

# UNACCOMPANIED MINORS AND WELCOME POLICIES IN FRANCE

Unaccompanied minors (UMs) represent one of the most vulnerable populations arriving in France. These children, often fleeing violence, poverty, or persecution in their home countries, face significant challenges upon arrival. From inconsistent legal protections to disparities in evaluation processes, the journey of UMs in France highlights systemic issues that require urgent attention.

This document provides a comprehensive overview of their situation, legal framework, profiles, and recommendations to improve their welfare.

## DEFINITION

An unaccompanied minor (UM), formerly known as an unaccompanied foreign minor (UFM), is **a child under the age of 18, of foreign nationality, who has entered French territory unaccompanied** by a parent a legal representative.



*By Makhlouf Boubeker, algerian photographer*

In France, the status of unaccompanied minor is vital to obtain because it opens the door to the same rights as all French children : the right to housing, education, healthcare, etc. In any case, this is what article 2 of the International Convention on the Rights of the Child (1989), ratified by France, stipulates. However, many young migrants who arrive alone in France are teenagers and have to prove their minority. Many associations and non-governmental organizations (NGOs) criticized what they call a presumption of majority. For them, the doubt should benefit the migrant rather than the state.

## THE FRENCH PROCEDURE

When there is any doubt about the age of a young person presenting him/herself as an unaccompanied minor, a minority evaluation is conducted. These evaluations take the form of interviews and must be carried out by professionals specialising in children's issues.

**These interviews must cover six key aspects:** the young person's **personal situation** (country and region of origin, civil status, study of identity documents), their **family situation** (identity and age of parents and siblings, possible presence of family in France or Europe, etc.), their **living conditions** in the country of origin (geopolitical context, economic situation, level of education, etc.), their **reasons for leaving** and their **migration route**, their **living conditions since arriving in France** and **future plans** (educational aspirations and asylum application procedures).

## THE DECISION

If the interviewer is not convinced of the person's minority, the president of the departmental council may transfer the identity documents to services specialising in the prevention of document fraud or ask to perform bone X-ray tests, although this method is scientifically disputed, particularly for young people aged between 16 and 18. The defender of rights, an independent administrative authority



*In Nîmes, protesters demand shelter for unaccompanied minors. Photo : Shannon Marini*

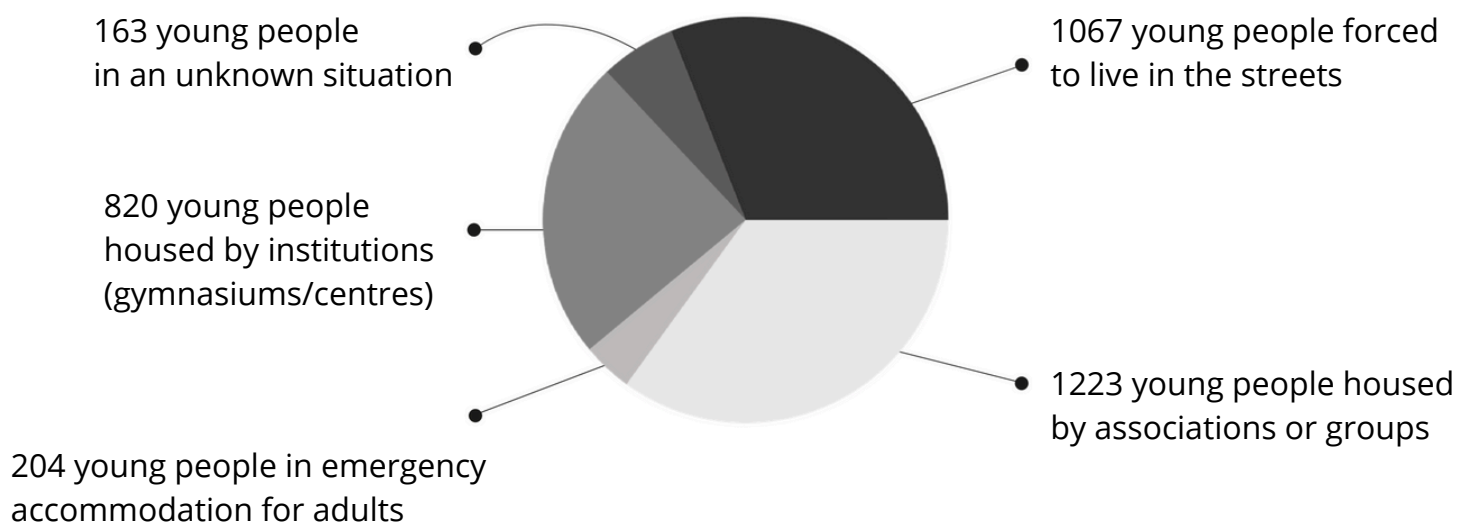
established by the French Constitution, whose mission is to ensure that rights and freedoms are respected, **criticised this method.**

On the basis of all the information gathered, the president decides whether to place the young person and informs the state prosecutor, or not recognised her/him as a minor, ending the emergency protection period she/he had until then, and leaving her/him without protection or accommodation.

## A FEW NUMBERS

According to a recent survey by the Association des Départements de France, of the 66,899 young people who presented themselves as UM in 2023 in France, **only 23% were recognised as minors** after an evaluation. Of the remaining 73%, only 8% are appealing the decision.

These young people, **around 4,000** (according to a national census of April 2024), are in a legal limbo because, although they are appealing to a juvenile court judge and therefore theoretically still presumed to be minors, their rights are not respected and they have to cope on their own.



**National census of March 2024**  
**by the Coordination Nationale Jeunes Exilé-es En Danger**

Only a small number of young people appeal against this decision, as the administrative and legal procedures are complex. Without the support of an association or collective, a young person has very little chance of reaching the end of the process. However, around 60% of appeals result in recognition of minority status (a number that varies enormously from one region to another).

In January 2023, the UN Committee on the Rights of the Child sanctioned France for its failure to ensure the protection of an UM during the appeal period. In July 2022, the European Court of Human Rights ruled in favour of two unaccompanied minors who had not received adequate protection from Italy.

**ASSOCIATIONS AND COLLECTIVES**

The waiting time for a hearing with the juvenile court judge can be very long, and varies considerably depending on the department (from a few weeks to several months or even years). Although a few départements have set up special facilities for young UMs seeking help, these initiatives are still the exception rather than the rule, and fall far short of the scale of the need.

In some départements, the existence of vast networks of associations or collectives plays a crucial role in the support provided to unaccompanied minors. While some of these associations focus primarily on providing accommodation for young people, others offer mainly legal and

administrative support. Without them, many young people would have gone into illegal activities to survive.

The length of the process is a disadvantage for young people. The more time passes, the older he gets and the more likely he is about to turn 18. If the appeal is not accepted by the judge, the deportation order is issued and the young person must leave French territory within 30 days.

## RECOMMANDATIONS

The current number of young people who have been rejected as minors and are awaiting appeal, which stands at

round 4000 across France, is worrying. Many of them find themselves homeless or dependent on the help of citizens and associations. However, this situation is not without a solution. Reinforcing the presumption of minority in legislation and offering protection to these 4000 young people during their appeal period is an achievable goal, especially as a third of them already benefit from semi-institutional accommodation. Protecting these 4000 young people would just be protecting 2.15% more minors than those already in the care of the Children's Social Welfare Agency.



Photo : Collège sans frontières Maurice Scève, Lyon

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