

Panel:

"HUMAN RIGHTS AND BOY, GIRL AND TEENAGE MIGRANTS."

EXPERIENCES IN THE CARE OF MIGRANT MINORS

Juan Carlos Garduño Coronel
Officer for the Protection of Infants (OPI)

OFFICER FOR THE PROTECTION OF INFANTS PROGRAM

Comprehensive Training Plan for Child Protection Officers (*OPIS*).

- *Officer for the Protection of Infants (OPIS)* come from a model for the protection of unaccompanied migrant children and adolescents designed by various institutions.
- They were chosen according to a profile prepared by the National System for Comprehensive Family Development (*DIF*).
- The program is an inter-agency agreement between the National Institute of Migration (*INM*) and *DIF*, whose fundamental origin is the Convention on the Rights of the Child (ratified by Mexico on September 21st, 1990).

What is meant by child?

- ▶ Human being under 18 years of age.
- ▶ Incorrect term "MINOR."

Rights under the Convention on the Rights of the Child (*CDM*).

- ▶ **Survival.**- Right to life and to have basic needs covered.

- ▶ **Development.**- Right to play, to information, freedom of expression and recreation.
- ▶ **Protection.**- Because of the fact that they are people in development, they have fewer options for defending themselves. (abandonment, labor and sexual exploitation, drug addiction, human trafficking, etc.).
- ▶ **Participation.**- Freedom of religion, education, association.

Tasks of the OPIS

- Assess the need for international protection.
 1. As a refugee claimant.
 2. As a victim of domestic violence.
 3. As a victim of trafficking or exploitation (sexual and/or labor).

Why do they travel alone?

- ▶ Desire to reunite with their families.
- ▶ Desire to improve their living standards through the performance of work.
- ▶ Desire to escape domestic violence.

They face...

- ▶ Accidents (suffocation, dehydration, wounds...)
- ▶ Being subjected to labor exploitation.
- ▶ Being involved in crimes. (Drug trafficking, trafficking of undocumented persons).
- ▶ Institutional abuse, especially at the time of repatriation.
- ▶ Being victims of crime.

They are in a violation of rights status

- ▶ Their regular studies are interrupted, which hampers their development potential.
- ▶ They don't enjoy basic rights, such as the right to food, health, family life, among others.

Functions of the *OPIS*

- ▶ Greet deported children.
- ▶ Confirm citizenship, physical and mental state.
- ▶ Identify immediate needs.
- ▶ Check if accompanied by an immediate family member or is unaccompanied.
- ▶ Determination of medical and / or psychological needs.
- ▶ Assignment of *OPIS*:
 - Inform children of their rights.
 - Maintain contact with the child's family.
 - Identify if a possible refugee claimant. (In this case consulate not notified, advise Mexican Commission for Refugee Assistance (*COMAR*)).
 - Provide assistance at the hearing.
 - Attending to the best interests of the child, the following shall be determined:
 - Immediate repatriation.
 - Regularization.
 - Or application for refugee status.

Unaccompanied Migrant Children

- ▶ The widespread perception of unaccompanied child migration is that it happens infrequently.
- ▶ There are insufficient data, however:

2007

- The number of repatriations of Mexican children and adolescents increased from 7,100 in 2003 to 35,546 in 2007, of which almost half were traveling alone, and 73% were male.
- More than 5,983 Central American children and adolescents were repatriated to their countries of origin from the southern border of Mexico.

2008

- Between January and June 2008, 18,249 repatriations of Mexican children and adolescents were carried out, and 57% (10,395) were traveling alone, 78.3% were male and 9% were under age 12.
- Between January and June 2008, there were 3,022 repatriations of Central American children and adolescents to their countries of origin from the southern border of Mexico. Of these, 78% were male, 13% were under 12 years-old and 72% were traveling alone (2,184).

Principles of the Convention on the Rights of the Child

- No discrimination.
- Best interests of the child.
- Participation of children.

- Right to life, survival and development.
- Right to family life.
- Right to a life free of violence.
- Joint responsibility of the family, state and society.

GUIDELINES

- ▶ Protect and guarantee the rights of migrant children.
- ▶ Make sure children know their rights, to protect their physical and psychological condition.
- ▶ Satisfy basic emergency medical and / or psychological needs.
- ▶ Do not separate children from their families.
- ▶ Provide safe and adequate housing; provide food, medical and psychological care.
- ▶ Contact diplomatic or consular representatives for the child's documentation.
- ▶ Decide on non-repatriation when the child is at risk in their own country.

5 Key Ideas of the *OPIS*

- *OPIS* are a select group of unique officers hired by *INM* to ensure the rights of children and adolescent migrants.
- The *OPIS* program works in conjunction with the Border Minors Program and the Human Repatriation Program.
- Children are no longer referred to as "minors" since the word's pejorative sense can imply that they are worth less, or have fewer rights than an adolescent.
- The law underlying the *OPIS* is the Convention on the Rights of the Child (*CDN*).
- *OPIS* always look out for the best interests of the child.