

# WHERE I GO, MY RIGHTS GO WITH ME

I'm a child migrant, and these are *my rights*



**An original publication by the Office of the Special Representative of the Secretary-General on Violence against Children and Save the Children.**

COPYRIGHT © 2019 United Nations

**Technical support**

Luis Pedernera – Member of the United Nations Committee on the Rights of the Child

Cecilia Anicama – Child Protection Specialist, Office of the Special Representative of the Secretary-General on Violence against Children

**Publication coordination**

Laura Marco – Regional Coordinator of Programmes for Migrant Children, Latin America and the Caribbean, Save the Children

Jorge Freyre – Regional Advocacy Director, Latin America and the Caribbean, Save the Children

Monica Kuljich – Regional Communication Specialist, Latin America and the Caribbean, Save the Children

**Author** – Dora Bardales

**Illustrations** – Cromocorde Design and Illustration Studio

**Graphic design** – Dora Bardales and Danitza Navarro

**Style editing** – Fiorella Bravo and Janeth Lara-García

**Office of the Special Representative of the Secretary-General on Violence against Children**

304 East 45th Street, 17th Floor

New York, New York 10017

United States of America

[www.violenceagainstchildren.un.org](http://www.violenceagainstchildren.un.org)

**Save the Children**

Latin America and Caribbean Regional Office

Ciudad del Saber, Edificio 141

Ciudad de Panamá – Panamá

[www.savethechildren.net](http://www.savethechildren.net)

This work is made available under the Creative Commons licence for intergovernmental organizations, available at <http://creativecommons.org/licenses/by3.0/igo/>.

Publishers must remove the original logos from their publication and create a new design for the front page. Translations must include the following disclaimer:

*'This work is an unofficial translation, for which the publisher accepts full responsibility.'*

Photocopies and reproductions of extracts are permitted, provided appropriate credits are included.

# WHERE I GO, MY RIGHTS GO WITH ME

I'm a child migrant, and these are *my rights*







*Dear boy, girl and teenager,*

In the light of the Universal Declaration of Human Rights, the United Nations Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, within the context of migration, all children and adolescents enjoy full and effective protection of their rights, both in their countries of origin and in countries of transit and destination.

According to the International Organization for Migration, there are 258 million international migrants in the world, 14 per cent of whom are under 20 years old.<sup>1</sup> Many children migrating have been forced to leave their communities as a result of violence, persecution, poverty, famine and conflict. This situation has a serious impact on their development and welfare. Children face a high risk of violence, abuse and exploitation during their journey, especially those travelling alone or those who have become separated from their families. Often, children do not feel safe when they arrive in a host country, where they are frequently exposed to humiliation and harassment, physical attacks and sexual abuse. Unfortunately, many of them are unable to access the protection to which they are entitled.

Throughout this process, we will only be successful in ensuring the effective protection of the rights of children and adolescents if we listen to their voices and learn from their experiences. In 2017, therefore, the Office of the Special Representative of the Secretary-General on Violence against Children joined forces with UNICEF to conduct an online survey to find out what children think about migration. The results of the survey showed that violence is a serious problem for children in Latin America and is very much present in the context of migration. Thirty-six per cent of respondents said that violence was the leading cause of children fleeing the country; more than half the respondents felt that violence, abuse and exploitation were the most difficult problems they faced, while 24 per cent cited sexual violence as their major concern.<sup>2</sup>

Recognizing the significance of this situation, in 2017 the Committee on the Rights of the Child and the Committee for the Protection of the Rights of All Migrant Workers and Members of Their Families adopted two Joint General Comments, establishing principles and strategic actions to safeguard the human rights of international migrant children and adolescents in their countries of origin, transit and destination, as well as upon returning to their own countries.

We invite you to read this publication, in which you will learn about the principles and strategic actions covered by these two Joint General Comments and how you can take part in promoting the protection of your rights and the rights of migrant children and ensuring that they are respected at all times and in all circumstances.

Best regards,

*Marta Santos Pais*  
Special Representative of the Secretary-General  
on Violence against Children

*Victoria Ward*  
Regional Director for Latin America and the Caribbean  
Save the Children

<sup>1</sup> International Organization for Migration, IOM Global Migration Trends. Available at <https://www.iom.int/es/global-migration-trends>.

Global Migration Portal: [https://migrationdataportal.org/data?i=stock\\_abs\\_&t=2017](https://migrationdataportal.org/data?i=stock_abs_&t=2017).

<sup>2</sup> A/72/275 para. 65. Available at <http://undocs.org/en/A/72/275>.

# Let's start by remembering a few things...

## United Nations

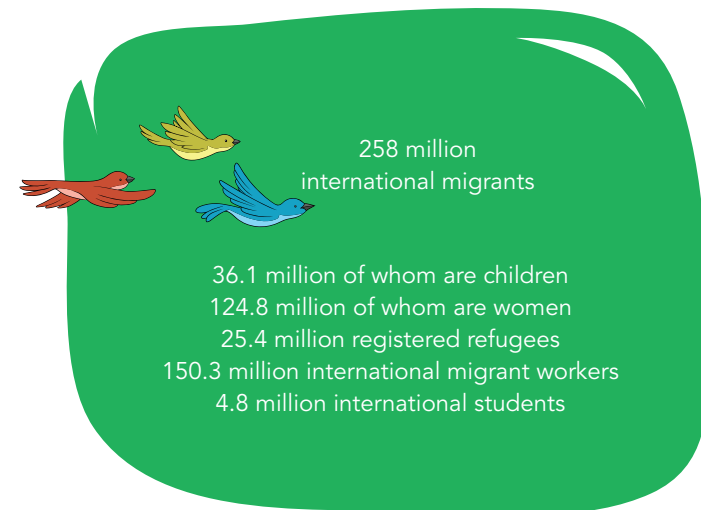
The United Nations is the largest international organization, bringing together almost every country in the world. Its main objective is to ensure the peace and welfare of people, including children and adolescents. The United Nations carries out many activities to support human rights, such as creating treaties and protocols, and issuing declarations aimed at protecting girls, boys, women, men and our planet.

## Convention

A legal agreement made between States. A written document containing a series of commitments aimed at protecting people and the planet. These commitments form part of international law.

## Convention on the Rights of the Child (CRC)

A written agreement that recognizes the human rights of children and adolescents anywhere in the world. The CRC was adopted on 20 November 1989 and is the most universally accepted human rights convention in history. The members of the Committee on the Rights of the Child are responsible for monitoring compliance with commitments under the Convention on the Rights of the Child. The committee is composed of 18 independent experts from different parts of the world.



Source: UNESCO, DESA, UNHCR, IOM  
<https://www.un.org/en/sections/issues-depth/migration/index.html>

## **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)**

The CMW is an international agreement designed to promote the well-being of all migrant workers and their families (including children) throughout the migration process. It seeks to guide the standards, policies and practices of States to protect migrant workers and their families. This convention has not yet been ratified by most countries. It has a Committee composed of 14 independent experts who, like the Committee on the Rights of the Child, are responsible for monitoring the compliance of States with the commitments established under the convention.



**Match:**

Find the picture that best matches the term

**MIGRATE:** Move from the place where you live to another place.

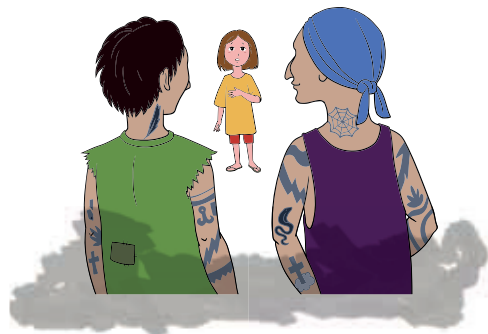
**NATIONALITY:** Fundamental human right that links a person to a State. Nationality includes the right to have an identity card.

**STATELESS:** A person who does not hold the nationality of any country. Being stateless affects many aspects of stateless people's lives.

**BORDERS:** Geographical boundaries that define the territory of States.

**REFUGEE:** Person forced to leave his or her country of origin and who crossed a border seeking to protect his or her life.

**ASYLUM:** Right whereby a State guarantees the protection of those persons who have fled their country of origin for various reasons to seek a peaceful and calm life. When someone requests asylum in another country, he or she will not become a refugee until his or her application is accepted.



## Migrant children

Many children worldwide experience difficult situations that threaten their well-being and development, and also prevent them from fully enjoying their human rights.

Migration is the entry and remaining of a person, either from one place to another within a country or from one country to another. In this booklet we will be discussing international migration, that is, migration that involves moving from one country to another.

In many cases, migration is perceived as the only way to survive when people no longer feel safe or free in their home countries.

Poverty, food shortages, climate change and widespread violence may all be reasons to migrate and, therefore, the only way to survive and overcome adversity.

Children and adolescents who migrate from one country to another in what is called international migration are at a higher risk of having their rights violated from when they leave their country of origin, both in transit and destination countries. The dangers are greater when children travel in an irregular situation, that is, when they do not have the necessary travel documents and permits.

We encourage you to learn about the obligations that States have with regard to the protection of children's human rights in situations of international migration, both in terms of their status as children and as migrants.



"Life would be boring if we only had two or three colours. That's why we have to mix them all up and get different results."

Luciano Villanueva, aged 10  
United Nations Alliance of Civilizations and the International Organization for Migration

### A story

*(told in several parts)*



María can feel her heart pounding hard in her chest. As hard and as loud as the chirping of the crickets deep in the forest. "We're almost there", says Elena, her mother.

But María can't wait. She's tired, hungry and thirsty; but, more than anything, she needs to stop for a second to open her heavy backpack and take out Mr. Bunny, the soft, felt companion who has been with her all the way.

"But Mummy, how much longer?" repeats María, although without complaining too much. She knows that her mother is tired, even more tired than she is. So she thinks better of it and decides to hold her hand tightly and speed up a little. Her mother strokes her head gently, appreciative of the effort she's making.

María remembers how at home her mummy told her things wouldn't be easy and asked her to be strong. That thought spurs her on and she walks along excitedly because she feels very strong.

Night falls and suddenly, in the distance, they can see a group of people. María and her mother look at each other with glee and the weight lifts from them a little. It must be a shelter.

# Let's begin...

In 2017, the Committee on the Rights of the Child and the Committee on Migrant Workers and the Members of Their Families joined forces to produce two **Joint General Comments** (from now on we will call them the JGCs).

JGC no. 22 and no. 23  
**Committee on  
the Rights of the Child**

JGC no. 3 and no. 4  
**Committee on  
Migrant Workers and the Members  
of Their Families**

## What is a Joint General Comment?

A general comment is a clear and comprehensive interpretation of our rights, issued by the committees responsible for monitoring compliance with the commitments set out in conventions. In this case, the Committee on the Rights of the Child and the Committee on Migrant Workers and the Members of Their Families worked together to develop the **JGCs** mentioned above.

To draft the comments, the Committees requested support from countries, held **consultation** meetings, which involved civil society (including organizations for children and migrants), received reports and consulted experts on the subject.



Consultation meetings took place in Bangkok, Beirut, Berlin, Mexico City, Dakar, Geneva and Madrid.



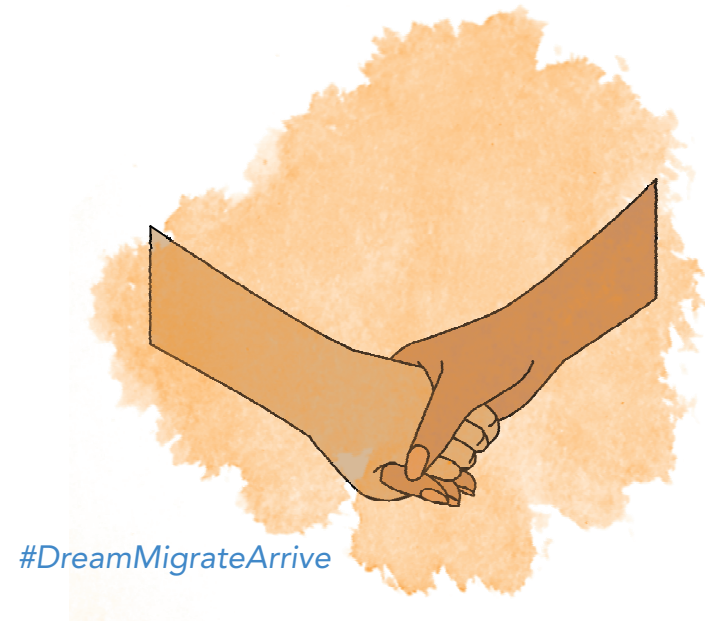


## What is international migration?

This is the migration that occurs when a person crosses an international border out of one country and into another. Migrants leave a country, which is called their country of origin, then they often cross other countries before reaching their country of destination; these are called transit countries.

Millions of children and adolescents are currently living in this kind of situation. They migrate with their fathers or mothers or both. They migrate alone or are born in transit or destination countries, being children of migrant parents. Children and adolescents who remain in their countries while their parents have migrated; or are returning to their home country voluntarily or because they are forced to, be it alone or with their parents, are also affected by migration.

The JGCs address the human rights of children in the context of international migration. As already mentioned, they provide a clear and authoritative guide to help States fulfil their commitment to guarantee children a decent life.



## Why is it important to learn about these Joint General Comments?

Because they provide us with recommendations and guidance to protect the human rights of children in the context of international migration. They also guide the decisions of States in fulfilling their commitments under the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## What is the purpose of these Joint General Comments?

To give States – authorities and officials – a clear and approved template for developing policies, laws and practices that respect, protect and address the human rights of children in the context of international migration in their countries of origin, transit and destination.



The children of the world identified violence as the primary reason for fleeing their countries. They also said that violence in general, sexual violence, abuse and exploitation are the toughest problems faced by children and adolescents.

Source: Office of the Special Representative of the Secretary-General on Violence against Children, and UNICEF, 2017, A/72/275, para. 65. Available from <http://undocs.org/es/A/72/275>.

### The way forward...

JGC 22 gives an overview and establishes some principles for States to start making important and lasting changes for children and adolescents.

- 1 Children and adolescents in the context of migration should be treated, above all, as children.
- 2 States should ensure respect for the rights of all children.
- 3 States have an obligation to protect all children – not only those from their own countries – who are within their jurisdiction, including children who try to enter the **territory**, but are in migration control areas or international waters.

States should ensure continuity in the protection of the rights of migrant children. This means that when migratory institutions find children arriving at their doorstep, their duty of care must include acting in close coordination with child protection authorities. States shall ensure that all matters pertaining to the needs of migrant children reaching their territory are taken care of by child protection institutions, together with the children's families.



✓ National territory refers to the geographical maritime, air and land space under the jurisdiction of a State.

The people and goods within the territory of a State fall under its jurisdiction.

4

States are called on to collect and share information on the problems of children in the context of migration by, for example, creating a comprehensive database that takes into account their rights, with the sole purpose of obtaining information to protect them.

5

The Committees encourage States to adopt laws, policies and practices and allocate human and financial resources to ensure that in their countries, State institutions and authorities are prepared, coordinated and act effectively to protect children in the context of international migration.

6

States should promote the ongoing training of officials on the rights of children, migrants, refugees and stateless persons.



# Principles and obligations of States

At this point, we will describe in detail the principles that underpin all our rights as children and migrants.

## *Principles of both conventions*

### Non-discrimination

(article 1 of the CMW and article 2 of the CRC)

#### Obligations of States Parties

Every child (regardless of age, sex, sexual orientation, disability, ethnicity, language, etc.) in the context of international migration, is entitled to the full enjoyment of his or her rights.

The principle of non-discrimination will be at the centre of all migration policies and procedures.

These should ensure the integration of migrant children and their families into the host societies, and their access to services on an equal footing.

States should combat **xenophobia**, racism and discrimination in all its forms. They should prevent any violence, harassment and intimidation against them, paying particular attention to gender-specific vulnerabilities and to migrant and refugee children with disabilities.



We encourage you to look up any terms you're not sure of in the glossary.

## Best interests of the child

(article 3 of the CRC)

### Obligations of States Parties

The Committees request that when taking a decision which is decisive for the lives of children, States should prioritize the well-being of the child and, thus, the best interests of the child must be the primary consideration.

- ✓ **The primary consideration** should be applied to all measures affecting children, both as individuals and as a group.

States (with their authorities, judges, migration officers, advocates, etc.) must ensure that this consideration is upheld above all others.

Likewise, they must ensure that their laws, policies and practices give top priority to the best interests of the child, for example, when deciding whether or not to grant entry or residence permits.

## Opinion and participation

(article 12 of the CRC)

### Obligations of States Parties

Article 12 of the Convention on the Rights of the Child emphasizes the importance of the participation of children and their right to speak and be heard.

Regarding international migration, concrete action must be taken to guarantee the rights of children to express their views, especially on issues that affect their lives during the **immigration and asylum processes**.

States should listen to children's reasons for migrating and provide them with information, in their own language and in a friendly manner, about their rights and the means to enforce them.

States should provide appropriate support and take action to empower migrant children, such as by appointing qualified and free legal representation for them.

- ✓ The Committee on the Rights of the Child reiterates that children are entitled to have their best interests considered and valued as a fundamental right, as a principle and rule that guides the decisions made about them.

# Principles and obligations of States

## Life, survival and development

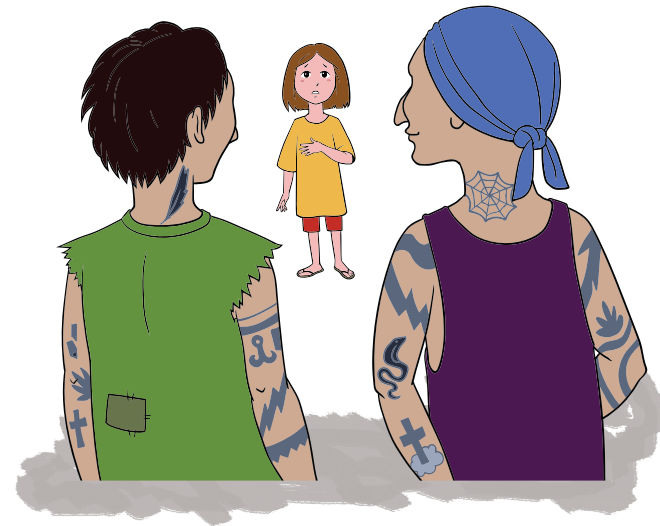
(article 9 of the CMW;  
article 6 of the CRC)

### Obligations of States Parties

States shall ensure compliance with the right to life, survival and development.

Living in irregular migration situations jeopardizes children's lives and development. Children in such situations are exposed to risks such as organized crime, violence in the camps and excessive use of force by border authorities, among others.

Unaccompanied children are more vulnerable and may be more exposed to various types of violence. And children travelling with their families often witness this violence, leaving an indelible mark on them.



States should pay attention to providing special protection for children who are undocumented, unaccompanied or separated from their families, asylum seekers, the stateless and victims of organized crime.

The Committees are concerned that, during the migration process, States limit migrants' basic rights such as health, education and social security, among others.

States must therefore ensure the development of the child and their best interests, giving children and their parents adequate access to services, regardless of whether or not they have visas or passports.



## **Non-refoulement and prohibition of collective expulsion**

(articles 9, 10 and 22 of the CMW;  
articles 6, 22 and 37 of the CRC)

### **Obligations of States Parties**

States shall respect international human rights agreements. The non-refoulement principle is the right of migrants, refugees or asylum seekers not to be forcibly returned to a country where their safety or survival are threatened.

They also have the right of access to the justice system in every case that may end in expulsion. These cases should be examined with all the guarantees of due process.



*We encourage  
you to look up  
any terms you're  
not sure of in the  
glossary.*

## A story

*(told in several parts)*

## Part two

At the shelter, they see a group of people around a campfire and a huge pot giving off a delicious aroma. Elena leaves her things on the floor and feels like collapsing, but manages to muster her strength. There are lots of people they recognize who they had met along the way. The little boy with his grandmother, an entire family, the young lads who had helped them when the going got tough...

There are also volunteers handing out hot soup and blankets. Elena offers some water to María before giving her the comforting soup. "This is a good day", thinks María while eating. Then, finally, she can get Mr. Bunny out and hug him tight. She falls asleep clutching him while Elena sits down and tries to rest.



## **Our rights**

In JGC no. 23, the Committees present States with concrete actions to ensure that the human rights of all migrant children and adolescents are met and respected.

### **Right to liberty**

Every child has the right to liberty and not to be detained as an immigrant.

The Committees make clear that the detention of children and adolescents causes damage to their physical and mental well-being. It also has a negative impact on their development, even if they are only detained for a short period of time or with their families.

If children are travelling alone, they are entitled to special protection and assistance from the State, as well as to the appointment of a competent guardian. If they are accompanied, but their parents do not have the necessary permits to enter the country, the best interests of the child must be upheld to keep families together.



## The right of access to justice

States must ensure that all children and adolescents are granted access to justice. This means that children may file claims with law courts, administrative courts or other organs of justice, to which they must be given easy access in child-friendly language.

Children have the right to a proper, fair, effective and fast justice process. They have the right to defend themselves in decisions affecting them or their parents. It is important that the best interests of the child are considered in any decision made about their lives.

States shall support children in the application processes for immigration, asylum and shelter.

Furthermore, a child who has committed an alleged offence has the right to be heard at all stages of the proceedings and to receive free, quality administrative and legal support.

The Committees are concerned about the negative consequences on the lives of children of a precarious migration status. Concrete steps must therefore be taken to protect children and their rights.



## Right to a name and an identity

Every child should have an identification document from birth, regardless of his or her migration status or that of his or her parents.

The Committees request States to register all children at birth and provide them with birth certificates, without any kind of impediment. The lack of a birth registration document can put migrant children at risk, for example, of becoming victims of child marriage, child trafficking, forced recruitment and child labour.

## Right to a nationality and protection against statelessness

The Committees remind States of their commitment to prevent and combat **statelessness**.

States are obliged to provide access to appropriate mechanisms to ensure that all children are given a nationality at birth. Each State must therefore take appropriate measures at the national level and in cooperation with other States to ensure that all children born within its territory are given a nationality. In addition, States must ensure that all laws on nationality are applied without any discrimination and that there are no limitations on transferring nationality on grounds of religion, race, ethnicity, sex or migration status between parents and children.



We encourage you to look up any terms you're not sure of in the glossary.

## Right of families to stay together

The Committees remind States to fulfil their commitments to respect family unity and prevent the separation of families – children from their parents and siblings.

Migrant children and their families have the right to stay together.

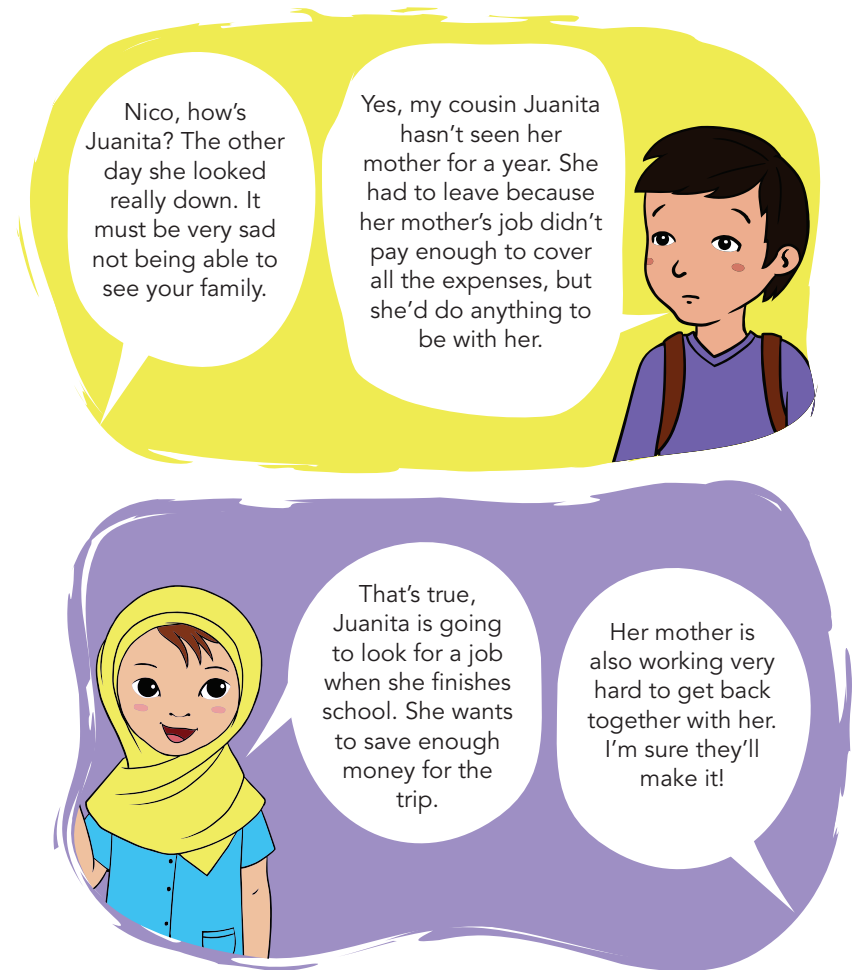
The Committees request that States ensure family unity in decisions concerning cases of asylum and citizenship processes, and that this right is taken into consideration when making decisions on deportation or expulsion. If this is not the case, these decisions could become abusive or harmful.

The Committees encourage States to give migrant families the means to regularize their situation. Children who remain in their countries of origin may migrate in a way that is irregular and insecure, in an attempt to join their parents or older siblings in destination countries.

States should seek ways for migration-related procedures to help reunify families and keep them together. If that possibility is denied, the reasons must be legitimate, necessary and fair. And detailed information that is appropriate for his or her age and status, must be provided to the child about the reasons for the refusal and the right that the child may assert.

Family reunification in the country of origin should not be pursued where there is a “reasonable risk” that returning to the country could lead to a violation of the child’s human rights.

States are called upon to provide adequate support and other social services to children, parents and siblings who are separated because of migration.



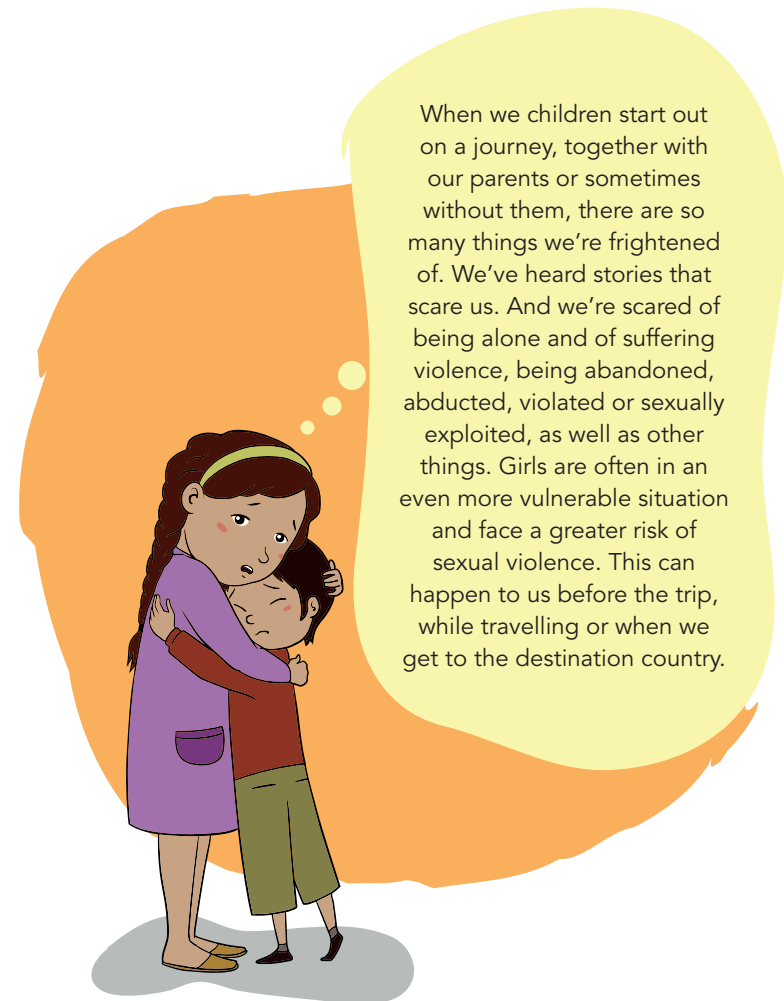
## Right to be protected against violence

Children in the context of international migration travelling in different situations such as being undocumented, stateless, unaccompanied or separated from their families, are particularly vulnerable to various forms of violence throughout the migration process.

These forms of violence include neglect, abuse, kidnapping, abduction, extortion, trafficking, sexual exploitation, economic exploitation, child labour, begging, involvement in illegal activities and child marriage. At particular risk of different forms of violence are girls, infants, children with disabilities and children who are lesbian, gay, bisexual, transgender or intersex.

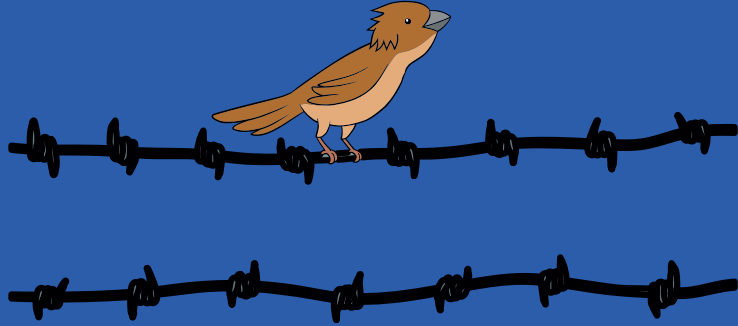
Migrant children are at risk of being subjected to violence by the State or non-State actors. They may also witness violence against their parents or others, especially when travelling or living in a country illegally.

The Committees are concerned that there are few experiences of safe, orderly, easily-accessible and dignified migration. And in these processes, migrant and asylum-seeking children – including those who are unaccompanied or separated from their families – are especially vulnerable to violence and abuse during migration and in their countries of destination.



When we children start out on a journey, together with our parents or sometimes without them, there are so many things we're frightened of. We've heard stories that scare us. And we're scared of being alone and of suffering violence, being abandoned, abducted, violated or sexually exploited, as well as other things. Girls are often in an even more vulnerable situation and face a greater risk of sexual violence. This can happen to us before the trip, while travelling or when we get to the destination country.



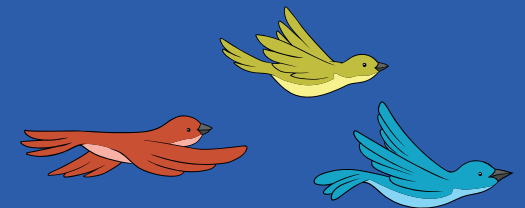


States should also implement measures to protect against all forms of violence, such as trafficking, kidnapping, sexual exploitation and slavery, among others.

Migrant children and their parents are at greater risk of suffering various forms of violence as a result of being undocumented or in an irregular situation and those whose rights are most affected and violated are children and adolescents. This may be because States prioritize detecting migrants in an irregular situation over promoting policies to prevent and protect migrants from violence, abuse and exploitation.

States should ensure the protection of migrant children and that children are treated as children; that they are protected as effectively as possible from all types of violence, regardless of their migration status.

States have an obligation to apply the migration agreement that offers the most protection for children. This includes granting asylum or residence for humanitarian reasons; in fact, in some countries they have created **humanitarian visas**. ✓



Humanitarian reasons include emergencies such as medical emergencies and threats to life, which entitle people to be admitted to a country.

## Right to well-being and development

Children should enjoy an adequate standard of living that allows them to develop physically, mentally, spiritually and morally without any kind of discrimination.

The Committees request States to reform and remove impediments in laws, policies and practices that prevent migrant children from benefiting from services and benefits such as education, health, housing, food, clothing, recreation and social assistance.



#Myhomeisyourhome

## Right to protection against economic exploitation and to social security

In view of the specific risks faced by migrant children, States must monitor any companies failing to comply with international labour standards governing the minimum age for employment, and must work to eliminate the worst forms of child labour and punish anyone who does not treat their workers fairly and responsibly.

Migrant children and their families should be given access to social security to the extent that they meet the current requirements of the country they are in.

The Committees consider that, if necessary, States should provide emergency social assistance to migrant children and their families.



#Withdignity

## Right to health

The Committees recognize that the physical and mental health of a child can be affected by various factors, such as poverty, unemployment, the environment, migration and population displacement, violence, discrimination and marginalization.

Migrant and refugee children may experience severe emotional stress and have mental health-care needs, which must be treated swiftly and with appropriate action. They are also entitled to psychological support to help them flourish, thereby protecting their right to well-being and development.

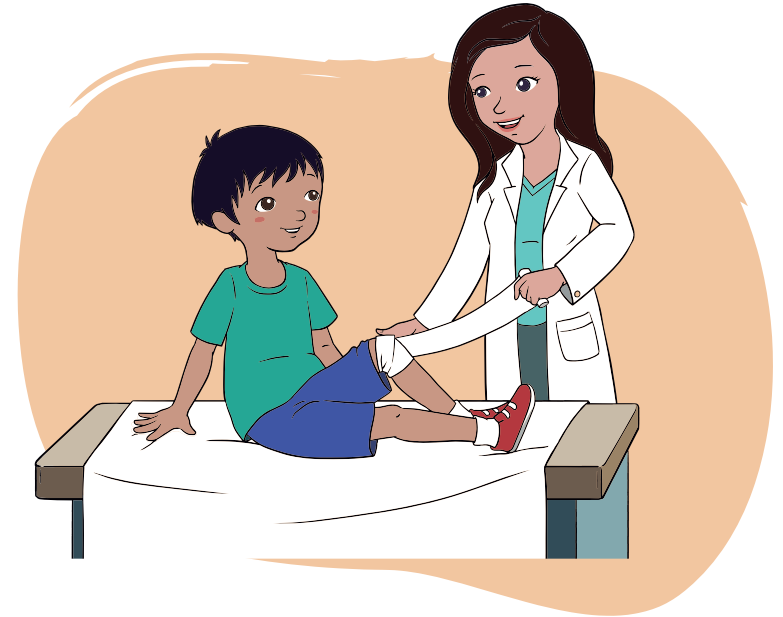
All migrant children and adolescents are entitled to have their health-care needs treated in the same way as national children, regardless of their migration status. This right includes access to all health services, whether preventive or therapeutic, and mental, physical and psychosocial care that is provided in community centres or health-care institutions.

These services must be provided without requiring the child to present a residence permit or proof of asylum application.



Children are entitled to have their health protected and for it not to be affected as a result of discrimination. We should note that migrant children may face discrimination in many forms, since it is more difficult for them to access services, loans, legal protection, etc. If we leave them unprotected in the event of illness or accident, or force them to postpone treatment, they are likely to become seriously ill.

The commitment of health-care professionals should be directed to patients and to protecting children's health and respecting their human rights. Finally, response should be swift and comprehensive, taking care not to delay treatment or the child's recovery.



## Right to education and vocational training

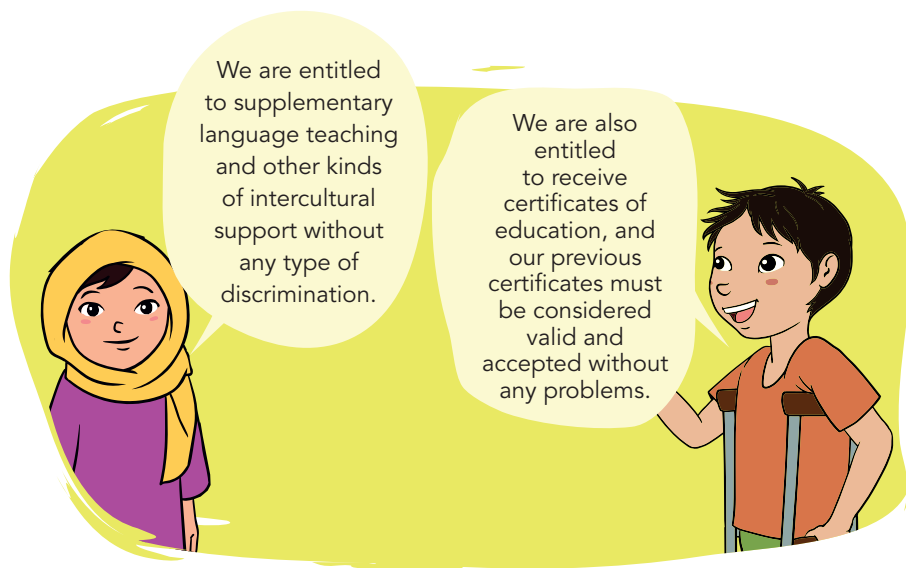


The Committees request that States amend any rules preventing migrant children – especially the undocumented – from enrolling in educational institutions.

In addition, States should encourage the integration and participation of migrant children in schools. Any marginalization or harassment of them must be forbidden and prevented.

States should promote cultural exchange and dialogue between migrants and other people in the host countries. This measure will avert and combat xenophobia, discrimination and intolerance against migrant children.

Schools should educate children in areas such as human rights, non-discrimination and peaceful coexistence, and on issues such as migration, the rights of migrants and of all children



[#MoreimmigrantsMoreCulture](#)

## International cooperation

In recent years, millions of people have migrated and moved to live in a different country from the one where they were born. This global trend brings us a global challenge that States need to address through international cooperation and dialogue.

They must promote respect for and compliance with the human rights of all people, especially children and adolescents. One example of how this global challenge is being tackled are the **Sustainable Development Goals (SDGs)** – a global agreement for 2030. Goal 8 refers to dignified work and safe work environments for migrants; goal 10 points to the importance of ensuring that there are laws in place to protect people who leave one country to live in another; goal 16, target 2 calls for an end to the abuse, exploitation and trafficking of children, as well as all forms of violence and torture against them. ✓



The Sustainable Development Goals are 17 global goals, which cover several of the major issues facing the world today, including ending extreme poverty, ensuring that all children receive a good education, guaranteeing equal opportunities for all and promoting best practices in consumption and production for a cleaner and healthier planet.

To learn more about the Sustainable Development Goals, follow this link:

<https://www.unicef.org/sdgs>.



## **A story**

*(told in several parts)*

María doesn't know if she's just dreaming and rubs her eyes to look properly.

"It's Daddy!" she says, almost in disbelief. Her father kisses her on the forehead with tears in his eyes.

He's got a funny moustache now. María never thought that it could suit him so well. They give each other a long hug. Then Elena joins them and the three of them share a lengthy embrace.

Finally, they are together again. "Everything will be all right, Mr. Bunny", whispers María into one of his long ears.

*The End*



**What title would you give to María's story?**

# You have the right to...

We would like you to complete the table below. In the left-hand column, you can see testimonies and news related to migrant children and adolescents, where a right has been infringed. After reading this booklet, what right do you think each child could assert?

## Testimony about an infringed right

"I went to the migration office to leave my papers, but I was told I had to go with an adult."

"We were arrested, I was separated from my brother, I had never been so scared in my life ..."

"We children who come from other countries have to get used to being insulted or laughed at for the way we talk."

"My stomach really, really hurt, but I was afraid to go to the health centre because I don't have any papers."

## You have the right to...

---

---

---

---

---

---

---

---

## Testimony about an infringed right

"I heard terrible stories about things they did to girls during the journey."

"When I first arrived, I didn't go to school for six months. My parents weren't allowed to enrol me in school until I had an important document."

"My father was deported. Now it's just my brother and me. We want to go back to our country. We miss everything so much."

"You can't keep children safe or provide them with life-saving services, whether they are in transit or at their destination, if you don't know who they are, where they are or what they need."

## You have the right to...

---

---

---

---

---

---

---

---

---

---



## Glossary of Terms

**Access to justice:** This is the provision of adequate and accessible judicial resources so that people may use them in defending their rights.

**Asylum and migration processes:** During immigration or asylum procedures, and while determining their best interests, migrant children are entitled to:

- Be taken to the authorities in charge of protecting their rights
- Be notified of decisions regarding their requests for immigration and asylum
- Have the support of professionals who can communicate properly with them
- Be heard and participate in all stages of the proceedings
- Receive support and protection from the authorities representing their country of origin
- Receive legal assistance and relevant information

**Context:** These are the elements that surround a situation and facilitate a proper understanding of it.

**Deprivation of liberty:** This is any form of detention or imprisonment and internment in a public or private establishment which does not allow the child to leave of his or her own volition. A detention order is issued by a public authority.

**Due legal process:** This refers to the set of rights and guarantees that should be assured to persons, without discrimination, to seek legal redress and achieve a fair outcome.

**Irregular migrant:** This is a person who crosses an international border or stays in a country without the necessary authorization or documents required by the immigration authorities to enter, reside or work in the country. Source: <https://www.iom.int/key-migration-terms>.

**Jurisdiction:** This refers to the limits occupied by a State, within which it is free and sovereign to act, decide and govern. Persons and goods within the territory of a State are under its jurisdiction.

**Nationality:** A fundamental human right that links a person to a State. When we are nationals of a country, we have both rights and obligations in this respect.

**Permanent residence:** Right granted by a State to a non-national to live and work permanently (unlimited) in its territory.

**Shelter:** Physical space that provides shelter for those fleeing war or armed conflict and who are in urgent need of a roof to shelter under while waiting to return to their homes. Source: [www.unhcr.org](http://www.unhcr.org).

**Stateless:** Persons without a nationality because it has been denied to them and they are not considered nationals by any State. They are legally invisible. As a result, they cannot attend school, go to the doctor, get a job, get married, etc.

**Unaccompanied migrant children and adolescents:** Those who have been separated from both parents or legal guardians, but may be travelling with another relative.

**Xenophobia:** This can be defined as the fear of foreigners and immigrants, and can sometimes turn into hatred, hostility and/or rejection. There is no internationally accepted definition of xenophobia, although it may be described as attitudes, prejudices or behaviours that reject, exclude or belittle people who are not nationals of the receiving country.



## Resources available

### About our rights

You can download a user-friendly version of the Sustainable Development Goals:  
<https://www.unicef.org/agenda2030/>

You can visit the Save the Children website:  
[www.savethechildren.net](http://www.savethechildren.net)

### About international migration

You can download the **#MigApp** application, a tool for connecting migrants with safe, essential and reliable information.



**The Office of the Special Representative of the Secretary-General on Violence against Children** is an independent global advocate for children, action, mobilization and political support to achieve progress around the world. The mandate of the Special Representative is based on the Convention on the Rights of the Child and other international human rights instruments and the United Nations Study on Violence against Children.



[www.violenceagainstchildren.un.org](http://www.violenceagainstchildren.un.org)

Save the Children believes that all children deserve to have a future. In Latin America and the Caribbean, and around the world, we work to give both girls and boys a good start in life and the opportunity to learn and be protected from violence or any other harm. We do whatever is needed, every day and in times of crisis, to transform children's lives and the future that belongs to all of us.

[www.savethechildren.net](http://www.savethechildren.net)