Caritas Vietnam - October 2015

HRC AC unaccompanied migrant children and adolescents

Caritas Vietnam was founded in South Vietnam in 1965 but in 1976 it was ordered to cease operations and hand over all possessions to the government. The agency was re-established in June 2008. The Caritas Center is located in Ho Chi Minh City. Caritas Vietnam programmes aim to promote integral human development and to deliver emergency assistance. We are a new agency, have little experience with migrant children , but we try to answer the following question.

**1. General situation**

**1.1** What is the situation of unaccompanied migrant children and adolescents in your country? Please provide available statistics and relevant information.

**1.1** The situation of unaccompanied migrant children and adolescents in Vietnam

Unaccompanied migrant children differ in age, gender, social class and these children have different experiences throughout their lifetimes. They can be orphans and abandoned children due to natural disasters, children with disabilities, children affected by HIV. It is more common for vulnerable groups to be male. They are faced with serious risks and challenges. Most of the children usually have no access to health care or education and some of them have been victims of violence. They had little or no education. Very few finished primary school. These vulnerable children cannot earn enough money in a legal way. They are already delinquent. Juvenile delinquents are involved in crimes (stealing, pickpocketing, drug abuse, prostitution).

There was a rapid increase in the social and economic disparity between rural and urban populations, putting additional pressure on poor families. They have fled from their homes, have moved to major cities and towns  (HCM, Hai Phong, Hanoi...) as migrant workers, and mostly share rented rooms with other working children. Many leave home in order to help relieve their family’s burden of poverty. So they may work, play and sleep together, and share their hard times. All too often, they are exploited through all kinds of dangerous work. Most of them work extremely long hours with little or no time for rest. These children still represent the absolute lowest level in the social hierarchy.

**1.2** What are the main causes that force or encourage children and adolescents into situations of unaccompanied migration?

The causes are varied, but are often related to economic crises, or social and political factor including, poverty, population growth, rapid urbanmigration, unemployment, or the attraction of city life. A lack of educational opportunities, lack of love and care of their parents and family, and violence in the family are among the main reasons why children leave the home. Sexual, physical or emotional abuse, mental health problems have all been implicated.

No recent statistics of unaccompanied migrant children and adolescents is available, because definitions, standard and categories about these young children not unified.

**1.3** Based on your organization’s experience, what are the transit, reception and living conditions of unaccompanied migrant children and adolescents in your country?

There are currently many humanitarian organizations, Unicef and international NGOs providing help to children in need through various programs and rehabilitation centre, house/drop-in centres and other residential projects.

Nonformal education for children out of school and support for existing child are major activities

**1.4** What are the main human rights violations faced by unaccompanied migrant children and adolescents in or from your country? Please give examples.

- These young group suffer violence and human rights abuses**:** Many juvenile cases are tried through local police and the tendency is to punish the delinquent children by placing them in an specific institution or prison.

- Trafficking victims

**2. Cross-cutting issues**

**2.1** In connection with article 12 of the Convention on the Rights of the Child, in your country or region, are there specific mechanisms or procedures to ensure that migrant children and adolescents’ views are heard and fully taken into account in all matters affecting them? If yes, please describe.

I don ‘t know so much of it

**2.2** If your answer to question 2.1 is positive, what have unaccompanied children or adolescents expressed as their main reasons for migrating? And what did they describe as their reception and living conditions in transit and destination countries?

**2.3** Based on your organization’s experience, do you think the human rights violations inflicted on unaccompanied migrant children and adolescents are motivated by gender considerations?

Yes.

**3. Laws, policies and coordination mechanisms**.

**3.1** Do you consider that your country’s migration policies take into account the protection of the rights of migrant children and adolescents in general, and of unaccompanied migrant children and adolescents in particular? Is the migrant child/adolescent considered as a distinct right-holder by policy-makers? Are there any specific measures implemented to protect the rights of unaccompanied migrant children and adolescents? If yes, please provide details.

Vietnamese authorities have been aware of some problems for children of immigrant families from Cambodia to live in an area of ​​the southern provinces (An Giang, Long An and Tay Ninh, Dong Thap, ...). So the local government to create conditions, help and organize some activities to increase birth registration, appropriate classes for these children.

(http://moj.gov.vn/cuccongtacphianam/Pages/nghien-cuu-trao-doi-kinh-.aspx?ItemID=6039)

**3.2** What are the main challenges and barriers (legal, political, financial, administrative, economic, social and cultural) that impede the effective protection of unaccompanied migrant children and adolescents in your country/from your country?

- The prevention, administration and protection of children involved in the juvenile justice system in Vietnam are challenges. 🡪improve the existing laws and regulations.

- A lack of awareness of understanding of Government staff, communities, families and children on child protection and their rights. 🡪 communication activities to increase awareness

- The increasing numbers of migrant children and labour-abused children are posing a burning social problem (such as death of a parent, domestic violence, alcoholism, divorce, or abandonment). Widespread poverty, economic crises, inadequate education and health services, inequitable distribution of incomeand rapid urbanmigration are a significant factor driving children to leave home to work and vulnerable to situations.

**3.3** As a civil society organization, do you participate and collaborate with governmental and other organizations to elaborate effective measures to protect the rights of migrant children and adolescents, and monitor and evaluate their implementation?

Yes, Caritas Vietnam has joined and collaborated with other church organizations or Caritas Asia GSM Anti- Trafficking in Myanmar, Thailand, Cambodia, Macau.

**3.4** Do you think there is an effective collaboration between countries in your region to guarantee the promotion, protection, respect and fulfilment of the rights of unaccompanied migrant children and adolescents? Please explain your answer.

Networking-group play a major role I think, all projects with unaccompanied migrant children would need to get together in order to develop a strategy for ensuring the establishment of an effective service.

**4. Others:**

**4.1** What is the role of your organization in the protection of unaccompanied migrant children and adolescents?

Participate, cooperation and working with church organizations oder support services or centre for prevention in 26 diocesan in the future

**4.2** Please provide examples of best practices with regard to issues related to unaccompanied migrant children and adolescents.

- Ssupport the child protection responses in natural disasters

- Improved prevention and supportthe protection of migrant child victims of trafficking, commercial sexual exploitation and labour.

**-**   Life skills education: a part of improving for migrant children