



# **BARRIERS TO ACCESSING CHILD PROTECTION IN FRANCE**

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# INTRODUCTION

## CHILD PROTECTION UNDER INTERNATIONAL LAW

The Convention on the Rights of the Child was the first international instrument which explicitly recognized children as both social actors and active holders of rights<sup>1</sup>.

Every child has inalienable rights<sup>2</sup> and France, as a signatory of the International Convention on the Rights of the Child (CRC)<sup>3</sup> is legally bound to respecting and assuring these rights. Children are rights-bearers, and the state is the primary duty-bearer, with a responsibility to respect, protect and fulfil children's rights. Under their obligations states cannot take any actions or impose any measures that are contrary to the rights guaranteed by the treaty, and have to provide assistance or services which enable

children to fully realize their rights.

The protection of children's rights is a duty, not a political choice. According to Article 3.1 of the CRC, in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child must be the primary consideration.



CHILD PROTECTION  
IS A DUTY, NOT A  
POLITICAL CHOICE.

Photo credit: Abdul Saboor

<sup>1</sup> <https://data.consilium.europa.eu/doc/document/ST-6846-2017-INIT/en/pdf>

<sup>2</sup> According to Article 2 of the UNCRC.

<sup>3</sup> <https://www.unicef.fr/sites/default/files/convention-des-droits-de-lenfant.pdf>

Article 22 states that *'States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee... whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present convention'*<sup>4</sup>. Obligations to protect all children residing within state territory are set forth in numerous treaties and conventions, including Article 24 of the 1966 International Convention on Civil and Political Rights<sup>5</sup>, Article 24 of the Charter of Fundamental Rights of the European Union<sup>6</sup> and Article 2 of the Lisbon Treaty<sup>7</sup>. In France, child protection falls under the jurisdiction of the Departmental Councils under the 1982 decentralisation law, according to Article L.226-3 of the *Code de l'Action Sociale et des Familles* and *Law No. 2007-293 of 5 March 2007*.

In Northern France, there are serious concerns over barriers to accessing child protection services and a widespread lack of safeguarding procedures in place for both accompanied and unaccompanied children. According to Article 20.1 of the CRC, a child temporarily or permanently deprived of his or her family environment, or in whose own best interests it cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State. However, as this report will show, both accompanied and unaccompanied children face barriers in accessing child protection services.

## DISPLACED CHILDREN ARE EXCLUDED FROM THE FRENCH STATE'S CHILD PROTECTION POLICIES AND THUS, WHOLLY UNPROTECTED.

Ineffective safeguarding procedures and inadequate child protection provisions are a historical feature of the hostile politics at the franco-british border. Displaced children often fall outside the French state's child protection practices and thus, are left wholly unprotected<sup>8</sup>. The dismantling of the Calais Jungle in 2016 is a critical example of failures to implement child protection protocols, with one in three child migrants reported missing following the dismantlement of the camp<sup>9</sup>. The 2019 landmark case, known as 'Khan vs France'<sup>10</sup> held the French state accountable for their failures to protect children during the dismantlement of the camp which resulted in Khan, a 12-year-old unaccompanied minor (UAC) at the time being put in an extremely vulnerable position for one month with no access to accommodation, essentially left to fend for himself. This report will document the continued failings to protect displaced children at the franco-british border, focusing specifically on the barriers to accessing child protection for accompanied children.

4. Article 22 of the UNCRC.

5. [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=en)

6. [https://www.europarl.europa.eu/charter/pdf/text\\_en.pdf](https://www.europarl.europa.eu/charter/pdf/text_en.pdf)

7. <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:FULL:EN:PDF>

8. See section on child protection and covid-19 for further examples of when displaced children in Northern France were left unprotected during the global pandemic.

9. <https://www.reuters.com/article/uk-europe-migrants-children/one-in-three-child-migrants-missing-after-calais-jungle-closure-charity-idUKKBN13127T>

10. <https://www.asylumlawdatabase.eu/en/content/ecthr-khan-v-france-no-1226716-28-february-2019>

# BARRIERS TO ACCESSING CHILD PROTECTION

## A. ABSENCE OF CHILD PROTECTION FACILITIES AND SERVICES

*“L’aide social à l’enfance” (ASE) is a form of social support for children and families of the Departmental council. It is aimed at families who have acute material or educational difficulties with regards to their children”, in particular: “to provide material, educational and psychological support both to minors and their families or to any holder of parental authority, who are confronted with difficulties that may endanger their health, safety or morals or seriously compromise their education or physical, emotional, intellectual and social development, and to emancipated minors and adults under the age of 21 who are confronted with social and educational family difficulties that may seriously compromise their equilibrium.” Although the Nord and Pas-de-Calais departments have set up systems to meet the protection needs of UACs, they are insufficient and don’t provide adequate protection for all children.<sup>12</sup>*

THE STATE DOES NOT PROVIDE ANY MATERIAL OR EDUCATIONAL SUPPORT.



Photo credit: Abdul Saboor

<sup>11</sup> According to [L. 222-1 et suivants du Code de l'Action Sociale et des Familles](#)

<sup>12</sup> <https://www.secoures-catholique.org/publications/les-manquements-des-autorites-francaises-aux-devoirs-elementaires-de-respecter-protger> p.20

Further, for accompanied children, the state does not provide any material or educational support leaving them reliant on grass-roots organisations to provide them with clothing, sheltering materials and informal education sessions<sup>13</sup>. During our play sessions, we have seen children leave the session early to help their parents get a tent, some firewood or food.<sup>14</sup> Some parents have told us that their children went to bed hungry because the food was not suitable for them. Children have reported to us that they are scared in the camp especially in the nighttime, that they have trouble sleeping because; they feel unsafe, the harsh weather conditions and freezing temperatures make it too cold to sleep and the frequent eviction operations which often occur early in the morning.<sup>15</sup> Play is vital for children's social, emotional, cognitive and physical well-being - in short- it is fundamental to their right to be a child. The conditions needed in order to effectively engage in play include freedom from stress, freedom from social exclusion, prejudice or discrimination and an environment secure from social harm or violence.<sup>16</sup> For the children we work with who are growing up in informal settlements, they are living in extremely challenging and traumatising environments, exposed to high levels of stress and alarming levels of childhood trauma. Effective systems of child protection and the provision of adequate accommodation centres are vital to ensure that this group of vulnerable children have their protection needs met.

## THE CHILD PROTECTION SERVICES OF THE NORTH DEPARTMENT ARE ABSENT FROM THE CAMPS.

There is either a widespread lack of access to reliable, comprehensive, age and language appropriate information for children, or a complete absence of it as in Grande-Synthe. Indeed, the child protection services of the North department are absent from the camps, for both UAC and AC's. In Grande-Synthe, there are no associations mandated by the State, no maraudes, no safe and adapted place to identify, assess, protect and support both UACs and AC's<sup>17</sup>. For AC's, the association Afeji, is mandated to provide emergency shelter (CAES) to single men

and families. But the State doesn't give them the means to provide adequate protection to AC's. Moreover, the judicial recourse (information préoccupante) to alert and protect these specific vulnerable children, used by associations or citizens, is ineffective. Utopia 56 have made multiple alerts and in some cases received no response, leaving minors alone and in danger<sup>18</sup>.

In 2020, 2,250 members of families passed through the Refugee Women Centre in Calais and Grande-Synthe<sup>19</sup>. Refugee Women's Centre provides material support for these families, including sheltering materials, clothing, hygiene items and baby milk. These families face barriers accessing essential services and support structures, which in many cases were unavailable to them. For the second winter in a row in 2020, no emergency accommodation was opened up in Grande-Synthe for families, with temperatures dropping to minus 7 degrees. Specifically in February and March, it became increasingly difficult to run our sessions, as sub-zero temperatures and heavy snow made the living conditions in the camps unbearable. The water point in Grande-Synthe froze over and organisations on the ground began to conduct hypothermia maraudes. During the sessions we were able to run, children came to us to say they wouldn't be able to play today because it was too cold. Other children who did come were visibly shaking from the cold, rubbing their hands together to try and keep warm.<sup>20</sup> It is unacceptable that these children were sleeping outdoors in freezing temperatures, at risk of hypothermia and other life threatening diseases.

13. Testimony from Refugee Women's Centre.

14. See our report : [https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156\\_4865186c5f264ad6b5c139962958df6c.pdf](https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156_4865186c5f264ad6b5c139962958df6c.pdf)

15. Testimony from Project Play Volunteer.

16. <https://www.refworld.org/docid/51ef9bcc4.html>

17. Families and unaccompanied minors who arrive in camps in northern France are not automatically taken to reception centers. For families, access to shelters is extremely difficult if they do not want to apply for asylum in France. For more information on St Omer, the child protection center for unaccompanied minors, please see the "Impact of the lack of safe legal channels" section.

18. Testimony from Utopia56.

19. <https://refugee-rights.eu/2021/03/07/international-womens-day-update-on-the-situation-in-northern-france>

20. Testimony from Project Play volunteer.

THE INACCESSIBILITY OF  
COMMUNITY-BUILDING  
MEANS THAT FAMILIES CAN  
OFTEN BECOME ISOLATED.



Photo credit: Abdul Saboor

The lack of protection and care provided to families by the state is alarming. The reliance on grass-roots associations for basic needs puts extreme pressure on the organisations to fill in the gaps in healthcare provision, shelter, food and information<sup>21</sup>. The only access families have to their right to state shelter is through the Afeji maraudes, an association mandated by the state to refer displaced people to shelters. However, these maraudes have been denounced as inadequate and insufficient in view of, among other things: the very limited geographical scope of the maraudes, which does not cover all the places where children live; the lack of pro-activity towards ACs and UACs; and the association of the maraudes with eviction and police operations<sup>22</sup>.

In addition, these maraudes aim to shelter people temporarily, often for a maximum period of one month after which you are required to submit an asylum application in France. However, this is not necessarily the wish of the families, many of whom wish to continue on to the United Kingdom. This condition, in fact, hinders the only potential access to the protection system for accompanied children, contrary to the principles of non-discrimination set out in article 2 and 20 of the CRC and article L.111-2 of the Code of Social Action and Families. Moreover, once in these centres many families testify that the living conditions inside are extremely difficult with a lack of access to services and appropriate support, lack of access to education for their children, and a lack of material support:

*"Though there are social workers in these centres, they are frequently understaffed - with one social worker for as many as 250 individuals. Therefore, advanced support for children in these contexts - particularly in cases of domestic abuse, child neglect, or where more complex medical or psychological support is needed*

*- is often non-existent. Many centres are converted retirement homes or hotels, and the density of individuals and lack of private space within them means that access to private family life and independence is difficult<sup>23</sup>. Under these conditions, many of the families we work with choose to leave the centres and return to the informal outdoor settlements in Calais or Grande-Synthe."*

In Calais, the provision of emergency shelter for women and families is more advanced than in Grande-Synthe, with a moderately effective emergency shelter provision ensuring many women and children have access to indoor shelter during the winter months. Nonetheless, this is very much the basic level of provision, with many women expressing that the lack of kitchens, uncleanliness, inadequate provision of food and clothing, and temporary nature of this emergency shelter makes it very difficult for them to live there. For many families that we work with, the importance of community in shared responsibility for children, family mediation, access to information, and support is paramount. In Northern France, the lack of access to stable shelter and frequent evictions threatens the creation of community deeply. The inaccessibility of community-building means that families can often become isolated, further endangering their access to support and to protection.

For unaccompanied minors, although there is an association, FTDA, in Calais, with a mandate for UAC *"the specific marauding remains insufficient to meet the needs observed in the field and is not adapted to all the situations encountered"*<sup>24</sup>. Finally, there are also gaps in implementing child protection protocols at police stations or hospitals. This is due to a "lack of training and accountability mechanisms" and individuals not always respecting *"their obligation to report any child in danger they encounter... contributing to their increasing distance from protection mechanisms"*<sup>25</sup>.

21. For more info on the barriers women and girls face- <https://refugee-rights.eu/2021/03/07/international-womens-day-update-on-the-situation-in-northern-france>

22. <https://www.medecinsdumonde.org/fr/actualites/publications/2020/10/05/les-manquements-des-autorites-francaises-pour-protger-les-mineures-isolees-etrangeres>, p. 20.

23. Testimony from Refugee Women's Centre.

24. Ibidem. p.20

25. Ibidem. p. 21

DISPLACED COMMUNITIES IN NORTHERN FRANCE ARE DAILY VICTIMS OF DISCRIMINATION BY THE POLICE, FACING VIOLENCE, HARASSMENT AND INTIMIDATION.



Photo credit: Abdul Saboor

## B. RELATIONSHIPS WITH AUTHORITIES

The relationships between children and the authorities in Northern France is one of distrust and often hostility. Unaccompanied minors in particular have been reported to be victims of police violence,<sup>26</sup> have been detained for long periods of time and face massive protection gaps.

Article 2 of the UNCRC states that 'States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment'<sup>27</sup>. However, displaced communities in Northern France are daily victims of discrimination by the police, facing violence, harassment and intimidation. Project Play works with accompanied children, mostly between the ages of 6 to 12 years old. During our sessions we have received disclosures from children who witnessed police violence towards their family members, we have seen children become fearful, anxious and distressed in the presence of police shouting 'leave' at them. We have had children ask us to tell the police to stop scaring them, to leave them alone. It is clear that the children have a relationship of fear and mistrust with the police, they do not see them as their protectors and often mimic their negative interactions with the police through play.

As pointed out by Milteer and Ginsburg, play is a tool children use to deal with upsetting events through dramatizing them, allowing them to explore different feelings and cope with confusion<sup>28</sup>. In 2018, a group of children who Project Play worked with created a play in which they played out the roles of different actors they have met during their migratory journey. "During the play the three women met with a smuggler in a park, where they were put on a lorry. They were subsequently found by a police officer, and a border

control officer who had a dog. The play ended with the women running away from the dog"<sup>29</sup>. We have also witnessed children pretending to hold large guns or batons, carrying out pretend pat downs on one another. Through their imaginative play sessions, the children act out their life experiences, experiences which highlight exposure to alarming levels of childhood trauma. Negative interactions and relationships with the authorities are not isolated to Northern France with children disclosing incidences of violence and harassment by the authorities along all points of their migratory journey.

Under the UNCRC the French state has a responsibility to ensure all state actors are acting to uphold the best interests of the child principle. The nature of the interactions between the authorities and children living in the camp drastically suggests a complete disregard for any and all best interests of the child. While the police have a role to play in child protection, the security policy approach to displaced families and children at the border and the hostile nature of the relationship as a consequence between the police and the communities obstructs real and effective protection: "Preventing these children from seeing the authorities as a means of accessing protection and leading to dysfunction in the police station's referral of EIMs to child protection mechanisms"<sup>30</sup>.

<sup>26</sup> <https://www.hrw.org/report/2017/07/26/living-hell/police-abuses-against-child-and-adult-migrants-calais>

<sup>27</sup> Article 2 of UNCRC.

<sup>28</sup> <https://pediatrics.aappublications.org/content/119/1/182>

<sup>29</sup> [https://refugee-rights.eu/wp-content/uploads/2019/08/RRE\\_ChildrenInCalais-web.pdf](https://refugee-rights.eu/wp-content/uploads/2019/08/RRE_ChildrenInCalais-web.pdf)

<sup>30</sup> <https://www.secoures-catholique.org/publications/les-manquements-des-autorites-francaises-aux-devoirs-elementaires-de-respecter-protoger-p.21>

## C. EVICTION OPERATIONS

The frequent eviction operations contribute to a relationship of hostility and mistrust. In Calais, eviction operations are carried out every 48 hours and in Grande-Synthe they happen numerous times per week. In 2020 alone the Human Rights Observation Team reported 973 evictions in Calais<sup>31</sup>.

EVICTION OPERATIONS ARE PART OF THE POLITICS OF EXHAUSTION PLAYED OUT AT THE NORTHERN FRANCE BORDER AND VIOLATE NUMEROUS CHILDREN'S RIGHTS.



Photo credit: Abdul Saboor

<sup>31</sup> <https://twitter.com/HumanRightsObs/status/1345080540832161794>

Eviction operations are part of the politics of exhaustion played out at the Northern France border and violate numerous children's rights<sup>32</sup>. Evictions violate obligations to protect children, as they result in temporary shelter arrangements being destroyed, personal belongings confiscated, uprooting of children from their living environments and can result in the separation of family members<sup>33</sup> violating Article 8 of the European Convention on Human Rights<sup>34</sup> and Article 23 of the 1966 Convention on Civil and Political Rights<sup>35</sup>. We have received multiple disclosures from children who had their tents destroyed or confiscated, and personal belongings taken. As a consequence of this, we have had children who are unable to come to play sessions because they had to go with their parents to try and find new shelter. Further, prior to an eviction operation, some children are too scared to come to our play sessions because they fear that their tent will be taken by the police if they leave it unattended.<sup>36</sup> All of the children we work with face barriers in accessing their basic needs, and eviction operations have a direct impact on their ability to have their basic needs met.

## SOME CHILDREN ARE TOO SCARED TO COME TO OUR PLAY SESSIONS BECAUSE THEY FEAR THAT THEIR TENT WILL BE TAKEN BY THE POLICE IF THEY LEAVE IT UNATTENDED.

The French circular of 26/08/2012, states that a global and individual social assessment is to be carried out prior to each evacuation. These evaluations should assess and act accordingly to the best interests and needs of the children. But they never do. Furthermore, during eviction operations, there are often no French state child protection services in Calais, and never in Grande-Synthe. In March of 2019, RDV, the old big jungle, was permanently evicted. The eviction had been planned a number of weeks prior and the child protection services had been informed about when it would take place. However, the Refugee Youth Service team at the time reported that there was a significant lack of provisions and safeguarding put in place especially in the case of unaccompanied minors. There were no French state child protection services on site to offer guidance or make provisions for this vulnerable group of children. As a result, minors ended

up being placed on buses with adults and taken to adult accommodation centres<sup>37</sup>.

These accommodation centres are sometimes very far from Northern France (Paris, Toulon, Lyon, Marseille, Avignon) or alternatively they are left in the street without any referral to child protection systems. This increases their risk of them being exploited and lured in by smuggling gangs<sup>38</sup>. The absence of provisions for unaccompanied minors at evictions emphasises the continued neglect on behalf of the French state towards this vulnerable group of children. The French authorities are consistently failing to identify minors in Northern France, and thus are failing to enact the appropriate child protection and safeguarding protocols.

One of the children we work with told us how following an eviction of the camp in Grande-Synthe, he and his family were taken to a centre far away. The following day they had to walk 6 hours to return to the camp, and found that all of their belongings had been taken.<sup>39</sup> Testimonies like this one are not unusual, with multiple cases of children being too tired to play because they had spent hours walking back from an accommodation centre after an eviction operation. The experiences of constant uprooting from the camps are extremely distressing for these children, and ultimately lead to exhaustion and fear of the authorities. The consequences of evictions on access to child protection are obvious: disappearance of children, destabilisation of existing identification, guidance and information systems, loss of confidence in the authorities in charge of protecting them, loss of landmark, fragility and harmful impacts on their mental health.

<sup>32</sup> [https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156\\_4865186c5f264ad6b5c139962958df6c.pdf](https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156_4865186c5f264ad6b5c139962958df6c.pdf)

<sup>33</sup> [https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156\\_4865186c5f264ad6b5c139962958df6c.pdf](https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156_4865186c5f264ad6b5c139962958df6c.pdf)

<sup>34</sup> [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)

<sup>35</sup> <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<sup>36</sup> See our report : [https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156\\_4865186c5f264ad6b5c139962958df6c.pdf](https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156_4865186c5f264ad6b5c139962958df6c.pdf)

<sup>37</sup> Testimony given to a Refugee Info Bus volunteer in 2019.

<sup>38</sup> [https://refugee-rights.eu/wp-content/uploads/2019/10/RRE\\_LeftOutInTheCold.pdf](https://refugee-rights.eu/wp-content/uploads/2019/10/RRE_LeftOutInTheCold.pdf)

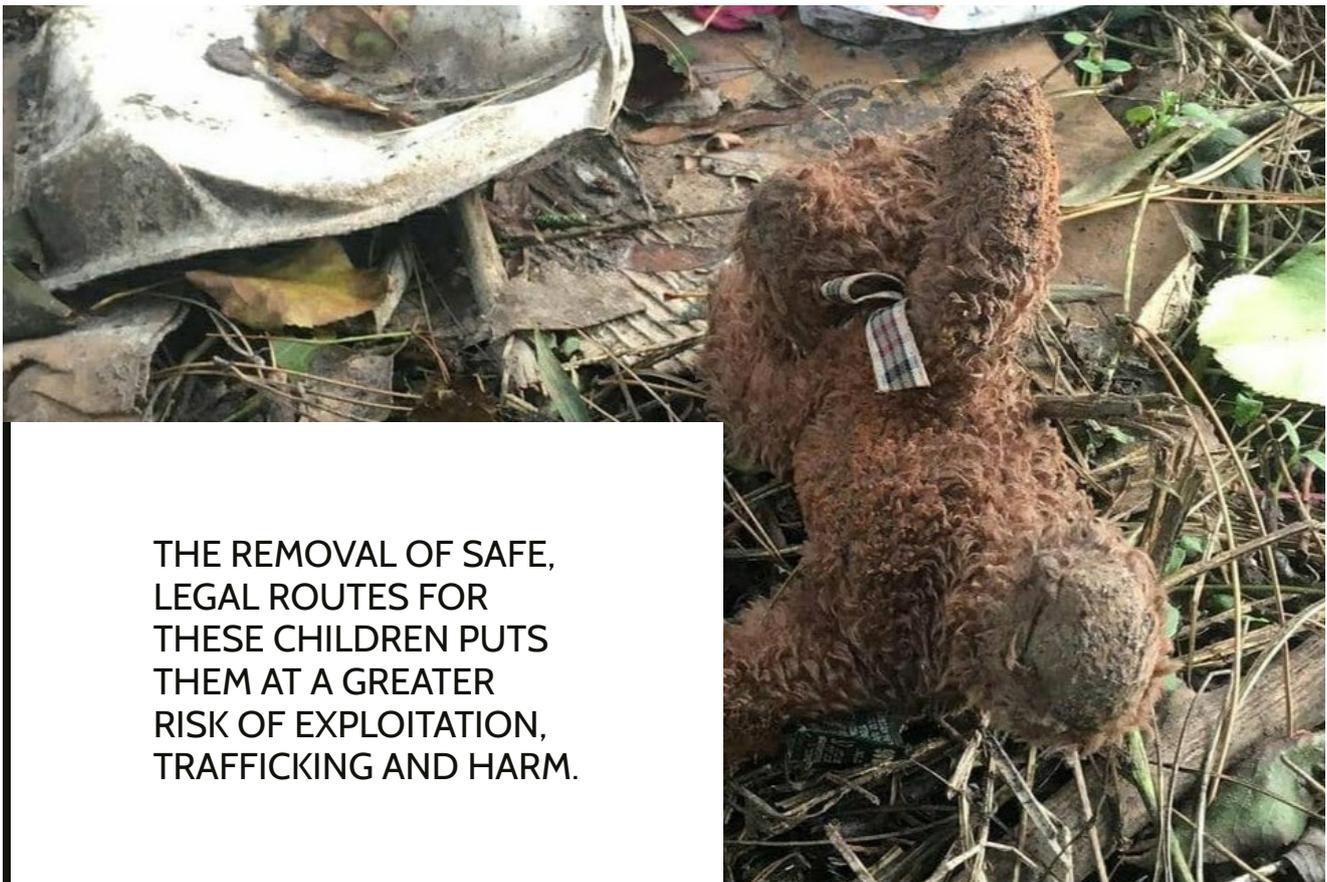
<sup>39</sup> [https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156\\_4865186c5f264ad6b5c139962958df6c.pdf](https://df428edc-01fe-41b8-8bb5-b090f26e398c.filesusr.com/ugd/6fd156_4865186c5f264ad6b5c139962958df6c.pdf)

## D. IMPACT OF LACK OF SAFE, LEGAL ROUTES

The right to family life and reunification is protected under multiple treaties, including Article 10 of the UNCRC<sup>40</sup> and Article 17 and 23 of the 1966 Convention on Civil and Political Rights.<sup>41</sup>

The Dubs Amendment was implemented following the dismantling of the Calais Jungle to ensure that unaccompanied children had a legal route to enter the UK and reunite with their family members. Children who qualified under the Dubs Amendment were required to wait for their application to be accepted in the St Omer processing centre<sup>42</sup>. Those who resided in this centre reported widespread lack of child protection safeguards, including extremely long waiting times, no access to education, a lack of trained staff and feelings of isolation and loneliness. The long waiting times resulted in multiple minors returning to the informal camps as they became frustrated with waiting months on end with no answer<sup>43</sup>. Article 10 of the UNHCR calls on family reunification cases to be dealt with in a “positive, human and expeditious manner”, acknowledging that it is within children's best interests to be reunited with their family members.

Upholding the best interests of the child is a fundamental part of the UNCRC. Arguably, the bureaucratic nature of family reunification cases resulting in extremely long waiting times violates Article 3 of the convention, disregarding children's best interests. Although the UNCRC is not directly incorporated into UK domestic law, the Children's Act of 1989 and Section 55 of the Borders, Citizenship and Immigration Act 2009 ensure the best interests of the child principle are upheld. With the ending of the Dubs Amendment in May 2020, organisations working with unaccompanied children in Northern France are extremely worried about the closure of safe legal routes of passage. On the 26th of January 2021, Chris Philip, the UK Immigration minister announced that the UK would no longer give sanctuary to unaccompanied minors who don't have family members in the UK<sup>44</sup>. The removal of safe, legal routes for these children puts them at a greater risk of exploitation, trafficking and harm.



THE REMOVAL OF SAFE, LEGAL ROUTES FOR THESE CHILDREN PUTS THEM AT A GREATER RISK OF EXPLOITATION, TRAFFICKING AND HARM.

Photo credit: Project Play

<sup>40</sup> <https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

<sup>41</sup> <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

<sup>42</sup> [https://refugee-rights.eu/wp-content/uploads/2019/10/RRE\\_LeftOutInTheCold.pdf](https://refugee-rights.eu/wp-content/uploads/2019/10/RRE_LeftOutInTheCold.pdf)

<sup>43</sup> [https://refugee-rights.eu/wp-content/uploads/2019/08/RRE\\_ChildrenInCalais-web.pdf](https://refugee-rights.eu/wp-content/uploads/2019/08/RRE_ChildrenInCalais-web.pdf)

<sup>44</sup> <https://www.independent.co.uk/news/uk/home-news/child-refugees-legal-route-home-office-b1792353.html>

# CHILD PROTECTION UNDER COVID-19

Article 2 of the UNCRC requires states to respect, protect and ensure all rights to all children without discrimination on any grounds.<sup>45</sup>

During the Covid-19 pandemic, government leaders introduced hard-hitting restrictions on society, in order to try and prevent the spread of Covid-19. These restrictions were introduced under the banner of protection, and continued messages of 'no one left behind' were put out by governments across the world. Yet, refugee and displaced communities across Europe were left outside of Covid-19 protection protocols. In Calais, the state-run food distribution service suspended services, putting extreme pressure on NGOs in the area to provide adequate food provision to over 1,000 people. In Grande-Synthe, water taps and electrical points were removed, further isolating the communities and creating extreme water insecurity. Living conditions inside the informal camps in Northern France are extremely unsanitary, with no sanitary facilities put in place and no options to socially distance from other community members. Eviction operations continued during the global pandemic, disrupting emergency service provision and pushing communities further to the margins of society, pushing them further from food and water provisions.

## EVICITION OPERATIONS CONTINUED DURING THE GLOBAL PANDEMIC, DISRUPTING EMERGENCY SERVICE PROVISION AND PUSHING COMMUNITIES FURTHER TO THE MARGINS OF SOCIETY.

The removal of protection protocols during Covid-19 is not isolated to Northern France, rather it is widely reported across France. In many areas including in the Alps region and in Marseille, unaccompanied migrant children were abandoned during the pandemic, forced to live in overcrowded places where they could not be protected from the spread of Covid-19. In Marseille, accommodation was refused by the authorities for unaccompanied minors despite juvenile and administrative judges' orders to do so.<sup>46</sup> Children's rights don't disappear because we are in an emergency situation. Yet, in Northern France we saw further barriers to the most basic of rights, including access to food and water, to healthcare and shelter. The children we work with have their rights continually violated and are left wholly unprotected. They are not afforded the rights enshrined to them under the UNCRC, growing up in extremely isolated and volatile environments, unsuited to their conditions as children. All of the rights under the UNCRC are interdependent and indivisible, thus the violation of one right prevents the enjoyment of all other rights. As the French state continues to enact and push for policies which violate children's rights, the children we work with continue to face precarious situations, where they are living their lives in limbo, exposed to further risk and harm.

<sup>45</sup> <https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

<sup>46</sup> <https://www.hrw.org/news/2020/04/02/european-court-orders-france-protect-unaccompanied-migrant-child>

# DEATHS AMONG CHILDREN AT THE BORDER

The crossings from Northern France to the UK are extremely dangerous. The risks involved are known to both British and French authorities, yet they continue to refuse to put in place adequate safe routes of passage so that no one has to take these life-risking routes.

In October 2020, a family lost their lives in the channel as the boat they were on capsized when in the water. Three young children, aged 9, 6 and 15 months, lost their lives that day. A recent report states that over 290 deaths have occurred at the border crossings between Belgium, France and the UK, a result of the hostile juxtaposed border arrangements between these countries. Of these deaths, approximately 39 were children<sup>49</sup>. Each of these deaths was an avoidable tragedy. The provision of effective protection systems would prevent children from finding themselves in risky, and indeed life-threatening situations.



THE RISKS INVOLVED ARE KNOWN TO BOTH BRITISH AND FRENCH AUTHORITIES, YET THEY CONTINUE TO REFUSE TO PUT IN PLACE ADEQUATE SAFE ROUTES OF PASSAGE.

Photo credit: Project Play

<sup>49</sup> <https://irr.org.uk/wp-content/uploads/2020/11/Deadly-Crossings-Final.pdf>

# PROJECT PLAY RECOMMENDATIONS

- The establishment of child and family friendly accommodation centres in northern France, without time constraints and without conditionality to apply for asylum in France. These centres must provide dignified living conditions, giving children and their families a safe environment in which children can be children.
- The creation of an effective marauding to meet, inform and direct children and families to the appropriate protection system in a language that they understand.
- We call on the French and British governments to respect their legal obligations under the the UNCRC by upholding the principle of the best interests of the child. This includes stopping eviction operations, creating dignified living conditions and the opening of safe and legal routes to UK.



Photo credit: Abdul Saboor





[WWW.PROJECT-PLAY.ORG](http://WWW.PROJECT-PLAY.ORG) | [INFO@PROJECT-PLAY.ORG](mailto:INFO@PROJECT-PLAY.ORG) | [@PROJECTPLAYFRANCE](https://www.instagram.com/PROJECTPLAYFRANCE)