

Protection or dissuasion? Unaccompanied Children Experiences of the Border Regime in France

2nd June 2022

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Projet MiCREATE



This project has received funding from
the European Union's Horizon 2020
research and innovation programme
under grant agreement N°822664.

Introduction

- Authorities have a duty of protection towards minors in danger
 - Regardless their nationality or administrative status
 - These obligations collide with practices of repression of illegalised transit immigration at the french borders
 - (French UK border and french- italian border)
 - Tension between social state and repressive state (Fassin 2005)
- All the more so strong that it falls to the same authorities :

- Police
- Prosecutor and judges

Research question

1) How the authorities face this dilemma ? And how authorities choices between compassion and repression affect migrant children in transit at the borders and impacts their life and choices ?

Plan

- I) A border regime blind to minority and childhood
- II) Consequences of the border regime on migrant children

fieldwork and methodology

- 27 interviews with migrant children in transit
- 20 interviews with adults working with migrant children (NGOS, institutions....)
- Participant observation and long term implication in the fieldwork
- METHODOLOGY : A rights access based approach
- Interrogate children about their vision and their relationship towards institutions in Europe
- Comparison between the two borders came from the datas

BORDER REGIME

The scholarship in border and refugee studies calls « the border regime » (De Genova 2017, De Genova and Peutz 2010), which filters migrants in order to protect the desirable ones, and to remove from the territory the undesirables (Agier 2011).

- Calais, a border regime since 1990's
- France-italian border, a border regime since 2015

Situation in French-Italian border

- Border controls within the Schengen Area to implement pushbacks towards migrants coming from Italy
- Allowed by manipulation of law (switch from terrorist based measure to migration control measures)

Situation in Calais

- Around 1000 migrants living in small informal camps
- Around 1000 policemen to prevent migrants to go to the UK and to harass them until they renounce to cross the border
- Policy of exhaustion (Welander 2016)
- 3 tools :
 - - physical violence
 - - camps evictions and theft
 - - retention and deportation

A border regime blind to minority and childhood

- A violent policy of indistinction and absence of interaction
- "(When he takes off his hood, I notice a bandage on his hairs) "It's the dougar, I was in a truck on the highway, the police saw me. They told me to get out, and when I got out, a policeman hit me hard on the temple with his stick and then he let me go. I came back to the camp with a friend and the associations took me to the hospital" (Field Diary 3 December 2020).

A border regime blind to minority and childhood

- « [...] So the French police saw the paper. When I arrived at the border, the police took me off the train and put me in a place with adults.[...] They sent me there at 8pm and I came out at 8am the next day.[...] It was surrounded by very high barbed wire. And you couldn't get out. It was raining. [...] I asked the people there what I was doing there. They told me that we were there so that they could send us back to Italy. There was a Tunisian who spoke French. He saw the Italian sheet I had and showed it to the police. Thanks to this, they transferred me to another place. They gave me food and drink. I stayed there for 2-3 hours, and then they brought a car and transferred me to Nice » (Ilyès 14 years old, Sudanese)

A border regime blind to minority and childhood

- To have a chance to be considered, minority has to be claimed by the minor himself
- Great arbitrary power of the authorities to consider the minority
- Absence of sanctions in case of mistake for the authorities but huge consequences for children (pushbacks, retention...)

Consequences of the border regime on migrant children

- Immediate consequences :
 - - More risks to cross the border leading to death and injuries
 - - Fear to claim for immediate protection
 - - passing and dissimulation
 - - traumas

Consequences of the border regime on migrant children

- Long term consequences :
- - Deminorisation by the minor himself :
- "*I have faced problems because of my age. And most people, I don't tell them my real age. [...] I met a lot of people who I didn't tell my real age so that they wouldn't try to manipulate me or do other things that I can't talk about now.*" » Mehdi 17 years from Yemen

Consequences of the border regime on migrant children

- Long term consequences :
- - Hinder the child's comprehension of the legal framework, from an age based perspective to a (racial ?)community based perspective :
- "*Before, I didn't really have hope because I was talking to the guys, the Sudanese, and they were saying 'you know, France doesn't give papers'.*"
Youssef 17 years old sudanese

Consequences of the border regime on migrant children

- Long term consequences :
- - Hinder the child's confidence towards institutions, protection and perspective of stabilisation :
- *"And I told him "even if they give me a 10-year residence permit, I'm not staying in France" [cries] How can you be a man and... and they drop a dog on you? » Nassim 17 years old, sudanese*

Conclusion

- Inside the border regime :
- minority doesn't protect from authorities violences
- It appears more as status to acquire
- Legal framework is not applied
- Absence of consideration of human dignity