



### **INTERNATIONAL GUARDIANSHIP OF UNACCOMPANIED FOREIGN MINORS: A POWER OR AN OBLIGATION FOR STATES? THE SPANISH EXPERIENCE THROUGH THE ANALYSIS OF THE COMMUNICATION N. 4/16 OF THE COMMITTEE ON THE RIGHTS OF THE CHILD.**

Migration is a theme that has always accompanied the development of human societies. It has grown especially during the last part of XX century, which has been defined "the migration era". This contribution analyses the migration phenomenon concerning unaccompanied foreign minors, which has become more and more important in the recent years, leading most European Countries to adopt specific measures thereon. For this reason, the existing international regulations and their protection towards unaccompanied foreign minors seem to have all necessary elements that guarantee adequately the immigration of those people. Indeed, each State adopts its measures concerning infant migration and protection, according to international treaties. Nonetheless, actually each Country has its own discretion when deciding about those measures. In particular, the recent views adopted by the Committee on the Rights of the Child under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, concerning communication n. 4/2016 shows that a unique definition of this in the international framework, and a common action do not exist by the Member States in the international community. Indeed, the reaction of the host Country (in this case, Spain) towards immigration concerning unaccompanied foreign minors has not been appropriate according to International Law and it deserved the reaction by the Committee on the Rights of the Child.