

## Fact-Sheet on the Impact of the Economic Crisis on Migration and Children's Rights

### A. Introduction

The realization of the human rights of migrants and their families presents one of the most challenging of all human rights issues.<sup>1</sup> Children and adolescents are particularly vulnerable in the context of migration,<sup>2</sup> and the risks of violations of their rights have been exacerbated by the global economic and employment crisis.

The current crisis is having a substantial impact on the lives, rights, and needs of migrant children and other children affected by migration, including children left behind in countries of origin and children born in destination and transit countries.

### B. Key findings

Preliminary evidence highlights the crucial need to address the significant impacts of the current crisis on the economic, social, and cultural rights of children affected by migration.

**Employment:** Initial evidence suggests that the unemployment rate of migrants has increased worldwide since last year, surpassing the unemployment rate of national workers.<sup>3</sup> Temporary migrant workers, particularly undocumented migrants, have suffered increased pay cuts, deterioration of working conditions and deprivation of health care services.<sup>4</sup>

**Migration Control Policies:** Protection of children's rights—and the principle of best interests of the child—have been undermined by increasingly restrictive migration laws and harsher enforcement.<sup>5</sup> Migrants, and migrant children, in irregular situations have been especially affected.<sup>6</sup>

In various countries, family reunification regulations have become more severe, imposing new restrictions that make reunification more difficult.<sup>7</sup> Additionally, there is growing evidence that some states have adopted harsher deportation and detention policies, such as raids against irregular migrants, abuses at borders, criminalization of irregular migrants and deportation of parents of children born in destination countries.<sup>8</sup>

**Xenophobia:** In some destination countries, there has been an increase in xenophobic discourse and acts against migrants, including physical violence and xenophobic public statements by political groups and officials.

**Social Integration:** Discrimination in the provision of public services, which are even more essential during the current crisis, may contribute to the impoverishment and social stagnation of social groups in vulnerable conditions,<sup>9</sup> including migrant children.

**Child Labour:** ILO has highlighted the risk of female children and adolescents being forced into child labour as a result of the crisis, particularly girls from families that give educational preference to boys.<sup>10</sup>

**Human Trafficking:** Recent evidence from Southeast Asia has highlighted the increased vulnerability of children and adolescents to human trafficking within the context of the financial crisis.<sup>11</sup> Increased poverty, limited social services as well as more restrictive migration control policies in destination countries are expected to expose even more migrant children and adolescents to human trafficking and sexual exploitation.<sup>12</sup>

**Remittances:** Current projections estimate that remittance flows to all developing regions will decline by 7% to 10% in 2009.<sup>13</sup> Reduced remittances are already having an impact on children left behind. Preliminary results from UNICEF research show that reduced incomes are forcing some households to delay payments of school fees, take their children out of school, or reduce health care expenses.<sup>14</sup>

### C. Gaps & Challenges

Pervasive gaps and challenges include:

- The lack of disaggregated data to assess the impacts of the economic crisis on children in the context of migration hinders the design of effective public policies.
- A general lack of policy initiatives specifically targeted to ensure welfare and well-being of migrant children, regardless of migration status.
- Exacerbation of material and social risks for migrant children as a consequence of the global crisis given the high proportion of migrant children living in low income households and rising unemployment affecting their households.<sup>15</sup>
- Xenophobic discourse and acts increase likelihood that children of migrants and of immigrant origin parents will experience discrimination, abuse and degrading treatment.
- Decreased remittances reduce the means to provide nutrition, schooling, healthcare and housing for children of migrants and others remaining in communities of origin.
- Worsening of the root causes of migration, particularly the absence of decent work and means to livelihoods, is likely to increase irregular migration in which children are particularly at risk of abuse, violence and exploitation.

### D. Policy Suggestions

The economic crisis brings opportunities to address migration—at national, regional, and global levels—through a comprehensive and coherent rights-based approach that is both child and gender sensitive.

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### 1. Adopt child and gender-sensitive policies safeguarding human rights and best interest of all migrant children:

- Ensure equal and full access to education, social services and health care for all migrant children.
- Facilitate family reunification to strengthen integration and prevent family separation and child vulnerability.
- Prevent, condemn and prosecute xenophobic speech and acts.
- Facilitate access to legal migration channels and to regularization in migration, employment and social development policies aimed at overcoming the crisis.
- Avoid detention of children, both unaccompanied and with families, in migration procedures (e.g., repatriation, deportation). Alternative measures should be provided in both cases.
- Prioritize the best interests of the child within repatriation measures, especially those concerning unaccompanied children, and provide legal and humanitarian alternatives to repatriation when it is determined that repatriation is not in his/her best interest or involves serious risk for the child.<sup>16</sup>
- Ensure that gender equality is always respected and accounted for when developing policies and programmes.

### 2. Address impacts of decreased remittances, and reduced employment in countries of origin:

- Policies and programmes that support and protect children (including social protection, basic health care and nutrition, education and child protection services) must be maintained and, where possible, expanded to accommodate households in at-risk areas severely impacted by diminishing remittance flows.
- Expand job creation measures and support decent work conditions in countries of origin.

### 3. Improve collection of accurate and disaggregated data to assess crisis impacts on children and to devise effective remedies:

- Establish indicators on protection of children in the specific context of migration.
- Engage national human rights mechanisms in assessing the impact of the crisis as well as of discrimination and xenophobia on migrant children.

### Bibliography

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- <sup>16</sup> See the "Regional Guidelines for the Assistance to Unaccompanied Children in Cases of Repatriation" adopted by the Regional Conference on Migration (RCM) in Mexico City in June 2009.

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