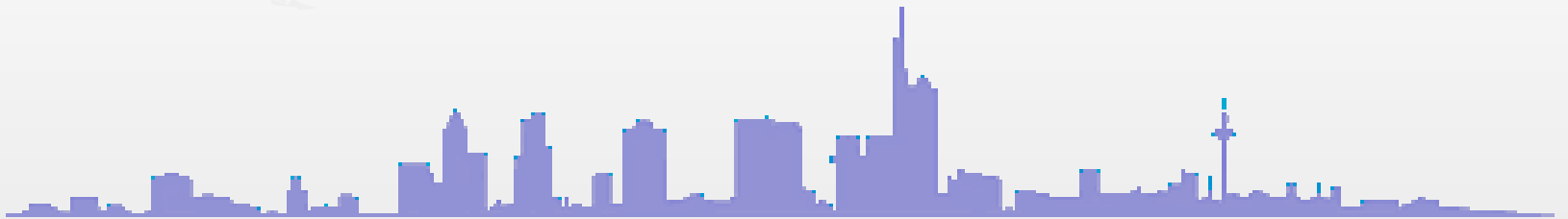


Services for Unaccompanied Minors in Frankfurt am Main

LJUBLJANA-SEMINAR, 6.-9. September 2007

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Frankfurt am Main



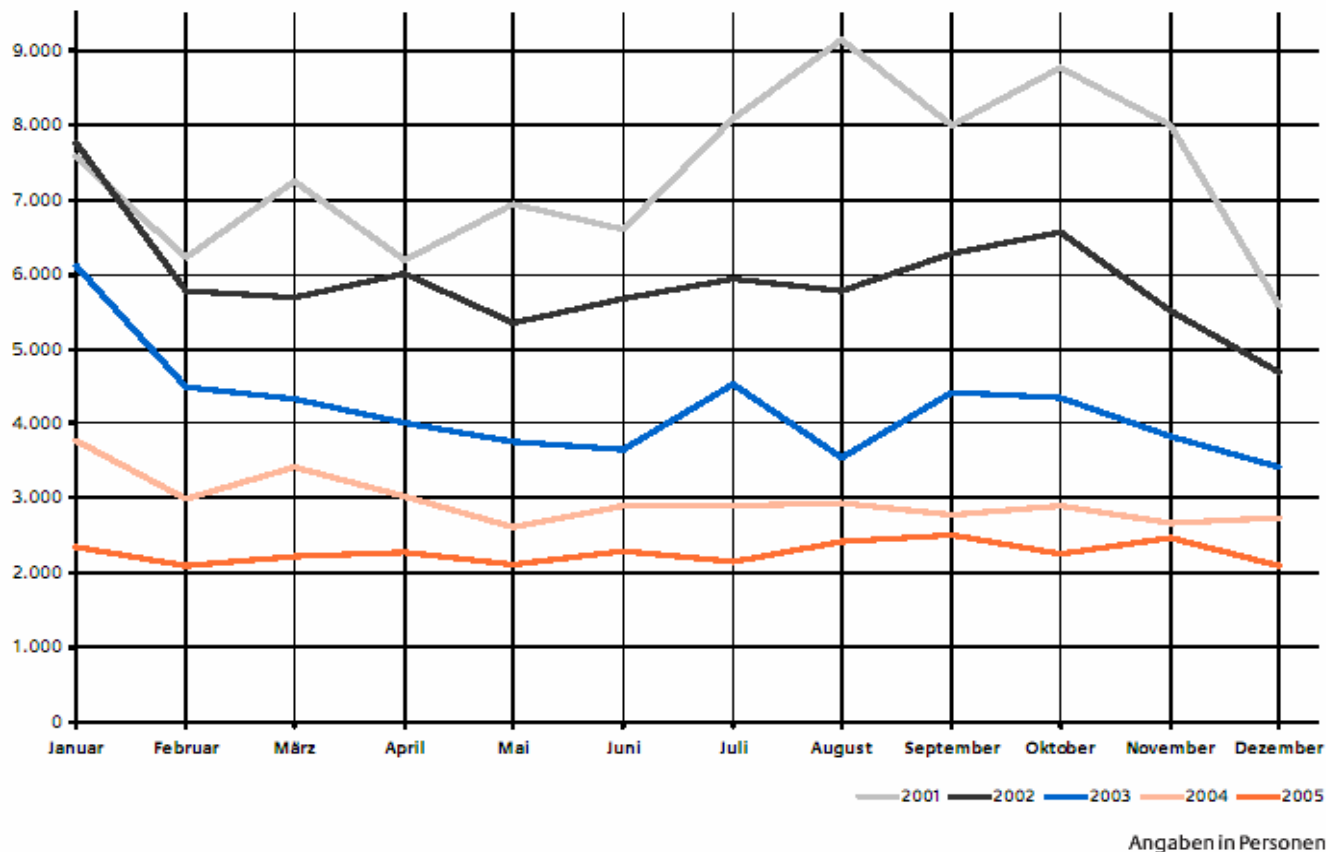


Overview

Asylum Seekers in Germany

Numbers of Applications for Asylum

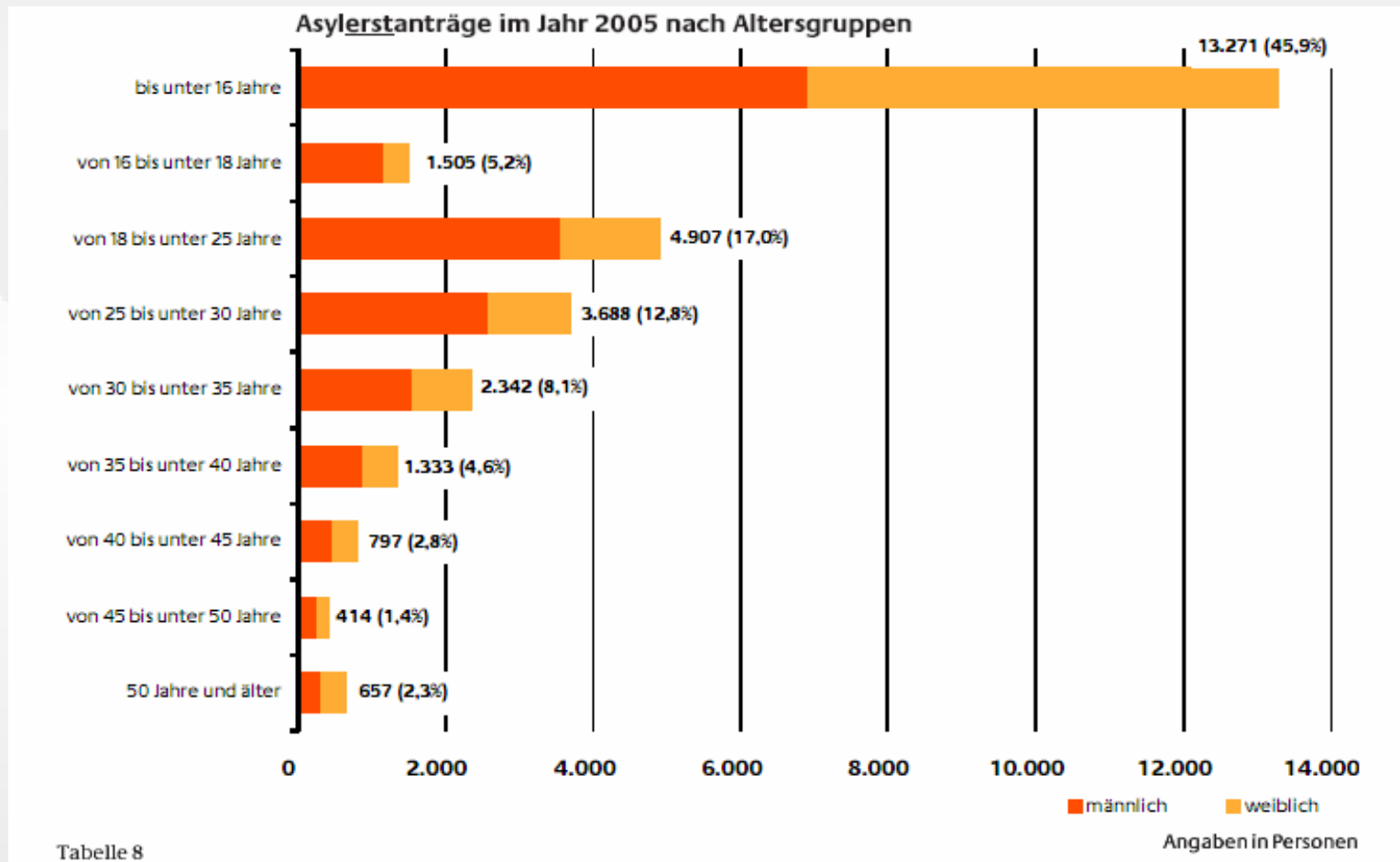
Entwicklung der Asylerstantragszahlen im Jahresvergleich (2001 bis 2005)



Asylum Proceedings

- ▶ In this center asylum seekers who arrived at Frankfurt airport via a third safe country and requested asylum upon arrival are temporarily housed. In these cases asylum proceedings take place prior to their entry into the country.
- ▶ The same applies to foreigners who request asylum upon arrival and who are not in the possession of a valid passport or comparable document.
- ▶ The foreigner must immediately be given the opportunity to present his / her application for asylum to the office of the federal agency for migration and refugees at the border.

Asylum Seekers – Age Groups



Frankfurt am Main Airport



Frankfurt Airport



Transit area Frankfurt airport



Unaccompanied Minor Refugees (UMRs)

UN-Convention on the Rights of Children

Every country is obliged to provide conditions, which are favourable for the development of children, regardless of their residential status, this comprises:

The right to personal care in an environment suitable for children.

The right to food, clothing, and leisure time activities, suitable for the respective age groups.

The right to an education and vocational training.

The UN Convention and German Law

- ▶ According to the UN convention minors are all persons under 18.
- ▶ They are considered vulnerable, deserving special protection.
- ▶ Their development and well being should have absolute priority.
- ▶ Germany has not accepted all parts of this UN convention.
- ▶ According to § 12 AsylVfG minors of the age of 16 or older are to be treated as adults. They are no longer granted special protection or assistance.

Unaccompanied Minor Refugees

Definition

- ▶ Unaccompanied minor refugees (UMRs) are persons under 18 who left their country of origin and have been separated from both of their parents, and who are not under the care of an adult who usually is legally responsible for them or considered their custodian.

Data

- ▶ Approx. 2,000 UMRs per year come to Germany.
- ▶ Between 6,000 and 10,000 UMRs presently live in Germany (estimates of the BUMF).

Clearing Centers in Germany

Förderung sozialer Dienste e.V.
Clearingstelle und Erstaufnahmeheim
Tschaikowskistr. 13
13156 Berlin
Tel.: 030 / 48 16 28 0
Fax: 030 / 48 16 28 35 0

Diakonisches Werk Fürstenwalde
Jugendprojekt ALREJU
Luisa-Hensel-Str. 5-7
15517 Fürstenwalde
Tel.: 03361 / 77 46 0
Fax: 03361 / 77 46 22
E-Mail: alreju@t-online.de

Sozialwerk Nazareth
Friedenstr.1
26506 Norden-Norddeich
Tel.: 04931 / 179171
Fax: 04931 / 179101

Clearingstelle Sachsen-Anhalt
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39112 Magdeburg
Tel.: 0391 / 623 2826
Fax: 0391 / 623 2826



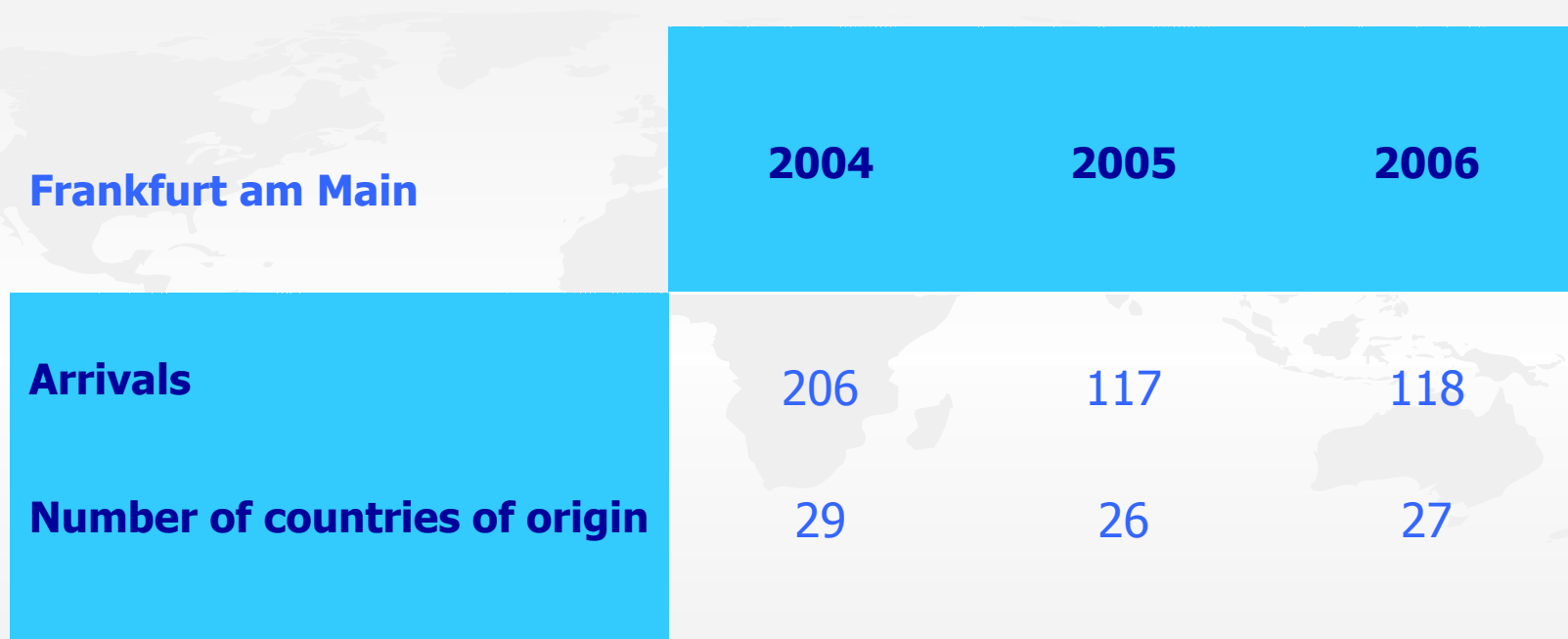
Heimstatt St. Gereon -
Erstunterbringungseinrichtung
Eythstr. 72
51103 Köln
Tel.: 0221/853029

Valentin-Senger-Haus
Aufnahmeheim für UMF der AWO
Euckenstr.40
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Fenitzerstr.48
90489 Nürnberg
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Arrivals of minor refugees



Frankfurt am Main	2004	2005	2006
Arrivals	206	117	118
Number of countries of origin	29	26	27

Frankfurt am Main



Transit area Frankfurt airport

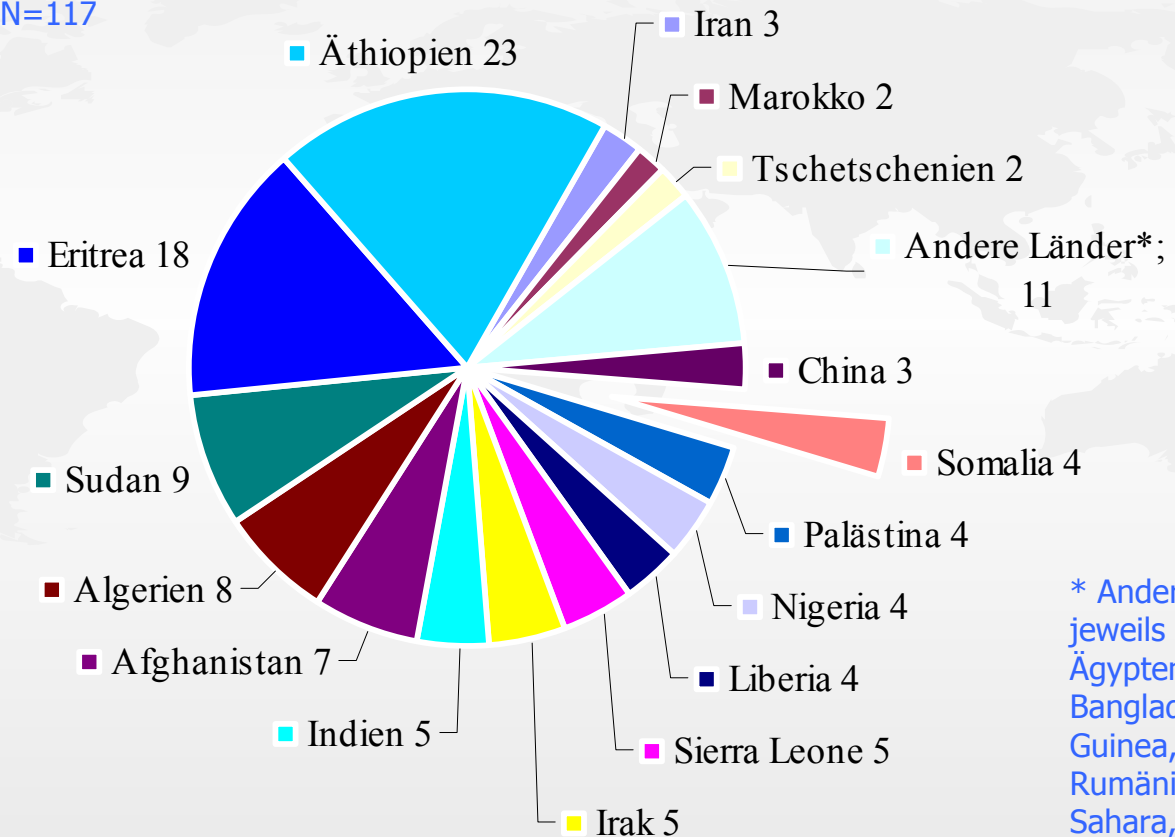


Clearing House „Valentin-Senger-Haus“ in Frankfurt

Clearing Center for UMRs

Arrivals and number of minors taken into custody in 2005 Frankfurt am Main

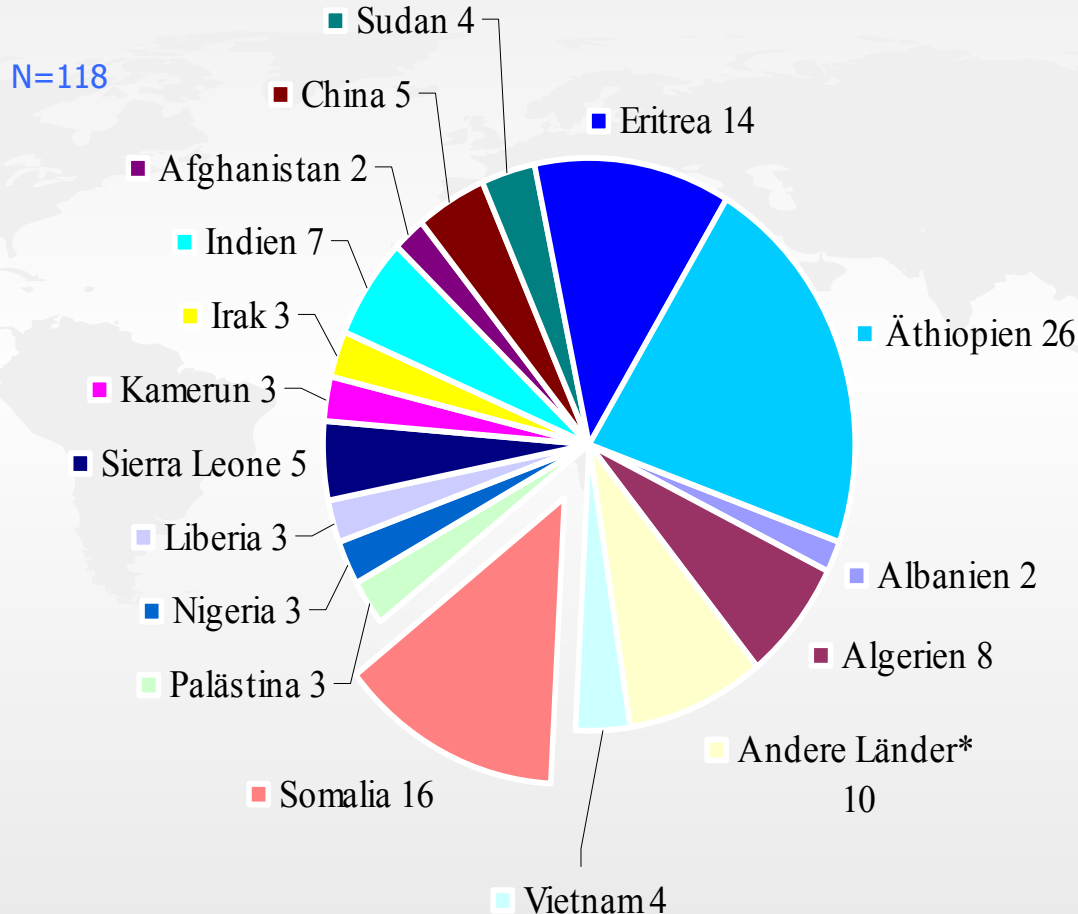
N=117



* Andere Länder mit jeweils 1 Einreise: Ägypten, Bangladesch, Ghana, Guinea, Kamerun, Rumänien, Sahara, Sri Lanka, Tibet, Vietnam, unbekannt.

Clearing Center for UMRs

Arrivals and numbers of minors taken into custody in 2006
Frankfurt am Main



* Andere Länder mit jeweils 1 Einreise:
Angola, Burundi, Fidschi, Iran, Jemen, Marokko, Mauretanien, Myanmar, Sri Lanka, Syrien, Togo

Valentin-Senger-Haus Frankfurt

► Clearing houses are institutions which receive unaccompanied minors after their arrival in Germany, and cater for their basic needs during the clearing process. This includes the provision of:

- Accommodation
- Food
- Medical Care
- Education
- Development of a Perspective for the Future
- Shelter and Protection
- Psychological Support

Procedures in Frankfurt

- ▶ According to the Hague Convention on Protection of Minors and the German laws on the protection of minors, minors are entitled to aid and assistance by the youth authorities.
- ▶ Usually, aid is provided by placing the UMRs for 3 to 6 months in a home of the AWO, which has especially been created for them.
- ▶ During their stay in this institution, an action plan has to be decided about, in which the individual needs for assistance will be evaluated, and it will be determined accordingly where the minor should be placed afterwards on a more permanent or long-term basis.

Quelle: Geschäftsbericht 2005 / 2006 des Jugend- und Sozialamtes.

Collaboration

- ▶ Clearing houses closely work with youth authorities, medical and educational services, the police, the federal authority for the recognition of refugees, departments in charge of foreigners, translators and interpreters, and legal services.

Custody of the Minor

- ▶ As the unaccompanied minors need a legal representative, the court usually appoints a custodian, who is then in charge of the well being of the minor and represents the child in legal proceedings.
- ▶ This can be a family member living in Germany, a staff member of the youth authorities or of the clearing house, or any other person or institution considered appropriate by the court.

The Clearing Process

- ▶ During the clearing process, decisions about the future of the young person are made. The situation of the person has to be analysed in detail, particularly with regard to the following questions:
- ▶ Are there reasons why asylum should be granted?
- ▶ Are there humanitarian reasons for which the young person should be given permission to stay in the country?
- ▶ If a stay in Germany is recommended, are there family members in the country which could take care of the minor?

The Clearing Process 1

- ▶ In case the minor is supposed to leave the country or does not wish to stay in Germany, the following questions arise:
- ▶ Are there family members in a third country with whom the minor could be united?
- ▶ This might involve an application for an immigration visa to a third country, support with legal proceedings and travel expenses.

The Clearing Process 2

- ▶ Can the minor be repatriated without any risk to her / his personal well being or health?
- ▶ In the case of repatriation, will it be possible to reunite the minor with the parents or other family members?
- ▶ If not, are there national youth authorities, which can provide the necessary care or support?

UMRs – Planning the Future 1

1. The well being of the child or youth has to have priority.
2. A negative decision concerning asylum proceedings and a repatriation should only be put into practice if the interests and rights of the child – as defined by the UN Convention on Children's Rights - are not put at risk.
3. The child / youth should be actively involved in plans concerning his/her future.

UMRs – Planning the Future 2

1. If an assessment of the situation in the country of origin shows that a repatriation is not in the best interest of the minor, forced repatriation should also not take place after the minor has reached the legal age.
2. Bilateral agreements between the receiving country and the country of origin concerning repatriation should only be enforced after a detailed analysis of the future perspectives for social reintegration and integration into the job market has taken place.

Problems 1

- ▶ Repatriation should normally only take place if it is requested by the parents of the minor or by the minor himself / herself.
- ▶ It should not take place without the consent of a minor as it might result in a traumatic experience. Furthermore, it is sometimes difficult to properly assess which support the minor will really receive in the country of origin after repatriation and to ensure a proper follow-up.

Problems 2

- ▶ Plans of repatriation against the will of the minor might also lead to evasive reactions, such as escape from the clearing house, with all the negative consequences this might have for the minor's well being and future.
- ▶ Thus, transparency and actively involving minors at all stages of the clearing process are of vital importance.

End of the Clearing Process

At the end of the clearing process, when a decision about the future of the young person has been made, the young person is either:

- Transferred to another institution for young people where he/she can stay until the support of the youth authorities is no longer needed
- Reunited with family members
- Transferred to asylum institutions for adults
- Repatriated in accordance with standard procedures
- Reported as missing, if they have escaped from the clearing house.

Problems of minor refugees in general

- ▶ Minors are overtaxed with the asylum proceedings.
- ▶ Their reasons for seeking asylum are often difficult to prove and rejected.
- ▶ In contrast to the UN resolution, not all federal states will allow minors to attend school while their case is pending.

Problems of Minors 16 plus

- ▶ They often do not receive the necessary advice and assistance for successfully completing the asylum proceedings.
- ▶ They are housed in shelters for adults which do not cater for their special psycho-social and educational needs.
- ▶ They can be detained in detention centers prior to deportation.

Conclusions

- ▶ German law violates various sections of the UN Convention on the Rights of the Child, and thus violates basic human rights.
- ▶ German regulations put the interests of the state first, and neglect the right of minors over 16 to protection, education and development.
- ▶ Urgent changes are needed.

Obrigado

Hvala

Suur tänu

Merci



Gracias

Mille grazie

Thank you