Mujahid Chak*

Abstract

This article highlights the exploitation of unaccompanied and separated child refugees in Europe. Critically, the European Union has a manifest responsibility to child refugees, as outlined in both the Geneva Convention (1951) that frameworks the Status of Refugees (1967 Protocol), along with the Charter of Fundamental Rights. Moreover, as signatories to the United Nations Convention on the Rights of a Child, Europe has a moral and legal responsibility to act in the best interests of the child. Unfortunately, EU has failed to comply with the obligations and tens of thousands of children are staying in appalling, exploitative and negligent conditions. At present, at least 170,000 unaccompanied and separated child refugees (UASCR) throughout the European Union are living in extreme duress, violence and/or sexual exploitation.

Introduction

This article seeks to highlight the exploitation of unaccompanied and separated child refugees in Europe, hereinafter referred to as child refugees. Given the fact that the number of children in the 25.4 million refugees worldwide reaches 52% of this figure,¹ this is a major controversy, which has not been judiciously examined. According to some statistics, there were around a hundred thousand child refugees among the 1.3 million people who had applied asylum in Europe during 2015.² Critically, the European Union has a manifest responsibility to child refugees, as outlined in the Geneva Convention (1951) that frameworks the Status of Refugees (1967 Protocol), along with the Charter of Fundamental Rights. Both "instruments bind EU Members, who must also observe the case law of the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECHR)".³ Moreover, as signatories to the United Nations (UN) Declaration of Human Rights (UDHR), UN Convention on the Rights of

* Farhan Mujahid Chak, PhD, and Associate Professor of Gulf Studies, Qatar University, Doha.

¹ UNHCR, *Global Trends: Forced Displacement in 2017*, <https://www.unhcr.org/5b27be547.pdf>

² Collins Lauren, *Europe's Child Refugee Crisis*, The New Yorker, February 27, 2017 <https://www.newyorker.com/magazine/2017/02/27/europes-child-refugee-crisis>

³ *Refugee Law and Policy*, March, 2016. Retrieved from <https://loc.gov/law/help/reports/pdf/2016-013014.pdf>

Child (CRC), as well as being member of the Office of the United Nations High Commissioner for Refugees (UNHCR), Europe must act with the "best interests of the child".⁴ However, notwithstanding Europe's image and enormous wealth, it has utterly failed in fulfilling its obligations. That let-down has led to tens of thousands of children to exist in appalling, exploitative and criminally negligent conditions. At present, there are, at least 170,000 unaccompanied and separated child refugees (UASCR) throughout the European Union living under extreme duress, violence and/or sexual exploitation.⁵ In fact, the "ECHR (European Court of Human Rights) has held against several Member States for violating the EU's legal regime on refugees on issues of detention, status of reception facilities, and lack of legal remedies." EU Parliament's Claude Moraes - Chairperson of the Civil Liberties, Justice and Home Affairs Committee - puts the situation in these words: "the amount of child abuse, rape and smuggling that is going on is horrific...If the EU is to have any sort of value, it has to care for unaccompanied minors when they arrive in Europe".⁶ In this backdrop, this article aims to expose the horrific conditions of child refugees in Europe and offers insights to improve their hopeless situation.

The paper has been organized into six sections. The first section explores the confusion surrounding the (mis)classification of child refugees, by which they are becoming legally entangled. This ongoing sophistry is bewildering, and asks whether 'child refugees' are migrants, refugees, or even children? The next section outlines the dangerous contextual realities, such as war or threat of extreme violence, that compel child refugees to seek an illusory sanctuary in Europe. Third section delineates the various migratory routes that child refugees take towards their respective destinations in Europe. Fourth explains what happens when these child refugees arrive in Europe, including how they are often relegated to poorly-equipped detention centers, also known as 'camps.' Fifth section provides shocking details on the living conditions of child refugees in those 'camps,' which include the awful prevalence of trafficking, murder and sexual exploitation. Lastly, this article puts forward certain policy recommendations for EU governments and stresses that they fulfill their moral and legal obligations to child refugees.

⁴ 10th European Forum on the Rights of a Child, (November, 2016) General Background Paper. Retrieved from ec.europa.eu/newsroom/document.cfm

⁵ "UNICEF: Number of Unaccompanied Refugee Children Soars," in *Aljazeera News*. Web. (May 18, 2017). Retrieved from www.aljazeera.com/news/2017/05/unicef-number-unaccompanied-refugee-children-soars-

⁶ Arthur Nelson, "Horrible levels of Child Abuse in Unsafe Refugee camps," in *The Guardian*. (April 19, 2017). Retrieved from <https://www.theguardian.com/global-development/2017/apr/24/eu-urgent-protection-23000-unaccompanied-child-refugees-squalid-camps-greece-italy>

Who is a 'child refugee'?

Prior to any discussion on these child refugees is the challenge of basic definitions. In other words, what does it mean to be legally classified as a '*child refugee*'? Certainly, such quibbling and pedantry may seem fastidious, yet many European Union officials are doing just this. Arguably, this could be stated to indicate a lack of good faith and disingenuousness towards the child refugees and their inalienable rights. By entangling children in finicky deliberations concerning their legal status, certain EU countries seem to be evading their responsibilities. Granted, the legal statuses of 'refugee' and 'migrant' cannot be used interchangeably, since each have different implications in precise legal contexts. Yet, entangling children into this conundrum is apparently unethical, and violates hitherto mentioned UN and EU declarations. Preferring the term 'migrant,' rather than refugee, displays a bias/prejudice as it does not distinguish between the economic migrant and those fleeing persecution.⁷ By doing this, it permits EU states to treat those who have been forcibly uprooted from their homes to be classified alongside economic migrants, which paves the way for evading certain human rights.

This laboriousness goes even further when there seems to be a measured attempt to obscure the age of the children. Precisely, a child, as defined by the United Nations Convention on the Rights of a Child is "a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger".⁸ More specifically, a '*child refugee*' is an "unaccompanied person under the age of eighteen who is separated from both parents and is not being cared for by an adult, who by law or custom has responsibility to do so".⁹ As such, 'child refugees' need to be dealt with under the guiding principles of special care and attention as distinguished from other asylum seekers, refugee claimants or migrants – economic or otherwise. Actually, considering the horrific conditions which have compelled these child refugees to endure torturous and unwelcoming journeys - alone, it is Europe's moral and legal responsibility to act.

Importantly, contesting terminology is not gratuitous, since by defining children as migrants – or implicitly economic migrants, it not only mischaracterizes them, but fails to recognise the seriousness of their

⁷ Lauren Collins, "Europe's Child Refugee Crisis" in *New Yorker*. (February 27, 2017). Retrieved from <http://www.newyorker.com/magazine/2017/02/27/europes-child-refugee-crisis>

⁸ United Nations Convention on the Rights of a Child. (May 27, 2017). Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

⁹ Ibid.

plight and situation. Similarly, this allows a certain stigma to be associated with them; rendering them an 'unpopular' issue that consequently turns public opinion against them. Hence, an inaccurate label gives way for an unfair characterisation of these child refugees, and subsequently results in further negative repercussions in both state policy and social acceptance. For that reason, the European Union has prepared a report outlining and highlighting age assessment strategies across its territories, but most EU countries do not fulfil their obligations.¹⁰ And, herein lay the crux of the problem, that reports are written, clear guidelines put forth, but a genuine ground-level commitment by member-states remains missing.

Admittedly, the influx of refugees into Europe has taken the continent by surprise. Yet, in comparison to Turkey, Pakistan, Lebanon or Iran, the European Union has not done enough.¹¹ The United Nation's 2005 World Summit report, most commonly mentioned as the Responsibility to Protect (R2P 2005), obligates UN member-states to assist persecuted populations – even if they are adults. As such, one would expect that a stable continent would lead in providing answers for sustainable policies and solutions concerning child refugees. A starting point would be clarifying definitions, and making clear literary, policy and social distinctions between those seeking a better life, and those fleeing war – especially unaccompanied and separated children. Until now, a clear answer to this question '*Who is a child?*' is not forthcoming.

War; the foremost cause?

An important contextual reality behind the upsurge in the global refugee issue is war. This is particularly relevant when considering the harrowing factors that compel parents to peril their children's lives and send them on a treacherous journey to Europe. This tragic socio-cultural phenomenon has not been adequately highlighted in revealing the refugee crisis. "War," strictly defined, is a state of armed conflict between different countries or different groups within a country, yet this does not encompass the totality of its violence which affects people on a

¹⁰ Council of Europe, "age assessment of young migrants: child's best interests must be safe guarded", (January 26, 2018) retrieved from <https://rm.coe.int/age-assessment-council-of-europe-member-states-policies-procedures-and/168074b723>

¹¹ In 2017, there were a total of 65.6 million population of forcibly displaced persons worldwide, of which 22.5 million were registered as refugees with UNHCR and UNRWA (for Palestinians). Around 55% refugees worldwide came from three countries: Syria (5.5 million), Afghanistan (205 million) and South Sudan (1.4 million). Top hosting countries included Turkey (2.9 million), Pakistan (1.4 million) and Lebanon (1.0 million) followed by Iran, Uganda and Ethiopia. UNHCR, *Global Trends: Forced Displacement in 2017*, <https://www.unhcr.org/5b27be547.pdf> Accessed November 27, 2018

generational level.¹² Trauma, abuse and a wide-range of psychological sufferings are all a direct consequence of war. Especially in war-torn countries like Syria, Afghanistan, Somalia and Sudan, where most refugees originate, basic necessities of life are missing. In such catastrophic conditions, desperation compels parents to secure the lives of their children by sending them to a faraway place. All in hopes that their children escape the repulsion surrounding them. Sadly, the level of despondency is such that parents are often willing to utilize unsavory, unscrupulous and illegal networks to transport their children out of the war zone.

Without question, the vast majority of child refugees coming to Europe are from war-torn countries. Overall, the number of asylum applications from those countries began to rise especially after 2012, directly in relation to the Syrian war, the so-called Taliban resurgence in Afghanistan, and the ongoing internal crises in Somalia and Iraq.¹³ Here, we see a direct correlation between war and the refugee upsurge to Europe. In fact, as the Syrian war dragged on through 2013, the number of applications rose to 431,000, and in 2014 to 627,000. In 2015 and 2016, the number of asylum seekers rose again reaching nearly 1.3 million each year.¹⁴

Major refugee producing countries (Syria, Afghanistan, South Sudan, Myanmar and Somalia)¹⁵ qualify as, or are adjacent to, active war zones. Evidently then, Europe must take responsibility by addressing the underlying issues driving the refugee crisis. Actually, it is reasonably accurate to suggest Europe's inadequacy has directly contributed to the refugee crisis.¹⁶ For example, Syria has been in conflict for nearly 7 years, with more than 2 million Syrian fatalities of which 24,000 children.¹⁷ Statistically, Syria had a pre-War population of 22 million, now "more than half of those people have been pushed out of their homes and about

¹² Fuaad Freh (2015) "Psychological Effects of War and Violence on Children," in *Journal of Psychological Abnormalities* S1: e001. doi:10.4172/jpab.S1-e00

¹³ Caroline Mortimer, "Refugee Crisis: War and Disaster Displaces a record 40.8 million," in *The Independent*. (May 11, 2016). Retrieved from <http://www.independent.co.uk/news/world/politics/refugee-crisis-war-and-disaster-internally-displaces-a-record-408m-people-around-the-world-says-new-14> http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics

¹⁵ UNHCR, *Global Trends: Forced Displacement in 2017*, <https://www.unhcr.org/5b27be547.pdf> (November 27, 2018)

¹⁶ Kurt Mills, "Syria and the Mediterranean Crisis," *Huffington Post*. (October 2, 2016). Retrieved from http://www.huffingtonpost.co.uk/kurt-mills/syria-refugee-crisis_b_8231874.html

¹⁷ Katie Dupere, "UN Launches Website to Answer Questions on Syrian Refugee Crisis," in *Mashable Online*. (May 22, 2017). Retrieved from http://mashable.com/2017/05/22/syrian-refugee-crisis-google-united-nations/#cqNhoQD_gaq7

5 million have fled the country and live around the world as refugees".¹⁸ Europe could have done much more to support the Syrian people and hold the Assad regime accountable, yet it did not.

Finally, as a result of the protracted nature of these global conflicts, not only are people's lives in grave danger, but their families and social structures are torn apart. Mothers or fathers send their loved ones on a terrifying voyage with an uncertain future and often through unscrupulous and opportunistic traffickers. From then onwards, their situation grows increasingly grim, as these children are treated in dehumanizing ways, especially since they have no one to protect them.¹⁹

Stairway to heaven? Migratory paths and conditions

The factors that compel child refugees to embark on a harrowing journey to Europe, even while entrusting themselves to criminal traffickers, are well-understood and documented. In 2016, global forced displacement has hit record high numbers of 63.5 million people, the highest in recorded human history.²⁰ Actually, a UN Refugee Agency report called *Global Trends*, reveals that "on average 24 people were forced to flee each minute in 2015, four times more than a decade earlier, when six people fled every 60 seconds".²¹ And, specific to our study, among the millions uprooted are hundreds of thousands of unaccompanied children travelling to European Union, hoping to find the promise of safety, security and sanctuary. Actually, at present, according to "official United Nation's accounts, nearly *half of all refugees in the world are children*".²² Yet, just to focus on Europe, little is being done to assist them since, as mentioned by Filippo Grandi, the UN High Commissioner for Refugees, "politics is preventing genuine assistance to child refugees in Europe".²³

¹⁸ See, UNHCR Website. <http://www.unhcr.org/en-us/syria-emergency.html>

¹⁹ Kate Hodal, 'Traffickers and Smugglers Exploit Record Rise in Unaccompanied Child Refugees,' in *The Guardian*. (May 17, 2017). Retrieved from <https://www.theguardian.com/global-development/2017/may/17/traffickers-smugglers-exploit-record-rise-unaccompanied-child-refugees-migrants-unicef-report>

²⁰ Adrian Edwards, "Global Forced Displacement Hits Record High," in *UNHCR Online*. Web. (June 20, 2016). Retrieved from <http://www.unhcr.org/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html>

²¹ Global Trends 2015. *UNHCR – UN Refugee Agency*. (2016). Retrieved from <https://s3.amazonaws.com/unhcrsharedmedia/2016/2016-06-20-global-trends/2016-06-14-Global-Trends-2015.pdf>

²² Kate Hodal, 'Nearly Half of All refugees are Children,' in *The Guardian*. (September, 2016). Retrieved from <https://www.theguardian.com/global-development/2016/sep/07/nearly-half-of-all-refugees-are-children-unicef-report-migrants-united-nations>

²³ Adrian Edwards, "Global Forced Displacement Hits Record High," in *UNHCR Online*. Web. (June 20, 2016). Retrieved from <http://www.unhcr.org/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html>

Currently, there are nine major migration routes for child refugees to Europe.²⁴ These are identified by Frontex, are as follows:²⁵

- Western African path
- Western Mediterranean path
- Central Mediterranean path
- Apulia and Calabria path
- Circular path from Albania to Greece
- Western Balkan path
- Eastern Mediterranean path
- Eastern Borders path
- Arctic route (newly discovered path).²⁶

As the border policies of the EU change to confront illegal transgressions, so do the migratory pathways.²⁷ Formerly, the East Mediterranean Route was the main route for migrants to reach EU in 2014. However, Frontex - the EU Border Patrol agency, refrained from rescuing and transferring refugees to the Italian coast, thereby neglecting agreements between Turkey and EU. This resulted in a shift of the main migratory route.²⁸ In 2015 and 2016, illegal crossing of the borders increased drastically through the Central Mediterranean pathway.²⁹ Also, the Apulia and Calabria pathway is more frequently used to travel from Egypt to the Italian coasts, which is cheaper and highly prone to smuggling activities.³⁰ And, the Western Balkan, Circular, and the Eastern Mediterranean pathways are increasingly avoided due to widespread fears of abuse and exploitation. More recently, the discovery

²⁴ Kate Hodal, "Traffickers and Smugglers Exploit Record Rise in Unaccompanied Child Refugees," in *The Guardian*. (May 17, 2017). Retrieved from <https://www.theguardian.com/global-development/2017/may/17/traffickers-smugglers-exploit-record-rise-unaccompanied-child-refugees-migrants-unicef-report>

²⁵ Frontex Online. (August 11, 2017). Retrieved from <http://frontex.europa.eu>

²⁶ Patrick Kingsley, "Syrian Refugees Find New Route," in *The Guardian*. (August 29, 2015). Retrieved from <https://www.theguardian.com/world/2015/aug/29/syrian-refugees-europe-arctic-circle-russia-norway>

²⁷ Andrias Sytas and David Mardiste, "Baltic States Erect Border Fences," in *Reuters Online*. (March 8, 2016). Retrieved from <http://www.reuters.com/article/us-europe-migrants-baltics/worried-over-refugees-baltics-begin-to-erect-border-fences>

²⁸ Antonios Alexandridis and Muge Dalkiran. 'Routes Change, Migration Persists: The Effects of EU Policy on Migratory Routes,' *Al Sharq Forum*. (March 28, 2017). Retrieved from <http://sharqforum.org/2017/03/28/routes-change-migration-persists-the-effects-of-eu-policy-on-migratory-routes/>

²⁹ Frontex Online. (August 11, 2017). Retrieved from <http://frontex.europa.eu/trends-and-routes/central-mediterranean-route/>

³⁰ Stav Dimitropoulos, "The Sophisticated Smuggling Routes Bringing Refugees to Europe," in *Vice News* (March 23, 2017). Retrieved from https://www.vice.com/en_us/article/aea5n4/the-sophisticated-smuggling-routes-bringing-refugees-into-greece

of the Arctic path has been in the news, yet this journey is fraught with below freezing temperatures and dreadful terrain.³¹

Interesting to note, the “policies that have demotivated migrants from using the Western Mediterranean Route are to a large degree responsible for thousands of drowned African refugees or migrants”.³² Initially, the Italy’s *Mare Nostrum* – a national “search and rescue” setup that saved hundreds of refugees, was too expensive and was substituted with a significantly reduced sea-force by Frontex. Yet, Frontex declined to continue with search and rescue set-ups. Instead, it began to focus primarily on border control. As a consequence, “the reluctance of this EU agency to protect vulnerable refugees at sea led to higher-fatalities and shipwrecks”.³³ Unsurprisingly, with that callous attitude, 2016 was the deadliest year for refugees seeking to cross the Mediterranean to Europe. Additionally, while ample evidence illustrates the high mortality rate in the Mediterranean Sea, there is no official information regarding the number of boats or refugees who depart from non-European coasts. In fact, the totality of refugee deaths, including those of children, in the Mediterranean are, most likely, considerably higher than official numbers. With that in mind, no single image encapsulates the deadly journey of child refugees to Europe then the heart-wrenching image of deceased 3-year-old Alan Kurdi, found motionless, face first on a beach at Bodrum, Turkey.³⁴ What this means is that, Europe’s calculations are not based on the best interests of child refugees, nor by EU official policy. Instead, individual EU countries, seem to evade their responsibilities by various strategies.

At Europe’s doorstep: camp conditions

Once child refugees arrive in Europe, the Dublin Regulation or Dublin III Treaty necessitates that they request asylum in the first state they arrive. However, unaccompanied and separated child refugees may seek asylum in any EU member-state where they might have relatives.³⁵ Yet, the

³¹ Patrick Kingsley, “Syrian Refugees Find New Route,” in *The Guardian*. (August 29, 2015). Retrieved from <https://www.theguardian.com/world/2015/aug/29/syrian-refugees-europe-arctic-circle-russia-norway>

³² Antonios Alexandridis and Muge Dalkiran. ‘Routes Change, Migration Persists: The Effects of EU Policy on Migratory Routes,’ *Al Sharq Forum*. (March 28, 2017). Retrieved from <http://sharqforum.org/2017/03/28/routes-change-migration-persists-the-effects-of-eu-policy-on-migratory-routes/>

³³ Ibid.

³⁴ Helena Smith, “Shocking Images of young Syrian boy Show Tragic Plight of Refugees,” in *The Guardian*. (September 2, 2015). Retrieved from <https://www.theguardian.com/world/2015/sep/02/shocking-image-of-drowned-syrian-boy-shows-tragic-plight-of-refugees>

³⁵ Steve Peers “The Dublin Regulation: Is the End Nigh? Where should unaccompanied children apply for asylum? (January 26, 2016). *EU Law Analysis Online*. Retrieved from

closure of borders by EU member-countries means lack of safe and legal routes for children seeking asylum and consequently having them rely on smugglers or illegal routes.³⁶ They may have to travel hundreds of miles through hazardous routes, often without proper means of sustenance or transport. This puts them at grave risk of abduction by traffickers or those seeking to take advantage of their situation. These children often become victims of sexual exploitation.³⁷ The mistreatment of the children within refugee centers and other so-called refugee camps plays a key role in exposing them to the violence – sexual or otherwise.³⁸ A 2016 study by UNICEF, entitled “Neither Safe nor Sound,” highlights the plight of child refugees living in France, across the English Channel, while they torturously await an opportunity to acquire asylum in the United Kingdom. Based on direct, one-on-one interviews with the unaccompanied child refugees as well as volunteer workers throughout the camps, it was found that most children suffered from cold and fatigue, difficulty in accessing meals and showers, nervousness, symptoms of depression, and no access to regular schooling.³⁹ There are even cases of “entry fees” being extracted by traffickers,⁴⁰ and other accounts call attention to how most children lack access to proper communication services, such as cell phones.⁴¹ The situation in Greece is more disturbing, according to a chilling report published in April 2017 at Harvard University. The report highlights the physical, psychological, and sexual violence faced by minors in refugee camps in Greece, particularly sexual exploitation.⁴² Although cases of boys and girls being targeted by sexual predators – whether individual actors or part of criminal networks – are many, this is just the tip of the iceberg. Most children are afraid to

<http://eulawanalysis.blogspot.com.tr/2016/01/the-dublin-regulation-is-end-nigh-where.html>

³⁶ May Bulman, “Surge in Child Refugees trying to reach UK...” in *The Independent*. (2017, April 2). Retrieved from <http://www.independent.co.uk/news/world/europe/child-refugees-france-uk-new-market-smugglers-traffickers-a7622656.html>

³⁷ Isabelle Gerretsen, “Child Refugees Forced to Sell their Bodies to Enter Europe,” in *Newsweek*. (2017, April 19). Retrieved from <http://www.newsweek.com/child-refugees-europe-refugee-crisis-sexual-exploitation-greece-harvard-585976>

³⁸ Barbara Harrell-Bond, “Are Refugee Camps Safe?” *Working Paper for UNHCR*. Retrieved from <http://www.unhcr.org/research/working/3ae6a0c64/refugee-camps-good-children-barbara-harrell-bond.html>

³⁹ See: [https://www.unicef.org/media/files/Unicef_NeitherSafeNorSound_\(003\).pdf](https://www.unicef.org/media/files/Unicef_NeitherSafeNorSound_(003).pdf)

⁴⁰ Ibid.

⁴¹ Lauren Collins, “Europe’s Child Refugee Crisis” in *New Yorker*. (2017, February 27). Retrieved from <http://www.newyorker.com/magazine/2017/02/27/europes-child-refugee-crisis>

⁴² Vasileia Digidiki & Jacqueline Bhabha, (2015) “Emergency within an Emergency: The Growing Epidemic of Sexual Exploitation and Abuse of Migrant Children in Greece,” by FXB Center for Health and Human Rights, Harvard University. Retrieved from <https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2017/04/Emergency-Within-an-Emergency-FXB.pdf>

come forward for fear of reprisal.⁴³ This means that the scale of the crimes against child refugees are at astronomical levels.

Overall, conditions in the refugee camps remain highly inhospitable, with unaccompanied children being the most vulnerable demographic. A considerable number of child refugees, owing to poor living conditions, bullying and lack of understanding the asylum process, leave. And, upon doing so, often become targets of organized gangs and criminal networks. In fact, attesting that, the Chief of Staff of Europol, Brian Donald, believes that a sophisticated “criminal infrastructure” is targeting refugees throughout Europe, and he reports that “nearly ten thousand refugee children registered as having arrived in Europe went missing in early 2016.⁴⁴ Actually, instances of disappearances have occurred regularly and Europol has confirmed it has received evidence of child refugees being victims of sexual exploitation.⁴⁵ Furthermore, it pointed to a close link between networks of smugglers transporting the refugees and the criminal gangs exploiting them for labor and sex.⁴⁶

It seems there is no sanctuary for these child refugees. If they become officially registered in the camps, they must wait in shoddy encampments, while their application for asylum is processed.

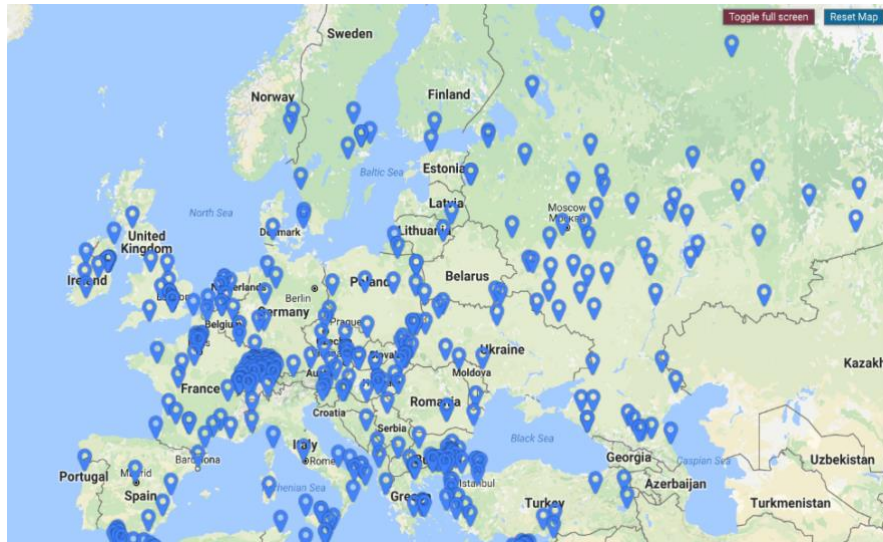
⁴³ Ibid.

⁴⁴ Mario Vidal, “No One is Counting the Missing Refugee Children in Europe,” in *Newsdeeply Online*. (July 20, 2017). Retrieved from <https://www.newsdeeply.com/refugees/articles/2017/07/20/no-one-is-counting-europes-missing-refugee-children>

⁴⁵ Ibid.

⁴⁶ Ibid.

Figure: Mapping of Refugee Camps



Source: Global Detention Project⁴⁷

Missing child refugees

Another mind-boggling statistic pertaining to child refugees is when they go 'missing.' Specifically, this refers to child refugees who are not registered in or run away from the detention centers. In Italy, from January to April 2017, around 24,000 refugees were stranded on the Italian coast, of which 2,293 refugees were unaccompanied minors.⁴⁸ Statistically, in 2016, 91% of all child refugees arriving in Italy were registered as unaccompanied, without parents or guardians, corresponding to a total, officially, of 25,846.⁴⁹ Yet the total number of unaccompanied minor refugees registering in reception centers remains low, with 17,245 registrations of minors in reception centers or with private foster parents in 2016. Additionally, nearly half of the unaccompanied minor refugees get lost on Italian ground. The reasoning behind this discrepancy is unclear.

During the first 6 months of 2017, till June 30th, around 11,406 unaccompanied and separated children arrived on Italy's coast. Again, it is reasonable to assume, that thousands of child refugees arrive in Europe and do not register anywhere.

⁴⁷ Detention Centres, Global Detention Project

<https://www.globaldetentionproject.org/detention-centres/map-view>

⁴⁸ "Mediterranean Migrant Arrivals" (August 4, 2017) Relief Web. Online Retrieved from <http://reliefweb.int/report/italy/mediterranean-migrant-arrivals-reach-115109-2017-2397-deaths>

⁴⁹ Ibid.

In Greece, the situation for child refugees is horrendous. The notorious Elliniko refugee camp, located on the outskirts of Athens is overcrowded, with poor sanitation and harrowing levels of child abuse. Unaccompanied children are first put into safe shelters which are specifically reserved for them. However, due to overcrowding and lack of physical space in camps, authorities detain these children in police stations, immigration detention facilities, and asylum processing centers. During the timespan between January 2017 and July 2017, Greece received 11,535 new refugees, of which around 9% were unaccompanied minor refugees, which means around 1039 children. There is no credible, clear plan on dealing with them. In fact, the situation of child refugees in Greece is among the worst in the European Union, especially with regards to the sexual exploitation of children.⁵⁰ Even worse, there are serious allegations that not just Greece, but the European Union is unwilling to “provide refugee children with a safe and permanent home”.⁵¹

According to Human Rights Watch (HRW)’s interview with some of the refugee children in Greece, children as young as 15 were denied special protection, even though that is required under international law.⁵² This is particularly problematic area of concern since, in Greece, no age detection method is done with child refugees. Actually, there is evidence that unaccompanied child refugees are recorded at an older age in order to avoid care for them.⁵³

In France, similarly, the situation for child refugees is appalling. The infamous camp Calais, known terrifyingly as the ‘Jungle,’ was recently dismantled and its approximate 8000 inhabitants forcefully relocated.⁵⁴ The lesser known, but equally frightening camp Dunkirk too houses thousands of children who exist on the brink of life and death.⁵⁵ In 2016, UNICEF highlighted the dire situation of child refugees living in France including sickening details of rape, slavery and enforced prostitution.⁵⁶ More recently, in March 2017, UNICEF conducted another

⁵⁰ Ibid

⁵¹ UNICEF, *Refugee and migrant crisis in Europe: Humanitarian situation report #17*. (November 14, 2016). Available at: <http://data.unhcr.org/mediterranean/regional.php>

⁵² “Greece Failing to Protect Child Refugees,” in *Aljazeera Online*. (July 20, 2017). Retrieved from <http://www.aljazeera.com/news/2017/07/hrw-greece-failing-protect-lone-refugee-children-170719072148087.html>

⁵³ Ibid.

⁵⁴ Isobel Van Hagen, “Manipulation in a Time of Crisis: The Sexual Exploitation of Child Refugees Across France,” in the *McGill International Review Online*. (November 12, 2016). Retrieved from <https://mironline.ca/manipulation-in-the-time-of-crisis-the-sexual-exploitation-of-refugees-in-camps-across-france/>

⁵⁵ Ibid.

⁵⁶ NEITHER SAFE NOR SOUND Unaccompanied Children on the Coastline of the English Channel and the North Sea. Report. UNICEF France. 2016. [https://www.unicef.org/media/files/Unicef_NeitherSafeNorSound_\(003\).pdf](https://www.unicef.org/media/files/Unicef_NeitherSafeNorSound_(003).pdf)

series of interviews with child refugees who claimed that brutal treatment by French authorities coerced them to turn into smugglers and traffickers who, in turn, abused and exploited them.⁵⁷ Sexual exploitation by aid workers, volunteers as well as other criminal elements in the camps is at epidemic proportions and no one is helping the abused, not even the police.

The French government dismantled the Calais refugee camp and referred to its destruction as a "humanitarian intervention".⁵⁸ In reality, there needed to be a clear denunciation of France's treatment of child refugees and the hasty and chaotic method in which the camp was shut down. "Without a well-considered and careful exit strategy, all the people in the camp were left more vulnerable and desperate than before...Many children were left with nowhere to go".⁵⁹ Upon hearing news of the destruction of the refugee camp, UNICEF responded with the following official statement: "the UK and French governments promised to keep children safe throughout the demolition. Yet right now, the situation for child refugees in France is more dangerous than ever. In an attempt to rectify the horrible conditions of the unofficial camp, the French government has made the situation much harder for already vulnerable refugees".⁶⁰ Mirroring that concern, Liana Bird, of the charity Help Refugees, declared that "unaccompanied minors are the most vulnerable people in Europe right now, and it's up to the government (France) to put proper registration systems in place to give children safeguards against this (sexual or other forms) kind of exploitation".⁶¹

Child refugee trafficking

Child refugee trafficking is a serious crime with increasing prevalence throughout the European Union. Article 3 of the UN Protocol, clearly

⁵⁷ May Bulman, "Child Refugees in France Face Exploitation on Daily Basis," in *The Independent*. (April 18, 2017). Retrieved from <http://www.independent.co.uk/news/world/europe/child-refugees-migrants-dunkirk-calais-france-unicef-people-trafficking-smugglers-a7689051.html>

⁵⁸ Mauricio Lima and Adam Nossiter. "Ready to Leave France," *New York Times*. <https://www.nytimes.com/2016/10/25/world/europe/we-are-ready-to-leave-france-clears-out-the-jungle.html>

⁵⁹ Isobel Van Hagen, "Manipulation in a Time of Crisis: The Sexual Exploitation of Child Refugees Across France," in the *McGill International Review Online*. (2016, November 12). Retrieved from <https://mironline.ca/manipulation-in-the-time-of-crisis-the-sexual-exploitation-of-refugees-in-camps-across-france/>

⁶⁰ Laura Smith-Spark, Saskya Vandoorne and Byrony Jones, "Calais Jungle: Migrant Children Have Nowhere to Go," *CNN Online*. (October 27, 2016). Retrieved from https://www.unicef.org/media/media_92973.html

⁶¹ Gabriel Samuels, "Refugee Children Sexually Exploited in France," in *The Independent*. (June 13, 2016). Retrieved from <http://www.independent.co.uk/news/world/europe/refugee-children-being-sexually-exploited-and-forced-into-crime-by-traffickers-in-northern-france-a7079446.htm>

stipulates that the member countries must prevent, suppress and punish those guilty of trafficking. Moreover, it terms human trafficking as: "the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments and benefits to achieve the consent of a person, having control over another person, for the purpose of exploitation".⁶² Moreover, consistent with the UN, the objectives of human trafficking are numerous and "shall include, at a minimum, the coerced prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or removal of organs".⁶³ Likewise, the Council of Europe defines it as "a serious violation of fundamental human rights and human dignity and involves ruthless practices such as the abuse and deception of vulnerable persons, as well as the use of violence, threats, debt bondage and coercion".⁶⁴ The Council's definition stipulates that precise forms of exploitation are encouraged that aim for enforced criminality, such as, "pickpocketing, shoplifting, drug trafficking and other similar activities which are subject to penalties and imply financial gain".⁶⁵

Whether in Italy,⁶⁶ Greece,⁶⁷ France⁶⁸ or elsewhere throughout the European Union,⁶⁹ child refugee trafficking involves a wide-range of crimes. Apart from the sexual exploitation and enforced prostitution, these include organ mafia, benefit fraud, forced labour, slavery and various levels of criminality including begging, drug running,

⁶² *United Nations Office on Drugs and Crime*. (Accessed June 20, 2016) Retrieved from <https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>

⁶³ Ibid.

⁶⁴ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32002F0629>

⁶⁵ Ibid.

⁶⁶ Laurence Lee, "Italy Refugee Crisis: Gangs Running Child Prostitution Rings,"

Aljazeera Online. (June 1, 2017). Retrieved from

<http://www.aljazeera.com/blogs/europe/2017/06/italy-young-refugees-care-centre-reveal-dark-side-trafficking-170601050104059.html>

⁶⁷ Vasikia Digidiki and Jacqueline Bhabha. *Emergency within an Emergency: The Growing Epidemic of Sexual Exploitation and Abuse of Migrant Children in Greece*. Report. FXB Center for Health and Human Rights (Cambridge: Harvard University, 2015)

⁶⁸ Gabriel Samuels, "Refugee Children Sexually Exploited in France," in *The Independent*. (June 13, 2016). Retrieved from

<http://www.independent.co.uk/news/world/europe/refugee-children-being-sexually-exploited-and-forced-into-crime-by-traffickers-in-northern-france-a7079446.htm>

⁶⁹ Diane Taylor, "Child Refugees Forced to Sell Bodies in Europe," in *The Guardian*. (April 18, 2017). Retrieved from <https://www.theguardian.com/society/2017/apr/18/child-refugees-in-europe-forced-to-sell-bodies-to-pay-smugglers>

pickpocketing and theft.⁷⁰ Reports indicate that children are sold and pregnant women are trafficked into the EU in order for someone to buy their baby and sell it to the illegal market.⁷¹ What is most troubling is that there is a clear organized criminal element that is specially targeting child refugees most often for sex, and other forms of slavery, and that official authorities in Europe seems to be turning a blind-eye. The tragic irony of children, according to Europol, is getting worse.⁷²

Conclusion: The Responsibility to Protect

The European Union has a responsibility to protect the lives of the hundreds of thousands of unaccompanied and minor child refugees in their borders. They present a formidable challenge and pummels the very moral substance of Europe. It would be in Europe's immediate and long-term interest to welcome these child refugees in its own interest too, as they might pose even greater problems in the future. More significantly, it would be in Europe's and the world's best interest to intervene in conflict zones. As UN High Commissioner for Refugees Filippo Grandi says "Taking measures to reduce the number of refugees and migrants arriving in Europe, without, at the same time, stepping up peace-making, development, and safe pathways is morally unacceptable".⁷³

Despite official policies and statements in favor of child refugees the "EU remains incapable of creating legal entry channels for them and even creates obstacles that make their journey as burdensome as possible".⁷⁴ The result resembles a "morally disastrous version of some dystopian Hunger Games, where refugees are rewarded with the promise of generous social benefits and security if they are lucky enough to survive".⁷⁵

⁷⁰ Laurence Lee, "Italy Refugee Crisis: Gangs Running Child Prostitution Rings," *Aljazeera Online*. (June 1, 2017). Retrieved from <http://www.aljazeera.com/blogs/europe/2017/06/italy-young-refugees-care-centre-reveal-dark-side-trafficking-170601050104059.html>

⁷¹ "Child Trafficking in EU on the Rise." EU Observer. Accessed (June 3, 2017) <https://euobserver.com/justice/133482>

⁷² https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/situational_report_trafficking_in_human_beings-europol.pdf

⁷³ UNHCR. "Europe Refugee and Migrant Arrivals Fall but Abuse and Deaths Persist," UNHCR: UN Refugee Agency Online. Retrieved from <http://www.unhcr.org/news/press/2017/8/599ec5024/europe-refugee-migrant-arrivals-fall-reports-abuses-deaths-persist.html>

⁷⁴ Bruno Macaes, "Europe has Turned its Refugee Crisis into a Morally Disastrous Hunger Games," in *The Guardian*, (December 7, 2015). Retrieved from <https://www.theguardian.com/commentisfree/2015/dec/07/europe-refugee-crisis-hunger-games>

⁷⁵ Ibid.

Europe, now, must act and the following are some recommendations called for by leading international organizations, NGOs, the police force and civil-society representatives with the sole aim of protecting child refugees in Europe.

Recommendations

The first and foremost is the responsibility of the European Union States to play their role in extinguishing the flames of war wherever it may be, but most urgently in Syria. This may be done by avoiding and hampering others from militarily supporting either of the warring sides and standing against the oppressor. For the child refugees, specifically, some of the recommendations are presented below but they are not exclusive of this paper. Many of them have, in fact, been proposed by various institutions and organizations that are concerned about the phenomenon.

The general approach of repulsion towards refugees has to be changed and the Europe needs to learn from nations like Turkey and Pakistan to become more welcoming and supportive to the victims of war and persecution. All refugee camps must have places of special care that are secure for and specific to unaccompanied child refugees. Strict entry and exit practices from camps should be put in place to ensure safety and security, especially in areas where child refugees are being housed. These children must be offered unconditional support, and officials must act on the basis of the 'best interest' rule. Children must have the legal support and representation in their best interest in the proceedings related to custody or otherwise.

A general attitude of support and coordination with those working in refugee camps with the aim of implementing uniformity of practices and distributing information that enables access to all children needs to be demonstrated.⁷⁶ Organizational workers, police forces, *ad hoc* administrators and volunteers would require regular trainings on child protection. The EU and individual governments should dedicate sufficient resources to the system that enables family reunification, while ensuring that the child refugees receive reliable information regarding the family reunification procedure under the Dublin Regulation. An active partnership with the local religious and cultural organizations, especially those with similar backgrounds as the refugees may assist local governments in supporting child refugees.

In order to avoid trafficking of child refugees, the EU states need to increase investigation and prosecution of traffickers, particularly when

⁷⁶ Ibid.

the reports of trafficking are coming consistently. This would require fool proof registration and care of all refugees and use of modern technology to collect evidence relating to the crime. Systems providing long-term support should be put in place, which will help to meet specific needs of trafficked persons. Awareness campaigns for people at risk and for the local community need to be launched to prevent trafficking and help identify the crime and criminals for police.

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