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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 the second edition of the child rights bridging papers commented at the Civil Society Days of the Global Forum on Migration and Development (Dhaka, Bangladesh, 8 to 10 December 2016) and an output of the Civil Society Days. It examines specificities affecting children on the move and other children affected by migration related to diaspora and migrant associations.



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 Global Forum on
MIGRATION & DEVELOPMENT

Key SDGs, sections of the NY Declaration and Recommended Principals:¹

Sustainable Development Goals (SDGs)²

Amongst the SDG targets that would enhance the impact of diaspora and migrant associations, there are:

- 9.3** Increase the access of small-scale industrial and other enterprises, in particular in developing countries, to financial services, including affordable credit, and their integration into value chains and markets.
- 10.c** By 2030, reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent.
- 10.2** By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.
- 17.18** By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.

NY Declaration for Refugees and Migrants³

Diaspora are specifically referred to in paragraphs:

- 46.** (...) We recognize the development benefits of migration to countries of origin, including through the involvement of diasporas in economic development and reconstruction. We will commit to reducing the costs of labour migration and promote ethical recruitment policies and practices between sending and receiving countries. We will promote faster, cheaper and safer transfers of migrant remittances in both source and recipient countries, including through a reduction in transaction costs, as well as the facilitation of interaction between diasporas and their countries of origin. We would like these contributions to be more widely recognized and indeed, strengthened in the context of implementation of the 2030 Agenda for Sustainable Development.
- 54.** We will build on existing bilateral, regional and global cooperation and partnership mechanisms, in accordance with international law, for facilitating migration in line with the 2030 Agenda for Sustainable Development. We will strengthen cooperation to this end among countries of origin, transit and destination, including through regional consultative processes, international organizations, the International Red Cross and Red Crescent Movement, regional economic organizations and local government authorities, as well as with relevant private sector recruiters and employers, labour unions, civil society and migrant and diaspora groups. (...)
- 69.** We believe that a comprehensive refugee response should be developed and initiated by the Office of the United Nations High Commissioner for Refugees, in close coordination with relevant States, including host countries, and involving other relevant United Nations entities, for each situation involving large movements of refugees. This should involve a multi-stakeholder approach that includes national and local authorities, international organizations, international financial institutions, civil society partners (including faith-based organizations, diaspora organizations and academia), the private sector, the media and refugees themselves.

Annex II

- 8(t)** Harnessing the contribution of diasporas and strengthening links with countries of origin;
- 15.** Civil society, the private sector, diaspora communities and migrant organizations would be invited to contribute to the process for the preparation of the global compact.

Recommended principles to guide actions concerning children on the move and other children affected by migration⁴

- 6.** No Child is Illegal - Children should be protected against all forms of discrimination

¹ These are directly relevant, but they do not preclude other ones.

² http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

³ http://www.un.org/ga/search/view_doc.asp?symbol=A/71/L.1

⁴ <http://principlesforcom.jimdo.com/>; <http://destination-unknown.org/wp-content/uploads/recommended-principle-EN.pdf>

Key recommendations

- 1 Fulfil the SDGs which increase the diaspora's impact before 2030 in order to reach the other SDGs.
- 2 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.
- 3 Develop diaspora policies that link the local to the national level in a joint and multifaceted approach.
- 4 Strengthen cooperation between diaspora, migrant rights, child rights, the media and the authorities to strengthen public policies, run anti-xenophobia campaigns and coordinate service provision for children affected by migration.
- 5 Build on diaspora advocacy campaigns on specific children's issues (e.g. trafficking, forced marriage or xenophobia) and develop broader campaigns on the rights of migrant children.
- 6 Research North-South and South-South diaspora engagement patterns to understand their impact on children and feed it into diaspora policies.
- 7 Facilitate and invest in the innovative potential of youths and children from the diaspora to better target their needs and issues of concern.

Context

With the exception of one paragraph which recognises “the positive contribution of migrants for inclusive growth and sustainable development,”⁵ the 2030 Agenda for Sustainable Development primarily referred to migrants in terms of their vulnerability, need for protection and equal rights. Yet diaspora and their associations are key actors in development. Their entrepreneurship and investment drive economic growth and positive change in many countries of origin. The combination of local knowledge and emotional ties increase their likelihood to take risks and invest where others may not. Their impact is so considerable that the African Union considers its diaspora to be a 6th region.⁶

The 2015 remittance flows are estimated to have exceeded \$601 billion, of which approximately 73% went to developing countries. This is more than three times the Official Development Assistance and significantly higher than Foreign Direct Investment. It accounts for over 10% of the GDP of 25 developing countries and led to increased investment in health, education and small businesses. However, the full impact is unknown as these figures do not include unrecorded remittances.⁷ Beyond the volume of remittances, the efficiency with which they are used should be recognised. As these associations tend to be organic and operate 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 economic growth, remittances should be recognised for their impact on children’s enjoyment of their rights.

The impact of diaspora and migrant associations goes far beyond transferring funds. Their diversity in terms of who they represent, their objectives, activities and political goals impacts 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 diaspora and their associations are considered in a positive light in terms of remittances, creating jobs, providing services and building capacity, suspicion often remains between them and governments in their countries of origin and/or host countries. Diaspora communities, especially the first generation, often work directly with local authorities or chieftaincies, rather than the government, as it is more tangible, less bureaucratic and easier to trust the relationship. The mistrust of government can be due to political allegiances of certain diaspora associations, being treated as non-professional development players, corruption, as well as 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 migration, whether they are living in the countries of origin or host countries. They should, as such, be considered important actors in realising children’s rights, especially in the context of migration be it intraregional or international.

5 http://www.un.org/ga/search/view_doc.asp?symbol=A/70/L.1&referer=http://www.google.co.uk/url?sa=t&Lang=E

6 <http://auads-nl.org/au-sixth-region/>

7 <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/4549025-1450455807487/Factbookpart1.pdf>

Key issues and challenges

The impact of remittances on children

Parents' destination (north or south), skills and gender have an impact on the amount of remittances they send home and how they are used. There is a common assumption that migration is primarily South-North. Yet it only accounts for 34% of migration, while South-South migration accounts for 38%.⁸ Higher skilled migrants are more likely to go north, provide more remittances and become investors. While lower skilled migrants are more likely to focus on supporting their families and investing in areas where there is a high social return (e.g. health, education and small businesses). While such factors have a considerable impact on children, there is limited research, especially on South-South migration. In Sub-Saharan Africa, an estimated 65% of migration is intraregional. The profile of these migrants needs to be understood to develop diaspora policies, as the focus should not only be on the quantity of remittances, but also the quality of engagement.

Transaction costs also have an impact on children. While the average price is around 8%, Sub-Saharan African and Pacific Islands pay up to 20%.⁹ Thus, the lower skilled and poorer paid are likely to pay a higher proportion of their remittances on transaction costs. Given their strong family-focus, it has a direct impact on their children. In addition to SDG target 10.7c, which aims to "reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent," there is the Valletta Action Plan. It goes further than the SDGs, as it aims to "identify corridors for remittances transfers where the partners commit to substantially reduce the costs by 2020, from Europe to Africa and within Africa, in compliance with existing national legislation."¹⁰ It also aims to "develop diaspora investment models aimed at leveraging migrants' savings for local business development and as a means of boosting local economic development."¹¹

Diaspora associations are also social investors, develop services and fill gaps to protect vulnerable children. They provide 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 in the countries of origin.

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 home. Furthermore, the financial precariousness of parents in irregular situations can result in them being unable to send money home, despite their best intentions. Children of migrants in the host country may also be affected by the parents working two or more jobs to send remittances home. The parents may often be absent, providing limited guidance and discipline. Without the wider community which they may have relied on back home, these children are left to their own devices and may develop troublesome behaviours, including joining gangs.

The over-dependency on remittances can also make migration look like the only alternative for better prospects in life, encouraging 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 frequently 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.

8 <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/4549025-1450455807487/Factbookpart1.pdf>

9 <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/4549025-1450455807487/Factbookpart1.pdf> page 7

10 http://www.consilium.europa.eu/en/meetings/international-summit/2015/11/ACTION_PLAN_EN_pdf/

11 *ibid*

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.

Funding for these smaller diaspora and migrant associations has decreased in recent times, as funds are getting channelled to large refugee centres instead. 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 provide more comprehensive child protection.

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, especially with regards to discrimination.

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 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. Anti-xenophobia campaigns would benefit from joint action across different diaspora and migrant associations.

Many groups also 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 migrant 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 many ways, but they are yet to think of their activities in these terms. As these associations and diaspora policies are developed, a child rights based approach should be encouraged given their impact in their countries of origin and host countries.



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