

Child Migrants and Policy-Research Priorities and Directions

Issues in Constructing a Canadian Research and Policy Framework

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Is it important?

- An increasing problem for some countries, an emerging one for others
- Canada's commitment to the Convention of the Rights of the Child (CRC)
- Domestic immigration law is somewhat limited in binding policies that reflect this commitment

Migrant Children: Who are we talking about?

- Persecution of child or parents
- International conflict and civil war
- Trafficking, including sale by parents
- Search for better economic opportunities
- Basic survival
- Family reunification

Definitions

- Unaccompanied children
- Separated children
- Asylum seeking minors
- Independent child migrants

Conceptual Issues

- How do we socially construct:
 - a child?
 - childhood?
 - child migration?

Methodological Issues

Defining who counts

- Age determination
- Determination of status

Record keeping

- Who gets counted

Convention on the Rights of the Child

Core Principles

- Non-discrimination
- Best interests
- Evolving capacities
- Life and full development
- Participation

Issues in Policy Development: Non-discrimination

Article 2

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Issues in Policy Development: Best Interests of the Child

Article 3

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Issues in Policy Development: Participation

Article 12

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Competing Discourses

- CRC vs state immigration law
- Criminal justice vs child welfare
- Child protection vs human rights

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