

Unaccompanied minors in Menton and Nice :

Detention, illegal pushbacks and denial of care

The situation of unaccompanied minors (UAMs) in the Alpes-Maritimes is deteriorating again, and many young people are suffering unacceptable treatment.

In Menton

Many young people attesting to be minors are being pushed back illegally to Italy, even though minors should be systematically admitted to France without delay. It is up to the ASE (Aide Sociale à l'Enfance, Child Protection Services) – which is part of the Alpes-Maritimes Local Authority – to assess their minority, not the police. Yet these young people are being turned away by the police without any prior assessment by the Child Protection Services. Numerous witnesses have reported that the police have falsified dates of birth to justify these pushbacks. In addition, minors are pushed-back with an « Obligation de Quitter le Territoire Français » and a « Interdiction de Retour sur le Territoire Français » (two types of expulsion orders) without being informed of their rights, which makes it very difficult to contest these orders and constitutes a serious infringement of their rights.

As was the case last April, minors are being detained on the premises of the Border Police (Police Aux Frontières, PAF) as they wait for the Alpes-Maritimes Local Authority to come pick them up. On Monday 21st August, 68 minors were detained in wholly unsuitable premises and in deplorable sanitary conditions: in the middle of a heatwave, they have been crammed together, sleeping on the floor with only one washbasin, one shower and one toilet. The numbers reported to us were up to 78 on 23rd August! Several minors were deprived of their freedom for 3 to 5 days, in clear violation of the International Convention on the Rights of the Child, to which France is a signatory.

Many young people are still being illegally detained in PAF premises, without access to a lawyer or a translator. Others are driven away from the premises and left to fend for themselves, denying them any form of care and protection.

In Nice

Unaccompanied minors are forced to go to the Auvare Police Station to request protection from the Child Protection Services. Some young people have had to wait up to 25 hours without food at the Auvare Police Station "Quart" Service before an educator comes to fetch them. The police have stopped letting minors come inside. Arguing that they are full and unable to open new premises, police officers have instructed young people to wait in a nearby public garden, and to come back in the evening or the next day. On 23rd August, around ten of them were waiting to be taken in. Some of them have been sleeping outside for several days. Many leave without being able to claim their right to child protection.

In Nice, the police are preventing unaccompanied minors from being taken in charge by the Child Protection Services: by not letting them in the Police Station, reports of "minors at risk" are not being written and sent to the public prosecutor. Therefore, the Child Protection Services are not even informed that unaccompanied minors are present and in need of protection.

The treatment of unaccompanied minors by the police in the Alpes-Maritimes is unacceptable. The police are failing in their legal obligations towards these vulnerable people. The Alpes-Maritimes Local Authority is also failing them, as it does not go pick up the minors in police premises quickly enough to provide them with shelter. The neglect of minors and the failure to assist people in danger are obvious. We also underline the fact that back in 2018 a number of the signatory organisations sent an 18 pages long document to the Nice public prosecutor, to challenge a number of the violations that are still occurring to this day... A year after our complaint, the public prosecutor dismissed it without further action?

We demand that all unaccompanied minors are actually taken into care. We demand an immediate halt to all pushbacks to Italy without prior and lawful age assessments by the Child Protection Services. And, we demand an end to abusive detentions at the Border Police Station, Pont Saint Louis, Menton.

We demand full compliance with the International Convention on the Rights of the Child in the Alpes-Maritimes Local Authority.

Signatory organisations: Alliance des avocats et praticiens du droit des étrangers pour la défense des droits fondamentaux (Alliance-DEDF) – Emmaüs Roya - Habitat et citoyenneté - Imperia Solidale - La Cimade 06 - La Talpa e l'Orologio - Ligue des Droits de l'Homme (LDH) Provence Alpes Côte D'Azur – Médecins du Monde PACA – Médecins du Monde Italia - Médecins Sans Frontière Italia - Non una di meno Ponente Ligure - No Name Kitchen - Progetto 20K - Réseau Education Sans Frontière (RESF) 06 - Roya citoyenne - Syndicat des Avocats de France (SAF) - Tous citoyens ! - WeWorld Onlus_