



INTERNATIONAL CIVIL AVIATION ORGANIZATION

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Unaccompanied Minors: An Emerging Issue

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UNACCOMPANIED MINORS: AN EMERGING ISSUE – OVERVIEW



1. Meaning of “Unaccompanied Minor”
2. Reasons & Dangers: Minors travelling alone
3. UM: Existing (IATA) procedures
4. Treaties relevant to UM issue (examples)
5. Studies/work relevant to UM issue (examples)
6. Annex 9 & Unaccompanied Minors

1. MEANING OF ‘UNACCOMPANIED MINOR’



Meaning of “unaccompanied minor”

“... A child or infant travelling alone or with the Member’s escort.”

IATA Recommended Practice 1753

“... A child under the age of sixteen travelling alone or travelling only in the company of another child aged less than sixteen.”

IATA/CAWG: Recommended Best Practice for Minors (17 May 2007)

1. MEANING OF ‘UNACCOMPANIED MINOR’



Meaning of “minor”

Convention on the Rights of the Child, Article 1: For the purposes of the Convention, a “child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

UN Protocol on Trafficking in Persons, Especially Women & Children: “Child” shall mean any person under eighteen years of age

1. MEANING OF 'UNACCOMPANIED MINOR'



Groups of minors travelling alone: 3 categories

- a) Unaccompanied Minors (UM): 5-12; obligatory per IATA to travel with airline's assistance; registered and known to crew
- b) Young passengers (YP): 12-18; believed to manage on own; not registered
- c) Minors Third Party (MTP): minors accompanied during their journey by a third party that is not a parent/guardian; not registered.

2. REASONS & DANGERS



Reasons why minors travel alone

- Vacation or family visit
- Schooling
- Immigration
- Runaways/stowaways
- Work
- Fleeing repression/disasters/wars/violence
- Re-unification with family members . . . Etc.

2. REASONS & DANGERS



Dangers faced by minors travelling alone

- Human trafficking
- Robbed/cheated
- Kidnapped
- Abuse
- Life-threatening situations
- Deprivation of food/water
- Vulnerable to exploitation etc.

3. EXISTING (IATA) PROCEDURES



IATA Recommended Practice 1753: Interline Handling Procedure for Unaccompanied Minors

- Procedures apply to carriage of UM < 12 & at request of parent/guardian to UM > 12
- Member airline responsible for the safe delivery of UM to the receiving carrier at the transfer station.
- Proper release of UM to the receiving party
- UM form: Attachment A
- Label/tag for UM: Attachment B

3. EXISTING (IATA) PROCEDURES



IATA/CAWG: Recommended Best Practice for Minors

- Airline definition of minor: 12 [determines **fare structures**]
- For purposes of guidelines: < 16

Benefits of implementing guidelines: increased awareness, enhanced safety & security, closer cooperation

Definitions: minor, unaccompanied minor, accompanying person

3. EXISTING (IATA) PROCEDURES



IATA/CAWG Best Practice Recommendations

Action by control authorities (e.g.)

- Comply with Standard 3.15 (Annex 9)
- Provide point of contact re. minors
- Train front line staff
- Enact national legislation re. parental permission

Action by airlines (e.g.)

- Comply with IATA's R.P. 1753
- Record parent's details on PNR
- Establish clear procedures for handling UM

4. RELEVANT TREATIES

UN Protocol on Trafficking in Persons Especially Women & Children

- The purposes of the Protocol . . . To prevent and combat trafficking in persons, paying particular attention to women and children
- *Article 11, Border measures:* measures to include requiring carriers to ascertain that passengers are in possession of the travel documents required for entry into the receiving State [► Standard 3.33, Annex 9]
- *Security and control of documents*

4. RELEVANT TREATIES



Convention on the Rights of the Child

Article 22: 1. States Parties to take measures to ensure that a child who is seeking refugee status or who is considered a refugee shall (whether **unaccompanied** or accompanied by his or her parents or by any other person) receive appropriate protection and humanitarian assistance.

Article 35: “States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.”

5. RELEVANT WORK

- Study at Brussels airport: 20,000 UM arrive each year
- Large number are “MTP” category: not unlikely they become victims of crime
- Raise compulsory assistance minimum age when minor travelling alone from 12 - 14?
- No existing global binding measures to protect minors travelling alone.
- Need to harmonize different procedures followed by different airlines
- Uniform registration? Mandatory parental permission?

5. RELEVANT WORK

- *“The Rise in Unaccompanied Minors: A Global, Humanitarian Crisis”* (Center for Migration Studies)
 - **UNICEF, IOM, UNHCR**: increasing number of unaccompanied children in migration & their particular vulnerability
 - “Government officials often treat migrant children as migrants first and children second. As a result, many are denied the status-binding protections provided by international law.”

5. RELEVANT WORK

- Dec 2013: ECAC questionnaire on UM
- Establish what practices presently exist in ECAC and Airlines with regards to minors
- Draft best practices on accompanied and unaccompanied minors
- Contribute to Annex 9

6. ANNEX 9 & UM

3.15 Contracting States shall issue a separate passport to each person, regardless of age.

3.76 Recommended Practice.— In **emergency situations** resulting from force majeure, Contracting States, aircraft operators and airport operators should give **priority assistance** to those passengers with medical needs, **unaccompanied minors** and persons with disabilities who have already commenced their journeys. (*Emergency assistance/entry visas in cases of force majeure*)

→ **NEXT?**

→ **YOUR INPUT!**

REFERENCES



<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

→ Convention on the Rights of the Child

<http://www.unodc.org/unodc/en/human-trafficking/index.html?ref=menuside>

→ UNODC: Human Trafficking Instruments

<http://cmsny.org/2012/10/15/the-rise-in-unaccompanied-minors-a-global-humanitarian-crisis/>

→ Center for Migration Studies

UNACCOMPANIED MINORS



QUESTIONS?