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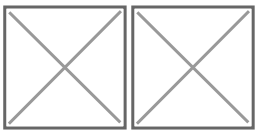
5. Children and applicants with special needs



The EU asylum acquis includes provisions on identifying and providing support to applicants who are in need of special procedural guarantees. Among vulnerable applicants, one of the key groups is unaccompanied minors seeking protection without the care of a responsible adult. The new Pact on Migration and Asylum includes several provisions to ensure that the best interests of the child are considered, for example by strengthening family reunification and fostering a stronger solidarity mechanism for the relocation of unaccompanied children and applicants with vulnerabilities.

In 2020, about 14,200 applications for international protection were lodged by unaccompanied minors in EU+ countries, representing 3% of the total 485,000 applications. Compared to 2019, the absolute number of unaccompanied minors remained relatively stable (-3%). However, given the strong overall decrease in asylum applications, this resulted in an increase in the share of unaccompanied minors from 2019 by one percentage point.

A large share of unaccompanied minors originated from Afghanistan, representing 41% of applications by minors in EU+ countries in 2020 (up by 11 percentage points from 2019), followed by Syria, with 16% (up by 6 percentage points). As in previous years, the overwhelming majority of unaccompanied minors applying for international protection in EU+ countries were male (almost 9 out of 10). Most unaccompanied minor applicants were in the older age cohort, with about two-thirds aged between 16 and 17 years, and only about one-tenth younger than 14 years.

Highlighting the importance of early identification and referral, a number of EU+ countries updated their legislation, policies and guidance in 2020, implementing quality monitoring measures or developing new vulnerability assessments for applicants with special procedural needs. Legislative changes were also made to expedite the appointment of a legal guardian for an unaccompanied minor, yet despite these efforts delays were often reported in the appointment of guardians. Overall, limitations in the effective and swift identification of vulnerable applicants, including minors, remained a challenge in 2020, increasing the risk of detention or placement within reception facilities that do not properly cater to their needs.

In the area of reception, considerable efforts were made by authorities in EU+ countries to create specialised facilities to guarantee vulnerable applicants a safe place where their special needs can

be addressed. Yet, it was often reported that the creation of a physically and psychologically safe environment with access to support services, including access to education for minors, was not always possible.

Further efforts continued to be needed in protecting women and girls in the asylum procedure from risks, such as domestic violence or female genital mutilation/cutting (FGM/C). New initiatives were undertaken by EU+ countries to create safe facilities for this profile of applicants, and courts stepped in to protect woman and girls who were at risk of violence if returned to their home country.

A common concern relates to the alarming increase in the trafficking of minors, especially undocumented migrants – with children accounting for nearly one-quarter of all victims. The risk is imminent for migrant women and children, not only during dangerous travel routes but also once they arrive in Europe. Children can disappear from reception centres and fall victim to human traffickers.

Lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are subject to human rights abuses and face threats in many parts of the world. A sensitive approach is required with this profile of applicants as they may be afraid to talk about their sexual orientation, gender identity and expression, and sex characteristics (SOGIESC) during the asylum procedure. Developments in 2020 centred around the provision of information and the definition of a safe country for applicants with gender-related special needs.

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