ANALYSING CHILD MIGRANTS’ LEGAL TRAJECTORIES. EVIDENCE FROM FRANCE

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Context

- Growing attention to child and youth migration, with a focus on children and youth in vulnerable situations
  - Children seeking protection w/out parents
  - Unaccompanied minors
  - Victims of trafficking

- Children accompanying or reunifying with their parents, i.e. “family” migrants
  - Important component of flows, but under-researched group

- Evidence on child and youth migrants’ precarious legal trajectories, especially when they arrive outside of established legal family migration channels
  - But few studies as the majority focus (explicitly / implicitly) on adult migrants
Child migrants’ legal trajectories

• Legal framework:
  • specific status and rights

• Family environment:
  • dependent status
  • rights often derive from other persons (parents)

• Data issues: general *versus* child specific
  • Excluded from data source: only adult migrants (18 or older)
  • Not counted separately: linked to parent application, family unit
  • Not identifiable in a data source: no relevant variables (age at migration, relationship with persons in destination country)
Aim of this study

• Understand how French immigration administrations deal with child migrants:
  • legal procedures concerning this group
  • statistics produced (or not) on this group

• Plan of presentation:
  • Identify main legal pathways of child migrants
  • Examine the extent to which existing (administrative) data sources allow estimating (and describing profiles of) child migrants following these pathways
Main legal pathways of child migrants

**Entry in France**

- Residence during minority
  - Asylum request
    - Acceptance
    - Refusal
      - Other situations
        - ‘Child’ accompanying / reunifying w/ parents
          - Permanent migrant (long-stay visa)
            - Regularisation before age 18

- Admission to stay upon majority
  - Refugee / family of refugee
  - Other reasons
    - Personal and family ties (entry as minor or young adult)
    - Usual residence (entry before age 13)
    - ‘Child’ in family migration procedures
Availability of administrative data

Entry in France

Residence during minority

Admission to stay upon majority

Asylum request

Other situations

‘Child’ accompanying / reunifying w/ parents

Permanent migrant (long-stay visa)

Regularisation before age 18

Acceptance

Refusal

Refugee / family of refugee

Other reasons

Personal and family ties (entry as minor or young adult)

Usual residence (entry before age 13)

‘Child’ in family migration procedures

Usual residence (entry before age 13)

Personal and family ties (entry as minor or young adult)

Refugee / family of refugee

Other reasons

Acceptance

Refusal

Residence during minority

Entry in France

Admission to stay upon majority

Other situations

‘Child’ accompanying / reunifying w/ parents

Permanent migrant (long-stay visa)

Regularisation before age 18
Longitudinal Survey on Newly Arrived Migrants (Elipa)

- **Target group**: third-country nationals receiving a first “permanent” residence permit in France in 2009
  - Exclusion of students and some groups of workers
  - Signatories of reception and integration contract (CAI)
  - Respondents are 18 or older (holders of residence permit)
  - 6,107 respondents representative of 97,736 migrants

- **Longitudinal survey** with 3 waves: 2010, 2011 and 2013

- Carried out by the Statistical Service of the Immigration Department, Ministry of Interior (**DSED**)

- **Two approaches** for identifying and describing “child/youth” migrants:
  - **Parent-child**: children cohabiting with respondent at time of parents’ admission
  - **Adult respondent** having migrated as a “child/youth”
1) Data on ENTRIES

Entry in France

Residence during minority

Admission to stay upon majority

Asylum request

Acceptance

Refusal

Permanent migrant (long-stay visa)

‘Child’ accompanying / reunifying w/ parents

Refugee / family of refugee

Other reasons

Personal and family ties (entry as minor or young adult)

Usual residence (entry before age 13)

‘Child’ in family migration procedures

Usual residence (entry before age 13)
### 1) ENTRIES: children entering France via different legal procedures, 2010-2015

<table>
<thead>
<tr>
<th>Year</th>
<th>Family reunification</th>
<th>Family of refugees</th>
<th>Accompanying family</th>
<th>Child of French</th>
<th>Total</th>
<th>Minors accompanying asylum seekers</th>
<th>Other situations</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>5 389</td>
<td>2 937</td>
<td>1 402</td>
<td>857</td>
<td>10 585</td>
<td>11 143</td>
<td>-</td>
<td>21 728</td>
</tr>
<tr>
<td>2011</td>
<td>4 741</td>
<td>2 110</td>
<td>1 502</td>
<td>782</td>
<td>9 135</td>
<td>11 683</td>
<td>-</td>
<td>20 818</td>
</tr>
<tr>
<td>2012</td>
<td>4 799</td>
<td>1 863</td>
<td>1 497</td>
<td>703</td>
<td>8 862</td>
<td>14 001</td>
<td>-</td>
<td>22 863</td>
</tr>
<tr>
<td>2013</td>
<td>4 719</td>
<td>2 373</td>
<td>1 216</td>
<td>618</td>
<td>8 926</td>
<td>14 536</td>
<td>-</td>
<td>23 462</td>
</tr>
<tr>
<td>2014</td>
<td>5 175</td>
<td>2 482</td>
<td>1 260</td>
<td>731</td>
<td>9 648</td>
<td>13 859</td>
<td>-</td>
<td>23 507</td>
</tr>
<tr>
<td>2015</td>
<td>4 674</td>
<td>2 341</td>
<td>1 264</td>
<td>626</td>
<td>8 905</td>
<td>15 133</td>
<td>-</td>
<td>24 038</td>
</tr>
<tr>
<td>Total</td>
<td>29 497</td>
<td>14 106</td>
<td>8 141</td>
<td>4 317</td>
<td>56 061</td>
<td>80 355</td>
<td>-</td>
<td>136 416</td>
</tr>
</tbody>
</table>

| % row | 21,6 | 10,3 | 6,0  | 3,2  | 41,1 | 58,9 | - | 100,0 |

Source: DSED (Long-stay visas). OFPRA (Minors accompanying asylum seekers).
2) Data on RESIDENCE DURING MINORITY

Entry in France

Residence during minority

Admission to stay upon majority

Asylum request

Acceptance

Refusal

Other situations

Permanent migrant (long-stay visa)

Regularisation before age 18

Refugee / family of refugee

Other reasons

Personal and family ties (entry as minor or young adult)

Usual residence (entry before age 13)

‘Child’ in family migration procedures

‘Child’ accompanying / reunifying w/ parents

Available

Not available / non-existent

Alternative data

No asylum request

Refusal

Acceptance

Refugee / family of refugee

Usual residence (entry before age 13)

‘Child’ in family migration procedures

Other situations

Personal and family ties (entry as minor or young adult)

Usual residence (entry before age 13)

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Alternative data

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Other situations

Available

Not available / non-existent

Alternative data

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Refusal

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Usual residence (entry before age 13)

‘Child’ in family migration procedures

Other situations

Available

Not available / non-existent

Alternative data

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‘Child’ in family migration procedures

Other situations

Available

Not available / non-existent

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‘Child’ in family migration procedures

Other situations

Available

Not available / non-existent

Alternative data

No asylum request

Refusal

Acceptance

Refugee / family of refugee

Usual residence (entry before age 13)

‘Child’ in family migration procedures

Other situations

Available

Not available / non-existent

Alternative data

No asylum request

Refusal

Acceptance

Refugee / family of refuge
2) **Children regularized during minority:** children admitted in the family reunification procedure while already residing in France, 1975-2015

*Source: ONI, OMI, OFII. Third country nationals.*
2) Data on RESIDENCE DURING MINORITY

- Entry in France
  - Residence during minority
    - Admission to stay upon majority
      - Refugee / family of refugee
      - Other reasons
        - Personal and family ties (entry as minor or young adult)
        - Entry before age 13
        - ‘Child’ in family migration procedures
  - Asylum request
    - Acceptance
    - Refusal
      - ‘Child’ accompanying / reunifying w/ parents
  - Other situations
    - Permanent migrant (long-stay visa)
    - Available
    - Not available / non-existent
    - Alternative data
    - Refusal
2) Children experiencing parents’ legal status changes during minority (Elipa)

Parent perspective

- 37% of newly admitted migrants lived with at least one child (36,000 persons)
- Most of the parents lived with children born before they had acquired a permanent legal status
  - 37% with a child born abroad
  - 37% with a child born in France before admission
  - 26% with a child born in France after admission

Child perspective

Respondent parent’s administrative trajectory

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>% col</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asylum seekers</td>
<td>13,500</td>
<td>30</td>
</tr>
<tr>
<td>Granted international protection</td>
<td>4,500</td>
<td>10</td>
</tr>
<tr>
<td>Admitted for other motive</td>
<td>9,000</td>
<td>20</td>
</tr>
<tr>
<td>Other motives</td>
<td>32,000</td>
<td>71</td>
</tr>
<tr>
<td>Admission upon arrival</td>
<td>15,000</td>
<td>33</td>
</tr>
<tr>
<td>Admission after stay 2+ years</td>
<td>16,500</td>
<td>37</td>
</tr>
<tr>
<td>Total</td>
<td>45,000</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: ELIPA, DSED. Minor children born before admission cohabiting with respondent. Child-specific weights calculated by author.
2) Children experiencing parents’ legal status changes during minority (Elipa)

Children’s place of birth by respondent parent’s administrative trajectory

Source: ELIPA, DSED. Minor children born before admission cohabiting with respondent. Child-specific weights calculated by author.
3) Data on ADMISSIONS TO STAY UPON MAJORITY

Entry in France

Residence during minority

Admission to stay upon majority

Asylum request
- Acceptance
- Refusal

No asylum request

Permanent migrant (long-stay visa)

Refugee / family of refugee

Personal and family ties (entry as minor or young adult)

Usual residence (entry before age 13)

‘Child’ accompanying / reunifying w/ parents

Other situations

‘Child’ in family migration procedures

Available
Not available / non-existent
Alternative data

Usual residence (entry before age 13)
3) Residence permits issued in “child / youth” categories

<table>
<thead>
<tr>
<th>Year</th>
<th>Refugee / family of refugee *</th>
<th>Other motives</th>
<th>Personal and family ties</th>
<th>Usual residence</th>
<th>‘Child’ in family migration procedures</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Family reunification</td>
<td>Family of French</td>
</tr>
<tr>
<td>1999</td>
<td></td>
<td>-</td>
<td>-</td>
<td>1 602</td>
<td>1 069</td>
<td>520</td>
</tr>
<tr>
<td>2000</td>
<td></td>
<td>-</td>
<td>-</td>
<td>2 306</td>
<td>1 361</td>
<td>727</td>
</tr>
<tr>
<td>2001</td>
<td></td>
<td>-</td>
<td>-</td>
<td>1 853</td>
<td>1 591</td>
<td>794</td>
</tr>
<tr>
<td>2002</td>
<td></td>
<td>-</td>
<td>-</td>
<td>1 770</td>
<td>1 892</td>
<td>885</td>
</tr>
<tr>
<td>2003</td>
<td></td>
<td>-</td>
<td>-</td>
<td>1 763</td>
<td>1 940</td>
<td>940</td>
</tr>
<tr>
<td>2004</td>
<td></td>
<td>-</td>
<td>-</td>
<td>2 798</td>
<td>1 884</td>
<td>743</td>
</tr>
<tr>
<td>2005</td>
<td></td>
<td>-</td>
<td>-</td>
<td>2 822</td>
<td>1 509</td>
<td>678</td>
</tr>
<tr>
<td>2006</td>
<td></td>
<td>-</td>
<td>-</td>
<td>3 002</td>
<td>1 294</td>
<td>672</td>
</tr>
<tr>
<td>2007</td>
<td></td>
<td>-</td>
<td>-</td>
<td>2 839</td>
<td>1 140</td>
<td>517</td>
</tr>
<tr>
<td>2008</td>
<td></td>
<td>-</td>
<td>-</td>
<td>2 725</td>
<td>1 073</td>
<td>544</td>
</tr>
<tr>
<td>2009</td>
<td></td>
<td>-</td>
<td>-</td>
<td>2 811</td>
<td>824</td>
<td>555</td>
</tr>
<tr>
<td>2010</td>
<td></td>
<td>-</td>
<td>-</td>
<td>3 043</td>
<td>888</td>
<td>638</td>
</tr>
<tr>
<td>2011</td>
<td></td>
<td>-</td>
<td>-</td>
<td>3 642</td>
<td>925</td>
<td>641</td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td>-</td>
<td>-</td>
<td>4 010</td>
<td>905</td>
<td>656</td>
</tr>
</tbody>
</table>

Source: Rapport au Parlement (SG CICI, DGEF). ONI – OMI - OFII.
3) Data on ADMISSIONS TO STAY UPON MAJORITY

Entry in France

Residence during minority

Admission to stay upon majority

Asylum request

Acceptance

Refusal

Refugee / family of refugee

Other reasons

Personal and family ties (entry as minor or young adult)

Usual residence (entry before age 13)

‘Child’ in family migration procedures

No asylum request

Permanent migrant (long-stay visa)

‘Child’ accompanying / reunifying w/ parents

Not available / non-existent

Available

Alternative data
3) Residence permits: identifying child / youth among newly admitted migrants (Elipa)

Child / youth among holders of first “permanent” residence permit according to different definitions

<table>
<thead>
<tr>
<th>Legal category: child / usual residence</th>
<th>Number</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4 500</td>
<td>4,6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Age at arrival: Minor</th>
<th>Number</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8 500</td>
<td>8,6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cohabitation with parents</th>
<th>Number</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7 000</td>
<td>7,3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Presence of parents in France</th>
<th>Number</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>13 000</td>
<td>13,3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Declared motive: follow parents</th>
<th>Number</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8 000</td>
<td>8,2</td>
</tr>
</tbody>
</table>

Admission categories (%) of child / youth migrants defined as...

Source: Elipa, DSED. All respondents. Individual weights
Discussion: child migrants’ legal trajectories

Questions raised in this session: Can existing data sources address their experiences and needs? YES (partly)

The combination of different administrative data sources and statistical surveys allows to identify the numbers of children following different legal pathways:

- Important proportion of child ‘family’ migrants come outside of legal family migration channels
- Fewer possibilities for regularization of child migrants when they are still minors. Have to “wait” until they reach majority to obtain legal status
- Are indirectly affected by immigration and asylum policies – low recognition rates, regularization – and changes in their parents’ situations
- Many situations are only indirectly observed through alternative data sources

What are the costs of these evolutions: well-being of children and their families? Social and economic costs for the reception societies?
Discussion: data issues

It is children with the most precarious legal trajectories, those in the most vulnerable situations that are missing / difficult to observe in existing statistics

How can we improve existing data sources? Different solutions depending on data source and current data situation
• What is hidden in the data versus what is behind the data

ADMINISTRATIVE DATA
• Improve existing statistics: minors accompanying asylum seekers, long-stay visas:
  • better documentation, more detailed statistics, facilitate accessibility
• Produce new statistics: decisions on asylum applications, residence permit
  • Systematically distinguish / count “children” and “youth” in statistics using different approaches: age at arrival, detailed categories, link to other persons in database

STATISTICAL SURVEYS
• Include questions capturing child and youth migrants’ experiences
  • Parents’ migration history and legal status
  • Questions to evaluate impact of precarious legal status on children: school enrolment, friendship networks, life projects…
• Adapt sampling techniques to capture child and youth migrants
  • Over-represent these sub-groups
  • Alternative sampling datasets including child and youth migrants
Thank you for your attention!

Questions or comments?