

“A LIFE ON STANDBY”. THE EFFECTS OF IRREGULAR STATUS AND THE PURSUIT OF REGULARITY ON THE QUALITY OF LIFE OF UNACCOMPANIED MINORS IN SPAIN

Zakaria Sajir¹
Rafael Ruiz Andrés
Yoan Molinero-Gerbeau

This article aims at discussing the intersections between unaccompanied migrant minors' (UAM) irregular status and its consequences for their quality of life by focusing on the Spanish context. The research is based on the data collected during a qualitative fieldwork conducted by the authors in a specific reception centre, Sant Joan de Déu-Terres de Lleida, in the province of Lleida (Catalonia) that consisted of 12 in-depth interviews with UAMs, two focus groups with autochthonous and migrant minors and nine in-depth interviews with key actors such as social educators and psychologists. The study shows how the legal status and the social condition of these minors directly affect their future expectations and their integration into the host society. The results indicate that, although they migrated in search for a better life, the process of institutionalisation of which they are part along with the quest for legal documentation lead them to live a life on “standby” where their hopes and dreams are indefinitely postponed, generating a breach with their autochthonous counterparts, which ultimately affects their quality of life in the short and long term.

Keywords: unaccompanied minors; migrant children; irregularity; quality of life; Spain; Lleida; Sant Joan de Déu; UAM; reception centres.

INTRODUCTION

“Unaccompanied minors” (henceforth UAM) – as per the definition in Article 2 of the Directive 2011/95/EU – refers to those children under 18 years of

Address of the corresponding authors: Zakaria Sajir, Instituto de Economía, Geografía y Demografía (IEGD – CSIC), C. de Albasanz, 26, 28037 Madrid, Spain, e-mail: zakaria.sajir@cchs.csic.es (ORCID: 0000-0003-4980-7131); Rafael Ruiz Andrés, Departamento de Sociología Aplicada – Universidad Complutense de Madrid (UCM), Campus de Somosaguas, s/n, 28223 Pozuelo de Alarcón, Madrid, Spain, e-mail: rafaelruizandres@ucm.es (ORCID: 0000-0002-9667-3052); Yoan Molinero-Gerbeau, Instituto Universitario de Estudios sobre Migraciones (IUEM – Comillas), C. Alberto Aguilera 23 28015 Madrid, Spain, e-mail: ymolinero@comillas.edu (ORCID: 0000-0002-9808-1106).

¹ All authors have contributed equally.

age who arrive on the territory of an EU Member unaccompanied by the adult responsible for them by law or by the practice of the EU Member State concerned, and for as long as they are not effectively taken into the care of such a person; or who are left unaccompanied after they have entered the territory of the EU Member State. This definition echoes the one given in Article 1 of the Convention on the Rights of the Child (CRC), and is similar to the one employed for the concept of “separated children” or “separated minors”, which refers to those minors who have been separated from both parents or from their previous legal or customary primary caregiver, but not necessarily from other relatives, as occurs for unaccompanied minors (cf. Francia *et al.* 2021).

In the context of the European Union, there are significant differences between the member states on the definitions used in their national legal systems and recording practices, for example with regard to the age limit employed to consider them or not unaccompanied, and the type of test used to assess their age, as well as the competent authority undertaking the identification and recording procedures. Furthermore, while most member states’ national legal systems provide for the appointment of a guardian or representative to UAMs when they are recorded within the asylum system, half of the EU member states provide for the appointment or designation of representatives also for UAMs who are applying for asylum and are recorded within other migration procedures (European Migration Network 2021).

In this article, we focus on the Spanish context, which is the frame for our inquiry into the relationship between UAMs’ legal status and their quality of life. As will be seen in the next sections, Spain is among the most affected EU countries by this phenomenon, not only because it is one of the principal points of entry and is the main hosting country of UAMs in the EU, but also because the immigrant population (Stuardo Concha *et al.* 2021), notably the unaccompanied minors, have been subject to hostile disinformation narratives during the COVID pandemic (see, for example, Ruiz Andres y Sajir 2022).

As briefly outlined in this introduction, according to our starting hypothesis, the legal and social framework related to UAMs’ status in Europe and Spain in particular, has an impact on the quality of life of this part of the migrant population. In order to further develop this hypothesis, we will refer to the results of the fieldwork that the three authors carried out in the Sant Joan de Deu Terres de Lleida (henceforth SJD) care centre in Almacelles (Catalonia), in the framework of the project “Al-Jisr [The Bridge]: Promoting the Integration of the Unaccompanied Minor Population Residing in Spain Through Intercultural and Interreligious Dialogue”, which was part of the initiatives promoted by the International Fellows Programme 2021 of the KAICIID Dialogue Center (Vienna, Austria).

From the outlined approach, the article is structured as follows: in the first section, we start by discussing the research design, as well as the methodology used to collect and analyse the data. In the second section, we review the relevant literature on UAMs to provide an overview of their migration process in Europe, and build a detailed picture of the phenomenon in Spain and in Catalonia. In

section three, we present the legal framework for UAMs in Spain, and discuss the implications that recent modifications of the legislation have on their lives. Section four analyses the empirical part of the article. Based on the data collected during the fieldwork, we provide a thorough analysis of the effects of irregular status on the quality of life of UAMs and a detailed account of their pursuit of regularity. Finally, the conclusion gives a brief summary and critique of the findings.

METHODOLOGY

With the aim of understanding both the social problems associated with UAMs and their perspectives on issues as varied as their social integration in destination, their expectations for the future or the possibility of freely practicing their religious beliefs, the project team designed a qualitative research project centred on a case study: the Sant Joan de Deu Terres de Lleida (SJD) care centre in Almacelles (Catalonia).

The selection of this centre was related to several factors. Catalonia was, in 2019, the second Spanish region receiving UAMs (see section three), and a large part of those who arrive in this territory are sent to this centre, which gives assistance, through its various mechanisms, to around 140 children continuously throughout the year. The SJD's action has also been highlighted as a model of good practices by Catalan institutions and international projects, such as the Horizon 2020 European project IMMERSE, as it focuses the hosting experience of these minors on providing them with legal (obtaining residence permits), educational and employment tools that would better assist them in achieving their present and future life goals. Among the training courses offered to these children it is possible to identify language learning and general culture (both Spanish and Catalan), as well as professional training oriented towards working in sectors for which some companies have signed internship agreements with SJD. In some cases as well, when the institution perceives that certain children may continue their schooling, they also ensure their enrolment, so they continue their educational path in the Catalan public system. This overall strategy responds to the aim of SJD of promoting UAMs integration through an intensive formation, oriented towards their stable integration in the local and regional labour market.

SJD also hosts a very heterogeneous population of UAMs, in terms of their origin, age and social profile. UAMs are hosted in different buildings, according to the time spent within the institution. The privileged access to the different SJD buildings allowed us to obtain a wider range of views from this group.

The results presented below were obtained through a fieldwork that was carried out in October 2021. The fieldwork consisted of in-depth interviews with 12 migrant minors and former UAMs residing in different buildings (from emergency services to supervised flats), two focus groups with autochthonous children and migrant children (one group consisted of two autochthonous children

and two migrant children; the other group was instead composed of three autochthonous children and four migrant children), aimed at identifying similarities and divergences in their life experiences. All the migrant children interviewed were male, a fact that also reflects the UAMs’ reality in Spain. Finally, all this was complemented with in-depth interviews with nine members of the SJD personnel working with children from different perspectives (psycho-social, educational, spiritual-religious).

UNACCOMPANIED MINORS IN EUROPE, SPAIN AND CATALONIA. AN OVERVIEW

Although there is a lack of comparable, systematic, and reliable data on the migration of unaccompanied minors at the global level (Corona Maioli *et al.* 2021), UNHCR, UNICEF and IOM (2019, 2020 and 2021) have intensified their efforts, in the last years, to get an overall picture on the situation of this specific group in Europe.

According to these institutions, in 2018 and 2019 about 30,000 immigrant children entered Europe, of which 12,700 (42% of the total) were UAMs in 2018, and 9,000 (27%) in 2019. Although the 2020 pandemic provoked a worldwide disruption of social life, severely disrupting international migration over the globe, still 10,350 UAMs entered Europe that year, which was equivalent to a 15% increase, compared to the arrivals recorded in the previous year.

Whereas the arrival of immigrant children migrating alone into the EU can be traced up to the beginning of the century, the phenomenon did not become regular until the last decade (Parusel 2017), dramatically increasing around 2018, with countries like Spain seeing a tripling of the arrivals (Fiscalía General del Estado 2020).

In 2020, of all UAMs who entered the EU, 45.3% were identified in Italy, 32.3% in Spain, and far behind Greece and Bulgaria with, respectively, 8.7% and 7.7%.

As shown in *Table no. 1*, this phenomenon is strongly related to Southern European countries that are not only the first reception points for these young migrants, but are also compelled, according to the European legislation together with international instruments like the CRC, to offer them legal guardianship in the territories where they are identified by the police (Corona Maioli *et al.* 2021; Mets 2020).

Table no. 1

Total number of unaccompanied minors' arrivals in the EU in 2020

Country	Number of arrivals	Share over total
Greece	895	8.7
Italy	4,687	45.3
Spain	3,340	32.3
Bulgaria	798	7.7
Malta	537	5.2
Cyprus	86	0.8
Total	10,343	100

Source: UNHCR, UNICEF and IOM (2021).

The main countries of reception of UAMs are located in the Mediterranean region. In 2019, the last year for which UNHCR, UNICEF and the IOM (2020) collected data on stocks of UAMs, Spain was the first hosting EU country, with approximately 12,417 of these migrant children, followed by Italy with 5,230 and Greece which hosted 4,815. The principal nationalities varied according to country of destination, but were mainly from Morocco, Algeria, Pakistan, Afghanistan, Syria, and Sub-Saharan Africa. While there is an important variety regarding their age, most of these children were between 15–17 years old (80%), and there were significantly more boys than girls (about two-thirds of the total).

Spain is the main hosting country of UAMs in Europe. Interestingly, this is the result of the latest waves of migration. As shown in the *Table no. 2*, until 2016, arrivals of UAMs ranged between 200 and 600. In 2017, some 2,400 arrivals were recorded, and in 2018 UAMs arrivals tripled, before settling back to lower values in the following years.

Table no. 2

Arrivals of unaccompanied minors by boat* into the Spanish state 2011–2020

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total number of arrivals	357	275	159	223	414	588	2,345	7,026	2,873	3,307

Source: Memorias de la Fiscalía del Estado 2012–2020.

* The total number of arrivals may be higher as other types of transports are not registered.

In relation to the size of the UAM population, between 2008 and 2016, figures were quite stable, with an average number of 3,800 children hosted by Spanish Institutions. The huge increase of arrivals in 2017, and, most of all, in 2018, highly upsurged this data, as *Table no. 3* shows, being, currently, 9,030 the number of children whose legal guardian is the Spanish State but having reached

the peak of 13,796 in 2018. Since that year (with no great variations from the previous ones), more than 90% of these children have been males, and less than 10% females (Memoria de la Fiscalía General del Estado 2020).

Table no. 3

Stock of unaccompanied minors hosted by Spanish institutions – 2008–2020

Year	Total UAMs hosted by Spanish institutions
2008	4,685
2009	4,507
2010	4,378
2011	3,623
2012	3,594
2013	2,841
2014	3,66
2015	3,341
2016	3,997
2017	6,414
2018	13,796
2019	12,417
2020	9,03

Source: Los niños y los adolescentes en el informe anual del Defensor del Pueblo (2020).

Although there is no stable data on their nationalities, the different reports of the Spanish State Prosecutor’s Office tend to show, when they include specific mentions to this, that Moroccans have been the principal nationality by far, followed by Algerians. *Table no. 4* includes the most up-to-date figures confirming the previously mentioned trend, as Moroccans represent more than 60% of the total, but showing an increased heterogeneity in the following groups where Algerians are still in second position, closely followed by children from different Sub-Saharan nationalities.

Table no. 4

Nationalities of unaccompanied minors hosted by Spanish institutions, in the year 2020

Country	Total	Share over total
Morocco	5,459	60.45
Algeria	710	7.86
Mali	688	7.61
Guinea Bissau	506	5.6
Ivory Coast	347	3.84
The Gambia	239	2.64
Others	1,081	12

Source: Memoria de la Fiscalía General del Estado, 2020.

Regarding their regional distribution, data varies across years, but it is possible to identify some tendencies. During the period 2012–2020, the one for which there is public data, Andalusia has been, by far, the principal hosting region for UAMs. This is not surprising as it is located in the southern Spanish border, converting it in the principal point of entry for those minors coming by boat, and it is the most extensive Spanish region, implying that it has several reception centres. Another tendency is that practically all Spanish regions have experienced a constant increase in the number of hosted minors. After Andalusia, in the same period, Catalonia and Melilla were the following regions hosting more unaccompanied minors, except for the year 2020, when the Canary Islands quadrupled the number of the previous year. All these trends can be seen on *Table no. 5*.

Table no. 5

Stock of UAMs hosted per autonomous communities – 2012–2020

Autonomous community	2012	2013	2014	2015	2016	2017	2018	2019	2020
Andalusia	1,499	1,014	1,354	973	1,072	2,209	6,294	4,617	2,507
Canary Islands	178	107	54	93	104	123	281	421	1,849
Catalonia	30	233	374	375	387	805	1,842	1,977	1,168
Melilla	289	252	654	759	999	917	1,322	1,398	798
Ceuta	169	155	164	198	246	261	553	712	496
Valencian Community	260	117	100	105	169	296	730	691	473
Basque Country	431	391	305	321	404	695	990	777	471
Madrid	64	98	150	305	293	478	490	489	356
Murcia	94	78	80	56	86	224	390	262	205
Navarre	9	4	7	6	19	21	58	209	151
Aragon	27	10	11	7	12	43	175	208	126
Balearic Islands	17	9	6	6	11	35	64	71	86
Castilla-La Mancha	50	36	26	23	0	79	160	151	75
Galicia	23	21	26	35	44	71	113	98	71
Cantabria	26	17	16	8	16	31	111	117	58
Castilla y León	33	28	27	23	0	46	102	86	49
Asturias	52	45	54	39	39	70	103	79	45
Extremadura	0	15	11	9	12	9	16	45	35
La Rioja	1	2	0	0	5	1	1	9	11

Source: Los niños y los adolescentes en el informe anual del Defensor del Pueblo (2020).

According to *Table no. 5*, Catalonia is one of the most relevant regions to understand this social phenomenon, especially since 2018, when it became the second largest hosting community for unaccompanied minors. There, reception centres are distributed across its territory, but Barcelona (the city and the province) concentrated, in 2021, 41.4% of all the hosted unaccompanied minors, followed by

Lleida (16,3%) and Tarragona (16,1%) as *Table no. 6* shows. This trend can be explained by the fact that a huge majority of UAMs in Catalonia are detected by the police in Barcelona, and then are transferred either to a centre in the city or to centres located in different provinces.

Table no. 6

Stocks of unaccompanied minors in Catalonia, per province, in the year 2021

Catalonian province	Total	Share over total
Barcelona	1,362	41.4
Girona	363	11.0
Tarragona	529	16.1
Lleida	535	16.3
Lands of Ebro	499	15.2
TOTAL	3,288	

Source: Informe estadístic mensual “Adolescents i joves emigrats sols” (2021).

Between 2015 and 2021, according to the data offered by the Secretariat for children, adolescents and youth of the Catalan Government, more than 94% of unaccompanied minors who arrived at Catalonia during that period were male. The principal country of origin, as in the rest of the country, was Morocco, which in some years, like in 2018, represented 77% of all newcomers. In the last year, 2021, although continuing to be the principal nationality (36.4% over total), more Sub-Saharan migrants than Moroccans arrived at Catalonia (42.5%) (Generalitat de Catalunya 2021).

The next section will focus on the legal framework that is applied to these migrant children, in order to understand to what extent their social life is conditioned by the Spanish immigration legislation.

THE LEGAL STATUS OF UNACCOMPANIED MINORS IN SPAIN

Although the legal status and social integration model to apply with UAMs has been a main subject of public debate for years (Corona Maioli *et al.* 2021), the options for integration into the social and economic fabric of Spanish society were definitely influenced by the pandemic situation. As some recent studies have shown, the COVID health crisis initially led to a series of border restrictions and lockdowns that significantly reduced the foreign labour force available in the agricultural sector, putting the food supply chain at risk (see for example Sajir, Molinero-Gerbeau, Avallone 2022).

This state of affairs forced the Spanish government to issue a Royal Decree 13/2020, on 7 April 2020 (extended up to September 2020), to implement a number of extraordinary measures aimed at alleviating the shortfall of seasonal

workers, preventing food shortages and price rises in the middle of the pandemic.

The objectives of this legislation revolved around recruiting new agricultural workers from two main categories: the unemployed and young immigrants aged between 18 and 21, who were under state guardianship before attaining the age of 18 (*jóvenes extutelados*), but did not yet have any work permits, or had permits that were temporary or expired, despite legally residing in Spain. With that, it introduced a specific route for these young adults that allowed those who were recruited through the above-mentioned decree, to obtain, after the expiry of its validity, a residence and work permit valid for two years, renewable for a further two years, throughout the whole national territory, and without sectoral restrictions.

These extraordinary but reduced measures are representative on how foreign young adults represent one of the groups most at risk of social exclusion in Spain. This is strictly related to the acknowledged rigidity and complexity of the Spanish immigration legal framework, known as *Ley de Extranjería*, that remained practically untouched in the last two decades.

The difficulty of obtaining a residence and work permit for UAMs once they come of age represents, for most of these foreign young adults, a source of unease, instability and vulnerability in society in general, and more specifically in the labour market, when looking for accommodation and work (Fernández 2010). Unable to regularise their situation, shortly after turning 18, most such youngsters end up working informally, accept other sub-optimal and risky conditions, in order to support themselves, and are even forced to live on the streets.

Although local governments were obliged by the previous immigration law to provide documentation, including a residence permit when a UAM arrives in Spain, the same law allowed nine months for the administration to start the necessary procedures. The rationale behind the existence of this timeframe was based on the requirement to prove that other solutions, such as the return of the minor, could not be implemented, before providing them with the necessary documentation. Nevertheless, as many of these minors arrive in Spain not long before their 18th birthday, on entering adulthood they are turned out of their centres before they can receive any documentation (Flores 2018).

With the Regulation of the Organic Law 4/2000 most such youngsters reached the legal age without any documentation, immersing them in a situation of irregularity and vulnerability; according to official data, barely 20% of UAMs have a residence permit (Martin 2020). The young people forming part of this minority, who managed to obtain a residence permit, live instead in a Kafkaesque situation in which, although were granted a temporary residence permit, they were not allowed to work.

These young people without documentation, without work, without a home, without prospects of a minimally dignified life, must quickly learn strategies to survive on the fringes of society, and draw as little attention to themselves as possible, to avoid the risk of being exploited or deported, once they reach

adulthood without a residence permit.

Ironically, after years of various complaints against these bureaucratic barriers by lawyers and a platform of 250 NGOs, it was the Supreme Court itself that further complicated the administrative situation of young foreigners. This is particularly the case with a ruling of the Supreme Court, in 2019, in which, firstly it was confirmed that the young adults had to rely on their own means, and not on those of third parties – contrary to what had been done in practice since 2011 – allowing NGOs to function as sponsors, and without the Government formally requiring these organisations to provide any financial guarantees. Secondly, the ruling confirmed that these own means should be equal to a monthly income of 400% of the Public Indicator of Multiple Effect Income (IPREM), an index used in Spain as a reference for the granting of aid, subsidies or unemployment benefits, requiring them to earn about 2,151 euros per month, an amount even higher than the average wage (€1,923 in 2021).

While this ruling finally enforces the correct application of Royal Decree 557/2011 of 20 April 2011, hundreds of young adults enter into irregularity because they cannot afford to prove that they have such a high monthly income, thus prompting the Ministry of Inclusion, Social Security and Migration to address this issue.

The reform of the Foreigners' Regulation (*Ley de Extranjería*) approved on 19th October 2021 by the Council of Ministers of the Spanish Government seeks to correct these bureaucratic anomalies, and reduces the acute state of exclusion, irregularity and vulnerability in which many youngsters fall once they reach the legal age by preventing this downward spiral from occurring.

Firstly, by simplifying the administrative procedures, hence abolishing those bureaucratic obstacles that were simply impossible to surmount for most of the minors under State guardianship (*jóvenes extutelados*). As mentioned above, under the old law, young people had to remain in a documentary limbo for nine months before the competent Immigration Office took action on their identification and documentation. With the reform, this period of time is reduced to a maximum of three months, thus putting an end to the situation of documentary limbo in which many young foreigners found themselves and guaranteeing their *ab initio*, without this process being able to prevent their subsequent repatriation.

Secondly, the reform promotes their access in the labour market by attaching a work permit to the residence permit for foreign minors from the age of 16 onwards, and by introducing the possibility for young adults aged between 18 and 23 to obtain a temporary residence permit that allow them to work without the need to present a pre-contract of employment (see Martín-Arroyo 2020). In addition to reducing the deadlines for obtaining residency, as already mentioned, this measure also reduces the economic requirements, and increases the validity of their residency permits. More specifically, with the reform of the immigration law, UAMs now do not have to renew their permit every year, hence their first

residence permit will be valid for two years, and its renewal for three years, as long as the youngster remains a minor.

Moreover, whereas before the reform, in order to renew their annual permit they had to prove the previously mentioned income (€2,151), after the implementation of the reform, they only have to demonstrate that they have earnings of at least €460, which is not only more in line with their status as teenagers, but also takes into account the fact that Spanish labour market is notoriously poor in job opportunities, especially for young people (see Ministerio de Trabajo y Economía Social 2021; see also Ormazabal and Sajir 2020). Furthermore, unlike before, that monthly income can also come from public or private institutions that decide to sponsor them.

According to the estimates of the Ministry of Inclusion, Social Security and Migration, in the short term, this reform will benefit around 8,000 UAMs, and may also benefit retroactively 7,000–8,000 young adults between 18 and 23 years old (Martin 2021; Sánchez 2021).

These regulatory changes respond to the needs of young adults, by improving their quality of life and prospects for inclusion in Spanish society, preventing them from reaching the legal age without documentation and without a real chance to access the job market. In addition, the reform finally meets the demands that have been directed for years not only by young migrants, but also by the Ombudsman and a number of NGOs committed to the cause, such as the Save the Children or UNICEF (Sánchez 2021).

Before reaching the approval in the Council of Ministers through the Royal Decree 903/2021, of 19 October, it is worth noting that the political process that led to the approval of the reform of the migration law had to pass through a phase of debate and negotiation that had involved several departments within the Government since April 2021. However, two main positions seem to have been identifiable within the Spanish Government during the political negotiation process.

The position of the Ministry of Inclusion, Social Security and Migration saw the elimination of bureaucratic obstacles as a means to avoid the irregularity and marginalisation of young foreigners, and to promote their integration into the social and economic fabric of the country. Conversely, the Ministry of the Interior in essence understood the reform as an incentive for the mafias and as a measure that would create a “pull effect” whereby more people would enter Europe through Spain, ultimately leading to tensions with other EU States.

Nonetheless, it is important to point out that the implementation of these regulatory changes by the government is driven by reasons that are less altruistic than pragmatic. In addition to the already mentioned need to simplify the whole administrative burden relieving the public administration from cumbersome and expensive bureaucratic procedures, a second objective is to “respect and preserve the public investment that has been made in their training, integration and fostering

by the autonomous communities” (European Website on Integration 2021). In a similar vein, although the Ministry of Inclusion, Social Security and Migration openly acknowledged that the previous legislation pushed these young adults into “a situation of legal limbo, sudden irregularity and potential exclusion”, the reform excludes those juveniles who – while living in the aforementioned conditions of acute exclusion, irregularity and vulnerability – committed some type of crime after reaching legal adult age (Sánchez 2021).

However, it is important to specify that the Spanish legal framework is not limited to state laws, as this is complemented by the legislative powers of the autonomous communities. Although the different regulations implemented by all autonomous communities are consistent with the CRC, in the exercise of their powers, autonomous communities have developed autonomous legislation to protect and promote the rights of minors that significantly vary from one autonomous community to another, in relation to the process of detecting risk situations, declaring abandonment, determining and implementing protection measures, and processing protection cases. As pointed out by some recent studies, this lack of harmonisation among the autonomous communities legislative frameworks generates important difficulties for professionals when implementing protection measures (for more details see Massons-Ribas *et al.* 2021).

In this section, we have addressed the structural factors that have a decisive influence on the lives of these youngsters; the following section will seek to give a more detailed account of some of these experiences, based on the results of the fieldwork carried out in SJD.

THE INTERSECTION BETWEEN BEING IRREGULAR AND THE QUALITY OF LIFE OF UNACCOMPANIED MINORS IN SPAIN. RESULTS OF THE FIELDWORK IN SANT JOAN DE DÉU-TERRES DE LLEIDA

We have attempted to frame the situation of UAMs in Spain and in the broader European context. In this section, we will try to articulate the potential interaction between the irregular status/ the pursuit of regularity of young migrants that are/ have been unaccompanied minors, and their quality of life, based on the results of the fieldwork carried out in SJD with UAMs, although the programmes offered by this organisation and their guardianship can be extended, once the legal age in Spain has been reached.

The term “quality of life” can be defined in several ways, either more academic or institutional, but usually two poles normally appear: objective conditions and the subjective perception of the person with respect to these “objective conditions”, in which earnings, expectations and estimated standards are incorporated (Urzúa *et al.* 2012). For this reason, and among the different techniques and profiles interviewed in the fieldwork conducted, we will focus here

on the interviews with young migrants, although the findings coming from the focus groups have also been taken into account in the elaboration of this section and the rest of the article. Even if among the 12 interviewees there are migrants under and over the legal age in Spain (*i.e.*, 18 years old), they all share the fact of having been UAMs, at some point in their lives.

As a first observation, we can point out that the race for access to documentation to regularise their situation constitutes a sort of key line of discursive articulation in the narratives presented by the interviewees. References to documentation appear continuously in the first chronological moments to which the testimonies refer (origin, journey, arrival) and, above all, in the stage that opens up after arrival in Spain, in which access to resident status articulates the life experience of the young migrants.

There is an initial connection between migration and quality of life: all the testimonies show how the driving force behind the migration process is precisely the improvement of quality of life. In one of the testimonies analysed, the “documents” already appear as one of the standards that defined the expectation of a child for “a better life” before starting the migration process: “To improve my future, to get my documents, to work and to be able to help my family”, as a young Pakistani man in his twenties points out.

Moreover, in the testimony of a minor, currently in the SJD first reception centre, it already appears how the expectation of documentation can encourage the migration process to begin before the age of 18. In the words of a 19-year-old Moroccan teenager: “[...] and I said that before I turned 18, I would go to Spain. Because we know that in Spain the issue of papers is easier if you enter as a minor. That’s why I didn’t finish my studies, because if I did the second year of baccalaureate, I would be 18 and at 18 I had to be here”. As we have underlined throughout the article, once a person reaches the legal age, documentation draws a line between a person’s “legal” or “irregular” status in the territory. However, minors in Spain have a sort of “unregulated” status, they do not have a residence permit, procedures that can only be initiated from the age of 18, but neither can they be expelled, as their condition as minors prevents them from falling into the category of “irregular” that would be used if they were adults. In addition, the testimony of this child also reveals how the decision to leave for Spain when he was under the legal age forced him to abandon his studies, a decision that had clear consequences on the interviewee’s quality of life.

This connection between quality of life, migrant minors and access to documentation, which already appears in the first stages of the process, is absent in the accounts of the journey, that focus more on the difficulties and fears they experienced (we must remember that almost all of them arrived on the peninsula in boats of extremely poor quality, controlled by mafias, and after crossing the waters of the Strait of Gibraltar). Nevertheless, the interaction between quality of life in migrant minors and the regular/ irregular status is clearly intensified once they

arrived in Spain. From that moment on, the acquisition of documentation ceases to be an expectation (as in the first testimony) or a driving force for migration (as in the second), and becomes a *habitus* (Bourdieu 1990), a “structuring structure” that conditions both the migrant’s daily life and their expectations, once they have arrived on the Spain’s mainland. The so-called “papeles” (documentation) becomes one of the fundamental logics that guide the steps, actions and desires of the under-age migrant, who sees the remaining years until the age of 18 as a time of preparation for obtaining documentation, as one 17-year-old teenager from Gambia highlights.

The point that connects the transformation of documentation from expectation to structured everyday life is institutionalisation. As they cannot be expelled, minors have only two options: entering the channel of institutionalisation or trying to survive on the margins of the society. In both cases, however, they would always be waiting to be able to formalise their migratory situation at the age of 18. Despite all the difficulties this entails, the testimonies tend to underline that institutionalisation constitutes, in the eyes of the young migrants interviewed, the most effective way to regularise their situation and “integrate”, a concept as abstract as often repeated in the interviews, into Spanish society.

Depending on the interviewee, this process of institutionalisation can be practically imposed from the outset, with no decision-making capacity: “And I went to the Mossos d’Esquadra (the Catalan police) and said that I was a minor and that I had nowhere to go, that I wanted to go to a centre. They said: ‘OK’, gave me a piece of paper, I wrote my name, my surname, how old I was... And that was it, and the next day, I came here to Sant Joan de Déu”, as a 23-year-old Moroccan young adult, who pretended to be a minor in order to be able to stay in Spain and is currently residing in the centre, noted. In other cases, as can be seen in the following testimony, from a 19-year-old Moroccan teenager, the capacity to decide on the next steps taken by the migrant is always conditioned by two issues: the expectation of obtaining documents, which means that, sooner or later, he or she must enter the institutionalisation system and quickly familiarise themselves with the different opportunity structures existing at regional level: “I’m not saying better than Andalusia, but that there were many opportunities here in Catalonia. For example, with the issue of documents, they give us about three months, even if you are 18 years old. So, I left the centre and came to Barcelona. After Barcelona I went to Lleida. At that time, there were many people in Barcelona. And then I was told that it was better to come to Lleida, that there weren’t many kids like me. And I came here (to the SJD)”.

Thus, the expectation of access to documentation and the regularisation of their legal situation means that the migrant’s quality of life is totally subjected and suspended to institutionalisation, obliging them to adapt both their expectations (subjective perception) and their daily life and characteristics (objective conditions) to this process.

Upon entering a centre, the daily life of the young migrant is totally institutionalised: the peers with whom they firstly interact are hosted by the centre

and the adults belong to the institution's staff, the activities in which they are involved are exclusively proposed by the centre, as well as the timetables, lifestyle and food. The training of migrant children is also organised by the institution, focusing primarily on language skills (mainly Spanish, but also Catalan) in order to facilitate early school enrolment. In other cases, it can also be complemented by vocational or professional training, as well as the provision of information on documentation processes. The agents responsible for their training are not only from the institution (as some workshops are held in the reception centre itself, and the institution, Sant Joan de Déu, also has a vocational training centre in Lleida), but also from other schools and centres in the area that the children normally attend. The institutionalisation process also takes into account the idiosyncratic particularities of migrant children. This is, for example, the case of religion, one of the most important variables in the analytical approach proposed by our fieldwork. The interviewees point out that the institution not only respects their religious difference and the particularities that derive from it, but also gives them all the facilities to practice their religion, an aspect that is highly valued by them. As a 17-year-old Pakistani boy, who lives in the reception centre, points out: "I love that they [the institution] let you pray when you want to. They give you a carpet to pray on, they give you time and in the month of Ramadan they wake you up on time. They give you a lot of food in Ramadan at night. We love this, it makes us very happy".

Although the young people interviewed value positively the harshness that this institutionalisation of existence may imply, in which the minimum living standards are covered, interviews with institutional actors mentioned runaways of other minors from the institution or the observance of negative feelings that such institutionalisation may provoke in the young residents: boredom, feeling of not being in control of their decisions (for example, the use of mobile phones), or the impossibility of getting together with whomever they wish, as pointed out by a minor from The Gambia. However, the "sacrifice" is justified by them as they conceive that this institutionalisation provides advantages for training and also for the achievement of their documentation. In this respect, one of the interviewees, who has already been quoted above, a 19-year-old Moroccan man that lives in one of the flats that the institution has in the city of Lleida, underlines the help provided by the institution's management in obtaining the documentation: "We have a director here who is a social worker and is always concerned about our papers. We are 18–19 years old, but we still need a little guidance. We will have our autonomy and tomorrow we will be able to fly, let's say".

Likewise, institutionalisation not only restructures objective conditions, but also transforms expectations, in which, once again, the documentation for regularisation plays a fundamental role. In this sense, the purity and naivety of the imagined and desired life in the country of origin is corrupted by the reality that these young people encounter upon their arrival. Once they reach their country of destination, they have to come up against a very different reality, made of institutions, bureaucracies and missed opportunities to regularise their status, which

inevitably ends up changing their expectations and extinguishing their hopes for a rapid improvement in their quality of life. This downward adjustment in their expectations is clearly reflected in the following testimony of the young 23-year-old Moroccan who pretended to be a minor once he reached the Spanish shores: “[...] In my village there are people who have gone through the same thing as we did, having to wait three years, having to register, having to wait, having to be patient, having to suffer...; we already know that”.

As a 19-year-old teenager from Morocco points out: “Because, for example, for the authorisation to work, they ask me for a one-year full-time contract. And of course that’s a bit difficult to get nowadays. I couldn’t work because of this and now I am studying”.

Another aspect of this reality and their aspirations to achieve a better life that comes through in several interviews relates to the fact that the centre’s staff not only becomes the main daily contact that UAMs can have with adult people, but also that the members of the personnel become their role models. Thus, in this reconfiguration of expectations that young migrants undergo when they arrive in Spain, in several interviews appears the desire to emulate one of the professionals with whom they interact daily, like social workers, teachers, social educators and even police officers. Following on from the testimony of the 19-year-old Moroccan teenager: “When I arrived at SJD, I discovered a different world. How the educators treat people, how they talk, how they explain things to you! That’s when I said: ‘OK, these people are good, they want to help you, they do their best to make you well’. Then I said to myself that I also wanted to dedicate myself to this world. I did a course in Social and Health Care and I did an internship at SJD with people with behavioural disorders. And now I’m studying online to become a nursing assistant. It’s difficult, but I’m doing it online. After getting this degree, I’m going to do a Social Graduate. My goal is to be a social educator. Little by little”.

This institutionalised reality – closely related to the regularisation of their status – not only clashes with their imaged and desired reality as we have outlined above, but it also has a clear effect on the two basic parameters of their quality of life: their subjective perceptions and their objective living conditions. This institutionalised reality is not only an option but we can say that it is the only option offered by Spanish public institutions to regularise their situation. Beyond the lights and shadows of this institutionalisation of young migrants, another scenario opens up, and for which some opt: trying to survive until their documentation is obtained, a situation that introduces the young migrant into a very specific and particular underclass (Murray 1984), that is not defined by the reduction of social aspirations, but by the impossibility to access them, at least temporarily). In this regard, institutionalisation is also a bubble that insulates the undocumented young migrant from his or her underclass status.

Here we also recognise that conducting the fieldwork exclusively within the premises of the SJD inevitably introduces some form of selection bias into the

analysis. However, the reference to this situation beyond the institutionalisation appears in mentions to colleagues, friends, or experiences during their own life history. In this life beyond the institution, the different networks that the young migrant must make use of in order to survive plays a fundamental role. Some of them are solidarity-based, which arise around cultural or religious association. Nevertheless, the interviewees also explain the system of mafias that try to take advantage of their vulnerable situation, moving them, for example, from one point to another on the Iberian peninsula, as the 23-year-old Moroccan man who pretended to be a minor points out again: “For example, imagine I have a brother in Malaga and I want him to go there, but he cannot buy a bus ticket if he doesn’t have papers. So, you have local mafias to get there”.

Another testimony, from a young Pakistani man who now works for a well-known supermarket chain, talks about the trading of documents through these channels, where a “work permit costs 8,000 euros. Where do we get this money from?”.

After this analysis, in which we have explored how access to regularisation affects the conditions and expectations, i.e. the quality of life of young migrants, from the fieldwork carried out, we return to the beginning: the expectations that make migrants leave their context of origin for new destinations. In this sense, as we pointed out, the search for a better quality of life is one of the initial impulses, which, however, is interrupted on arrival by the conditions generated by access to documentation, something that, in the case of migrant minors, is subject to a total institutionalisation of their existence. In this way, the life they dreamed of is delayed, giving rise to a “life on standby” which, although it guarantees them access to the basic needs for survival, as well as access to training or public administration, it delays the possibility of achieving the expectations of quality of life for which they began the migration process. In this way, their quality of life during the period as UAMs constitutes a fiduciary parameter of an expected quality of life in the future.

However, and despite the longing, and even eagerness, the young people interviewed also reveal that the life they hope for and whose *sine qua non* is the regularisation of their status is also expected to be affected by uncertain “objective conditions” around which (and in interaction with which) perceptions, i.e. the quality of life as a whole, will be reshaped. This is reflected in the testimony of a 23-year-old Moroccan man who has reached the legal age and has not yet obtained a residence permit. According to his words, he feels more under surveillance and more likely to be stopped by the police precisely for being a migrant youngster. To the question “And do you think that when you will have your NIE (foreigner’s identity number, obtained after regularisation) they will stop bothering you?”, he replies with a laconic “I don’t know, because...”. His response fills with uncertainty a future as longed for as pending the regularisation of their legal status.

CONCLUSIONS

The challenge represented by UAMs' migration and integration in Spain has been growing in recent years (Pavesi and Valtolina 2018). A recent report of Frontex (2018) explains how the Western Mediterranean route connecting Morocco to Spain has become, in these last years, the most popular way to reach Europe, with 57,034 detections between 2017 and 2018. According to this report, 4,850 minors entered Spain in 2018 (a 405% rise from 2017), and 3 out of 5 were Moroccans. However, as discussed throughout the article, the conditions regulating the status of migrant children are still insufficient, despite the significant progress that has been made in Spain in 2021. This is because the legal situation of UAMs continues to generate a standby life between the expectations with which they began their migratory journey and the situation they experience in Europe, and particularly in Spain, which has been the framework for this study.

The present article, based on a fieldwork carried out by the authors, at SJD, reveals that the translation of this legal framework into the daily life of the migrant minors makes institutionalisation the main channel around which, both their regularisation and their day-to-day life are articulated. However, the testimonies of the interviewees during the research project show how this institutionalisation, in addition to creating wide margins between those who never enter the system or those who leave without a better alternative, does not ensure the satisfaction of quality of life, even in the most successful cases. Rather, it defers this expectation of quality of life to an undefined and, sometimes, never realised future.

Although UAMs share some of the challenges faced by other groups of migrants, they are unique for their legal status (European Union 2012), their vulnerability to various forms of exploitation, abuse and violence before and after their arrival on EU territory, including their stay in reception and detention centres (Muñoz 2019; Mai 2011; European Commission 2017), and for the implications that their vulnerability and lack of integration engender on the countries of destination (Europol 2018; European Commission 2018).

Following their status of being unwanted foreign migrants but at the same time being only children, generate inner conflicts within the society of destination, which oscillates from condemnation to celebration of immigration, from proactive solidarity to sterile forms of pity, from criminalisation to victimisation of UAMs. In Spain, the increase of arrivals has generated in these last years a debate among the local population in relation, that is visible also in blogs, online comments to related news and social network sites, like Twitter.

Notwithstanding, recent studies show how children and young people are “at the forefront” of the processes of migration and integration in the localities of destination (see *e.g.*, Gilligan *et al.* 2010), more research effort is to be directed to place UAMs at the centre of the conceptual and theoretical analysis, to fully recognise and understand their unique experiences as migrants and members of the society.

The mechanisms, roles and interplays between the actors involved in the process of child migration is still blurred. In particular, little is known about the emotions of UAMs involved in the migration process; how social workers in the country of destination manage to provide a quality service to them in a situation characterized by lack of resources and increased migration pressure; and the type of representation that is given to child migration by the local population and the local officials. Shedding light on these factors that are still insufficiently explored might help to identify the heterogeneity of this migrant group and the manifold issues raised by UAMs.

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Articolul își propune să discute intersecțiile între statusul nereglementat al minorilor migranți neacompaniați (MMN) și consecințele pentru calitatea vieții, centrându-se asupra contextului spaniol. Analiza se bazează pe date culese prin metode calitative, de către autorii înșiși, într-un centru de recepție special, Sant Joan de Déu-Terres de Lleida, din provincia Lleida (Catalonia). Culegerea de date a constat în realizarea a 12 interviuri în profunzime cu MMN, două focus grupuri cu minori autohtoni și minori migranți și nouă interviuri în profunzime cu actori cheie, precum educatori sociali sau psihologi. Studiul arată cum statusul legal și condiția socială a acestor minori le afectează direct așteptările legate de viitor și integrarea în societatea de destinație. Rezultatele subliniază că, deși au migrat în căutarea unei vieți mai bune, procesele de instituționalizare în care devin parte, împreună cu încercarea de a obține documente, îi conduc pe acești minori spre o viață „în așteptare”, în care speranțele și visurile sunt amânate pe termen nedefinit, generând o ruptură de minorii autohtoni, o situație care, în cele din urmă, le afectează calitatea vieții pe termen scurt și lung.

Cuvinte-cheie: minori neacompaniați; copii migranți; nereglementare/status nereglementat; calitatea vieții; Spania; Lleida; Sant Joan de Déu-Terres; migranți minori neacompaniați; centre de recepție.

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