



# **PROUD: Promoting Supported Independent Living as an alternative care practice for unaccompanied minors**

## **D2.2 Report on the assessment of integration services provided to unaccompanied minors**



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<b>Project Identification</b>	
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<b>Keywords</b>	Unaccompanied minor integration context, integration services.
<b>Abstract</b>	<p>The purpose of these reports is to analyse and assess the integration context and integration services provided to unaccompanied minors via semi-structured interviews with stakeholders in countries of project partners. This will be completed through the analysis of the integration context and services for unaccompanied minors in Greece, Germany, Spain and the Netherlands.</p> <p>This report analyzes the existing obstacles that unaccompanied minors face while integrating into the Spanish society in terms of education, employment and vocational training as well as the challenges faced by relevant stakeholders who provide integration services (A2).</p>
<b>Authors</b>	Silvia Carrasco and Gabriela Poblet
<b>Reviewer</b>	Mara Pagona

## 1 About PROUD

PROUD, with the full title “Promoting Supported Independent Living as an alternative care practice for unaccompanied minors” is a two-year project, funded by the Asylum, Migration and Integration Fund of the European Commission (AMIF-2018-AG-INTE-4) for the period 2019-2021. Overall, the project promotes supported independent living (SIL) as an alternative care practice for unaccompanied minors focused on minors aged 15-18 in four European countries.

Specifically, knowledge and good practices regarding SIL are being collected, exchanged and disseminated. In addition, the project develops methodologies in order to improve the living standards of unaccompanied minors aged 15- 18 years old. In this regard, PROUD supports the capacity building of care professionals and the adoption of a mentoring scheme in order to address the integration needs of minors. The project is expected to have a high impact both in short and long term. In the short term, 200 minors of 15-18 years old are expected to benefit

along with more than 500 child protection professionals. In the long term, the project is expected to positively influence EU Member States towards adopting alternative care practices.

The consortium entrusted its implementation involves expert organisations from Greece, Spain, Germany and the Netherlands. Specifically, the PROUD partnership consists of the project coordinator METAdrasi – Action for Migration and Development (Greece), Fundació Privada Idea per a la millora social d'infants i famílies (Spain), Apostoli (Greece), Centre for European Constitutional Law (Greece), Plan International Deutschland EV (Germany), Athens Lifelong Learning Institute (Greece) and Stichting Nidos (Netherlands).

## 2 Purpose of this Report

PROUD aims to promote supported independent living (SIL) as an alternative care practice for unaccompanied minors of 15-18 years old. Specifically, knowledge and good practices regarding SIL care are to be collected, exchanged and disseminated among participating countries through the project activities.

A key PROUD activity is to analyse and assess the integration context and integration services provided to unaccompanied minors via semi-structured interviews with stakeholders in countries of project partners. This has been conducted through the (1) Analysis of the integration context for unaccompanied minors in Greece, Germany, Spain and the Netherlands and (2) Assessment of integration services provided to unaccompanied minors in Greece, Germany, Spain and the Netherlands.

The accompanying report compiled under PROUD, “Analysis of the integration context of unaccompanied minors in Greece,” provided an analysis of the realities, policies, and wider context that influence the integration of UAMs into society in Greece.

This analysis focuses on conducting a targeted assessment study in Greece, in terms of the integration services available to unaccompanied minors. The aim is to identify and analyse the existing obstacles that unaccompanied minors face while integrating into the participating countries’ societies in terms of education, employment and vocational training as well as the challenges faced by relevant stakeholders who provide integration services. In order to collect data, various sources and tools will be used.

### 3 Abbreviations and acronyms

APDH	Asociación Pro-Derechos Humanos de Andalucía (Association pro-Human Rights in Andalusia)
CCAA	Comunidades Autónomas (Autonomous Communities, regional division of the Spanish State)
CETI	Centro de Estancia Temporal de Inmigrantes (Centre for Migrants' Temporary Stay)
DGAIA	Direcció General d'Atenció la Infància I l'Adolescència (General Directorate of Children's and Adolescence)
MENA	Menores Extranjeros No Acompañados (UAM)
NGO	Non Governmental Organizations
PIL	Plan de Inserción Laboral (Labour Market Insertion Plan)
UAM	Unaccompanied Minors
UNICEF	United Nations Children's Fund
ESM	Europa Sense Murs (Europe Without Borders organisation)
CRAE	Centre Residencial d'Acció Educativa (Residential Centre for Education Action)

## 4 Report on the assessment of integration services provided to unaccompanied minors in Spain

### 4.1 Integration services in Spain

#### 4.1.1 Introduction of the available integration services for unaccompanied minors

The protection system of children and adolescents and its related services are very complex in Spain because they are governed by laws and regulations of different ranks and levels. Children's rights and foreigners' rights are regulated by laws at state level that follow international conventions and EU agreements but social policies for the protection of children are the responsibility of the 17 autonomous regions (in Spanish, Comunidades Autónomas, CCAA), as is the guardianship of minors, to the detriment of their protection in practice. Each autonomous community has a body that directs and coordinates childhood policies, protection centres, guardianship and custody procedures and is responsible for safeguarding the rights of minors, being in charge, among others, for implementing specific programmes and allocating residential and other resources for UAM. Throughout Spain, the protection system is mostly outsourced, therefore it is non-profit organisations, foundations and companies (many of them for profit) that are in charge of managing centres, services and resources for UAM and for young people coming of age.

In order to understand the integration services for minors in Spain, it is necessary, at first, to know the migratory flows of minors in the last twenty years, from a longitudinal perspective and the adaptations of the protection system. In the case of Spain, there is a consensus in research that there have been different phases of increase and decrease in the flows of minors who migrate alone, as well as a change in profiles. This has led to adapting the childcare and protection system, but also and mostly to producing significant deficits in services that have not yet been resolved.

The migration of unaccompanied minors to Spain is diverse but has become structural, and several stages can be identified in it (Gimeno, 2018). Although the migration of UAM is documented since the 1990s, the child protection system in Spain was designed for native minors, with standardised institutional practices and routes. Although since 2000 there was a considerable increase in the arrivals of UAM, the protection system was not redesigned, but rather adapted by incorporating "reception phases" and specific procedures (such as tests for age assessment) within a series of services that proved to be rather insufficient. It could be said that at that time, the national and local authorities perceived it as a temporary issue which needed no structural approach.

From 2005 a second phase could be identified in which there was an increase in flows, especially of minors from sub-Saharan countries. These minors arrived by boat, in the Canary Islands (where there was a significant "peak" in 2006) and to the coast of Andalusia. Others arrived via the land borders of Ceuta and Melilla. This wave coincides with the so-called "fence crisis" ("la crisis de la valla") in Spanish cities in northern Africa in 2005 which involved the arrival of African young adults and started to be a media recurrent target. The local administrations, although each in their own way, tried to respond more effectively by following a protocol issued by the Children's Observatory (2005) and assumed what was called "*firm guardianship*" within ten days of identifying the child. This change in practice facilitated access to training and employment for adolescents and in turn reduced the number of runaways from centres, which was characteristic of the previous period. During this phase, innovation was

made, with certain resources, in the protection system, especially in the reception phase. New services were promoted, such as intercultural mediation, interpretation services, language learning and other specific programmes. According to the studies carried out, the UAM who arrived at this stage were already aware of the barriers they would encounter to regularise their situation and had been receiving information from their networks about the resources and care services in the different autonomous communities. However, during this period, the UAM issue began to be seen as a problem and an initial stigmatisation of minors emerged in public opinion.

With the outbreak of the economic crisis in 2008, many reception programmes and organisations were left without funding, so the quality and extent of care services for UAM decreased. The crisis gave rise to a third phase that ran from 2009 to 2015. In this phase, there was a decrease in the number of arrivals of UAM while the profiles varied. According to research (Gimeno, 2018), a "hyper-adaptation" response of UAM to the Protection System was beginning to be observed, motivated by the information that circulated among the networks of friends and family relations. Conflicts over age determination were also growing, which suggests that many young adults were increasingly adopting the migration strategy of "entering as a minor", to avoid the police pressure on the southern border that was experienced especially by young UAM from Sub-Saharan countries. In fact, the decrease in the flow of UAM at this stage, was linked to border control policies and to the externalisation of policies between Spain and Morocco (Gabielli, 2017). In-depth studies carried out in northern Spanish autonomous communities on this stage mention an "invisible flow" of UAM whose migratory project is to arrive in France. In other words, Spain is again conceived as a "land of passage" and the protection system becomes a challenge that may slow or jeopardize their migration project (Gimeno, 2018).

From 2016 onwards, and coinciding with the so-called "refugee crisis" in Europe, the fourth and so far the last phase of migration of UAM and young people that can be identified, in which there was an exponential increase from one year to the next on the southern border and in the autonomous communities of northern Spain. This phase was characterised as a boom, because in fact it was a new, larger wave than in the second stage. From the point of view of the Protection System, all the authorities refer to an "overflow". As explained in Report 1, there is an exponential increase and at the same time a greater variety of profiles. Children from Morocco are clearly the majority (60%) but also with a great variety of profiles by region of origin, rural or urban, and by social and family status. There is also an increase in girls from Morocco, some migrating autonomously fleeing due to a variety of situations linked to gender inequality, such as forced marriages, etc., and others being the victims of trafficking. It should be clarified that the arrival of trafficked minor girls has never decreased, but that the countries of origin have varied (Nigeria, Cameroon, Romania, Morocco and even Asia and Latin America) and that they are also very difficult to count because they are in the hands of traffickers and smuggling networks.

**Table I: Summary of the stages of migration of unaccompanied minors in Spain**

Stage	Services	Characteristics of the flows	Responses
2000 - 2004	Precarious Reception		Drop-outs Avoidance of age assessment tests
2005- 2008	Innovations in reception protocols	Increase in UAM from sub-Saharan Africa	Parallel itineraries Settlement and labour integration
2009-2015	Application of filters in reception practices	Decrease in the volume of UAM. Invisible children to France Victims of trafficking Minor applicants for international protection Adults registering themselves as minors	Hyperadaptation Invisibility
2016-2019	"New wave" and overflow	Variety of profiles Exponential increase of Moroccan minors 16-18 years old with an educational background Minority as a migration strategy Child applicants for international protection and separated children Girls victims of trafficking for sexual exploitation	Reward and punishment system:  "success or banishment" "Either you're a model or you're a criminal."  Stigmatization

\*Authors' elaboration based on Gimenez, 2018.

This situation of new wave and "overflow" produced different responses in the local administrations according to the political orientation of the local government and to the situation that was being experienced in that region (as in the case of Catalonia whose government was primarily involved in pursuing independence from the Spanish State). These responses range from total negligence, neglect and even encouragement of hate speech (as in the case of Melilla<sup>1</sup>), to true concern about attention and innovation resources, through indifference, mismanagement or lack of existing resources, due to lack of budget. In some autonomous communities, such as the Basque Country and Aragon, previous experience was used to create new care programmes and improve practices, with the support of academic experts and the creation of specific observatories to monitor the issue and the impact of policies related to it, in which experts and care service organisations participate. Training and labour integration programmes focused on the transition to adulthood were incorporated, such as supervised apartments and labour integration initiatives, as well as family care programmes. However, bad practices and "filters" in relation to the age tests of the previous period persisted in almost all

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1 Unpublished report for Save the Children, *Hacia una sensibilización eficaz*, by Poblet and Carrasco (2019).

the autonomous communities and the practice of "immediate guardianship" was not recovered, a persistent problem that goes on, nation-wide nowadays.

Due to these dynamics, the geopolitical position of Spain and the organization of the State in 17 autonomous communities and 2 autonomous cities in northern Africa, it is clear that in Spain there are three different situations regarding integration services and the situation of unaccompanied minors: **1- the southern border:** the cities of Ceuta and Melilla, sharing borders with Morocco, are the only land borders between Europe and Africa (the situation of the Canary Islands is singular); **2- the arrival coastline and transit area in Andalusia**, as the region with the largest number of ports of arrival for UAM; and **3- the northern autonomous regions as transit-destination:** the Basque Country, Aragon and Catalonia, although the situations there are diverse, too (for example, Barcelona is an indisputable pole of attraction in the migration imagination of many UAM). These different situations mean that the policies and resources allocated in each territory are different and have different objectives.

- 1- **Southern border: Ceuta and Melilla.** A large number of minors are arriving in the cities' protection systems. There were reception centres for two decades, however with no actual long-term resources. Border control policies and bureaucratic difficulties, among other things, make it difficult to transfer minors to other cities on the Peninsula. This makes many children and adolescents choose to cross the Mediterranean on their own, hidden in trucks or in Ferries, which is popularly known as "doing risky".
- 2- **Andalusia and transit Autonomous Regions:** Most unaccompanied minors arrive by boat at the ports of Cadiz, Tarifa, Algeciras and Almeria. After undergoing wrist-bone age determination tests (which are very unreliable and controversial), they are assigned to reception-centres in the larger cities. In 2018, with the "boom" in the arrival of UAM in Andalusia, there was a proliferation of emergency centres, to which minors waiting for age determination tests were directed. Many of these centres do not meet the conditions for appropriate care and it is very common for minors to escape from centres in Andalusia to go to other regions, also because their aim is to go to Barcelona or France. Something similar happens in Madrid, especially in the Hortaleza centre, well-known for its overcrowded conditions, mistreatment and frequent escapes.
- 3- **Central and Northern cities:** The main city in Spain that could be considered a destination of UAMs is Barcelona. This is due to the city's attraction for international migration, to the networks of young people's relationships, and also because it is seen as the way to France and to other places in Europe. The Basque Country, especially Bilbao, is also a pole of attraction for unaccompanied minors, once in Spain. The UAMs who go to the Basque Country do so from Andalusia or Catalonia, but also from France. Madrid, Valencia and Aragon are, in principle, transit communities for UAMs, but for the purposes of the Spanish protection system they become destination communities, as they have access to long-term resources and some transition programs to adult life. Zaragoza, for example, the capital city of Aragon, is usually a "land of passage"<sup>2</sup> for minors, but in recent years, as support programmes have improved, many minors have chosen to stay.

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2 Interview with a senior member of the directorate for the protection of children and adolescents in the community of Aragon.

In this report we will analyse in more detail the Protection Systems, services and resources of the Autonomous Communities of Aragon, Catalonia and the Basque Country, as these are the regions where there are currently larger numbers of UAMs and because they have specific services and programs for transition to an independent adult life. Several interviews with regional and local authorities have been carried as well as with expert researchers, professionals in charge of organisations and programs, educators directly working with UAMs and UAMs or former UAMs.

#### 4.1.2 Obstacles that unaccompanied minors face towards integration in terms of education, employment and vocational training

Reports by UNICEF, Save The Children and APDH in Spain, among others, and academic research over the last 20 years agree that the protection system and integration services for UAMs have a great deficit and do not fulfil the objective of ensuring the "best interests of the child", as regulated by laws and international conventions. A series of obstacles are usually listed, ranging from geopolitical and international relations issues, to the organisation of the protection system, administrative, economic (budget and outsourcing) and regulatory obstacles (such as the Aliens' Act), and also social barriers and cultural prejudice, such as the stigmatisation of UAM as a group, which in turn is a product of public policy failures and deficits that make it easy for tabloids to reinforce negative perceptions.

#### **The model of autonomous regional management:**

The first big obstacle we can point out is the organisation of autonomous communities' system itself, which in this case is not effective for many reasons and makes coordination and decision-making difficult between the authorities at different levels. The fact that there are 17 Protection Systems is an obstacle. There is no nation-wide strategy neither common or detailed guidelines for the implementation of policies in practice. However, the high mobility of the group and other characteristics of the group require a more far-reaching strategy. The National Register of Minors does not work, and the data of the Public Prosecutor's Office are not reliable. When minors change regions, they are counted again and, as some local authorities point out, "it's like starting over" when in fact the minors have been in Spain for one or two years. There is no system for tracing unaccompanied minors that would ensure continuity in their guardianship, documentation management and education. In many autonomous communities, they are even removed from the Protection System shortly after escaping without notification to the rest of the regions, no mechanisms for the tracing of the child or "transfer" of custody. This is directly detrimental to minors who say they "waste their time" in emergency centres, waiting for age determination and document processing. When they change regions, they have no continuity in, for example, training or education, but instead begin their "integration process" again in another reception phase.

Each autonomous region also dictates its own laws and criteria for managing protection centres, depending on the political colour of the government at the time. Thus, we find great differences in criteria and approach in social policies on unaccompanied migrant minors that differ in institutional responses. For example, in 2002, the Autonomous Community of Madrid approved the II Plan for the Care of Children and Adolescents in the Community of Madrid. This plan described UAMs as "a sector of the adolescent immigrant population that is characterised by being itinerant and demanding attention from the different protection services in the country" and that "it is a great difficulty due to the culture shock". Despite the fact that at that time there

was already academic literature and reports analysing the phenomenon and that the migration of minors was on the European agenda, the Community of Madrid reinforced labels regarded as inherent to the group such as "itinerancy". Monteros (2018) has identified this mobility pattern as partly the outcome of systemic deficit views, as the referring to "culture shock"<sup>3</sup>, all which is feeding the notion of UAM as a problem to be solved rather than children with rights to be guaranteed. In contrast, the plans of other autonomous communities, such as the Basque Country and Aragon, focus on caring for minors in distress and looking after the best interests of the child, in accordance with international agreements.

In short, as some research points out, it is at the same time a system with little flexibility that has not changed much in 15 years (Gimeno, 2018), although the flows and needs of children have changed, as have their migration profiles and projects. The approaches to routes and destination have also changed, which requires a transnational view of the phenomenon, and not a view as a national, regional or, even less, a "local problem". However, a nation-wide strategy would definitely help improve the current shortcomings and its negative consequences.

### **Age determination tests**

There is a consensus among the authorities that the system of age determination and the discretion that operates around it is a major obstacle. Despite a 2014 Supreme Court<sup>4</sup> forbidding age testing of UAMs with valid passports, it is known and reported that many minors are still subjected to age testing. This causes a loss of time for the minor, who must "wait" for the result in an emergency centre, which is overcrowded and has scarce resources. This delay of months is a great obstacle in the path of the child who during this time is prevented from accessing formal education or training, initiating a regularization process, etc. This waiting time is a key factor in the child's development and sometimes has irreversible consequences in his/her life. For example, if minors claim to be 15 years old but still must wait for proof of age, during this waiting period they cannot access any resources. If the tests determines that the child is 16 or, during these months of waiting, has turned 16, the child has lost the opportunity to access compulsory education and, eventually, obtain the lower secondary education certificate, which is necessary to enter the labour market. Similarly, those who are 17 and must wait for the test results, often remain outside the Protection System because during "the waiting time" they have turned 18.

### **Regulations of the Spanish Aliens' Act ("Law on Foreigners"):**

There is no doubt that the main obstacle is the Organic Law 4/2000 on the rights and freedoms of foreigners in Spain and their social integration, known as the Law on Foreigners. This is the law that regulates the rights, obligations and requirements for accessing the legal residence of foreign nationals in Spain and has the highest impact on limiting the integration of UAMs, despite the existence of the Child Protection Act. Article 35 of the "Law on Foreigners" is specifically dedicated to UAMs and contains 12 sections to regulate collaboration agreements with countries of origin for repatriations, protection of minors against undocumented status, presumption of legal age and guardianship by the public administration. The Law on Foreigners regulates repatriation, but the greatest obstacle is found in the Regulations (regulated by Royal Decree 557/2011, of 20 April), which define the requirements to access official documents.

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3 Quoted from Monteros, 2018.

4 Website of the Spanish judiciary: "*El TS confirma la prohibición de someter a pruebas de edad a inmigrantes menores con pasaporte*". <http://www.poderjudicial.es/cgpj/es/Poder-Judicial/Noticias-Judiciales/El-TS-confirma-la-prohibicion-de-someter-a-pruebas-de-edad-a-inmigrantes-menores-con-pasaporte>

Specifically, Article 198 of the Regulation refers to UAMs who do not have residence and establishes the requirements to access the work permit: it is required to have an employment contract of 40 hours/week, something very difficult for a young person of 18 who barely has any training or language proficiency, especially in times when the labour market is dominated by temporality and precariousness and youth unemployment among nationals is very high. It is this article and these requirements that produce the greatest obstacles for foreign minors under guardianship to access an autonomous life. Thus, an extremely abrupt interruption occurs between under-age status and coming of legal age among UAMs. Not being able to access a work permit delays independent living and generates a high level of frustration in the lives of UAM. Some have job offers or temporary work opportunities (common to all young people) but cannot benefit from them. This means that many young people are forced to turn to informal economy, to jobs where they are exploited and without rights or social security. In addition, the lack of experience in formal employment hinders their path and their migration project. The lack of a work permit also hinders access to formal vocational training.

According to the information gathered during fieldwork, the Spanish government's national migration authorities are planning to reform the Regulations of the Aliens' Act in order to facilitate access to work permits for young people under guardianship and for those who have reached the age of 18.

### **The relationship with Morocco**

The bilateral relationship between Spain and Morocco is a conditioning factor that generally goes unnoticed in the analysis of the integration of UAMs in Spain. Although it is a question of international relations and high diplomacy, on occasions certain agreements, or the lack of them, hinder the lives of young people. The relationship between Morocco and Spain affects it in several ways. One of them is very clear at the border, where the externalisation of border control and management from the EU to Morocco via Spain and the arbitrariness exercised at the border can facilitate or hinder access to international protection. This particularly affects sub-Saharan migrants (minors or not) in transit, who are persecuted by the Moroccan government and find it more difficult to reach the asylum offices at the border posts in Ceuta and Melilla.

For the young Moroccans under guardianship, the diplomacy of their own country represents a major obstacle. Most young people need to have their passports validated or renewed, and Moroccan consulates cause significant delays. It is also often a major problem when they need to validate their studies. Many young people wait for more than six months or even well-above a year for a certificate from the Moroccan consulates. The professionals in protection centres and the educators responsible for processing the documents of minors in custody have confirmed on several occasions and in different provinces these added bureaucracy delays and even report a "boycott"<sup>5</sup> against passports, documents or certificates at the Moroccan consulates. This causes enormous frustration to the minors, who are totally helpless, between the two States. As with the legal regulations on foreigners' legal status, any delay in obtaining documents causes major obstacles for young people in accessing formal education and training, legal employment and adequate housing.

### **Externalisation and privatisation of the Protection System:**

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5 Interview with educators and social integrators of Juvenile Centres.

Privatisation and outsourcing of protection system services also represent a major obstacle to the system's functioning in the best interests of the child. It is often an issue that goes unnoticed in reports and analyses, since all the agents involved participate in creating this system. However, academic research has unveiled what is happening in practice by analysing it in depth in relation to the deficit of the Welfare State in Spain and the direct impact that the privatisation of the system has had on the lives of UAMs in care and those formerly in care.

According to the analysis of the research carried out by Silvina Monteros (2007 and 2018), this model responds to a scenario of neoliberal governance of child protection based on the commodification of social risks. The political and social intervention on the group of UAMs is a paradigmatic example of this model. Among the Welfare State models, the Spanish one is closer to the so-called Mediterranean Model, where social policy is based on public spending, charity and the family. Although at the beginning there was a commitment to control market effects, from the 1990s onwards the neoliberal ideology that brought about the privatisation of public companies began to make its way. On the other hand, social policies were divided into two modes of provision: social protection (to cover the needs of wage earners and family members); and social assistance, to provide minimum resources and very basic needs to people in or at risk of social exclusion. Only the access to compulsory public education and universal health care (both of which are in principle guaranteed for UAMs) remains universal. Social assistance was for long delegated to the Catholic Church and its organisations, such as Cáritas, and to large international organisations such as the Red Cross, which until today are the ones to provide social assistance to minors who arrive alone in the Spanish territory. From the 1990s onwards, many small and medium sized non-governmental organisations proliferated and gradually began to enter the process of subcontracting from the public administration as service providers. The decade of the 2000s saw the consolidation of what experts have called "the era of the third sector" (Monteros, 2018). The proliferation of NGOs and foundations, and the increasing delegation of social assistance to them, has coincided with the influx of foreign migrant population to Spain, which reached its peak between 2000 and 2005.

The process of privatisation in welfare provision goes somewhat unnoticed in public opinion because welfare management is now in the hands of non-governmental organisations developed by civil society. The problem is that these organisations are publicly funded, and a competitive regime is put in place to become public tenders. Competitiveness and contractual relations are in fact market dependent. Without going into detail about the regimes of tendering, profitability, contracting and other factors that make up the private management of social services in Spain, in the case of specific services for UAMs, the following consequences derived from the system of externalisation and privatisation can be summarised (analysed by Monteros and also included in the analysis of the fieldwork data gathered):

- **Competitiveness between the organisations** that manage centres for minors, and therefore, lack of collaboration between them in relation to experience, management models, pedagogical models, etc. **The lack of coordination** affects the functioning of the system and the labour relations of the professionals.
- The **cost-benefit, economic criteria** for awarding tenders force many organisations and companies to reduce costs, which in turn means reducing professional staff with the consequent poor quality of childcare services, reduction of ratios, etc.
- The **working conditions of staff** in residential centres are marked by **precariousness and short-term contracting**, which leads to staff unrest and to hiring young inexperienced staff who have barely completed their studies. Many of these young people have no training in pedagogy, nor in international migration,

nor do they know about the phenomenon of UAMs and its complex and multiple dynamics.

- The **lack of specialised staff** affects the quality of service and very directly the lives of young people, as will be seen from their testimonies. Many educators are not an adequate reference for working with migrant minors in distress. This leads to ill-treatment, complaints and to failures in the care circuits and documents procedures.
- All of the above leads to a high **turnover of staff**, sick leave due to work stress or, in the words of the educators themselves, "high burn out". The frustration in the youngsters' itineraries is also a frustration for the whole teams in charge. Both educators and UAMs share the feeling of undergoing stressful and uncertain situations.
- The **training and specialisation** of the personnel working in the protection centres also depends on the companies they manage and not on the public administration, which has no control over it.
- This creates a **dependence of the companies or organisations** (profit or non-profit) from the governments of the public administration and the party politics, which can lead to clientelist practices. The most outstanding exponent of this situation is the city of Melilla and the concessions to the company Arquisocial the management of the La Purísima UAM's Centre for more than 10 years, despite repeated complaints of mistreatment, overcrowding and violation of the rights of minors.
- **Commodification of risk:** Many companies or organisations that applied for tenders and bids to manage centres for minors due to the massive influx of the last phase of UAMs' migration, had no experience in this area, but rather in, for example, homes for the elderly or women's shelters. In other words, they adapt to "the risk groups of the moment" without having any specialisation, which Monteros (2018) labels as the "Commodification of risk". The same young people who were formerly in care also testify to this, explaining that they immediately notice when a coordinator or director of a centre has no experience with young people "because she comes from coordinating a centre for the elderly"<sup>6</sup>.
- The dependence on public funding and this kind of "adaptation" to the risk groups "of the moment" **destroys the real social fabric** of the civil society that reports the violation of human rights or, in this case, the violation of children's rights against the best interests of the child that occurs from the Protection System itself.
- **Restriction of opportunities for minors:** Another situation that occurs due to outsourcing and privatisation is the lack of fluidity in the referral paths and the discretionary access to resources by young people. Organisations and companies that manage protection centres usually refer to other resources existing within their own networks. An example of this was given by the director of a centre for minors who, despite being a member of the cooperative firm for which he works, is aware of the system's detrimental effects on the lives of minors: if a minor is in a centre run by company X and at the age of 18 stays in the street, this minor will be more likely to access a place in a hostel run by the same company X than the minor who was in a centre run by company Y. That is to say, the minors' opportunities often depend on being "lucky" to be placed in a centre run by one specific company.

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<sup>6</sup> Interview with a formerly tutored young man.

In short, the privatisation of services directly harms the lives of UAMs, in their protection, in access to training and employment, due to the lack of quality care and the dynamics of the organisations and companies in charge of the services. Outsourcing is what makes the system discretionary and client oriented, and that the best interests of the child are not served - even if the majority of staff are willing to do so.

### **The stigmatization and criminalization of UAM:**

The stigmatization and criminalization of UAMs conditions the social perception of their condition as subjects of rights and deservingness of resources as children.

The name UAMs and its Spanish acronym MENA (Menores Extranjeros No Acompañados) was a response to the European Commission's intention to make visible and study the phenomenon of transnational mobility of unaccompanied minors seen as vulnerable children with rights under international and national protection schemes. However, over the years this acronym has become a label, a loaded, stigmatising name in the case of Spain, therefore in recent years, human rights organisations, social movements, large NGOs such as Save The Children, UNICEF and even the authorities avoid pronouncing the Spanish acronym "MENA". Save The Children in its 2018 report warned against the use of the name because it has resulted in depersonalizing children and making their realities invisible.

With the treatment of tabloids, the label "MENA" led to a naturalization of exclusion and a criminalization, which acquired more or less intensity in different parts of the country, depending on the approach of local authorities and the impact of their policies. The MENAs ceased to be people with rights seen as equals to those of the members of the receiving society and its children, to become regarded as an undifferentiated group. As a result of the lack of institutional responses and budget cutbacks in social policies, UAMs were over-exposed in street situations and associated with crime. In its 2018 report, UNICEF also expressed this concern by pointing out that "negatively included in the generic concept of "MENA" they are treated as a threat and a problem of public order, sometimes suffering institutional and social rejection that includes school settings, where the label "child in care" is added to that of "MENA" (UNICEF report), especially on the southern border.

The most emblematic case of this overexposure and criminalisation is found in the city of Melilla, where from 2015 the MENAs became the scapegoat for unrest and insecurity (Harraga, 2016, UNICEF, 2018, ESM, 2019). During 2018 and 2019 this perception of UAMs as being related to crime extended to Spain's large cities like Madrid and Barcelona and their metropolitan areas, where news of crimes, thefts, fights and even rapes began to proliferate, relating in one way or another to the group of minors under guardianship, mainly from Morocco. In some local and regional communities such as Ceuta, Melilla, and the Canary Islands, and in some cities in Andalusia, the authorities actively contributed to this criminalisation, promoting to a greater or lesser extent discourses of fear and rejection. In other cities, it was decided not to respond to the media but to respond with institutional actions, as in the Basque Country and Aragon, to avoid overexposure and under-visibility of the group as an undifferentiated whole (Carrasco, 2002), that is, to become very visible in relation to borders perceived by the receiving society while their actual situation of distress and need is largely ignored. In Aragon, the local authority interviewed even explained that no publicity was given to the new centres opened or to the budget allocated for this purpose. In Madrid and Catalonia, the social fabric was mobilised to try to reverse the criminalisation of the group, although with little effect, in the towns and cities where there were conflicts. An emblematic case of conflict was in the city of Rubí (Catalonia) in the Barcelona metropolitan region, which we will refer to later, and others in

several towns and villages on the Catalan coast north of Barcelona (Maresme area). The local authorities in Catalonia opted to stop using the acronym MENA and to promote social integration programmes under the umbrella label of "youth", thus including young people in general but with the intention of combining specific interventions aimed at UAMs.

The stigmatisation and criminalisation of the group by the media and public opinion is the combined result of bad management, "overflow", lack of strategy, improvisation and institutional neglect, but it also legitimises this lack of policy. This is also an obstacle to the functioning of, for example, training or employment programmes. In Aragon, in spite of having special programs of labour insertion for youngsters formerly in care, the authorities explain that it is impossible for them to promote their labour insertion in the rural sector, since the owners of the properties totally reject to employ UAMs and young people due to racist prejudices but with arguments based on criminalization.

In Spain, the negative stigmas and criminalisation of this group is much more targeted to young Moroccans than to other youngsters from sub-Saharan countries. This situation is closely linked to the historical relations between Spain and Morocco and the socio-historical stigma of the "wild Moor" in Spain (Mateo, 1999). In Catalonia, young Sub-Saharanans are usually grouped together in the same protection centre which operates (for the time being) in a 4-star hotel in Sant Just Desvern, a rich municipality in the outskirts of Barcelona. The local authorities, educators in the centre and even the neighbours agree that the behaviour of the young Sub-Saharanans living in this hotel is practically exemplary and no conflict has arisen. The only exception was a neighbour who called the police while the boys were playing football in the park. However, the accounts of unaccompanied minors and youngsters formerly in care interviewed for this study do indicate that they sometimes felt discriminated against, that they were looked down on in the street or on public transport, or that they experienced incidents of racism, particularly when looking for housing. There is no doubt that, although actions and narratives by activists belonging to the receiving society could help reverse existing discourses of rejection and racism, UAM youngsters from sub-Saharan countries will experience them throughout their lives, not only because of their phenotype or skin colour, but also because of the helplessness and the place they occupy in society.

#### **The "call effect":**

Finally, there is another major obstacle with immediate effect on the lives of young people: the tension between the "call effect" and the Protection System (Gimeno, 2018), well analysed by research. The "call effect" is a concept coined by the popular migration discourse often used by right-wing and liberal political parties in any context. In relation to the migration of UAMs to Spain, the eventual "call-effect" has been brought about in recent years, explicitly as is the case of Melilla<sup>7</sup>, but also, implicitly in the debates around the design of social policies and resource allocation elsewhere. Specialised research such as that of Chabier Gimeno (2014 and 2018) has shown how the diversity of local practices is motivated by the fear of the "call effect" that responds to migration control and border control. Local authorities acknowledge that on the one hand they have received the guidelines to design reception mechanisms and transition programs to adult life, but on the other hand they assume (and have received implicit competences to do so) that good reception practices can trigger the decisions of more UAMs to migrate since it is being spread through transnational social networks among peers and family members. Therefore, there is always a tension between adequate child protection policies for UAMs and requirements of migration control. This tension would be behind the

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7 Poblet and Carrasco (2019)

filters produced in the Protection System or "selection" of the best-behaved minors to access education, employment and housing resources (Gimeno, 2018). Gimeno's analysis of this tension is fully in line with the accounts of the fieldwork for this study, in which the same local authorities acknowledge that by doing their job well they are responsible for increasing the number of arrivals of UAMs. In the Basque Country, for example, this "tension" is explicitly analysed in team meetings and the children's centres seek ways to overcome it so that the children access to good resources. The UAM interviewed also agree on this and say that they are very aware of the "call effect" produced by good practices along social networks. Information is circulating about where the best centres are, where they provide the best food, where they provide the best service or where they more efficiently "help with the paperwork". This explicit and implicit tension, as defined by Chabier Gimeno, is ultimately the major obstacle for the Protection System to be truly effective, ensuring the "best interests of the child" and providing minors with access to education, training, employment and housing resources.

#### 4.1.3 Challenges that stakeholders face in terms of integrating unaccompanied minors

Following the previous analysis of the obstacles, it could be said that the main challenge for all the agents involved in the Child Protection System is precisely to overcome this tension between border control and the "call effect" and the protection of minors in distress, to find a balance between migration policies, security and the protection of minors, including international protection. To this end, it is necessary to design a global strategy at the level of the entire country and at the level of the whole of Europe. It is clear that the mobility of UAMs requires a transnational approach, as it involves multiple destinations and transnational family and friendship networks. A traceability system at the level of Spain, Southern Europe and at European level must be one of the priorities among migration and child protection policies. This "tension" that we described in the previous section should be turned into an alliance. Migration policies should be coordinated with social and child protection policies. A key to this is the low birth rate in Europe and the small youth population. In other words, the real challenge is a change of paradigm on youth migration. To stop seeing them as a "local problem" linked to insecurity and to see them as an opportunity for Europe, while at the same time assuming that it is a structural phenomenon that will last over time since global socioeconomic conditions remain the same in the sending countries.

Many of these challenges, both at a global policy approach and at a management level, are linked to general public policies. A clear example of this is access to housing, an enormous difficulty for young ex-custodians, but also a huge problem for young nationals and the population in general. A general improvement in public policies and social protection for the whole population will also benefit the group of minors and young migrants.

Social policies, both general and specific, must be accompanied by a narrative that supports social protection as a pillar of the Welfare State. This leads to an even greater paradigm shift based on social protection as a right and not as a reward. And it would also imply the creation of public agencies to replace the privatisation and outsourcing model that has been interfering and deteriorating social policies since the 1990s.

## 4.2 Assessment of the integration services in Spain

### 4.2.1 Stakeholders assessment of integration services

Local authorities and decision makers in different Autonomous Regions and municipalities in Spain agree on the lack of a global strategy and the lack of a long-term vision to consolidate social policies that allow young people to transition to adult life with dignity. Most of them focus on the fact that the main problem is the obstacle posed by the Alien Act and the problems and delays in obtaining documentation from young people, but they also agree when analysing in depth that the problem goes beyond this and is global.

The view among local authorities of municipalities and authorities of different regions varies due to their different competences when making decisions. While the authorities of the Autonomous Regions make decisions on the Protection System and are responsible for the guardianship of minors, the local authorities are only involved in the provision of services and above all in the management of conflicts with neighbours in the areas where the protection centres are located. In addition to the tension between the Protection System and the migration control policies explained in the previous section, there is what we could call "territorial tension" between the autonomous and local authorities. This "tension" is not exactly a conflict between authorities (although it is a decreasing one), but derives from the problem of the increase in land prices in certain territories and the difficulties in finding adequate facilities to open new protection centres and emergency centres for minors.

In 2018 and 2019 there were several conflicts in different territories following the arrangement of facilities to become residential centres. The analysis of these conflicts illustrates the gaps and the remaining challenges to channel an effective Protection System. Where should more centres be built? Is it more convenient to build the centres in small towns or in big cities close to resources? Should young people be taken to more rural areas or do they also have the "right to the city", to live in it and enjoy it as everyone else? Are there more escapes in more isolated centres? What are the consequences of taking migrant adolescents and young people to more isolated centres and/or to more rural areas? How should the social integration of these young people with their environment be worked on? Is a strategy of invisibility appropriate (that they go unnoticed by the local population, semi-hidden from them) or is it better to make these young people visible as citizens by raising awareness and explaining their situation to local residents? How can awareness be raised in the neighbourhood? What can the authorities and the social fabric really do to facilitate coexistence in these areas? What is the role of schools and resources in these areas? Do these young people really cause insecurity? Should UAM in care and young ex-UAM live in middle-class neighbourhoods or in working class neighbourhoods? Why not open youth centres in richer neighbourhoods where there are more resources and less conflict? These questions and many others were raised in the public debate concerning the conflicts produced in certain towns and by the interviewees in the field work carried out for this study. Some have answers and others do not, but it is interesting to analyse them in order to investigate the core of the problem and assess the management of the Protection System.

Due to the massive influx of UAMs, the population density and the characteristics of the region, Catalonia was one of the regions where most of the conflicts took place during 2018 and 2019. Building residential centres in large cities was impossible due to the lack of available spaces or empty facilities, and the DGAIA authorities began to open several emergency centres and long-term protection centres in various towns and villages with low resourcefulness. According to the same statements made by the DGAIA authorities in the press, more than 110 centres for UAMs and other provisional resources were opened in just one year. One of the territories where most centres were opened was in the Maresme area, a coastal region north of

Barcelona. Most of these centres were organised in facilities that had already been built, such as hostels, old farmhouses, former office buildings, etc. Some were far from urban centres and others less so. Although in general the authorities of the residential centres try to get young people to relate to their environment and to make use of the resources of the area (it is important to keep in mind that they are open centres), in practice and implicitly a strategy of a certain invisibility of young people was chosen, which the same local and centre authorities define as a "strategy of going unnoticed". Sometimes this strategy did not work. On the contrary, it brought unwelcome surprise among neighbours and municipal authorities who somewhat abruptly and without warning came across UAMs on the streets or in railway stations. This caused social alarm and conflict in several towns. In some cases, the social alarm was triggered by a specific conflict: accusations of theft or other crimes by young people who escaped from the protection centres. When it appeared in the press, it caused widespread social alarm and the reading of public opinion was "conflicts over MENAS". Thus, the stigmatisation and criminalisation of this group, which was initially perceived that way only in cities of the southern border, began to take hold in almost all of Catalonia with wide media coverage<sup>8</sup>. But when we analyse these conflicts through the interviewees, we see that they had very different causes, although the consequence has also been social alarm and the criminalisation of the group. Some conflicts were caused by a clear failure of management (as happened in the town of Rubí), others by racists and xenophobic outbursts and complaints from the local population (as happened in Castelldefels), and others were caused by crimes committed by some young people as happened in several towns on the coast north of Barcelona (Calella, Canet, Arenys de Mar and El Masnou), the area where more emergency and first aid centres of a massive nature were installed in a very short period of time.

In order to analyse these shortcomings in the reception strategy management and to understand how these conflicts took place, we will refer in particular to the case of Rubí, which became emblematic because it had great media repercussion and because it was a turning point for the authorities of the DGAIA to reconsider the strategy to open centres for UAM in other towns. It is also an interesting case because it shows the different angles and views held by the local authorities, the educators of the centres and the representatives of the local social fabric.

### **The case of Rubí and the agents involved:**

At the beginning of 2019, in the face of the massive arrival of UAM in Catalonia, the Catalan Government's Directorate-General for Children and Adolescents was faced with the need to quickly open new resources for minors, especially first-reception centres. The opening of these centres is decided between tenders to entities and companies (which also cannot keep up with the pace) and the search for economic facilities. It should be pointed out that public land is practically non-existent in Catalonia and the facilities or housing built are very expensive and at the same time scarce, especially in the whole metropolitan area. The DGAIA found facilities considered to be fairly suitable for a centre for minors, which was an empty hotel in a residential neighbourhood in the town of Rubí, an area where services are also cheap. The DGAIA coordinated the operation directly with the third sector organisation in charge, the EDUVIC Cooperative, which was in charge of the first-reception centre in the Hotel in the town of Sant

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<sup>8</sup> Press note: "*La presencia de menas tensa la convivencia en varios pueblos catalanes*", ABC, July 5th, 2019. [https://www.abc.es/espana/catalunya/economia/abci-presencia-menas-tensa-convivencia-varios-pueblos-catalanes-201907051123\\_noticia.html#vca=mod-sugeridosp1&vmc=relacionados&vso=la-presencia-de-menas-tensa-la-convivencia-en-varios-pueblos-catalanes&vli=noticia.foto.espana](https://www.abc.es/espana/catalunya/economia/abci-presencia-menas-tensa-convivencia-varios-pueblos-catalanes-201907051123_noticia.html#vca=mod-sugeridosp1&vmc=relacionados&vso=la-presencia-de-menas-tensa-la-convivencia-en-varios-pueblos-catalanes&vli=noticia.foto.espana)

Just Desvern. This hotel housed 110 minors from sub-Saharan countries (who lived with the hotel guests) but it was a temporary situation and the youngsters had to be moved. From the local council of Rubí, they found out about DGAIA's plans through a leak, they had not been officially informed. A group of neighbours organised a protest with banners saying "Stop Centros de Menores" (Stop centres for UAMs). The head of the DGAIA visited the town but had to be escorted out because of this protest. All this happened in the middle of the political campaign for the municipal elections and the two authorities engaged in mutual and growing reproaches. The mayoress of Rubí made public statements alleging that "the place was not suitable" for installing a centre for minors and accused the Catalan government of improvisation, while the head of DGAIA referred to an alleged instrumentalisation of the case by the council authorities. Finally, the council stopped the renovation work claiming that they "did not have a licence" and the reception there never took place. This situation also led to the organisation of the social fabric in favour of taking in UAMs and the "Rubí Acull" Platform was formed, which accused the mayor and a sector of the neighbours of having a racist attitude.

Analyzing the conflict after some time, we can say that all the actors were partly right and that there was a problem of intended misinformation by the Catalan Government. Both authorities publicly sustained that the protests of the neighbours had not been racist and that they were right in claiming that they had not been informed as neighbours in the area. The facilities of the former Hotel Terranova were intended to turn into a centre of first reception and accommodation for more than 80 minors under guardianship. This was an area where there were no other infrastructures and resources for the minors, so the children had to move on foot in a "very visible" way to access other resources in the town centre of Rubí, for example to attend vocational training courses, language classes, etc. These resources, moreover, had to be provided by Rubí local council. It is clear then that coordination with the authorities and the local social fabric was needed to host these young people. The local authorities of Rubí, interviewed for this study, commented that they already had other resources and flats for former UAMs in care and that the problem was that they were the last ones to know about it. The social area of the council had worked with the local networks of the neighbourhood in an "integrative" way and with very positive results. This previous work had been carried out with total "discretion" on the part of the council.

What the authorities in Rubí called "discretion" was also the strategy of the DGAIA authorities at the time, and that is why the Rubí town council and the local population were not informed of the plans to set up a centre for minors. To this strategy of "discretion", it is true that improvisation was added, or perhaps one could say despair. In 2018 and 2019, centres for minors appeared, especially first reception centres, scattered all over Catalonia "growing as mushrooms", an expression in the Catalan language that was widely used at that time by public opinion that criticised the management of the Catalan government and referred to an overnight appearance. However, it is also clear that the Rubí local council (due to the public statements made by the mayor at an event with neighbours) overestimated the complaints of the neighbours instead of taking a position in favour of the reception of UAMs and cut the preparations making it impossible to continue. The EDUVIC<sup>9</sup> cooperative also recognised the bad management of the DGAIA for trying to open a new centre for UAMs without previous communication and social management with the neighbours, which affected the arrangements of other centres in other locations because the local councils were already reluctant. In the words of one centre director who is a member of the cooperative: "Now we are paying the cost of poor planning".

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9 Interview with the director of a centre that belongs to the same cooperative.

It is therefore necessary for all the authorities, and also the service providers, to make a greater effort to ensure that the best interests of the child are truly served, and that better integration is achieved. Even if the conflicts are finally resolved, children end up being the most affected and the message that reaches them, which is "they don't want us".

### **The conflicts in the Maresme:**

Several incidents sparked tension between local population and UAMs in the Maresme, a coastal county north of Barcelona, and drew significant public attention. This county saw the opening of many accommodation facilities for both UAMs and Spanish children in state custody in 2018 and 2019, many of them being large centres for first-time reception, such as the centre in Arenys de Mar which houses around 60 children.

One of the incidents with the greatest media impact (and one of the most serious) happened in the town of El Masnou in July 2019. An unaccompanied boy, living in an accommodation facility there, tried to sexually assault a young woman, but was prevented by other UAMs from the same facility. The young woman reported it and the minor was arrested by the Mossos d'Esquadra (Catalan police). The incident however sparked outrage in the local community, and, on the following day, an organised group of locals, among them far-right individuals, demonstrated at the accommodation facility's main door, a former summer hotel turned into a first reception centre where around 50 UAMs were accommodated. The protest escalated rapidly, and the protestors attacked the hotel with sticks and stones and injured several children. Three of them, as well as an educator, had to be taken to the hospital. The situation escalated even further, as other locals, many of them part of anti-racist groups, came to defend the UAMs and got into clashes with the protestors.

Other similar incidents happened in the following months, including rape allegations against several UAMs in Canet de Mar and Calella, small towns of the same county.

These incidents had a very negative impact on the image of UAMs in the local community, even though they are not always remembered accurately, and led to amalgams between the latter and delinquents in the public opinion. This highlights two crucial issues: first, that UAMs get treated as criminals and seen as delinquents, even for example in the case of the attempted assault in El Masnou, when UAMs had intervened to stop it.

The second issue is that some unaccompanied boys actually commit crimes, posing the delicate question of their rehabilitation. This will be discussed in the following section, through the voices of professionals.

#### [4.2.2 Professionals' assessment of integration services](#)

As explained in detail in the report on integration services for UAMs in Spain, the routes and destinations of minors are finally in the hands of the professionals in charge of the residential centres for minors in care. As this tension between migration control and protection policies exists, integration services are not effective and there are "filters" (Gimeno, 2018), which means that only those young people who have had an exemplary behaviour have actually access to training and other resources for transition, and possibly employment, also given that

the resources are scarce. This situation, which Gimeno called the "reward-punishment system", happens all over the country, whether there is "overflow", mass centres, or not. This "reward-punishment" model is enhanced by the fact that most centres are privately run, the services are outsourced, a major gap to be filled in public policy. To whom do professionals, educators and social workers in child protection centres and youth apartments are held accountable to, the public authorities or their own companies? In practice, they explain to us that they have to respond to both actors, although it is well known that their practice also depends on the degree of preparation and experience of each professional and the whole notion each one has on the service provided.

### **Preparation, capacities and functions of the professionals:**

The protection centres, although they are managed by entities, companies, foundations or cooperatives, are generally run by people with training and experience in the field of education, childhood and adolescence, who have prior engagement in the sector. Many of them have been working in the Protection System in other positions, prior to working with UAMs as educators, and due to their experience, many have become directors of those centres. Others have been working in the Protection System, in centres for Spanish minors under guardianship but have no prior experience with refugee and migrant children.

But according to our data, the middle management staff working as coordinators or educators in centres for minors do not have much experience or specialisation in the field of refugee-migrant children and youth nor UAMs. As a result of the new wave, "overflow" and widespread improvisation, in many CCAA companies redistributed all their available personnel in other facilities or services. Very often, staff were hired to take over other resources managed by the same company (e.g., from elders' care centres), or from their networks of acquaintances with more or less experience. Taking into account the need to create first reception centres rapidly, undergraduate students in social sciences (such as social education, psychology, pedagogy, sociology, anthropology, social integration specialists, etc.) or graduates who had just finished their studies, without experience with minors in care or young migrants, were hired as educators or support staff in centres. Several of the educators and social workers interviewed explain that at the time when the controversy over the overcrowding of UAMs in the police stations of Barcelona became public they were hired almost without meeting with the staff and without conducting interviews due to the rush to open an emergency centre. It is worth referring to the words of one of the educators to illustrate the situation of "overflow", lack of planning and privatisation in the recruitment of staff:

*"On August 2018, a family friend, manager of one of the centres, asked me if I was interested in the job, that they were looking for people for a centre that was being created in that moment. When I said yes, they would only mention a few things (the same that is used to communicate with the centre's workers), where the people expressed a preference for turning (it takes time, weekends and holidays, every other night turns) and they assign the positions to start working the closest possible day after "the interview", in order to take care of young adolescents concentrated in a hall that first night, and after that in a hostel".*

This is a young anthropology student who became an educator in a youth centre overnight via WhatsApp. The work looked interesting for her because it seemed related to her degree and the salary was good, but she explains it was the first time she was aware of and involved with UAMs ever. Without questioning the strong personal commitment that this student and so many young educators show with their work, it is disturbing that the protection system of a highly vulnerable group of children and adolescents operates in such an improvised way, without any preparation, training or previous experience.

The profiles of educators and social workers in the accommodation centres differ in terms of training and tasks, but in practice it is common for the functions to be mixed or for workers to end up doing the educators' tasks due to the "overflow" of the centre and the bureaucratic tasks that are added to their direct tasks. They are directly responsible for the day-to-day running of the UAM's lives under their care. They have tasks such as processing documentation, accompanying, ensuring their good behaviour, providing clean clothes and meals, etc. They are also the ones who monitor and evaluate the minors' compliance (attending the language classes, participating in the centre's activities, following the time schedule, etc.) according to the centre's rules and established routine. The educators and workers interviewed, all young boys and girls between 22 and 26 years of age, explain that the rules, the pedagogical programmes and the way of evaluating the minors in guardianship are set by the companies for which they work. One of the usual techniques for assessment is the so-called "traffic light technique", which consists of giving green, red or yellow dots according to the behaviour of the minor. If the minor commits an offence (for example, missing a class or fighting with a classmate), a red dot is placed in his behaviour record. In some cases, the red dots can also mean a decrease in the weekly allowance for personal expenses (e.g., 5 euros). If the child shows effort and has good behaviour, he or she is assessed with green points, and these children will have more opportunities to enter transition programmes or to get a place in an educational or occupational training program when the time comes. This system is also explained by the interviewed UAMs in care and by the formerly UAMs, now young adults. Some of them report the discretionary provision of points and the "favouritism" that sometimes exists on the part of educators. It is not a uniform and transparent system since it obviously depends on the criteria of the educators and social workers of the centres who, as we have already said, are young people with little experience in a sector that is not easy to manage and which, due to the circumstances, requires a great deal of specialisation and experience, as well as self-regulation and maturity. The educators and workers interviewed, are also aware that they sometimes have the responsibility to assess minors' overall situation and that the future of the children may depend on them. According to the interviewees, it seems that in some centres assessment is done by the "traffic light system" and in other centres they try to carry out an evaluation of the child's situation in a more comprehensive and reliable way sharing and discussing the views of the whole management and education team.

In any case, everything points to the fact that this situation and the pressure on educators and professionals in the centres is a consequence of a lack of strategy at a central level, of the lack of planning, of the privatisation of the system and, above all, of the lack of official resources to provide a dignified transition to adult life. If there were more resources for young people and if this tension between migration policy and the protection system did not exist, educators and professionals would not be subjected and pressured to apply these "filters" and all minors would have opportunities to embark on an occupational path and a transition to independent adult life in the same optimal conditions. The "reward-punishment" system is a big gap -somewhat of a scandal- in the protection system and does not comply with the best interests of the child, pillar of the International Convention on the Rights of the Child or with Spanish laws. It is an exclusionary system based on meritocracy and subjective criteria, which means that only minors who show exemplary behaviour - something that is not easy in adolescence - have access to resources. This exclusionary system is confirmed by the voices of UAMs and former UAMs under guardianship.

All centre professionals, directors, coordinators, educators and workers agree on the difficulties of providing good individual attention to adolescents and young people. This is also due to the ratios - an average of 20 minors per educator or tutor in charge -, the lack of complementary or support staff and the management of the mass centres. Mass centres or "macro-centres" (generally emergency or first reception centres) are those that house more than 40 or 50 young

people. Some house up to 110 or have a capacity for 80 children. In Catalonia, these centres are generally installed in hostels, hotels and holiday camps and can have up to 15 children in one room. In Andalusia there are also many centres with these capacities installed in hostels or old houses. The professionals declare categorically that it is not possible to attend to the needs of the children in these macro centres; many of the professionals believe that these large centres should not exist. The crowding of young people in a centre prevents them from receiving effective individual attention, and it also generates discomfort among the UAMs and problems in the cohabitation and coexistence. The young people have no privacy and no real bonds can be created because they are often based on interests of coexistence. Young people do not generate a sense of belonging because they feel that the space is not theirs and they cannot enjoy the place in harmony and calm. The emotional instability that it causes, the lack of space and intimacy, also damages the transition to adult independent life. The children need to be very patient and resilient in order to overcome the problems of living together and show exemplary behaviour since, let us not forget, their optimal path to an independent adult life depends in the end and quite often on the "reward-punishment" system.

The protection centres (massive or not) usually have specialised staff in addition to the educators, such as psychologists, translators or mediators to facilitate communication, and in some centres, there are also nurses. But they are not enough, and, as mentioned earlier, the educators take on a variety of tasks and something that is often brought up by all the interviewees. An interesting aspect is that the educators themselves are responsible for the documentation of the minors, especially in the emergency and first reception centres, which includes age determination tests and at a later stage the application for the residence permit. All the educators interviewed described this task as the most time-consuming and tedious. The centres do not have their own legal services for the processing of documentation and the educators are overwhelmed. They can count on the support of other specialised entities -again, shortcomings due to the lack centralised public agency-, but it is also the educator who must make appointments, accompany the child to interviews, etc. Educators complain that it would be much more effective to invest this time in educators' tasks, such as preparing better programmes, routines, having more time for follow-up and dealing with other problems of adolescents. It is practically unfeasible for an educator **or** workers (and especially for these profiles of young people who have recently graduated or are about to) to have to accompany an average of 15 or 20 UAMs in the processing of documentation.

Another task in which educators and workers are immersed without having the specialisation to do so, is **language teaching**. Generally, Spanish classes are given in the centres. In some centres there are classes every morning and in others, two or three times a week. There are cases of young people who have been in mass emergency centres in Andalusia who say that they have not learned Spanish or that they only had "one or two hours a week". In Catalonia, the teaching of Catalan is also compulsory (an average level is required to obtain the report issued by local social services, which is a requirement to prove integration in order to apply for regularisation), so the young people have to double the hours of classes. Without going into what it also means to learn two languages at the same time with few opportunities to actually practice them, the teaching of languages in the same protection centres is usually very deficient. The educators explain that they have very little material and support for language teaching. They have to "get by", "make up classes with what they have" and also organise classes for young people who have different levels. Municipalities often offer language classes for UAMs as part of their reception plans and sometimes educators in the centres refer young people who are and have been in care, but they have limited capacity. They have few places and not all the UAMs in care are able to attend. Again, educators are forced to carry out "filters" and, for example, as one educator interviewed explained, out of 15 UAMs in their care, they have to select 4 to attend a Spanish language course offered by the municipality. On the other

hand, these courses are rarely held on a weekly basis (designed for other population who lives in the municipality and is working) and have a slower pace in relation to the need for "rapid integration" of a young person under guardianship. Often the young people must leave the centre before the end of the classes. Another problem is that many centres have been set up on a temporary basis and have changed municipalities, so they have to change services and language teaching programs. Faced with this situation, professionals say that they respond in the best possible way: "we do what we can". However, they are also aware that young people do not leave the centres "prepared" and that language teaching is very deficient, especially in writing, something that has a negative impact on the transition to adult life and also to access a vocational training course.

### **Outsourcing and privatisation:**

Although they work for the companies, cooperatives or non-profit entities that hire them, protection centre professionals have still a critical perspective laying emphasis on outsourcing and privatisation of the protection system. Younger professionals see it the way it has to be, cannot imagine any other system or confess that they have not given it enough thought. Some see it as part of the improvisation of local authorities due to the latest wave of UAMs. Those who are more critical of the privatisation of the system focus on the management of companies through certain procedures, control of personnel, precariousness, management of resources, etc. Although they understand that the highest authority is the local authority responsible for children, they do not develop a critical view beyond this and limit it to complaining about the "lack of coordination".

The directors of the centres interviewed, despite claiming to be members of the cooperatives for which they work, recognise that the privatisation of the protection system is not an optimal solution for the protection of minors or for social policies in general. They do not see this as an inevitable way to manage it but rather show a certain resignation. An interesting aspect pointed out by a director of a centre in Catalonia in relation to outsourcing is the disparity in opportunities for UAMs to access resources, especially when it comes to the transition to adult life. Depending on which entity runs the centre UAMs placed from the first reception will have a better chance to access a place in a program leading to independent adult life because this same entity runs the facilities and the transition programs in them. As Monteros (2018) refers to in his analysis, the privatisation of social services implies discretion and inequality, and directly harms young people's access to resources. In this case, privatisation clearly harms UAMs' equal opportunities.

### **The transition to adulthood:**

Professionals admit that the transition to adulthood for unaccompanied minors means total frustration for them due to a lack of resources and the need for "filters". Many professionals and educators are faced with the situation of having many young people in charge who turn 18 and are practically forced to "throw them out". Since the creation of PILs (Pisos d'inserció laboral, labour integration apartments) in several autonomous communities, the centres were able to refer many young people to them. However, as 2019 progressed, the places in the work integration apartments were gradually filled and many young people were left without this provision, "despite having a good record". Many educators are frustrated by this situation in a very personal way because they create a bond with the young people and are devoted to finding them housing and training opportunities through personal contacts. The frustration is sometimes such that one of the educators says that "sometimes I think that I could be more useful to them outside the centre than inside". Some centres are looking for ways to extend the guardianship so that young people can stay longer if they have nowhere else to go. The frustration of the professionals also lies in the fact that they feel that they have worked in vain

on the first reception and integration of the child, as it finally results in "exile". What is the point for the State in protecting adolescents for a while if they end up on the street afterwards? Is there really an interest in protecting the child on the part of the institutions? These questions are asked by the same educators and professionals who work for the Child Protection System. When young educators look at these questions in depth, many become so distressed and frustrated that, in addition to the stress and precariousness of working in a centre for UAMs, they choose to leave their jobs. This in turn leads to high staff turnover.

This frustration expressed by the educators is closely related to the blockage that occurs at the age of 18 with documentation, something that has already been mentioned. One of the educators expresses it as follows:

*"It's like a dark tunnel where you enter, you start to see the light, but when you come out you see that light, but you actually find a huge wall. It doesn't fit in a person's mind. It's not only for the minor, the concern, the time... it's also for the personal work, the time we've dedicated to it, that later you say, damned it, there's no future... it's a frustration for the whole team".*

### The young "refractories"

But the most serious problem presented by the protection system in almost all of Spain from the point of view of professionals and social policies, and which also has a negative impact on society as a whole, is the situation and resources for what in some regions are called "**refractory young people**". This is a minority of young people, but one which really reflects the lack of resources and policies. **Refractory** is a relatively "soft" term that the administration chose to refer to adolescents and young people who do not respond to any type of educational intervention. They are those who have committed crimes, are immersed in drug consumption and need containment or some other type of specialised provisions, therapeutic centres, rehabilitation centres or similar responses. They also tend to escape from one centre to another without staying in either: "nothing can be done with them". Among those who work with minors they are described as "cannon fodder".

One of the professionals explains that in 2019 the Catalan government brought together all the entities that run centres for UAMs to discuss the two major problems faced: the transition to adult life of a large number of them who were about to turn 18, and the "problem of refractories". The problem of the transition to adult life was somehow solved by the PILs, but they did not present any proposal regarding the situation of refractory minors, since the resources depend on the management of Juvenile Justice, and not on the area of Childhood and Adolescence. Likewise, up to now there are hardly any new provisions, programs or proposed solutions.

According to the professionals interviewed, "refractory" youths (those who do not respond to educational actions, commit crimes, and/or escape from the accommodation facilities) make up between 10 and 20% of UAMs under guardianship. Not all are "pure" refractories (in terms of one educator to refer to those with extremely problematic behaviours), but many are influenced, or let themselves be carried away by the most problematic youngsters, and many do not respond to the protection system or escape from the accommodation facilities, as they feel "oppressed" or have another type of migration project.

The problem is that the unruliest UAMs, who would need special care and provision, can "break up a centre", in the words of a director, or generate social problems and rejection among the population, as happened in the coastal villages north of Barcelona mentioned above, where

some UAMs committed or attempted to commit very serious crimes, and affected all UAMs living at the facility with them.

Undoubtedly, UAMs struggling with substance abuse, or who have committed serious crimes, should not be in accommodation facilities with the other UAMs, and even less so in the current overcrowded and understaffed conditions of these facilities. A big issue is that the professionals and the authorities themselves have nowhere to refer them to: "there is nothing we can do with them, they cannot be in the centre, but neither can they be on the street".

This is a result of austerity policies carried out in the country after the economic crisis of 2008: between 2010 and 2012 there were significant budget cuts and several Juvenile Justice establishments were closed, such as internment centres and therapeutic centres for young drug addicts. Catalonia experienced the most severe cuts, and the Juvenile detention centers were left with less places than the minimum. (10) As a result, there are almost no places for minor delinquents, an issue exacerbated by massive delays in the judicial system.

One of the professionals explained the specific case of a young person under supervision in an accommodation facility in the town of Igualada (Province of Barcelona), who broke into family homes three times and was still not placed in a specialized, closed facility.

This type of situation creates instability in the accommodation facilities, and damages the social integration of all the UAMs in the facility and their relationship with the local community, as we have already seen, when the tensions crystallize into conflicts between the "anti-UAM centre" locals and the anti-racist groups.

According to the pedagogical criteria of the centres and by the general system of "reward-punishment", on reaching the age of 18, young people with behavioural problems and/or drug consumption (generally related) are not provided with access to vocational training or jobs or supervised apartments. In other words, they are left outside the protection system and the transition opportunities, without a "second chance". Many times, it is not a question of "refractory young people" in the strict definition of the term, but of adolescents with difficulties derived from the experiences they have had during their migration process, who have committed minor offences such as theft or who use drugs but who in "normal" circumstances, with a family or with assistance and therapeutic aid could overcome this situation. This is another source of frustration among educators, who are prevented from attending to the problems of consumption or misconduct of these young people, but are aware that they are circumstantial problems in an individualistic and exclusionary society where, moreover, the consumption of some drugs is completely normalised. One of the educators expresses it this way and refers to "the failure of a generation" due to a lack of attention and resources:

*"We are really... we left a person on the street because we didn't do our job, because we didn't fulfil our responsibility which was to face this case and give him the resources... then when they turn 18, it's 'look, I'm really sorry, I can't do more for you', on the street. Now, we have a generation that is a failure resulting from what we could not do".*

### **Where are the girls?**

Little is said about the situation of migrant girls who arrive in Spain unaccompanied, or who arrive, as Violeta Quiroga (2012) puts it, "badly accompanied". However, professionals who know about the situation of girls and have worked with them agree emphatically and with great concern that the situation of girls "is a disaster, if it is a disaster with boys, with girls it is worse".

In fact, although they are estimated to represent between 5% and 20% of the group of UAMs (no attempt to be more accurate can be made, their mobility is very high), their situation is worse because the vast majority are in the hands of trafficking networks and in turn are more difficult to identify. In Spain there is no special law against trafficking and there is a certain invisibility, tolerance and inability to combat it on the part of the institutions. One of the educators explains that it is a very difficult situation because the protocol requires "self-identification" of the girls as victims of trafficking, something that almost no girl does because they are under threat from the traffickers. In most cases, the girl is suspected of being trafficked, but there is no proof and no hard evidence, and because they are in open guardianship, they eventually "disappear", i.e. they are caught or recaptured by the networks, or they go back to the network due to fear or to settle a debt.

Girls under guardianship are not provided with specialised accommodation facilities, as is the case with boys who, because there are many of them, are in centres only for UAMs. Girls are placed in the centres where all the minors under guardianship of different origins and problems are held, national or foreigners. There are girls whose families cannot protect them because of conflicts, consumption, alcoholism, ill-treatment, among several other problems, and some minors who are victims of trafficking coming from raids or sent by the Prosecutor's Office from the border. These centres are the ordinary provisions of the general child protection system and are called Centre Residencial d'Acció Educativa (CRAE, residential centres for education action).

Where are the girls? This is the big question asked by professionals in centres, researchers, activists and some authorities. As one professional interviewed who worked in adolescent girl protection centres put it: "in the mafias, they don't let go". The same professional explains that the cases of the few girls who arrived at the centre "were dramatic because they end up disappearing straight away and we don't know anything else about them". She added that some "could be rescued" and stayed at the centre until they were 18, but the percentage was very low. And even in those cases, "the mafias" captured them again when they were older: "The mafias don't forget". Women are the targets of trafficking, whether minors or not.

The trafficked girls who have been placed in centres in recent years, as far as the professionals interviewed are aware, are mostly from Romania, Nigeria and Morocco. Cases from Brazil and the Dominican Republic are also "suspected". In the case of Romanian minors, they are often "accompanied" by young people who are also Romanian and who pretend to be their boyfriends but are in fact "captors" or traffickers. The trafficking of Romanian girls to Spain has also been largely due to "deceptions" by alleged boyfriends or husbands who brought them to Spain with the promise of a job in the hotel business or tourism and ended up selling them to prostitution networks. The girls ended up "giving in" because of blackmail and threats to kill or harm their family back home. This situation of blackmail and threats is what makes the girls say nothing when they fall into a protection centre and, as there are no signs of mistreatment, blows or bruises, the professionals in the centres "cannot notice". Many of the Romanian girls are referred to the protection centres by the Public Prosecutor's Office when a brothel is dismantled, as they usually arrive in the country by plane or by bus at the northern border and, being European citizens, they have no problems getting in.

Nigerian UAM girls (whose peak arrival was in 2014) are usually referred to centres for minors by order of the Public Prosecutor's Office, after being found in a raid in the street (in the case of Barcelona, it is usually the Ramblas<sup>10</sup>) or directly from the border, when they arrive in boats

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10 Traditional pedestrian walkway in the centre of Barcelona frequented mainly by tourists.

at a port in Andalusia. According to the experience of the professional interviewed who worked in girls' centres, very few Nigerian girls arrive at centres because they are usually hidden and there are places not even the police can reach. In cases where they do go to centres for minors, what usually happens is that when they turn 18, they are recaptured by the mafia. The same professional has been able to verify this when he met young Nigerian girls who had been formerly under care in the Barcelona Ramblas, a well-known area of prostitution. Another professional interviewed explained in detail the strategies of the traffickers who use the Protection System to "keep the goods", that is, to care for the girls before they take them:

*"They leave them alone until they are 18 and then they go for it. They go after them, once the protection system is over, they go after them. Because they know them, because they have probably brought them here, so they have said, as she is a minor, I don't want any problems, I have her in the centre, I have her maintained, they are feeding her and I try not to let her disappear and if she disappears, I will look for her. It's very ugly to talk about this, but it's as if they were meat, merchandise... you know they don't care, they have a business and they have assumed some losses, and this is like a loss that I will recover later".*

In the case of Moroccan UAM girls, according to the experience and observation of professionals, the situation is somewhat different. They are mostly young girls fleeing discrimination, inequality and possibly abuse or arranged marriages, but with a clear individual migration project and not especially in the hands of traffickers. However, many things happen to them along the way and they are subjected to violence, extortion, threats and rape. Another professional explained this way: "Their experience may become either a situation they will try to forget and move on, or it may bring them to significant psychological and emotional pain, or they may fall into the hands of traffickers. In this case, the pattern is the same as with other nationalities, they simply 'disappear'".

In many cases, the risk is also "falling" into the hands of an abusive boyfriend. Professionals refer to Moroccan girls who are very good students, well-behaved, brave and with character, but a bad relationship "twists their plans" for transition to adult life. They also refer to cases of girls who "for survival" have been blackmailed into prostitution. The lack of resources when they turn 18, and above all the lack of housing, has led many girls to have no other options than drugs and prostitution in *jervas* (houses occupied by young Maghrebis), or to find themselves with the dilemma of survival: "I steal or I prostitute myself". Among the positive cases of Moroccan girls who, in the words of the professionals, "have managed to escape this dilemma", are girls with an "extraordinary resilience" who have had access to training and work in professions such as hairdressers or waitresses but these are, unfortunately, exceptional cases.

At the southern border, the high risk of Moroccan girls under guardianship to fall into trafficking networks when they turn 18 or into "survival prostitution" has also been observed (Poblet and Carrasco, 2019), because of the lack of resources for the transition to an adult independent life. Most of the Moroccan girls turn 18 in the protection centres and as they do not have the documentation in order due to the negligence of the local administration, they cannot cross over to the peninsula nor have access to training resources for labour insertion. In Melilla it is known that there are certain people who hang around the protection centres waiting to "catch" the girls who leave, but it all comes down to rumours within the censorship and invisibility that trafficking implies. Many of these girls who have just left the protection centres, in the absence of resources, are transferred to the CETI, the centre for the temporary stay of asylum seekers, but this is a strategy informally coordinated by activists who "help". In any case, the CETI in Melilla, with a capacity of almost a thousand people and with an open regime, is not a safe place for them either. On the contrary, it is also a "place of recruitment". Everything seems to

confirm the perspective of the professionals in the centres where there are girls: "with the girls, it is always worse".

#### 4.2.3 The perspective of the unaccompanied minors

In addition to referring to the gaps and challenges of the protection system and social integration services, the stories and trajectories of the minors and young people interviewed also illustrate the phenomenon of migration to Spain in recent years, as well as their migration strategies and projects.

In the fieldwork for this study, it was difficult interview UAMs under guardianship and in integration apartments. Apart from this problem, it is worth acknowledging the eventual bias produced by the fact that access to UAMs was determined by professionals in charge of the entities and programs and the sample of UAMs interviewed was not representative of the variety of situations described in the report but rather of those with an exemplary behaviour. However, although the minors interviewed do not represent the general situation of minors in care, their perspective, stories and trajectories illustrate and explain their needs, expectations and also the gaps and challenges of the system.

In order to clarify the information from the fieldwork interviews and their trajectories, Table 2 summarises key features of the UAMs' cases interviewed under pseudonyms. Three of the UAMs interviewed are still in the protection system, two of whom are in care in a small centre in Barcelona coordinated by the Fundació Idea, and another is in a PIL provision in the city of Lleida, derived there from a protection centre that operates in a hotel in the outskirts of Barcelona. The other three young people are former UAMs who were in protection centres, but whose transition to adult life has been "on their own" and not through a program of transition to independent adult life.

**Table 2: Information about the UAM and former UAM interviewed**

<b>Pseudonym</b>	<b>Country of origin</b>	<b>Current age</b>	<b>Arrival</b>	<b>Current situation</b>	<b>Summary of the path</b>
Alí	Morocco	16 years old 1 year and a half in Spain	By boat to the coast of Cadiz, Andalusia.	Tutored. Small centre in the city of Barcelona.	Completed compulsory education in school. Vocational training plan.
Numan	unknown	17 years old 1 year and a half in Spain	Arrival by the northern border, by a relative.	Tutored. Small centre in the city of Barcelona.	Training in hairdressing. Practices football and leisure activities.
Ibra	Sub-Saharan Guinea Conakry	18 years old (real age by origin documents, Prosecutor's Office did not respond yet),	Arrival in the port of Cadiz by patera. He spent three months in France.	PIL in Lleida, practice in a fruit warehouse.	Massive centre for first picking (one year and three months) and then sent to PIL for good behaviour and example of over-exertion. Vocational training.
Tarik	Morocco Fez	18 years old 2 and a half years in Spain	Arrival in Barbate, Cádiz, by boat. No age tests were carried out.	Lives with her brother in Barcelona and is looking for a job.	First mass reception centre in Tarragona. Referred to PIL at the age of 17 and a half. Vocational training. Expelled from the PIL because he has an older brother to live with.
Mathiew	Cameroon	26	Arrival in Andalusia in a patera.	Street location. Looking for a room and a job.	Massive centre of first reception of the metropolitan area of Barcelona. Strategy (failed) of pretending to be a minor. Participation in protests and complaints in the reception centre.
Moha	Fez, Morocco.	26	Arrival in Andalusia under a truck.	Marriage to Spanish girl and then divorce. Employment in trade of Moroccan products.	Formerly under guardianship. Did not take part in training or employment when he left the centre at the age of 18. Family migration strategy. Family networks in Barcelona and younger brother in a reception centre in Tarragona.

Whether they represent model trajectories or "exiles" from the protection system, the testimonies of migrant minors in guardianship and of former UAMs who passed through the protection system confirm the arbitrary ways of the system, the types of filters that exist and the conceptualisation of the system as a "reward-punishment". Their experiences and their stories also illustrate the resilience they must have in order to achieve a "successful" migration project, which is to say that they are not on the street, have a job and place to live. It also illustrates the importance of the role of family networks.

The cases of Ali (from Morocco) and Ibra (from Guinea Conakri) are emblematic examples of those children who show such resilience and behaviour that the system has "rewarded" them. In the case of Alí, he was sent to a small centre in Barcelona where he lives and studies, and in the case of Ibra, he is in a job placement scheme (PIL) and works in a fruit warehouse in Lleida. Both followed long and intense journeys from Africa, they arrived by boat on the Andalusian coast and passed through mass centres in Andalusia, Madrid and Catalonia. Alí explains that, in just one and a half years in Spain, he was in five centres. In Andalusia he was in overcrowded emergency centres, which did not offer any classes and did not proceed with arrangements regarding their legal status. Even though he barely wants to remember it in the interview, the suffering and burden he went through is evident. He explains that there were situations of "fights and drugs" and that he did not make any friends because of the problems of coexistence that existed and to avoid getting into trouble. He only speaks well of a centre in Malaga that had a football pitch and where he played sports. Although he doesn't specify it, it is likely that he escaped to go to Barcelona. In Catalonia he was in the centre of the town of Arenys de Mar, a massive first reception centre, from which he explains situations similar to those experienced in Andalusia, such as overcrowding, conflicts or other boys who did drugs. From there he was transferred to a small centre in Barcelona, managed by a Foundation. We do not know the reasons of the transfer and he could not explain it, but we can assume that it is because he had overcome the stage of the first reception, but also because of his good behaviour. He explains that he attended language classes and never had any problems, although he did see a lot of conflict. In the centre where he now lives (a shared flat with 18 beds) he says he is very calm, there are only two of them in the room. The most remarkable thing is that in this centre he familiarised himself within 5 months and, as he was not yet 16, he was able to access compulsory schooling "with Catalans". He has friends from school and was able to finish Compulsory Secondary Education (ESO), in June 2020. He explains with joy, but at the same time with indignation about everything that had to happen, that in the first month of school he learned more Spanish than in the almost two previous years he had been in Spain. It is a fact that he improved his language skills and social integration when he was able to access formal education and be with Spanish children of his age.

Ibra also highlights the possibility of learning languages. In the interview, he emphasizes several times that learning the language is fundamental to being able to communicate and he did this in the centre where he spent the most time, despite having few classes. Ibra arrived at the port of Cadiz in a boat and from there was transferred to Madrid where he spent a few days in a police station and a month in a first reception centre. He explains that he then went to France for three months "to recover his passport". This is a well-known strategy documented by several reports. Before crossing the Strait of Gibraltar (generally in small boats or very precarious vessels) young people who intend to cross send their official documents (passport and birth certificate when they have one) by post or with someone they trust, who they can later locate in a city in Spain or France. This strategy saves their documents from getting lost in case of problems with the boat or any eventual -and common- shipwreck, and avoids confiscation, theft or blackmail by the mafias. Sometimes this is the cause of delayed regularisation or age determination tests. Ibra recovered his passport in France and went directly to Barcelona by

bus. He explains that at the same bus station he was intercepted by Red Cross<sup>11</sup> personnel, taken to the police station and then to a first reception centre. It is usually the case that the UAMs are already familiar with the procedures and know where to go when their age allows them to enter the Protection System. This information comes from their own experience and from networks of acquaintances and family members. Ibra was immediately referred to the first reception centre where all minors from sub-Saharan countries usually go. He explains that he was also given age determination tests, although he already had his passport, which consisted of a tooth examination and an X-ray of his wrist. In this centre, although it was massive, Ibra's good behaviour was acknowledged and when he turned 18, he was able to be transferred to a work placement flat in Lleida, where he did an internship in a fruit warehouse. Ibra explains that at the centre he made a great effort to learn languages. At night, he would stay in his room studying Spanish and watching videos to practice the language, and the next day he would ask the educators about the words he had not understood. The educators admired his effort and "gave him green points".

Mathew, however, explains the opposite. His story is a continuous report of the discretionary treatment he has been subjected to. The story he tells is plagued by favouritism and injustice existing in the centres, especially in the mass centres. Mathew is originally from Cameroon, came to the coast of Andalusia on a boat and moved to Barcelona on his own. He was referred to a first reception centre while waiting for the results of the age test. Unlike Ibra, Mathew opted for a more vindictive strategy and even took part in protests that were organised at the centre. According to his perspective, the "traffic light system" is totally discretionary and "if an educator has it with you, they put a red dot on it and take money away". Mathew also understands the framework of the system and knows that these are entities contracted under the umbrella of the DGAIA in Catalonia. He is very critical with the lack of professionalism and empathy of some educators, coordinators and directors, as well as the lack of resources. His feeling is that the system is made to "banish" them or to make become cheap labour. The only options are to adapt and do what the educators say, or to rebel and look for one's own way. In Mathew's case, he left the centre because the tests showed that he was older and found a room in a lady's house through people he met at an African party promoted by the network of social associations of Barcelona, where he was able to stay. He is now practically on the streets and he is trying to find places to sleep with people he knows or in shelters so that he does not literally stay on the streets. Like many young migrants, he claims that housing is almost as difficult as finding work. Mathew explains that the age determination tests gave him an older age, and then confesses that he did indeed try the strategy of pretending to be a minor, which sometimes facilitates access to resources. However, his failed strategy explains the shortcomings of the system and the injustice he saw in the children's centre in relation to other children, some very young, aged 12 or 14. Mathew's failed strategy is not exceptional. All the stories told by UAMs and former UAMs speak about their migration strategies as young children, most of them as part of a family project. In some cases, the migration Project has a clear destination and aims at finding older relatives and acquaintances, but in some other cases the migration project to Europe is individual and its goal is to settle in a European city in France, Germany or Spain.

The cases of Tarik and Moha clearly define what constitutes a "chain of brothers", all with the strategy of coming before their 18th birthday. Although it is an equally difficult process and full of obstacles, it is a slightly safer and more reliable strategy than entering Spain when you are older and running the risk of being repatriated or being automatically left on the streets. Moha arrived as an UAM years ago, and went to Barcelona on purpose, where he already had an uncle and other relatives. Years later, in 2018, his younger brother aged 16 arrived, following the information provided by Moha. Moha (who crossed the Strait and travelled under a lorry),

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11 Near the Estación del Nord in Barcelona, Parc Nord and Parc de la Ciutadella It is common for street educators from different entities to work (one of them is Cruza Roja), who identify and assist unaccompanied minors.

explains that his brother arrived on a boat in Barbate (on the coast of Cadiz, Andalusia). He was in a reception centre, but he was clearly determined to arrive to Barcelona, therefore he escaped as soon as he saw the chance to do it. In Barcelona, Moha accompanied him to the Public Prosecutor's Office to have the age tests done and they referred him to a centre near the city of Tarragona. To this day he is in the same centre, studying languages and behaving well. He was even invited to participate in a documentary broadcast by the Catalan public television in November 2018<sup>12</sup>. Saad's case is similar to that of Moha's brother, except that he now lives with his brother. Tarik is the youngest of a chain of brothers who live in Barcelona and other cities. Based on his older brother's experience, he arrived on a boat to the coast of Cadiz and was headed directly to Barcelona. He was referred from a police station to the first reception centre near Tarragona, and - regrettably - no age determination tests were carried out on him. He spent some time in the centre, which he says he did not like "because there were too many children". Before he turned 18, he was referred to a job placement scheme (PIL) "because he was well-behaved", as he explains. While he was in the PIL, he did several training courses in hairdressing, laundry, waiter and storekeeper, but then he was told that since he had his brother, he had to go and live with him in order to leave the place free. Tarik regrets that he was forced to leave the PIL, because there he had the opportunity to enrol in the vocational training that he liked, which was not available in the city of Reus. Once again, we see how the filters operate depending on the resources available and the random placement of the UAMs. Tarik went to live with his brother in Barcelona and had to leave the training. Numan also mentions that he had a relative in Barcelona, but that he was still admitted to the protection system because he could not take care of him.

Beyond the more or less "successful" or "exile" trajectory, all the UAMs and former UAMs interviewed are vehemently critical of the mass centres. Sometimes the feeling is that the stay in mass centres of first reception is a "waste of time". The minors wait for their documents or the results of the age tests while they take language classes that are not at all fruitful. In total agreement with the perspective of the educators described in the previous section, the youngsters say that mass centres are spaces where young people do not manage to find a place to belong. They do not have their own space and the context makes relations between equals not of reciprocity or solidarity. Like Mathew, Tarik (although he was one of the "award winners") literally refers to "hypocrisy", where he includes both professionals and peers, and also refers to "differences in treatment", racism, discrimination and even name-calling by educators towards other children which also reflect the tension and stress experienced by educators. Tarik is aware that there must be rules and limits, but he also says that he has seen many injustices. On the other hand, his experience towards integration was completely different. There he felt restrained, even having to live through the news of his mother's death. He did not fully agree with all the rules and although there were some conflicts, it was also a space of its own, a place to live, to train and to become independent. In short, it seems that he felt "cared for" in the PIL, where he says he learned things and became an adult, and he regrets having to leave.

All the former UAM youngsters' accounts explain that they have had training in occupations, especially those who have been in apartments, but that has not helped them much in getting a job. These are vocational training courses in low skill job areas such as laundry, cooking, hairdressing, warehousing, etc. Chabier Gimeno defines them as "low-cost training courses"<sup>13</sup>. These are the only vocational training available for Spanish youngsters who fail to graduate from lower secondary education, which in turn is a barrier to remain in official academic or professional education.

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12 TV report: "*Menors lluny de casa*". Televisió de Catalunya, November 18th, 2018. <https://www.ccma.cat/tv3/alicanta/30-minuts/menors-lluny-de-casa/video/5799106/>

13 Interview with Chabier Gimeno as an expert. Silvia Carrasco, March 9th, 2020.

Some UAMs and former UAMs also explain that they have done some vocational training courses more than once. Many of the UAMs express concerns, aspirations or a vocational aim in a specific area, but in one way or another and although they show good behaviour and predisposition, they all fall into "low-cost training". Even the UAMs interviewed who have been "rewarded" by the system, such as Ibra, Ali or Tarik, complain about this. In the case of Tarik, he says that he would have liked to study something related to economics and administration, but also explains he has been told that he has to validate the secondary education he had done in Morocco but this takes a long time, he says "a year or two". He started the procedure 10 months ago, but he still knows nothing about it. The truth is that the process is clear but takes a long time, a further obstacle UAMs have to face that could be easily solved by the authorities between neighbouring countries.

## 5 Conclusions

Data gathered from fieldwork, to produce this report clearly confirms previous general conclusions. The migration of UAMs is an unstable but structural phenomenon of globalisation and is by no means a temporary issue.

The most problematic features affecting the integration services provided to UAMs in Spain, are also related to the general framework of different laws and regulations of different ranks and levels operating in the country, between the State regulations on immigration and the autonomous communities with full competencies to ensure social protection, as well as the lack of coordination when it comes to safeguarding the rights of UAMs and implementing transition programs to an independent adult life for them.

Therefore, it is above all necessary to move away from local or regional responses and to address the social integration of UAMs and their transition to an independent adult life, from an EU-wide, transnational framework. Any other scheme of intervention reproduces injustice and hampers institutional and professional efforts to provide equal opportunities for them. Moreover, it is inconceivable that after having spent an average two or three years in the protection system in Spain, there will be UAMs who have not learnt Spanish or do not have their legal documents ready, including residence and work permits without which social integration and transition programs to an independent adult life are rendered ineffective.

**The following conclusions are both a summary of the research findings and the legal and social implications that constrain unaccompanied youngsters' opportunities to undertake and complete a successful transition to an independent adult life in Spain:**

1. **Privatisation and outsourcing of protection system services** represents a major obstacle to the system's functioning in the best interests of the child. It is often an issue that goes unnoticed in reports and analyses, since all the agents involved participate in creating this system and/or live by it.
2. **First placement may be a lottery with life-long effects**; the protection system is outsourced and different companies and entities have a variety of facilities, types of centres and specialised staff that may offer radically different opportunities for UAMs while under their guardianship, for example in education, document processing or transition facilities and programs for an independent adult life.
3. **The “reward-punishment” system is not only unfair but it also violates the UAMs' rights as children** since accessing fundamental resources and provisions may end up depending on unprofessional subjective criteria. Critical voices both from educators and social workers' as well as from UAMs themselves bring about a number of examples proving the extent of this system, which is also implemented as a filter, given the scarcity of the resources.
4. **There is a commercialisation of social risks in the response to service provision.** Many entities compete for tenders to provide services given the overflow of the protection system with the arrivals of UAMs. These entities and companies, some for profit, may or

may not have the necessary experience to adequately respond to the needs of UAMs, given the fact they may not even have worked with children or refugees and migrants.

5. **The protection system and the facilities where many UAM are placed**, due to the overflow following peaks of arrivals, lack of planning and creation of new arrangements almost overnight, **is often of less quality than available care centres for the general population of minors in custody**. Staff with no qualification and temporary contracts, inadequate access to language learning and quality education and training programs, as well as location of emergency or residential centres without considering local dynamics increases the difficulties of their integration while contributing to their experiences of racism and violence. This is a specific group with specific needs that must be met in the same conditions as those of any young person in care.
6. **Transition programs to independent adult life for UAM are often unrealistic and put more pressure on them than on the national young adults**. If the average age of initiating and independent adult life in Spain is 25, even enjoying family and social networks, it is inconceivable that UAM, with the added difficulties that they face, should be required to live independently and take care of themselves in optimal model conditions at the age of 18 or 19.
7. **The lack of opportunities for UAM girls and young women relegates them to a situation of total exclusion and lack of protection against patriarchal violence**, since they have few options for survival, other than prostitution, when guardianship ends. No specific program to respond to their situation is implemented and both professionals in charge of centres and programs and educators acknowledge how they fail the girls and indirectly serve the trafficking networks.
8. **UAM should be regarded as part of the global youth in the country where they reside**, while in the protection system and afterwards, and taken care of accordingly. The way our society responds to their needs overlooks the fact that they are provoked by an unequal global system in which the countries of destination they attempt to settle in, are also part of the problem. Caring for this part of global youth is in fact a mirror of our society and our ideas of us vs them, in the world.

## 6 References

- Empez Vidal, Nuria. (2015). "*¡Solo valiente!*" *Los menores que migran solos de Marruecos a Cataluña*. Tesis Doctoral, Universidad Autónoma de Barcelona.
- Gabrielli, Lorenzo (2017). La externalización europea del control migratorio. ¿La acción española como modelo? *Anuario CIDOB de la Inmigración*, 126-152.
- Rodríguez García, A.; Gimeno Monterde, Ch., coords. (2018) *Las migraciones de jóvenes y adolescentes no acompañados, una mirada internacional*. Universidad de Granada
- Gimeno Monterde, Ch. (2014). Buscavidas. La globalización de las migraciones juveniles (Vol. 104). Prensas de la Universidad de Zaragoza.
- Gimeno-Monterde, Ch. (2018). Retos de la acogida residencial a menores que migran solos: hacia un Trabajo Social transnacional. *Cuadernos de trabajo social*, 31(1), 95-108.
- Gimeno-Monterde, Ch. & Gutiérrez-Sánchez, J. D. (2019). Fostering unaccompanied migrating minors. A cross-border comparison. *Children and Youth Services Review*, 99, 36-42.
- Gimeno-Monterde, Ch. (2013). Trabajo Social y control migratorio. Tensiones en los Sistemas de Protección de Menores. *Portularia*, 13(2), 15-24.
- Mateo-Dieste, Josep Lluís (1997). *El "moro" entre los primitivos: el caso del protectorado español en Marruecos* (Vol. 9). Fundació La Caixa.
- Mateo-Dieste, Josep Lluís (2017). *Moros vienen. Historia y política de un estereotipo*. Melilla: Instituto de las Culturas Ciudad de Melilla.
- Monteros, S. (2007). La construcción social de un nuevo sujeto migratorio: los menores migrantes marroquíes no acompañados. Condiciones de posibilidad para la agencia. Tesis Doctoral, Universidad Autónoma de Madrid.
- Monteros, S. (2018). "Reconfiguraciones del Estado de Bienestar español: el ejemplo de la intervención con menores extranjeros en desamparo e infractores", en *Las migraciones de jóvenes y adolescentes no acompañados, una mirada internacional*, coords. Ainhoa Rodríguez García y Chabier Gimeno Monterde, Universidad de Granada, 87-117.
- Poblet, G; Carrasco, S. (2019). *Hacia una sensibilización eficaz. Estudio social en Melilla sobre percepciones y representaciones de la infancia y la juventud migrante no acompañada*. Save The Children (unpublished report)
- Quiroga, V., ed. (2012). *Menores migrantes no acompañados. Nuevos perfiles, nuevas necesidades*. Barcelona: En la calle (monográfico)
- Quiroga, V.; Alonso, A. (2012). Los hijos e hijas de familias inmigradas en situaciones de riesgo social, *Portularia*, vol. XII, 2012, pp. 73-82