EU LEGISLATIVE DISCOURSE ON UNACCOMPANIED MINORS: EXPLORING CONCEPTUAL-LINGUISTIC ARCHITECTURE

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ABSTRACT

The article explores EU institutional discourse on administrative and legal issues related to unaccompanied minors, arriving to the EU countries. The choice of the research topic is relevant within the UN Agenda 2030 on Sustainable Development, the critical role of major international organizations and their law within the overall international landscape. The paper aims to consider the current state of affairs in academic research with regard to discourse studies on unaccompanied minors, to identify key topics and concepts within the EU institutional discussion on unaccompanied minors, and to map their verbal representation tools. The research rested on the theory of discourse interdisciplinary studies and combined quantitative and qualitative approaches. The investigation based on content analysis and analysis of conceptual frame models. The research material included EU documents on unaccompanied minors during the period of 2000-2019. The findings have made it possible to conclude that the phenomenon of unaccompanied minors operates in the EU administrative-legal communication as a conceptual semantic macrostructure. It is represented by a hierarchy of 10 major thematic codes (major concepts) within the EU legal-administrative communication, and 38 subcodes (sub-concepts) that are present in the respective sources with the difference percentage of frequency.

Keywords: Content Analysis, Discourse, Language, Unaccompanied Minors.

INTRODUCTION

Language plays a crucial role for the international society sustainable development. It affects the production, processing, and transmission of knowledge, it provides worldwide multidimensional interaction, and supports the implementation of human rights that represent a cornerstone of human development. Moreover, researchers underline the importance of the language in the contemporary society to promote child rights and mention lack of the respective studies.

With regard to the term "*unaccompanied minor*", the present research follows the definition of unaccompanied minor under the UN and EU standards. Thus, the UN Committee on the Rights of the Child identifies unaccompanied children/minors as those *"who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so"*. The EU law gives the definition of the unaccompanied minor, following the UN standards. The EU directive 2011/95/EU underlines that an unaccompanied minor is *"a person under 18 who arrives on the territory of the Member*

States without and an adult who either responsible for him or her by law or takes care about him or her".

It is known that Europe has been seriously affected by irregular migration influx to Europe from 2015 and up to the present. Unaccompanied minors have become one of most challenging issues since 2015. Thus, according to UNICEF data 42% of minors who arrived in Europe in 2018 were unaccompanied or separated (some total of 12.7000). So called *"irregular migration crisis"* made EU governing bodies and executive agencies consider and implement specific situation-tailored measures. However, the situation is still on the top of the agenda as unaccompanied minors amounted to 83% of children who arrived in Italy in 2018, 54% of children regarding Bulgaria and 81% with respect to Spain, for the same period.

With four years behind, the year of 2019 requires a comprehensive vision of best practices, structured activities, and further tasks that are verbalized in the relevant documents. The above favors the argument for importance of language analysis within discourse on unaccompanied minors.

LITERATURE REVIEW

Academia underlines that the unaccompanied minors' phenomenon is subject to research from various angles (Chase et al., 2019). Scholars agree that major dimensions for research on unaccompanied minors cover legal, social, medical, and psychological aspects (Salmerón-Manzano & Manzano-Agugliaro, 2018). There are specific regional approaches to representation of unaccompanied children in various discursive contexts. For instance, Catalano & Mitchell-McCollough (2019) explore the situation with regard to migrant minors for Central America in the US media. Ready (2018) reveals specifics of language metaphor in representing unaccompanied Muslim minors in Spanish newspapers. Other topics include political discourse on unaccompanied minors, representation of gender and age phenomena in the construction of youth in the European migration "*Crisis*", unaccompanied minors' narratives, as well.

Some researches insist that there are a number of major concepts within the discourse on unaccompanied minors, namely "*best interests*", "*durable solutions*" and "*belonging*" (Allsopp & Chase, 2017). Mascha (2019) explores language tools that EU legislation uses to foster its solidarity through the concepts of family reunification, relocation, and the EU-Turkey agreement. Thompson (2018) focuses on the language of detention in US Court cases on migrant children. However, the mentioned works, as well as many other of such kind explore the trends in discussion on unaccompanied minors with no specific emphasis on language tools that are used to express and foster unaccompanied minors and their rights.

Meanwhile, the present research team considers that the phenomenon of the above target audiences, their rights and policies on their support within the irregular migration influx to Europe should be subject to discourse studies, as both human civilization, on the whole, and scientists, in particular, agree on the crucial role of language for civilization development (Ghosh, 2018). Therefore, the present research takes into account major provisions of interdisciplinary studies of discourse, that view language as a tool for context-dependent social interaction, representation of culture and identity, power and policy, communicative event, cultural product, etc. (Gee, 2017; Johnstone, 2018; Van-Dijk 2019; Wodak & Meyer, 2015).

METHODOLOGY

The research rested on the concept of mixed methods in research paradigm (Creswell & Creswell, 2017), integrated theoretical and empirical investigation, and combined qualitative and quantitative techniques. The theoretical stage included the analysis of literature on the topic under study to shape relevant trends of further research. The study integrated a number of approaches for the research implementation.

The research also stood on a historical approach to discourse studies that justified in terms of analysis ethics and validity (Roderick, 2018) the research team's decision to put the materials selection procedure within a particular period limitation, as the research tries to consider the current state of affairs in the domain under study.

The study was conducted from the angle of the context-based approach (De-Fina & Georgakopoulou, 2019). As far as the present work is concerned, it means the selection of sources for analysis within a particular topic, geographical, political, legislative boundaries, namely the discourse of the European Union bodies on the unaccompanied children who come to Europe as irregular migrants.

The analysis required a theory-grounded approach that scholars consider useful in cases when there is no preliminary data on the research object (Yanovitzky & Weber, 2018), and there is a need to consider field data. In case of this research it meant the search and investigation of the EU official documents on unaccompanied minors. The empirical stage of research consisted in the analysis of academic papers that explored discourse on human rights. The empirical studies lasted from January to June 2019.

Research Materials

The empirical analysis rested on EU legislation and official communication (reports and action plans) related to the topic of unaccompanied minors. Materials for experiment covered documents within 2000-2019 period of the third Millennium.

Three major search engines affiliated with the EU legislative and administrative (directives, resolutions, Action plans, and reports) sources were used, including the Eur-Lex portal, the official source of European Union law and other public documents; the EU Commission portal on Children in migration; and the Concilium portal for European Council and Council of the European Union documents.

The search for relevant documents was conducted under the keywords *unaccompanied minors/unaccompanied children*. Initially, over 180 documents were found, with the average count of 11,000+ words in each one.

Research Methods

The experiment rested on the content and corpus-based methods of analysis. The selected materials were subject to manual coding that was implemented by the authors. In parallel, the texts were processed through automated search for checking key word combinations and their frequency. These procedures reduced the number of the texts to 96 items.

Only the materials with 90% coincidence of authors' cross-coding data and identical key word combinations search were used for further analysis. These materials were structured into an electronic corpus and used for further coding and computer-based automated analysis of the

coded texts. The coding was implemented through QDA Minor Lite tool that identifies recurring verbal patterns and their quantitative data. Such instruments as app.sketchengine.eu, textalizer.net helped to check and compare the keyword combinations and their frequency in the corpus to prove the data validity. The coding and computational automated analysis of the texts laid grounds for further qualitative interpretations and discussion.

RESULTS

The starting number of topics that emerged from the textual data amounted to 50+ items that were reduced to 10 key concepts that act as constants within the 2000-2019 period of discussion on unaccompanied child rights in EU documents. These concepts are verbalized either explicitly through the respective words or implicitly through synonymic language units that were identified as assigned to the respective conceptual topics through both manual and automatic coding. The above concepts were considered as major codes. Only the codes with the average percentage>10% of presence across the text corpus were considered. Further, those language units that verbalized the major codes implicitly through synonymic language units were the subject to the particular analysis. It made it possible to identify a list of key subtopics within the above major concepts.

These subtopics were considered as subcodes within above-mentioned major codes. The Table 1 reveals the subcodes internal affiliation to major codes and the average percentage of the subcodes presence within the respective code conceptual structure. The data reveals that the conceptual and communicative role of various subcodes within one code structure and across the major codes differs. Moreover, there are some subcodes that go beyond the respective codes' average means.

Table 1
SUBCODES INTERNAL AFFILIATION TO MAJOR CODES AND THE AVERAGE PERCENTAGE OF THE SUBCODES PRESENCE WITHIN THE RESPECTIVE CODE CONCEPTUAL STRUCTURE (AUTHORS' DATA)

Major Codes (in Boldface Type) and Subcodes Affiliated with Each Code (in Regular Font)	Average % in the Text
I. Challenge: Children on the Move	**32**
1. Root Causes	29
2. Irregular Influx	32
3. (Urgent Need for) Solutions	32
4. Vulnerable Population	35
II. Approach to the Challenge	**32**
5. Children as a Vulnerable Population with Special Needs	41
6. Best Interest of the Child	27
7. Holistic Rights-Based Approach	28
III. Prevention	**26**
8. Support for Regions of Unaccompanied Minors' Origin	19
9. Awareness Raising Activities	21
10. Child Protection Systems in Host/Transit Countries	38

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SUBCODES INTERNAL AFFILIATION TO MAJOR CODES AND THE AVERAGE PERCENTAGE OF THE SUBCODES PRESENCE WITHIN THE RESPECTIVE CODE CONCEPTUAL STRUCTURE (AUTHORS' DATA)

Major Codes (in Boldface Type) and Subcodes Affiliated with Each Code (in Regular Font)	Average % in the Text
IV. Protection	**38**
11. in the Third Countries	23
12. in a Host Country	57
V. Arrival	**38**
13. Hotspots Facilities and Services	34
14. Persons and Agencies Responsible for Unaccompanied Minors, 15. +Staff Training	38
16. Identification a. Age Assessment b. Fingerprints and Biometric Data	42
17. Tracing Family Links	34
18. Registration	40
19. Reception a. Accommodation b. Basic Services	40
20. Safety	38
VI. Status Determination Procedures	**35**
21. Family Reunification/Asylum/International Protection	38
22. Return/Relocation/Readmission	38
23. Issues of Safe Stay during the Procedure	29
24. Appointment of Representative, Representation Procedure	41
25. Detention as the Last Resort	29
VII. Durable Solutions:	**32**
26. Integration into a Host Country Community (Social, Cultural and Economic)	32
27. Other Tools a. Return and Readmission b. Relocation	32
VIII. Financial Support	**18**
28. List of Funds	16
29. Types of Support (Food, Material, Non-Material)	20
IX. Key Challenges at Host Countries	**26**
30. Childhood Statelessness	16
31. Maltreatment, Abuse and Exploitation	36
32. Engagement in Illicit Activities	36
33. Children's Mental Health	18
34. Provision of Information	20
X. Collaboration	**14**
35. Countries of Unaccompanied Minors' Origin	18
36. EU Diasporas of Persons Who Come from Third Countries	10

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Major Codes (in Boldface Type) and Subcodes Affiliated with Each Code (in Regular Font)	**Average % in the Text**
37. UNHCR	10
38. Civil Society and NGO	18
39. National Governments	14

These subcodes represent pick challenges and major vectors of EU institutional communication on unaccompanied minors within humanitarian, administrative, legal contexts: children as vulnerable population with special needs; child protection systems in host/transit countries; protection in a host country; arrival: identification procedure; arrival: registration; arrival: reception; status determination: reunification/asylum/international protection; status determination: return/relocation/readmission; status determination: appointment of representative; challenges in a host country: maltreatment, abuse and exploitation; challenges in a host country: engagement in illicit activities; collaboration with countries of unaccompanied minors' origin; collaboration with civil society and NGO.

Further, it should be mentioned that the study led to the identification of two major types of documents. The first one includes those, which specify tasks in the area under study for a particular period. See, for instance, the following documents:

1. European Union Agency for Fundamental Rights. Separated, Asylum-Seeking Children in European Union Member States: Comparative Report. (2011);
2. Communication from the Commission to the European Parliament and the Council (2010–2014);
3. Communication from the Commission to the European Parliament and the Council (2016);
4. Communication from the Commission to the European Parliament and the Council (2017);
5. Report from the Commission to the Council and the European Parliament (2017);
6. European Parliament resolution of 3 May 2018 on the protection of children in migration.

The above documents' content covers practically all the major conceptual codes and their subcodes that have been identified in the course of study. The second type of documents focuses on particular themes. The respective contents include only some major codes and subcodes from the above respective list. And the number of codes and subcodes differs inside the group itself, as well. For instance, the list of the Directive 2013/33/EU includes the following themes: application for international protection, family members unaccompanied minor, representative, documentation, accommodation, residence and freedom of movement, detention as a last resort, minors' best interests, family unity, medical screening, schooling and education of minors, training of staff working with unaccompanied minors. And the list of the Regulation (EU) No 233/2014 includes only vulnerability status.

DISCUSSION

The content-based analysis and the investigation of the text system of codes and subcodes lays grounds for identification of a semantic macrostructure (the term is used in line with Van-

Dijk, 2019) within the corpus of EU documents on migration issues. This sematic macrostructure has a cornerstone concept of unaccompanied minors in the heart and a hierarchical non-linear system of concepts that act as constituent elements of the respective macrostructure and highlight a context-dependent angle of this complex construct in a particular setting of EU societal and political communication on the unaccompanied minors.

The mentioned macrostructure reflects the semantic features of conceptual frames of institutional discourse on the topic under study. These frames, in turn, represent the state of affairs with regard to societal knowledge, mind-set, cognitive practice, and interaction of regional interstate actors with regard to unaccompanied minors.

Thus, the research data helped to move from the Academia's preliminary statement on needs to study a frame of multipurpose collective action on undocumented youth movement (Terriquez et al., 2018) to the identification of a concrete set of the unaccompanied minors' frame macrostructure. The data on those subcodes that operate within different codes and go beyond their average means of presence in the text confirms that these subcodes perform the function of lingua-cognitive reference points across the text corpus of EU documents under study. This topic earlier has been raised in a number of papers (Belenkova et al., 2018).

The findings with regard to these subcodes lead to earlier interpretations on EU discourse legal symbolism (Přibáň, 2017; Camper, 2017). Currently, there is an interest in interpretation of legal concept as symbols of societal or professional community trends (Farnsworth, 2018). In this way, the unaccompanied minors represent a new humanitarian and legal symbol of emergency and critical need for urgent solution. The data has made background work and mapped language units that are used for the major concepts' verbal representation in the international legal administrative discourse on unaccompanied minors. The present research has revealed that the general characteristics and description of childhood concept through discourse (Plastow, 2014) acquire specific features with regard to a concept of unaccompanied minors. These features are explicitly introduced in the EU institutional discourse on the respective theme through a definite set of language units. Moreover, the context of institutional communication sets a hierarchy of the verbally represented concepts that are subject to the semantic macrostructure and cognitive frame of unaccompanied minors. This research data shapes new angle of applied research with regard to language mediators training. Earlier scholars focused on language earning resources (Belenkova et al., 2017).

CONCLUSION

The study is to consider a verbal representation of the key topics and concepts that are discussed in the EU documents on the topic under study. The analysis of relevant literature revealed that this theme has not become subject to consistent studies so far. However, Academia has made a number of efforts in this area. The present research has contributed to the research agenda in a number of ways.

First, the study has tested the empirical methodology that was designed to integrate content- and concept-based analysis of the text corpus with computational tools use. The investigation has confirmed the research hypothesis with regard to a list of concepts that represent a complex phenomenon of interstate agenda within the EU administrative-legislative discourse on the unaccompanied minors. The research has identified language units that are used to verbalize key concepts with regard to the population under study in the European institutional

communication. Moreover, the analysis has revealed a hierarchy of the mentioned concepts and respective verbal units that represent them in the institutional discourse.

Thus, it is possible to state that there is a conceptual-linguistic architecture of the institutional communication on the topic under study. The study has led to the identification of a list of major frames (codes in the texts under study) and their constituent elements (subcodes within the topics under study) that verbally represent the current state of affairs and major trends for further development of the EU countries with regard to unaccompanied minor migrants.

However, the empirical analysis of the documents that relate to the topic has showed that only a few pieces of administrative institutional communication, namely official reports within the Communication from the Commission to the European Parliament and the Council, cover the issues of unaccompanied minors in a systemic and multidimensional way. Meanwhile, most legislative documents that bear binding force for the Union members (i.e., directives, resolutions) focus on particular topics. Nonetheless, a set of legal documents with the detailed focus on specific themes lays grounds for the detailed discourse structure and in-depth communication practices on the topic.

The findings of the present study can be used for drafting recommendations to national authorities in terms of language use within the development of national legislation and administrative regulations on unaccompanied minors. Further, the findings contribute to public awareness of the challenges related to unaccompanied minors on the move.

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