

Protecting human rights of unaccompanied children: national and European remedies

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The intensification of the migratory flow from non-European countries to European states has increased the possibility of children to move from their own state of origin to another, searching best opportunities.

My presentation focuses on the issue of migrant children, in particular unaccompanied minors. They are generally foreign persons under the age of 18, who arrive, often illegally, on the European territory without a responsible adult who take care of them.

The phenomenon has imposed an intensive work of “modernization” in order to provide an adequate response to the needs of migrant children and to ensure adequate standards of living aimed to facilitate integration.

The starting point is the absence of a coherent and ordered regulations which make difficult to comprehend the minor’s problems and remedies both at national and European level.

The “reconstruction” of the fragmentary regulation is the goal of the presentation. The protection of children human rights, in the light of the UN Convention on the Rights of the Child 1989, is the objective of my analysis conducted through the study of national laws and the European regulation.

The need of uniform discipline, primarily, concerns: identification of the child (his identity data, age, status of asylum seeker, etc.), procedure to trace for parents or family, for the appointment of a guardian or foster care, access to health services or education and procedure of eventual repatriation or long term placement, etc..

I will suggest a comparative analysis on the issue aimed to identify European “guidelines”.