

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

**<https://www.vera.org/blog/unaccompanied-migrant-children-in-europe-and-u-s-share-similar-struggles-current-thinking-unaccompanied-migrant-children-in-europe-and-u-s-share-similar-struggles>**

## Public Facing Advocacy Writing

Unaccompanied migrant children are [once again visible](#), as the *New York Times* reported recently in their article, *Migrant Children, Arriving Alone and Frightened*. As the migrant crisis in Europe captures public attention, the debate over the rights of migrants, who are fleeing for their lives and, of course, seeking a living veers from disturbing expressions of fear and prejudice, to efforts to obey moral and international legal obligations to help. Underneath this vociferous public debate is the unstated question: who really deserves protection? Not surprisingly, people are less likely to mistrust children than adult migrants and more likely to express sympathy for them. That is because children are physically and psychologically more vulnerable than adults. Yet, like the nine- and 10-year-old Afghan brothers in the *Times* story who crossed through Germany barefoot and determined to reach Sweden, they also can be amazingly resilient and resourceful.

Resilience strength despite adversity, the ability to bend, but not break has become a convenient buzzword in science and public policy. But the term should not be invoked to abdicate social responsibility. Although children's resilience is remarkable, research shows that unaccompanied refugee children do experience the effects of traumatic experiences much more forcefully than children who are accompanied by adults. Evidence shows that supportive adults can make a big difference in how these children cope and recover, as we know from [the work of Terra Firma](#), an innovative medical-legal partnership serving unaccompanied children from Central America who have settled in the Bronx. As we found in our recent research with Terra Firma partners and [with unaccompanied immigrant children themselves](#), this support is vital for their identity and future well-being. Applying this knowledge by providing the legal, social, and medical resources that they need not only benefits the children, but the society in which they settle.

Despite this knowledge, the willingness to support refugees has been strained. According to the 1951 Refugee Convention, a refugee is someone who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country." How to apply the legal standards which are increasingly considered outdated is contentious among policymakers, because they do not encompass current mass migrations caused by violence in failed states or environmental destruction.

Neither Europe nor the United States has shown a sufficiently strong commitment to refugee resettlement, though the United States is reluctantly preparing to accept a tiny proportion of the refugees who have found their way out of war-torn countries like Syria. However, perhaps we are approaching a global turning point at which we will be forced to rethink what it means to be a refugee. The incredible migration stories coming from Europe might cause us to reflect on the warmth of the welcome the United States offered to unaccompanied migrant children from Central America, who have arrived from similarly horrendous environments of conflict and violence. After all, is there really a difference between a child fleeing extreme cartel violence and one fleeing militants in a war zone?

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