UNACCOMPANIED MINOR ASYLUM SEEKERS IN GERMANY

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Introduction

In recent years, there has been a significant increase in the number of unaccompanied refugee children seeking asylum in Germany. These children constitute a vulnerable group fleeing war, conflict, natural disasters or economic hardship. Often travelling alone and unaccompanied, these children face severe risks in the asylum process. These dangers include uncertainty, accommodation problems, language barriers and social integration difficulties.

One of the most alarming issues is the high rate of disappearance of these children. Despite the efforts of the authorities and non-governmental organisations, hundreds of child refugees disappear without a trace every year from their shelters or placements. This situation exposes them to serious risks such as human trafficking, forced labour and abuse. The disappearance of parentless refugee children is therefore a major human rights and child protection concern and requires immediate intervention.

In this report, the situation of unaccompanied child refugees in Germany, the causes of disappearances and the risks these children face will be discussed. It will also assess the existing legal and social measures and initiatives to prevent disappearances in Germany. Finally, recommendations for improving the current situation will be presented.

This presentation aims to raise awareness on the protection of child refugees without parents and to contribute to strengthening support and protection efforts for these children.

A. Grounds for Asylum for Parentless Children Under 18

Unaccompanied refugee children often seek asylum in Germany because of difficult and tragic living conditions. Due to various adverse circumstances in their home countries, these children set out on their own in the hope of survival and a better life. Although the reasons for asylum vary individually, they can generally be categorised under several main headings:

a. Armed Conflict and War

Protracted wars and internal conflicts in countries such as Syria, Afghanistan and Somalia have led to the displacement of millions of people. Children living in conflict-affected areas lose family members or are separated from their families. In such situations, it becomes inevitable for children to seek asylum in another country in order to survive.

b. Political oppression and persecution

Some children are subjected to pressure and persecution in the country where they live because of their political views, ethnic origin or religious beliefs. This can pose a serious threat to their safety and that of their families. Especially in areas of political conflict, children may need to flee to a secure environment.

c. Economic Difficulties and Poverty

Severe economic crises can make it difficult to meet children's basic needs. Children facing serious difficulties in accessing basic needs such as education, health care and nutrition may choose to migrate by dangerous means in the hope of a better life. Such economic reasons may lead children to seek asylum alone in other countries.

d. Natural Disasters and Climate Change

Natural disasters such as earthquakes, floods and droughts can also cause displacement of children. Especially in developing countries, families who have difficulty coping with the effects of climate change may be compelled to send their children abroad for safety. In this case, children may travel alone or become separated from their families and seek asylum.

e. Orphanhood

It has been determined that the majority of unaccompanied refugee children are partially or fully orphaned. For example, more than one fifth of children from Afghanistan are orphans. Many children from Africa have lost one or both parents. Some have siblings, but most are travelling alone. Deprived of family and support, children are forced to leave countries with already difficult living conditions for a better future.[1] .

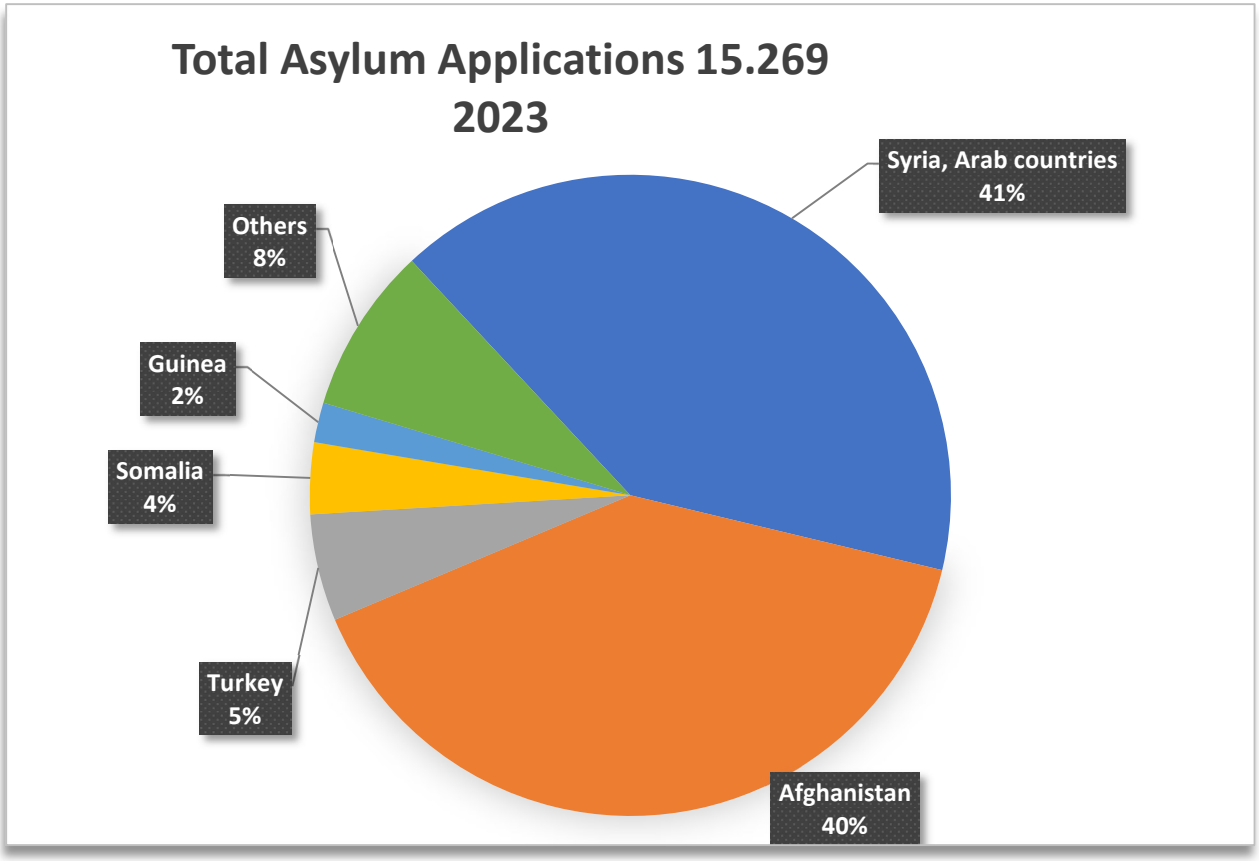
[1] https://interaktiv.tagesspiegel.de/lab/wo-die-meisten-gefluechteten-jugendlichen-vermisst-werden/

B. Data on Asylum Seeking Children

The table below provides yearly data on first-time asylum applications by unaccompanied minors .[2]

Year	Girl	Male	Total
2023	839	14.430	15.269
2022	597	6.680	7.277
2021	412	2.837	3.249
2020	487	1.745	2.232
2019	589	2.100	2.689
2018	815	3.272	4.087
2017	1.289	7.786	9.084
2016	3.198	32.741	35.939
2015	6.793	15.462	22.255
2014	1.008	3.391	4.399

The table below provides data on the origin countries of under-18 refugees who applied for asylum in 2023 .[3]



[2] https://www.bamf.de/DE/Themen/Statistik/Asylzahlen/BundesamtInZahlen/bundesamtinzahlen-node.html
[3] https://www.bamf.de/SharedDocs/Anlagen/DE/Statistik/BundesamtinZahlen/bundesamt-in-zahlen-2023.html?nn=284738

C. Causes of the Disappearance of Refugee Children

Focusing on the causes of disappearance of refugee children under 18 years of age is very important to address this issue. Official institutions and non-governmental organisations have different perspectives on this issue and interpret the causes of disappearances in different ways .[4]

The official organisations' stance starts with rejecting the data on disappearances released by the Bundeskriminalamt. They argue that these data do not reflect reality and that the number of missing children is actually much lower. According to them, problems with the electronic recording and tracking system make it appear that more children are missing. In addition, factors such as the desire of refugee children without parents to travel to family members in Germany or other European countries, dissatisfaction with their accommodation and their preference to live in larger cities also increase the risk of going missing. Furthermore, these children are dissatisfied with the allocation decisions of the youth welfare offices and seek to relocate to preferred locations or close to relatives.

The views of non-governmental organisations take on a different dimension. These organisations state that during the escape process, children's connections with criminal organisations continue in a dangerous manner and that these groups pressure children to leave their current locations. In addition, psychological traumas that children are exposed to in their countries of origin and on their escape routes, physically inadequate shelter conditions, and the fact that some girls flee to get married in an attempt to feel secure are also among the important reasons. Physical, verbal or psychological violence in shelter settings is another factor that increases the risk of children going missing. Finally, the fear of being refused asylum and the possibility of being returned to their country of origin cause serious anxiety for these children and heighten the risk of disappearance.

D. Data on Missing Refugee Children

In this chapter, we attempt to analyse the data on missing refugee children. The data in these tables are primarily derived from the Bundeskriminalamt's website[5] and the answer given by the Bundesministerium des Innen, für Bau und Heimat to a parliamentary question[6] published by the BumF.

While creating the tables, different numbers were found for each year in each new search in open sources and on newly accessed websites. Each newspaper, each official organisation reported varying figures . For example, the Bundeskriminalamt, which is the source of the data between 2020-2023 in the table, stated in its own statement that the numbers are "approximate". The reason for this uncertainty has been attributed to the functioning of the registration system, duplicate missing reports, the possibility of the same child being registered under different names . [7]

[4] https://www.bmfsfj.de/resource/blob/148642/43592ef3cccc4a39f8ab039da77162d5/uma-be-richt-2020-data.pdf

[5] https://www.bka.de/DE/UnsereAufgaben/Ermittlungsunterstuetzung/BearbeitungVermisstenfaelle/bearbeitungVermisstenfaelle.html?nn=30666#doc19618bodyText3

[6] https://www.ulla-jelpke.de/wp-content/uploads/2020/04/KA-19_18093-Vermisste-minderj%C3%A4hrige-Gefl%C3%BCchtete.pdf

[7] https://www.ulla-jelpke.de/wp-content/uploads/2020/04/KA-19_18093-Vermisste-minderj%C3%A4hrige-Gefl%C3%BCchtete.pdf

The way the registration system works is as follows: If a person goes missing, the police receive a report. All cases are collected in the missing persons database of the Federal Criminal Police Office. For each federal state, the data comes from the respective state police authorities. They provide data reflecting the current state of affairs at the time of the investigation. This can affect the statistics because the number of missing persons can change constantly. Therefore, the figures are only a snapshot and the individual figures from the federal states can only be compared to a limited extent. Statistics on missing refugees who are minors The police authorities and the Federal Criminal Police Office also point to additional limitations in documenting missing casesof unaccompanied child refugees. In some cases, young people may appear more than once in the statistics. This includes double entries due to different spellings. In addition, young people are dropped from the statistics as soon as they turn 18 - even if they have not reappeared by then. That is why the BKA states: "The figures given can therefore only be used as an approximate estimate."[8]

The German government's inability to make clear and reliable statements on such an important issue further increases the concerns of human rights organisations.

The table below shows the information shared by official sources about unaccompanied refugee children and about refugee children who were reported missing . [9]

Year	Number
2015	8.175
2016	9.754
2017	6.201
2018	3.947
2019	3.193
2020	1500
2021	2000
2022	2800
2023	4200

The following table lists the origin countries of missing children.[10]

2016	2017	2018	2019
Afghanistan (28%)	Afghanistan (23%)	Afghanistan (21%)	Afghanistan (22%)
Syrien (15%)	Syrien (17%)	Syrien (19%)	Syrien (14%)
Somalia (12%)	Marokko (8%)	Marokko (8%)	Marokko (10%)
Eritrea (7%)	Somalia (8%)	Guinea (5%)	Guinea (6%)
Marokko (8%)	Eritrea (6%)	Algerien (4%)	Somalia (6%)
Algerien (4%)	Algerien (5%)	Iraq (4%)	Algerian (5%)

[8] https://interaktiv.tagesspiegel.de/lab/wo-die-meisten-gefluechteten-jugendlichen-vermisst-werden/

[9] 2015, 2016, 2017, 2018 data : https://b-umf.de/src/wp-content/uploads/2019/02/zahl-der-vermissten-unbegleiteten-minderjaehrigen-fluechtlinge-2015-2018.pdf

2019 data : https://www.ulla-jelpke.de/wp-content/uploads/2020/04/KA-19_18093-Vermisste-minderj%C3%A4hrige-Gefl%C3%BCchtete.pdf

Data for 2020, 2021, 2022, 2023 : https://www.bka.de/DE/UnsereAufgaben/Ermittlungsunterstuetzung/BearbeitungVermisstenfaelle/bearbeitungVermisstenfaelle.html?nn=30666#doc19618bodyText3

[10] https://www.ulla-jelpke.de/wp-content/uploads/2020/04/KA-19_18093-Vermisste-minderj%C3%A4hrige-Gefl%C3%BCchtete.pdf

E. Dangers that missing children may face

Refugee children who seek asylum in Germany and are unaccompanied by their parents are among the most vulnerable groups at risk of going missing. During or after the asylum process, these children can disappear without a trace from the hostels, shelters, or foster families they are placed with. The organisation Missing Children Europe warns that criminal networks are increasingly focusing on unaccompanied refugee children and applying psychological or physical coercion on them to leave care centres[11] . The Bundesfachverband Unbegleitete Minderjährige Flüchtlinge (BumF) also states that it cannot be excluded that some of the children reported missing may have been abused. According to Bumf, there are indications that minors are forced into prostitution and theft because they have to pay off debts to traffickers .[12]

Some of the dangers to which children may be exposed include human trafficking, sexual exploitation, forced labour, exploitation by organised crime groups.

Rundfunk Berlin-Brandenburg (rbb) conducted an investigation into the systematic disappearance of Vietnamese young people from assistance centres and published the results. This research revealed networks involved in trafficking young people . They are exploited, for example, in nail salons in Germany or in cannabis fields in the UK. According to the report, an internationally active trafficking network is behind these disappearances. According to a investigation by the rbb, 474 Vietnamese children were reported missing by children's emergency services and youth welfare offices in Berlin alone between 2012 and 2019[13] .

Another important issue that children face is radical influences. Some of these children seek asylum in European countries in order to escape the pressures of radical groups in their countries and to live freely as individuals. However, there are extensions of those radical groups in the countries where they have sought asylum . Although they try to stay away, the difficulties of the asylum process, uncertainties and recently increasing racist rhetoric affect these children negatively. The effect of anti-immigrant discourses and racist expressions on these children may push them towards radical groups.

[11] https://missingchildreneurope.eu/

[12] https://www.ulla-jelpke.de/wp-content/uploads/2020/04/KA-19_18093-Vermisste-minderj%C3%A4hrige-Gefl%C3%BCchtete.pdf

[13] https://www.tagesschau.de/investigativ/rbb/vietnamesische-kinder-jugendliche-101.html

F. Existing Legal and Social Measures to Prevent Child Disappearance

Germany takes various legal and social measures to ensure the protection and safety of unaccompanied refugee children. These measures consist of laws, regulations and support services aimed at protecting children's rights and preventing disappearances. However, the effectiveness of existing measures and the difficulties encountered in the implementation process must also be carefully considered.

a. Protective Laws and Practices in Germany

1. Convention on the Rights of the Child and Germany's Legal Obligations

Germany has signed the United Nations Convention on the Rights of the Child and designed to safeguard children's rights and prevent disappearances. The Convention guarantees the protection of children with refugee status and their access to fundamental rights. Within this framework, children benefit from rights such as education, health services and safe accommodation.

2. Gesetz zur Verbesserung der Unterbringung, Versorgung und Betreuung ausländischer Kinder und Jugendlicher

With effect from 1 November 2015, the Act to Improve the Accommodation, Care and Support of Foreign Children and Adolescents introduced amendments to the German Social Security Code (SGB VIII), in particular with regard to the care of unaccompanied foreign children and adolescents after their arrival. Since then, unaccompanied child refugees have been distributed among the federal states in the same way as adult refugees. Accordingly, all youth welfare offices in Germany are responsible for the care of unaccompanied minor refugees. Whereas previously unaccompanied refugee children were taken into care at their destination (and then provided with assistance there) and the costs were distributed later, young people are distributed nationwide after the initial application and assessment phase . [14]

Some concerns and criticisms have been raised about this law. We will emphasise two examples here. The first is that this law leaves the child without legal representation from the time the child is first handed over until the child is sent to the unit in charge of his/her care. The second criticism is related to the authority and responsibility given to the Youth Welfare Office. The law gives the Jugendamt the authority and responsibility to protect the interests of children and to decide which state should bear the costs of care. This contradictory responsibility may result in prioritising costs over the interests of children, contrary to the interests of children . [15]

The Bundesfachverband Unbegleitete Minderjährige Flüchtlinge (BUMF) has criticised this amendment. According to the BUMF, the draft law does not fully serve the purpose of improving the accommodation, care and support services for foreign children and young people and is far from achieving the objectives set out in the Convention on the Rights of the Child. The draft focuses on a quota-based distribution procedure without clarifying an approach in the best interests of the child. It

[14] https://de.wikipedia.org/wiki/Gesetz_zur_Verbesserung_der_Unterbringung,_Versorgung_und_Betreuung_ausl%C3%A4ndischer_Kinder_und_Jugendlicher

[15] https://www.bmfsfj.de/resource/blob/118964/21cf738a143fcd1b5c7a45440f1179cb/bumf-data.pdf

is also stated that the draft bill falls short of achieving the full implementation of the EU Admission Directive .[16]

2. Child Welfare Act (Kinder- und Jugendhilfegesetz)

Germany's Child Welfare Act provides a wide range of social services to safeguard the welfare of children. Special protection measures are taken for unaccompanied refugee children , ensuring that their housing, care and education needs are met. The law sets out the responsibility of local authorities for child protection and aims to ensure that every child lives in a safe environment.

3. Appointment of Legal Guardian

The legal representation of unaccompanied refugee children is carried out by guardians. While some children are supported and represented by individual guardians, others are represented by organisations such as XENION[17] . Guardians are of great importance in the integration processes of children and in solving the problems they face with public institutions. Guardians are of great importance in order to prevent children from going missing and to locate them swiftly and ensure their safety again.

b. Activities to Protect Child Refugees

1. Social Services

Social services represent the most important step in the integration of unaccompanied refugee children into their new society. In Germany, access to social services for parentless refugee children is primarily coordinated by the Jugendamt (Youth Welfare Office). This agency provides solutions to meet the basic needs of children, such as housing, health and education, and allocates them to suitable care facilities to ensure that they grow up in a safe environment. In order for children to receive psychosocial support and to support their integration into society, organisations such as the Bundesamt für Migration und Flüchtlinge (BAMF), Caritas, Diakonie, and Deutsches Rotes Kreuz (German Red Cross) cooperate. These organisations offer counselling and psychological support programmes to help children overcome their trauma.

2. Child Protection Institutions and Accommodation Centres

These institutions should ensure that children are experience peace and safety in terms of physical and mental health. The physical conditions, strict rules and psychological violence in accommodation centres play an important role in child disappearances. Therefore, all physical and pedagogical structures should be in accordance with the best interests of the child.

Youth Welfare Centres (Jugendhilfeeinrichtungen) in every federal state in Germany provide safe accommodation, nutrition and psychological support to Unaccompanied refugee children. The Jugendamt draws up appropriate accommodation plans according to the individual care needs of the children and supervises their implementation. In addition, organisations such as Caritas and Diakone support the integration of children through therapy, group work and language training.

[16] https://www.bmfsfj.de/resource/blob/118964/21cf738a143fcd1b5c7a45440f1179cb/bumf-data.pdf
[17] https://www.xenion.org/

3. Placement with Family and Foster Family Services

One of the most important factors in the prevention of child loss is undoubtedly the provision of a safe and peaceful environment. Placement with a family plays an important role in this regard. Children who are placed with a good and peaceful family can integrate into the society in a short time and can successfully pass many stages such as language education and vocational training .[18]

4. Psychological and Post-Traumatic Support Programmes

Unaccompanied refugee children arrive in Germany after a long, perilous journey that leaves them with lasting psychological trauma[19] . These children are prone to psychological disorders such as post-traumatic stress disorder (PTSD), anxiety and depression. Again, factors such as low housing standards, bureaucratic obstacles, uncertainty, racism and discrimination can cause retraumatisation[20] . In this context, psychological support programmes are carried out for these children. This task is facilitated by specialist organisations such as *Refugio München*[21] and *Zentrum ÜBERLEBEN*[22] with individual and group therapies and Deutsche Rotes Kreuz and Caritas with structured counselling.

[18] https://interaktiv.tagesspiegel.de/lab/wo-die-meisten-gefluechteten-jugendlichen-vermisst-werden/

[19] https://interaktiv.tagesspiegel.de/lab/wo-die-meisten-gefluechteten-jugendlichen-vermisst-werden/
[20] https://www.landtag.ltsh.de/export/sites/ltsh/beauftragte/fb/veranstaltungsdokumente/2024-06-28_Abschiedskultur/Psychosoziale-Versorgung-von-umG-im-Kontext-exkludierenden-Aufnahmeregimes.pdf
[21] https://www.refugio-muenchen.de/
[22] https://www.ueberleben.org/en/home-en/

Conclusion and Recommendations

The difficulties faced by unaccompanied refugee children during the asylum process in Germany, the measures taken to protect these children and the efforts made to reduce the risk of disappearance are the main topics examined in the report. The assessment of the current situation reveals that important steps need to be taken to increase the safety of child refugees and to prevent disappearances.

a. Evaluation of the Current Situation

1. **Risks Faced by Child Refugees:** Unaccompanied refugee children face a variety of risks, especially in countries with high numbers of refugees, such as Germany. For example, in 2022, more than 20,000 child refugees without parents were registered in Germany, and a significant number of these children face dangers such as trafficking, forced labour or sexual exploitation. Organised crime groups are known to target these children, exploiting them or causing them to disappear.

2. **Effectiveness of legal and social measures:** Existing protective laws in Germany guarantees the rights of children and provides support through various social services. The legal arrangements for unaccompanied refugee children fail to balance the best interests of the child with the cost of the services provided. Children suffer from this imbalance. State institutions report that children want to be accommodated in big cities rather than rural areas. However, children leave shelters when they are sent to small towns or rural areas they do not want in order to ensure homogenous distribution.

3. **The Role of International Co-operation:** International co-operation is critical in the protection of missing refugee children, for example through the support of agencies such as Interpol and Frontex. In 2022, the "Child Protection in Migration" programme launched by the European Commission[23] aims to develop strategies for the protection of refugee children across Europe. However, in order to strengthen existing international cooperation, there is a need to increase information sharing among Member States and to implement joint projects. For example, systems such as EUROSUR (European Border Management Surveillance System) have the potential to enhance the safety of children by contributing to cross-border information sharing.

b. Suggestions for Improvement of Policies

1. **Avoiding harsh anti-migrant political discourse:** Civil society organisations stress that unaccompanied children and young people face heightened risks of absconding and exploitation if they fear deportation or see no prospect of a safe residence and future for themselves. Therefore, in order to prevent disappearances, political leaders should refrain from using "hardline rhetoric" and thereby exacerbating fears among refugee children and youth .[24]

2. **Strengthening Child Monitoring and Early Warning Systems:** Both the Bundeskriminalamt and other public institutions state that data on missing children are unreliable. This raises further concerns. Although the public institutions emphasise the unreliability of the data and suggest that the actual figures are lower, a similar approach could be used to suggest that the

[23] https://globalofficebrussels.iom.int/protection-children-migration
[24] https://b-umf.de/p/vermisste-vietnamesische-jugendliche-hinweise-auf-gezielten-menschenhandel/

data may underestimate the real situation. Therefore, the necessary technical infrastructure of the tracking system for these children should be strengthened.

3. **Expanding Social Services and Psychological Support Programmes:** During our reporting efforts, we identified an important issue, especially in the criticisms regarding the legal amendment made in 2015. Services for children, which are the subject of this report, are limited on the grounds of economic insufficiencies. The best interests of the child may be ignored when faced with question of how to cover possible costs. Although the infrastructure of small and rural areas is inadequate in these areas, children are sent there without their consent. When the accommodation centres in those regions are inadequate in terms of human resources and infrastructure, the psycho-social support that children need cannot be provided.

4. **Development of Education and Integration Programmes:** Including child refugees in the education system and facilitating their access to language education will accelerate their integration into society. Education is an important tool to ensure that children are in a safer environment and away from risks.