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Protection of the Rights of Children Affected by the Intra-EU Migration in the Danube Region

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Abstract: Objectives: The aim of this paper is to interpret the issues of internal migration in the EU with a focus on the children affected by the processes of labor migration. The internal migration within the EU, caused by leaving the home country for a certain period of time in search of better income or work, is a phenomenon that is typical for all Eastern European countries, including some of the Danube countries, in the period of democratic changes and social macro-transformation. Regardless of whether the children in the family accompany their parents abroad during the labor migration or they are left in the home country in the care of relatives and friends, these children have their basic rights violated under the UN Convention on the Rights of the Child, for example the right of education and healthcare. **Prior Work:** Theoretical and experimental research of the authors in the field. **Approach:** Secondary data analysis of existing statistics and authors' own experimental studies. **Results:** The labour migration affects almost 20 % of the children from so called transnational families living in the countries from the Danube region. It causes risks for their physical, emotional and cognitive development. The labor migration of the parents of such children is not also in compliance of the basic rights of the children from migrant families: right of healthcare, right of education, etc. **Implications:** The paper can stimulate a larger discussion in the scientific circles about the necessity of joint research on the protection of the rights of the children from migrant families. **Value:** The study identifies some risks for the children from migrant families whose mitigation can prevent the violation of children's rights.

Keywords: transnational family; migrant children; violation of children's rights.

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1. Defining the Concept of Migration Within the EU (Intra-EU Mobility)

The extension of the EU to the East in the recent decades and the upholding of the European principle of free movement of people led to the formation of significant migration flows from Eastern to Western Europe. In parallel with the migration pressure from countries outside the EU territory, the problem of migration within the Union puts many sensitive topics on the EU agenda, including the impact of migration on the migrants' children.

There is a number of studies interpreting concepts directly related to the migration. Janta and Harte argue that there is no consensus on the definitions of migrant and migrant children (Janta & Harte, 2016). Some researchers see the migrant as an individual born in one country but residing in another, regardless of citizenship. (Tromans et al., 2009: p. 28-42). This definition is based on the fact that the country of birth cannot be changed, while the citizenship can. According to another definition, to be qualified as a migrant, an individual must have resided in another country for 12 months or been subject to immigration control, although not all internal migrants within the EU are subject to such control (Anderson & Blinder, 2015).

According to Janta and Harte, a migrant child should be understood as a child born in a country other than the country in which he/she resides and who is a first generation migrant. The same case is valid for children born in the country of residence, but whose parents or one of them were born elsewhere (Janta & Harte, 2016).

An intra-EU migrant is an individual residing in an EU member state other than the country of birth, regardless of his/her ethnic origin (Harte et al., 2016) In the context of the EU, the migration from one member state to another qualifies as mobility. Based on this, an EU migrant child can be defined as a person under the age of 15, born in one EU member state and residing in another for a period of at least 12 months (Harte et al., 2016).

The definition of the above mentioned concepts, as well as the issues about the impact of the migration on the migrant children, are addressed in the 2019 report "Data on children in migration" of the Joint Research Center of the European Commission (Schumacher et al., 2019).

This report first defines the *concept of child* according to the international law as *any person under the age of 18*. The report also defines the *concept of children in migration* as follows: *all children from a third country who are forcibly displaced*

or migrate to the territory of the EU, whether with their /extended/ family or with another person who is not the family /separated children/, or alone, regardless of whether they seek asylum or not. (Schumacher et al., 2019). It is clear from the definition that the children in migration can be accompanied or unaccompanied, subject to voluntary or forced migration, seeking or not seeking asylum. A noteworthy fact is that the report is not limited to non-EU children, but also deals with intra-EU migration (intra-EU mobility).

The report traces the situation with children in migration from 2015 to 2018 and highlights the following facts:

- About 2.6 million children live in another country within the EU (intra-EU mobility);
- In the last five years, the number of the children in intra-EU mobility has almost doubled, with Romania, Poland, Bulgaria, Latvia, Lithuania, Croatia, Slovenia and Hungary the most affected.
- Almost a quarter of all children in intra-EU mobility live in Germany and this number has increased significantly in the last five years. Significant growth has been also registered in France, Sweden, Austria and the Netherlands (Schumacher et al., 2019).

Table 1 below presents the total number of persons under the age of 20 who migrated to the respective country from other EU member states.

Table 1. Number of persons under 20 years of age from other EU member states

Host country	2014	2015	2016	2017	2018
Austria	95.623	105.163	114.568	122.664	130.589
Belgium	151.077	159.085	166.232	170.019	171.831
Bulgaria	834	814	815	792	751
Croatia	877	1.087	1.255	1.431	1.596
Cyprus	18.939	18.305	18.431	18.012	17.718
Czech Republic	12.906	14.154	15.425	17.131	18.625
Denmark	22.187	24.560	27.137	29.160	31.206
Estonia	1.042	1.515	1.603	1.684	1.793
Finland	14.453	15.873	16.725	17.277	17.609
France	230.749	242.500	254.644	277.573	274.524
Germany	373.460	433.809	506.328	559.064	607.151
Greece	31.937	34.036	35.511	33.715	33.941
Hungary	7.523	7.397	7.657	6.903	6.921
Ireland	70.616	70.431	69.426	70.042	71.118
Italy	280.372	288.926	294.440	297.491	301.901

Latvia	599	886	603	612	628
Lithuania	448	485	523	510	564
Luxembourg	48.048	49.797	51.436	52.500	52.146
Malta	1.575	2.018	2.595	3.361	4.047
Netherlands	57.675	63.344	69.436	75.389	82.499
Poland	3.459	3.775	3.707	2.181	2.170
Portugal	12.768	12.341	12.466	12.858	13.915
Romania	1.651	1.597	2.265	3.189	3.381
Slovakia	3.378	3.431	3.546	3.679	3.717
Slovenia	1.002	1.097	1.178	1.273	1.357
Spain	279.187	272.380	270.093	270.691	275.612
Sweden	46.011	46.949	48.147	48.792	49.811
UK	514.026	607.556	660.139	772.345	836.269
Total	2.282.422	2.483.311	2.656.331	2.870.338	3.013.390

Source: Schumacher et al., 2019, p. 19

In the highlighted rows, the table illustrates very well which EU member states are the most attractive for intra-EU mobility. These are: Great Britain, Germany, Italy, Spain, France, etc., i.e. mainly the old EU member states. The total number of migrants from other EU member states under the age of 20 is significant – over 3 million in the observed period.

The next Table 2 provides information about the country of origin of the internal migrants, i.e. about the number of the European citizens aged 0 to 19 who have migrated from their country to another EU member state.

Table 2. Number of internal migrants aged 0 to 19 according to their country of origin

Country of origin	2014	2015	2016	2017	2018
Austria	12.248	11.934	11.981	12.202	12.110
Belgium	9.699	9.902	10.290	14.593	15.306
Bulgaria	79.296	91.655	107.176	120.873	134.153
Croatia	33.550	38.011	46.634	56.724	64.589
Cyprus	436	457	493	606	665
Czech Republic	10.437	11.400	12.379	14.026	14.873
Denmark	12.840	12.639	12.388	12.425	11.812
Estonia	12.770	13.946	14.513	15.416	15.529
Finland	9.829	9.336	9.140	9.443	9.218
France	59.998	61.061	62.666	74.990	76.934
Germany	67.553	67.186	66.909	70.375	71.209
Greece	45.147	46.953	48.726	49.960	51.093
Hungary	27.780	33.923	40.872	48.331	53.018
Ireland	5.009	5.399	5.671	6.204	6.517
Italy	101.049	104.424	108.690	115.698	119.598

Latvia	8.683	9.808	10.613	16.300	17.315
Lithuania	15.625	16.585	17.814	27.750	29.404
Luxembourg	2.385	2.479	2.648	2.806	2.815
Malta	235	252	273	423	480
Netherlands	61.708	63.023	64.235	65.953	65.990
Poland	157.215	175.881	194.111	232.057	240.775
Portugal	42.826	42.856	42.884	67.630	66.265
Romania	459.935	491.809	527.783	562.174	592.381
Slovakia	23.507	26.244	29.349	33.727	36.226
Slovenia	4.780	5.750	6.693	7.670	8.412
Spain	31.299	36.637	41.098	47.427	50.492
Sweden	8.694	8.760	9.017	9.845	10.369
UK	52.128	49.606	47.875	59.385	58.466
Total	1.356.661	1.447.916	1.552.921	1.755.013	1.836.014

Source: Schumacher et al., 2019, p. 20

If we compare the numbers from the table with the number of the population under 20 years old in the respective EU member states, we will see that the biggest number of the internal migrants under 20 years old is from Romania - 12.6% of all persons under 20 years old. The countries are further ranked as follows: Bulgaria – 9.3%, Croatia – 7.5%, Estonia – 5.6%, Lithuania – 5%, Latvia – 4.3%, Luxembourg – 4%. The percent of the internal migrants under 20 years old from Portugal, Poland, Slovakia, Greece and Hungary is around 3%.

Based on the above data, extracted from the Report of the Joint Research Center at the European Commission (Schumacher et al., 2019), the following conclusions can be drawn:

- The predominant direction of the intra-EU mobility of the persons under 20 years old is from East to West, i.e. from the new EU members from Eastern and partly Central Europe to the old member states from Western and Northern Europe.
- The movement from poorer to richer and more economically developed countries identifies some of the reasons for the intra-EU mobility – the search for higher paid work, higher incomes, higher living standards and better life prospects in long term. In some cases, the reasons are related to getting a better education for the children.
- The internal migration of persons under the age of 19 in the most affected countries mentioned above causes serious demographic problems, such as depopulation, aging of the population, and hence serious economic problems - a shrinking labor market, brain drain, etc.

➤ Three of the indicated countries with the largest flows of intra-EU mobility – Bulgaria, Romania and Croatia – are located in the Danube region of the EU. On the other hand, the internal migration causes problems in the labor market and social system in the EU host countries, such as Germany and Austria, which are also located in the Danube basin. Therefore, it can be argued that the negative economic and social effects of the intra-EU mobility can be attributed to the Danube region as a whole, causing disproportions in its development.

2. Negative Effects on the Children in Intra-EU Mobility and Violation of their Rights

In addition to the problems for the countries that are the biggest sources of internal migrants aged 0-19, the migration from one EU member state to another is connected with a number of risks for the children in intra-EU mobility, as well as with violations of their fundamental rights. Many of these risks are listed in a 2016 UNICEF report. (<https://www.unicef.org/videoaudio/PDFs/Uprooted.pdf>). They predominantly refer to migrant children from countries outside the EU, but they also have in common with the children in intra-EU mobility. Such risks are:

- **Uneven access to protection measures and resettlement opportunities** – the migration services tend to focus on the migration control rather than on children's rights and needs.
- **Separation from the family.** This is a significant problem for the unaccompanied third-country children, but it also applies to children in intra-EU mobility who have migrated with only one parent while the extended family and the other parent have remained in the country of origin.
- **Limited access to health services.** According to UNICEF data, only 8 EU member states guarantee the same health care for children of undocumented migrants as for the children from their own country. 6 countries limit the care to emergency care only, and 12 countries have introduced limited access to specialist services.
- **Unequal training opportunities.** According to UNICEF data, only 10 EU member states explicitly declare the right to basic education for the undocumented children.
- **Social exclusion and xenophobia.** According to a survey in the EU, approximately one fifth of the young migrants report being discriminated against.

➤ **Poverty.** In Greece, Spain and France, between 45 and 55 percent of migrants' children live in real poverty.

The indicated risks threaten the life, health and well-being of the children in migration and are in contrast with all documents for the protection of children's rights, for example, the Universal Declaration of Human Rights and the Convention on the Rights of the Child, where it is stated that the protection of the rights and interests of the children is of utmost importance and should ensure their non-discrimination, the right to life, survival and development.

A number of studies illustrate the effects of migration on the children. In their study Harte, Herrera and Stepanek (Harte et al., 2016) explore the problems in education of the children in intra-EU mobility. The authors point out that the migrant children within the EU face a number of challenges at school in terms of their performance and achievements. Data from EUROSTAT, the Organization for Economic Cooperation and Development and the European Commission show that the children of migrant parents are more likely to drop out of school early and face a greater risk of poverty and unemployment, falling into the group of the so-called NEETs (Not in Employment, Education and Training).

In support of their statements, alongside the quantitative data on the school performance of migrant and non-migrant children, the authors present in a comparative plan the results of the PISA test, which clearly show poorer performance of the migrant children compared to non-migrant children, especially when the native language is different from the language of the test.

The findings are similar for the early school leaving, where there are quantitative differences between migrant and non-migrant children. While in Great Britain these differences are reduced to zero, in Greece the difference is 13.1% more migrant children dropping out of school, in Italy – 13.7% and in Spain – 18%. The early school leaving and the poorer educational performance lead to problems for the migrant children in the labor market, e.g. the youth unemployment rates are higher among the young people with a migrant background.

The risk of poverty and social exclusion (ARPE – at risk of poverty and social exclusion) is also higher for the migrant children. For example, this risk is 36% higher for the children of migrants in Belgium compared to children of non-migrants, 30% higher in Austria and 29% higher in Greece.

The data from the mentioned study are serious and should be brought to the attention of the responsible institutions in the EU. But they are just as disturbing for the

countries that are the biggest sources of migrants to other EU countries, because the labour migration causes many risks for the migrant children and violates their fundamental rights.

First of all, there is a **health risk for these children, directly related to the children's right to health care**. Due to their parents' immigrant status, the children have limited access to the full range of services in the host country's health care system. Next, due to the employment of the parents, there are many cases of untimely seeking of specialized help in the event of a child's health problem. Last but not least, the migrant children experience intense stress during the adaptation to the new environment, which negatively affects their immune system and causes problems with their health and emotional state.

The intra-EU mobility of children is also associated with the **risk of dropping out of the education system**, which is directly related to the **children's right to education**. A number of studies among migrant children, including those cited above, demonstrate their lower school performance, language barriers and difficulties in learning educational content, lower PISA test scores, etc. As a result, these children are unable to find skilled employment at a later stage or fall into the group of NEETs (Not in Employment, Education and Training). In this way, dropping out of the education system leads to the **risk of social exclusion or marginalization** of the migrant children due to unemployment and poverty and respectively to **violation of their right to equal treatment and non-discrimination**.

3. Conclusion

As it is clear from the above, the intra-EU mobility is a serious problem, which is associated with risks for the development of migrants' children and violation of their fundamental rights. The genesis of this problem is rooted in the reasons for internal migration from Eastern to Western Europe, namely the search for higher paid work and better incomes. The migrant children are becoming a risk group that needs special attention in both sending and host countries. These children are part of the future of Europe and caring for their fate requires a united efforts and even special European policies committed to guaranteeing their rights.

References

- *** (2016). Uprooted – The Growing Crisis For Refugee and Migrant Children. *UNICEF*. <https://www.unicef.org/videoaudio/PDFs/Uprooted.pdf>.
- Anderson, B. & Blinder, S. (2015). Briefing: Who counts as a migrant? Definitions and their Consequences – 4th Revision. *The Migration Observatory at the University of Oxford*. <http://www.migrationobservatory.ox.ac.uk/sites/files/migobs/Briefing%20%20Who%20Counts%20as%20a%20Migrant.pdf>.
- Harte, E.; Herrera, F. & Stepanek, M. (2016). *Education of EU migrant children in EU Member States*. https://www.rand.org/pubs/research_reports/RR1715.html.
- Janta, B. & E. Harte. (2016) *Education of migrant children: Education policy responses for the inclusion of migrant children in Europe*. Santa Monica: RAND Corporation. As of 29 September 2016: http://www.rand.org/pubs/research_reports/RR1655.html.
- Popova, A. (2020) *Deficits in the socialization of children with parents working abroad*. Sofia. SNOUMOD DF, p. 204.
- Schumacher, G.; Löschner, J. & Sermi, F. (2019). *Data on Children in Migration. Part 1: The Basics*. https://publications.jrc.ec.europa.eu/repository/bitstream/JRC113025/data_on_children_in_migration_v2.6d_%28pdf%29.pdf.
- Tromans, N.; Natamba, E. & Jefferies, J. (2009). Have women born outside the UK driven the rise in the UK births since 2001? *Population Trends*, 136, pp. 28–42.