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Child rights Bridging Paper – the 5 year action plan for collaboration from a child rights perspective

Engagement of diaspora and migrant associations :

A child rights perspective

This paper is part of a series of bridging papers looking at different points of the 5-year Action Plan for Collaboration from a child rights perspective. The aim is to examine the specificities affecting children in the context of migration and inform more coherent approaches from a child rights standpoint. It has been prepared to provide input for the Civil Society Days of the Global Forum on Migration and Development (Istanbul, Turkey, 12 to 13 October 2015).



Key recommendations

- 1 Create the modalities to strengthen the role of diaspora and migrant associations as development actors and cooperate with national and local authorities to have a coordinated approach to development and child protection.
- 2 Increase cooperation between diaspora, migrant rights, child rights and other civil society organisations to strengthen public policies and coordinate service provision for children affected by migration in countries of origin and host countries.
- 3 Raise awareness of the added-value of migrants' activities in terms of development cooperation, such as increasing children's access to health and education.
- 4 Build on diaspora advocacy campaigns on specific children's issues (e.g. trafficking or forced marriage) and develop broader campaigns on the rights of migrant children.
- 5 Build on the innovative potential of youths and children from the diaspora to better target their needs and issues of concern.

Context

Diaspora associations are increasingly recognised as key actors in development largely due to the volume of remittances they send to their countries of origin. In 2015, an estimated USD 454 billion, which is more than three times the Official Development Assistance and significantly higher than Foreign Direct Investment (except for China), are expected to be sent. In certain countries, the officially reported remittances account for more than 40 % of the GDP, but the full impact is unknown as these figures do not include unrecorded remittances. However, beyond the volume of remittances, the efficiency with which they are used should also be increasingly recognised. As the interventions of these associations tend to be organic and outside the confines of government and institutional structures, a higher proportion goes directly to the beneficiaries. In addition to their impact on poverty reduction, improving quality of life and contributing to sustainable growth, remittances should also be recognised for their impact on children's enjoyment of their rights.

The contribution of diaspora and migrant associations is, however, not merely restricted to transferring funds. Their diversity in terms of who they represent (e.g. regional, country, ethnic, linguistic, religious, gender and youth), their objectives, activities and political goals has had an impact on governments, multilateral organisations and mechanisms, the media, the private sector, civil society organisations and other influential groups in both their countries of origin and host countries. Amongst them, there is a growing number of youth diaspora networks (e.g. the African Diaspora Youth Network in Europe), which carry out activities to empower or support children or youth in the context of migration, advocate for their rights or facilitate youth exchange programmes.

While these associations are considered in a positive light for the impact of their remittances, creating jobs, providing services and building capacity, suspicion often remains between them and governments in their countries of origin and/or host countries. This mistrust can be due to political allegiances of certain diaspora associations or their treatment as non-professional development players, but in many cases it is also due to an absence of effective modalities for collaboration. Furthermore, there is often a disconnection between them and those working in international development despite their often overlapping objectives.

While many diaspora organisations do not specifically focus on children and their rights, their activities often have a direct impact on children in the context of international migration, whether they are living in the countries of origin or host countries. They should, therefore, also be considered important actors in discussions about children's rights, especially children in the context of international migration.

Key issues and challenges

The impact of remittances on children

Beyond providing remittances directly to their families, these associations have been social investors, developing services and filling gaps to protect vulnerable children. They have also been key actors in providing emergency aid after natural disasters (e.g. the Indian Ocean tsunami and earthquakes in Haiti or Nepal) or in response to a conflict (e.g. Syria). Diaspora funding is also used to influence the political situation in countries of origin, including supporting a specific political party, armed group or civil society movement (e.g. Colombia, Cuba, Ireland, the Middle East, Somalia, Sri Lanka and Tibet), with the aim to bring about peace, nation-building or overthrow a repressive regime. However, funding has sometimes also been used to contribute to supporting one side in a conflict, including in rare cases ones which recruit child soldiers (e.g. Sri Lanka). All of these have an impact on children living in the countries in question.

Despite the potential economic and social benefits of receiving remittances, they come at a high personal cost for children left behind. Their families are scattered and they may grow up without seeing their parents, especially if the latter are not free to travel between the host country and country of origin. Furthermore, the financial precariousness of parents in irregular situations can result in them being unable to send money home, despite their best intentions. Worse still, some of them may die during the migratory process, depriving the children of their parents and hope for a better future.

The over-dependency on remittances within a community can also make migration look like the only alternative to have better prospects in life and encourage others to migrate despite the uncertainty and perils. Remittances are also used to bring children to the country of destination. However, due to the limited regular channels and restrictive immigration laws regarding family reunification, children usually use irregular migratory routes to join their families, which can put them at risk of grave violations of their rights, including trafficking, sexual and other violence, detention and even death.

Filling the gaps in services provided to migrant children

In addition to providing resources to the countries of origin, these associations also support their communities in the host countries (e.g. hometown associations). In fact, some of them only work with these communities and their activities often have a strong self-help, charitable or volunteering element which is motivated by a mix of obligation and public-spirited concern.

Many programmes directly target children of migrants and diaspora, migrant children (including separated or unaccompanied ones) or children who have been trafficked, sold or exploited. The range of activities greatly vary, including programmes to facilitate integration, support children to become successful in school (e.g. Chinese and Korean), establish their own schools or community activities (e.g. cultural, communal kitchens or public meeting spaces). Others facilitate contact between families, including providing assistance with tracing families and family reunification. This may involve working with the social services to provide a detailed country assessment for children and families, providing legal aid for case assessments, helping with translation and providing information to children, including victims of trafficking or exploitation.

Knowledge of the country of origin and host country puts these associations in a strategic position to provide assistance which is tailored to the needs of migrant children. While the activities have a considerable impact on the beneficiaries, they are often limited in scope due to available resources, the self-help nature and fragmented approach. Migrant children can, therefore, end up not being covered by a programme if their diaspora does not provide the type of support they need. In host countries, stronger professionalism and coordination of services (without losing the strengths of the self-help aspect) between migrant and diaspora organisations with government services would be important to provide more comprehensive child protection to all these children.

Capacity-building on child protection and support for children

Certain diaspora associations have taken on a capacity building role both in their countries of origin and host countries. They are well positioned to use their knowledge of both countries to provide training to policy-makers, specialised services or even migrant or diaspora families. There have been initiatives to train senior policy-makers and practitioners in child protection in the country of origin, using some of the best practices from the host or other countries as well as information on international human rights standards.

In host countries, these associations have established training programmes, produced research or publications for specialised services working with children from diaspora communities and migrant children (e.g. Africans Unite Against Child Abuse). They also provide training to parents from migrant and diaspora families on child protection. However, this strong child protection focus is specific to certain associations and often focuses on providing training or information to one country of origin or one diaspora community. Coordination amongst diaspora or migrant associations who originate from different countries or region could increase the impact on a greater number of children in the host country.

Advocating for the rights of children from their country of origin and host country

Diaspora organisations are often involved in advocacy and awareness-raising activities either in their host countries or regarding their countries of origin/heritage. These types of activities take many forms and in certain cases are highly politicised. For instance, the Cuban, Irish, Jewish, Tamil, Tibetan or South African (during apartheid) diaspora have been very politically active in host countries, but also at regional or international level, including on human rights. In terms of child rights, one of the main advocacy target has been the UN Committee on the Rights of the Child, the Universal Periodic Review as well as regional bodies. Diaspora organisations, especially if they originate from countries where civil society cannot operate freely (e.g. DPRK, Eritrea and Turkmenistan), have sent information on the child rights situation and recommendations to put pressure on the State to fulfil its obligations towards children. Similarly, these mechanisms have also been used to advocate for issues affecting migrant children in the host country.

These associations also lobby host countries or international mechanisms to shape policies in favour of, or challenging, the government in their countries of origin/heritage, which can have a considerable impact on the children living there. They support certain parties, social movements or civil society organisations from afar and lobby on their behalf. Certain diaspora or migrant associations focus on human rights issues in their country of origin, including ones related to children, such as gender-based discrimination, early and forced marriage, witchcraft and female genital mutilation (e.g. the Foundation for Women's Health Research and Development).

Certain diaspora and migrant associations are strong advocates for their rights in the host countries (e.g. Migrants Rights International). For instance on issue of discrimination and xenophobia (e.g. towards migrant children in school); girls' rights, such as campaigns, community education, programmes and research on practices which are harmful to them; lobbying host government to raise issues of minorities rights in the country of origin (especially if they are oppressed) or raise issues of violations of children's rights. There are also many groups who advocate for access to services, including for irregular migrants. Specific advocacy has also been carried out with regard to migrant children, such as citizenship and access to services, ending arbitrary detention and other deterrent migration laws and policies. Advocacy has also been conducted to bridge the gap in the child protection system, when it's not providing children with the protection they are entitled to. However, as for the services, there could be stronger coordination amongst lobby groups, especially if they are focusing on the same child rights issues.

Many migrant and diaspora associations are already advancing children's rights in different ways, but many of them are yet to think of their activities in these terms. This should be encouraged, given their impact in their countries of origin and host countries.

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