




Manual on  
**Smart Practices for Working  
with Migrant Unaccompanied  
and Separated Children in  
the Europe Region**

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- 1: British Red Cross, artwork by anonymous young migrant in the United Kingdom.
- 2: IFRC, mural by local artist and refugees, at reception facility managed by the Luxembourg Red Cross
- 3: British Red Cross, artwork by anonymous young migrant in the United Kingdom.

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# Acknowledgements

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This manual has been made possible thanks to the efforts of the following Red Cross and Red Crescent National Societies:

- Austrian Red Cross
- Belgium Red Cross-Flanders
- British Red Cross
- Croatian Red Cross
- Danish Red Cross
- Finnish Red Cross
- French Red Cross
- Hellenic Red Cross
- Irish Red Cross
- Luxembourg Red Cross
- Norwegian Red Cross
- Spanish Red Cross
- Swiss Red Cross
- Swedish Red Cross
- Turkish Red Crescent

In addition, we wish to thank the IFRC European Regional Office; the Platform for European Red Cross Cooperation on Refugees, Asylum Seekers and Migrants (PERCO); the Red Cross European Union Office; and the IFRC Reference Centre for Psychosocial Support.

We also extend our gratitude to the ICRC as some of its expert resources were referred to in this manual, in particular with regards to the Tracing chapter.

# Terms and Definitions

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**Child:** Pursuant to the *United Nations Convention on the Rights of the Child*, the International Federation of Red Cross and Red Crescent Societies (IFRC)<sup>1</sup> defines a child as a “human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

**Child protection:** Child protection refers to the prevention of, and response to, abuse, neglect, exploitation and violence against children.<sup>2</sup>

**Children on the move:**<sup>3</sup> “Those children moving for a variety of reasons, voluntarily or involuntarily, within or between countries, with or without their parents or other primary caregivers, and whose movement, while it may open up opportunities, might also place them at risk (or at an increased risk) of economic or sexual exploitation, abuse, neglect and violence.”<sup>4</sup>

**Unaccompanied children (also termed “unaccompanied minors”):** Children 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.<sup>5</sup>

**Separated children:** Children separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.<sup>6</sup>

**Migrants:** Persons who leave or flee their habitual residence to go to new places – usually abroad – to seek opportunities or safer and better prospects. This description includes all types of migrants regardless of their legal status, while recognizing the special protection afforded by international law to certain categories of people such as refugees and asylum seekers.<sup>7</sup>

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<sup>1</sup> IFRC. (2013). *Child Protection Policy*.

<sup>2</sup> Alliance for Child Protection in Humanitarian Action. (2012). *Minimum Standards for Child Protection in Humanitarian Action*.

<sup>3</sup> There is no single and commonly used definition of “children on the move.” However, the definition with the broadest consensus through the Inter-Agency Working Group on Children on the Move and applied by the IFRC is used in this document.

<sup>4</sup> IOM. (2013). *Children on the Move*. [http://publications.iom.int/system/files/pdf/children\\_on\\_the\\_move\\_15may.pdf](http://publications.iom.int/system/files/pdf/children_on_the_move_15may.pdf).

<sup>5</sup> Inter-agency Working Group on Unaccompanied and Separated Children. (2004). *Inter-agency Guiding Principles on Unaccompanied and Separated Children*. <https://www.icrc.org/en/publication/1101-inter-agency-guiding-principles-unaccompanied-and-separated-children>.

<sup>6</sup> Ibid.

<sup>7</sup> IFRC. (2009). *Policy on Migration*. [http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/Migration-Policy\\_EN.pdf](http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/Migration-Policy_EN.pdf).



Image: British Red Cross, artwork by anonymous young migrant in the United Kingdom.

# Introduction

## The purpose of this manual

This manual on smart practices for working with migrant unaccompanied and separated children (UASC) is intended to be a resource for National Societies seeking to develop or enhance protection and assistance services for UASC. It has been prepared by the IFRC with support from the Platform for European Red Cross Cooperation on Refugees, Asylum Seekers and Migrants (PERCO) Working Group. In addition, some International Committee of the Red Cross (ICRC) expert resources were referred to in this manual, in particular with regards to the Restoring Family Links chapter.

The manual can be used to support the Inter-agency Field Handbook on Unaccompanied and Separated Children (<https://flextranet.familylinks.icrc.org/en/RFLGuideLines/Pages/Handbook-on-Unaccompanied-and-Separated-Children.aspx>) and the IFRC Position Paper on Protection and Assistance for Children on the Move.

## Who is this manual for

This manual is for personnel within European Red Cross or Red Crescent National Societies and IFRC working with, or planning to work with, migrant UASC. Although the manual has been developed specifically for the Europe region, many aspects may also be useful for National Societies across regions.

## How to use this manual

This manual can be used to: help prepare a National Society to take action; understand relevant laws in Europe; identify smart practices from other National Societies in Europe; appreciate the dilemmas that can come with working with UASC; and support positioning and advocacy efforts.

## Why was this manual developed

A number of National Societies in the region have managed projects to support UASC for years. However, a significant increase of migrants, including tens of thousands of UASC, arriving on European shores in 2015 led to significant humanitarian needs and therefore an increase and intensification of activities among some National Societies and the start of new activities by other National Societies. A variety of protection and assistance services for UASC have been implemented by National Societies, such as reception services and specialized housing; education assistance; health, mental health and psychosocial support (MHPSS); Restoring Family Links (RFL); and acting as guardians.

This manual draws upon smart practices from the various activities implemented by National Societies in Europe for the protection and assistance of UASC.

## IFRC position on protection and assistance for children on the move

All children on the move, irrespective of their legal standing, age, gender or health status, should have access to protection and humanitarian assistance. Because of their higher vulnerabilities, unaccompanied and separated children require particular and urgent protection. No child should be detained based solely on her or his migration status. To improve the protection and humanitarian assistance for children on the move, it is necessary to meaningfully engage and provide leadership opportunities for girls and boys to identify protection risks and find and implement solutions. In addition, more needs to be done to enhance the evidence base of which specific interventions work to protect children on the move and which do not, and why.

## Red Cross and Red Crescent Movement support of UASC

National Red Cross and Red Crescent Societies, the IFRC and the ICRC (together the Red Cross and Red Crescent Movement) have a long history of working to protect children on the move, irrespective of their legal standing, at all stages of their journey.

The ICRC's actions on behalf of vulnerable migrants and their families mostly take place in areas affected by armed conflict and other situations of violence. At all times, the ICRC remains available to provide technical advice and/or operational support to National Red Cross and Red Crescent Societies in its areas of expertise, such as restoring family links, activities for detained migrants and other protection-related aspects.<sup>8</sup>

As part of their humanitarian mandate, National Societies reach out to vulnerable children, including those “living at the margins of conventional health, social and legal systems.”<sup>9</sup> This includes the societies working as auxiliaries in the humanitarian field to their governments. Actions by the IFRC and National Societies include providing protection and humanitarian assistance such as emergency health care; safe child-friendly spaces and homes dedicated to unaccompanied minors; reception and transit centres; psychosocial care; and support to access education, food, shelter and legal counsel. The IFRC and National Societies also conduct advocacy to governments and local stakeholders to improve the protection of children on the move.

The IFRC and National Societies base their work of protecting and assisting unaccompanied and separated children on several key policies and resolutions. In particular, the resolution on Migration: Ensuring access, dignity, respect for diversity and social inclusion<sup>10</sup> made at the 31st International Conference of the Red Cross and Red Crescent Movement highlights:

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*“expressing concern about the often alarming humanitarian situation of migrants in situations of vulnerability, at all stages of their journey and ongoing risks that migrants, in situations of vulnerability, face in regards to their dignity, safety, access to international protection as well as access to health care, shelter, food, clothing and education.”*

and

*“recognizing that, acting in accordance with the Statutes of the Movement, in particular Article 3.1, National Societies should enjoy effective access to all migrants, irrespective of their legal status, in order to deliver humanitarian assistance and protection services without being penalized, both in their role as auxiliaries to the public authorities in the humanitarian field at all levels and under their general humanitarian mandate.”*

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<sup>8</sup> IFRC. (2015). *A Response Plan to Meet the Humanitarian Needs of Vulnerable Migrants: A Movement Coordinated Approach Focusing on the Mediterranean and Neighbouring Regions*. <https://reliefweb.int/report/world/response-plan-meet-humanitarian-needs-vulnerable-migrants-movement-coordinated-approach>.

<sup>9</sup> Red Cross and Red Crescent Movement. (November 2009). *Red Cross Red Crescent Policy on Migration by the Council of Delegates*. <http://www.ifrc.org/en/what-we-do/migration/migration-policy/>.

<sup>10</sup> Red Cross and Red Crescent Movement. (2015). *Resolution on Migration: Ensuring Access, Dignity, Respect for Diversity and Social Inclusion*. [http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/01/R3\\_Migration\\_EN.pdf](http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/01/R3_Migration_EN.pdf).

The IFRC Policy on Migration, developed in 2009, states:<sup>11</sup>

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*“National Societies provide assistance and protection to migrants, irrespective of their legal status.”*

and

*“An increasing number of migrants are unaccompanied minors or minors separated from their families. Without family links or appropriate care arrangements, they are at high risk of abuse and exploitation. Their rights may be violated, and their prospects for a secure and productive future are often dim. These minors are of special concern to the Movement. **National Societies shall cooperate and engage in the protection of unaccompanied and separated minor migrants, including through efforts to restore their family links...**”*

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## IFRC migration principles

Any action to support the integration of migrants, including UASC, should be underpinned by the following IFRC migration principles,<sup>12</sup> which are intended to guide National Societies in the development of their integration strategies.

### 1. Focus on the needs and vulnerabilities of migrants

The International Red Cross and Red Crescent Movement strives to adopt an integrated and impartial approach, combining immediate action for migrants in urgent need with longer-term assistance and empowerment. It is therefore important that National Societies be permitted to work with and for all migrants, without discrimination and irrespective of their legal status.

### 2. Include migrants in humanitarian programming

National Societies can opt for different approaches in assisting and protecting migrants. Some focus on migrants through special, targeted programmes or projects; others include migrants in their general humanitarian action, addressing the needs and vulnerabilities of the population in its diversity. Both approaches require sustained efforts by National Societies to guarantee impartiality and non-discrimination, taking into account the humanitarian needs of the host population.

### 3. Support the aspirations of migrants

Migrants have a legitimate claim to hope and opportunities to achieve their potential. They are also an important social, economic and cultural factor. Their skills, experience, and resilience can be a valuable contribution to their host communities. National Societies will consider migrants' own needs and interests, and support their social inclusion, integration, and their aspirations.

### 4. Recognize the rights of migrants

National Societies provide assistance and protection to migrants, irrespective of their legal status. Yet, the degree to which migrants are able to enjoy their rights is an important factor in assessing their vulnerability. By working with migrants to ensure that their rights are respected – including the right to the determination of their legal status – National Societies will also promote their social inclusion and their aspirations.

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<sup>11</sup> IFRC. (2009). *Policy on Migration*. [http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/Migration-Policy\\_EN.pdf](http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/Migration-Policy_EN.pdf).

<sup>12</sup> Ibid.



## **5. Link assistance, protection and humanitarian advocacy for migrants**

Assistance to migrants goes hand in hand with efforts to protect them against abuse, exploitation, and the denial of rights. In making these efforts National Societies will respect the migrants' own interest, and the imperative of doing them no harm. To enable migrants to overcome abuses and pressures, National Societies can provide legal advice, refer them to other relevant and competent organisations or entities, or undertake discreet or public forms of humanitarian advocacy.

## **6. Build partnerships for migrants**

The humanitarian challenges of migration reach across borders, regions, and cultures. There is a Movement-wide responsibility for capacity-building, mutual support and coordination. Regional cooperation among National Societies is equally essential. In working with external partners on migration, a common and principled approach of the Movement is indispensable.

## **7. Work along the migratory trails**

The Movement is in a unique position to help bridge the gaps of assistance and protection for migrants. National Societies in countries along the migratory trails will work together to optimise their humanitarian action, including the restoration of family links. This requires a focus on situations and conditions in which migrants all along their journey are especially susceptible to risks. National Societies may sensitize potential migrants about risks of migration, but must not seek to encourage, prevent or dissuade migration.

## **8. Assist migrants in return**

Return to the place of origin is not the necessary end or solution of migration. Migrants may prefer to stay where they are, for an extended period or permanently. While providing counselling and informing migrants about their options, National Societies cannot and shall not decide what solution is the best, and must at all times maintain their impartiality, neutrality and independence. When migrants do return they face particular challenges; to assist and protect them, cooperation and agreement between National Societies in countries of destination and return is essential.

## **9. Respond to the displacement of populations**

Armed conflicts and violence, natural or man-made disasters, but also development or relocation schemes can force populations to leave their homes, leading to accelerated and collective, even massive movements. The displaced populations might seek assistance and protection within their own country, or might find refuge across international borders. Displacement of populations and migration of individuals and groups are distinct but often interrelated phenomena; where they are interrelated, National Societies will strive for a coordinated action that covers both, the displaced and the migrants.

## **10. Alleviate migratory pressures on communities of origin**

Migratory pressures on communities of origin can be related to social and economic distress; they can be linked to environmental degradation as well as natural or man-made hazards; and they can be due to persecution, armed conflict, and violence. By supporting disaster preparedness and building resilience at community level, National Societies contribute to alleviating pressures that can induce people to migrate against their will and desire.

## Inter-Agency recommended principles to protect children on the move, including UASC

In addition to the IFRC migration principles, the following inter-agency principles<sup>13</sup> specific to children on the move are crucial in designing any interventions for UASC.<sup>14</sup>

1. **Children on the move and other children affected by migration shall be considered children first and foremost and their best interests shall be a primary consideration in all actions concerning them.** Children affected by migration should be ensured the same rights as all other children, including birth registration, proof of identity, a nationality and access to education, health care, housing and social protection. Those responsible shall not assume that standard solutions work for all children; rather they are required to conduct individual and family assessments prior to making a durable decision about each child. Children at the border shall not be refused entry without an adequate and individualized analysis of their request and due guarantees consistent with a best interests determination.
2. **All children have the right to life, survival and development.** All children have a right to a standard of living adequate for their physical, mental, spiritual, moral, educational and social development. States have a duty to anticipate and prevent harm, including with respect to the triggers of child migration and to invest in robust search and rescue operations to avert harmful migration outcomes, Sustained investment in material and social assistance, and in livelihood opportunities is a critical prerequisite to prevent life threatening journeys and enabling the child to develop.
3. **Children have the right to liberty of movement within their State, and to leave their State and any other.** Children have the right to migrate in search of family life, safety or opportunity. In particular, they have a right to flee violence and danger.
4. **The detention of children because of their or their parents' migration status constitutes a child rights violation and always contravenes the principle of the best interests of the child.** States should expeditiously and completely cease detention of migration affected children and allow children to remain with family and/or guardians in non-custodial, community-based contexts while their immigration status is being resolved.
5. **Children during all phases of migration shall not be separated from their parents or primary caregivers (unless this is in their best interests).** States shall not separate children from their families, for example by instituting onerous and protracted family reunification procedures, denying the portability of accrued social security benefits, detaining irregular migrants accompanied by children, deporting parents of minor citizens, or refusing to allow children to accompany migrant worker parents. Conversely forced expulsion of a child should never be considered an acceptable means of family reunification or assumed automatically to be in the best interests of the child. Any expulsion of a child must be safe, and in the child's best interests. Where the expulsion concerns a child separated from family, it shall be accompanied and monitored.
6. **No child is illegal – Children should be protected against all forms of discrimination.** The criminalization and stigmatization of children on the move and other children affected by migration violate this principle. States and other actors should use non-discriminatory terminology when referring to migrants and their children.
7. **Child protection systems shall protect all children, including children on the move and children affected by migration.** In their design and implementation, national child protection systems shall take into account the distinctive needs and views of children on the move and other children affected by migration. States

<sup>13</sup> *Recommended Principles to Guide Actions Concerning Children on the Move and Other Children Affected by Migration.* (June 2016). <http://destination-unknown.org/wp-content/uploads/recommended-principle-EN.pdf>.

<sup>14</sup> Movement actors were not directly involved in the development of the principles. As such some elements may not fully align with specific perspectives from the IFRC, ICRC or National Societies.

shall protect children against exploitation, violence, abuse, and other crimes, and against resorting to crime or sexual exploitation to meet their basic needs. States and regional organizations have a responsibility to ensure a continuum of protection between local government authorities and States through which children travel, and to promote harmonized protection practices developed by local communities where appropriate.

- 8. Migration management measures shall not adversely affect children's human rights.** States shall respect the rights of children guaranteed by international human rights, refugee and humanitarian law, including the principle of non-refoulement, and any child specific protection measures. States have a duty to ensure accurate identification of children, to evaluate the impact of laws and policies on children on the move and other children affected by migration and to avoid adverse impacts. Deliberately making transport unsafe to deter migrants from travelling can never be justified. Children require security and stability for healthy development. States that only consider the best interests of the child or grant children authorization to remain on their territory until age 18 have an adverse impact on children's rights.
- 9. Children have a right to express their views freely in all matters affecting them and to have their views taken into consideration in accordance with their age, maturity and understanding of the options available.** States shall ensure that children affected by migration, whether or not in their State of origin, have effective access at all stages of migration to quality information and free of charge legal representation, interpretation, and, if they are unaccompanied or separated, to guardianship.

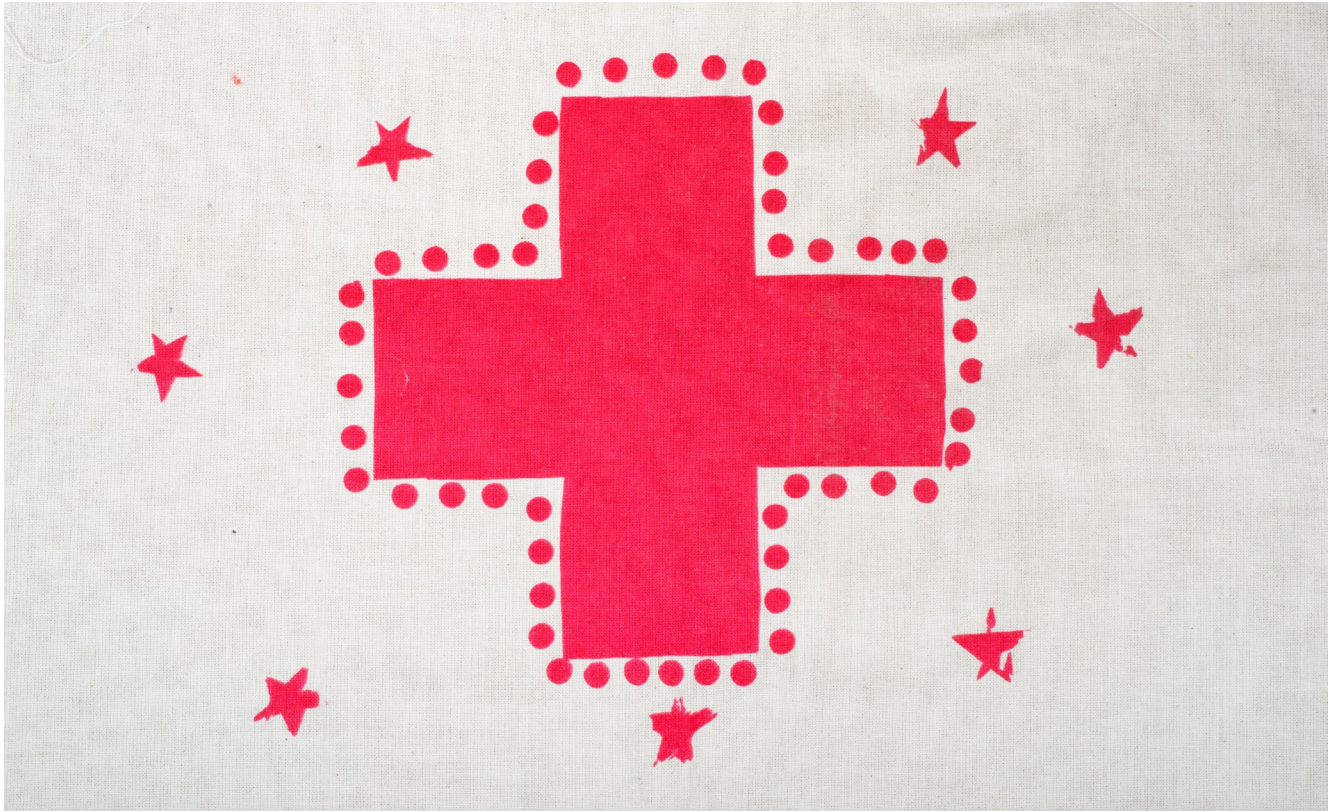


Image: British Red Cross, artwork by anonymous young migrant in the United Kingdom.

## National Society Preparedness

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### Why internal preparedness is important

Working with UASC can be challenging and complex. In order for a National Society to be prepared and to effectively implement protection services, it is a good practice to start with an internal assessment. An assessment can help a National Society clarify and strengthen its approach by examining what role the National Society is best positioned to take, building a practical plan, ensuring the principle of “do no harm” is achieved, and taking sustainable action.

### How internal preparedness can be supported

Conducting an internal assessment can require perspectives from a variety of Red Cross and Red Crescent programming areas and other components of the Movement, as well as from external partners such as governments and non-governmental organizations.

One way to gather feedback from different perspectives is to organize an inter-departmental working group. This can include National Society leadership and operational and technical personnel from all relevant programme areas. In addition, consultations can be conducted with external partners, who can be included in relevant inter-departmental working group discussions.

### When preparedness activities take place

Preparedness should, ideally, begin before activities are implemented.

## What specific questions can help a National Society prepare to take action<sup>15</sup>

The questions for an internal assessment can be divided into the following parts: defining a role for the National Society, building a plan of action, doing no harm, and sustaining action.

Any actions to support UASC need to ensure respect for the Fundamental Principles of the International Red Cross and Red Crescent Movement, acting on the basis of need and embracing the “do no harm” principle of humanitarian assistance. In addition, whenever a UASC is in distress, a humane and supportive approach needs to be prioritized.

### Defining a role

1. What previous experience does the National Society have in working with UASC?
2. Why is the National Society choosing to work with UASC?
3. How has the leadership of the National Society signalled its support to work with UASC?
4. How have the needs of UASC been determined? How have the special needs of children with disabilities been accounted for? How have the gender-specific needs of girls and boys been addressed?
5. How has the National Society role been determined? Has an assessment been conducted or is one planned?
6. Has the National Society had a dialogue with local government and other humanitarian agencies about its role in supporting UASC? How does the National Society role complement existing work by the government or other humanitarian agencies?

### Building a plan of action

7. What funding is available to support interventions with UASC? Are the existing funds sufficient? Are the funds sustainable?
8. Are there existing National Society programmes that can be drawn upon (e.g., Health, Psychosocial, Restoring Family Links, Youth)?
9. What lessons learned from past National Society or external projects can be drawn upon in the design and implementation of the new project?
10. Are there clear objectives for the planned interventions? If so, what are the specific outcomes/outputs, and is a theory of change included? Are the objectives based on needs identified in an assessment?
11. How will support to UASC be managed considering the other priorities of the National Society (i.e., is there a focal point, are there dedicated resources)?
12. How will children’s perspectives be included throughout the project?
13. What challenges are anticipated? How will these be managed or overcome?

### Doing no harm

14. Are there any security risks for UASC that need to be prioritized? Are there any security risks for National Society volunteers and staff who implement the project?
15. Have referral pathways for any concerns of physical, sexual or psychological violence against children been mapped out and made available to UASC, volunteers and staff?

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<sup>15</sup> This section is adapted from a checklist from the American Red Cross. American Red Cross. (2010). *Sustainability and Exit Planning: Guidance and Lessons Learned*.

16. How will the capacity and quality of work of staff and volunteers be assessed? What is the training plan for staff and volunteers who will work with UASC?
17. Is technical expertise available to assess and analyse the “best interests of the child” in the design, implementation and evaluation of projects?
18. What steps will be taken to screen all staff and volunteers who interact with UASC?
19. Does the National Society have a child protection policy that outlines the roles and responsibilities of all personnel who work with girls and boys? Are all personnel who work with UASC required to sign it and be briefed on it?
20. What systems exist to provide UASC with opportunities to provide feedback or make complaints about the services they receive?

### **Sustaining action**

21. How long is the project with UASC planned to last? What analysis is the timeline based on?
22. What are the key actions that can be taken to ensure that activities with UASC remain sustainable for the duration they are required?



Image: British Red Cross, artwork by anonymous young migrant in the United Kingdom.

## Essential Basic Services

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### What essential basic services include

All UASC need to have access to essential basic services, regardless of their legal standing, age, gender or health status. Essential basic services include access to health and psychosocial care, education, legal counsel, shelter, recreation, clothing and nutrition.

When governments are unable or unwilling to provide these services, Red Cross and Red Crescent National Societies can help provide this care to UASC either directly or by helping to reduce barriers that children may have to access these services from other agencies. Providing access to essential basic services is crucial and can complement other projects that a National Society delivers to UASC. Where a National Society does not have other specific projects for UASC, providing access to essential basic services can be done as a minimum action.

Based on local needs, the capacity and expertise of the National Society, and work already being pursued by partners, the National Society can determine what services it may be best positioned to support, in what ways, and for how long.

## Why essential basic services are important

To ensure their health, safety and well-being, it is important that all UASC have access to essential basic services. Specifically, “pre-existing social, physical and mental health problems can be exacerbated by becoming a migrant. Importantly, the way refugees and migrants are received and how protection and assistance are provided may induce or aggravate problems, for example by undermining human dignity, discouraging mutual support and creating dependency.”<sup>16</sup>

The challenges associated with providing access to essential basic services can include a lack of available services and governments that might deny or restrict services in order to reduce the amount of time UASC spend in the country. It may become illegal for Red Cross or Red Crescent Societies to provide services, or UASC may not be eligible for services due to their legal status. In addition, UASC may:

- face discrimination and xenophobia.
- not understanding the language.
- struggle with administrative requirements which cannot be met in the absence of the required documentation.
- lack trust in authorities who might detain children.
- fear reprisals from traffickers or smugglers.
- desire not to be identified.
- lack of knowledge of what services are available and where.
- have challenges around transport to services.

The lack of access to essential basic services can result in severe psychosocial distress and suffering such as anxiety, depression and withdrawal.

## When essential basic services should be provided

Essential basic services should be provided to UASC as soon as they enter a country and throughout their stay in the country.

## Where essential basic services can be implemented

Essential basic services can be implemented within various settings such as distribution centres, reception facilities, transit centres, partner agencies, schools, hospitals and clinics, and through mobile services.

## Smart practices

1. Advocacy and sensitization
  - i. Even if a National Society is unable to provide essential basic services directly, it can advocate to government and other decision makers to ensure that essential basic services are provided to UASC.
  - ii. Key messages to advocate and sensitize:
    - a. UASC have rights to essential basic services regardless of their legal standing, age, gender or health status.

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<sup>16</sup> IFRC. (2016). *Operation Framework for Involvement in Migrant Health and Care Services*.



- b. Essential basic services need to be child-friendly and tailored to children's specific needs along migratory trails.
  - c. Children should be provided opportunities to actively participate in decisions that affect them.
  - d. Actions concerning UASC should adhere to international standards.
  - e. All UASC need to be treated with dignity and respect and receive support to achieve self-reliance.
  - f. Interventions and support needs to be culturally appropriate.
  - g. Where multiple government agencies are involved in the provision of essential basic services, ensure a coordinated approach.
  - h. Ensure government systems are prepared to meet the needs of large numbers of UASC, including in time of emergency.
2. Provide support as an auxiliary to the State/authorities in the humanitarian field
- i. Helping UASC access essential basic services through existing networks, non-governmental organizations (NGOs) or civil society is the responsibility of national authorities.
  - ii. Red Cross Red Crescent activities to support access to essential basic services should not attempt to duplicate the efforts of local authorities or of other stakeholders, but the National Society should have a clear auxiliary role to the State/authorities in the humanitarian field and add value where there are gaps in service.
  - iii. Based on its own internal diagnostic and through working with local and international partners, the National Society can determine what its best added value is for working with and protecting UASC.
3. Take direct action as a substitute when services are unavailable

#### General actions

- i. Provide UASC with information about essential basic services and their legal rights.
- ii. Make essential basic services available near settlements or routes routinely used by UASC. The need for essential basic services is present whether UASC are in transit, have arrived by sea or land, or are detained.

#### Sector specific

- iii. Health
  - a. Provide life-saving emergency and first aid including psychological first aid.
  - b. Support access to basic health services and referral to health institutions.
  - c. Raise awareness of the importance of health among UASC during all movement patterns.
  - d. Reinforce relationships with national health systems, other partners, and migrant and host communities.
  - e. Help to decrease the stigma associated with UASC, especially adolescent UASC that are nearing adulthood (18 years of age).
  - f. Bring basic health services to migratory routes and near temporary settlements.

- g. Facilitate communication between the health system and UASC.

For psychosocial support, see the chapter on Mental Health and Psychosocial Support.

iv. Education

- a. Advocate to local government about the rights of UASC to attend school.
- b. Support enrolment in school.
- c. Help access transport to and from school.
- d. Purchase school materials, clothes and other necessities.
- e. Help make available school-based breakfast and lunch meals.
- f. Support access to and enrolment in after-school activities such as sports, music, theatre, volunteering and youth clubs.
- g. Provide after-school homework tutorials.
- h. Help access life-skills education.

v. Legal counsel

- a. Advocate for all UASC to have access to timely, quality, free and culturally appropriate legal advice and representation.
- b. Support UASC to understand their legal rights and where they can access legal support and counsel.
- c. Help provide transport to attend legal meetings and interviews.
- d. Provide or help UASC access cultural interpreters that can help them understand issues and translate key concepts.

For more about the role National Societies can have in ensuring children have access to appropriate guardians, see the chapter on Guardianship.

vi. Recreation

- a. Support enrolment in school or community sports clubs.
- b. Help purchase sports equipment.
- c. Partner with recreation centres to provide free memberships for UASC.
- d. Create opportunities to visit and participate in art, music, theatre and dance events, trainings, and workshops.
- e. Connect UASC with local Red Cross Red Crescent youth volunteers in order to develop joint projects and participate in local events.

vii. Clothing

- a. Work with local retailers to provide vouchers so UASC can shop for new or used clothes.
- b. Conduct clothing drives to collect new or used clothes.
- c. Partner with other agencies that collect new or used clothes in order to provide UASC with clothing.

- d. Support opportunities for UASC to learn skills to stitch and repair clothing.
- e. Distribute clothes at reception and transit centres.

viii. Nutrition

- a. Provide nutrition guidelines and local nutrition resources.
- b. Consult with UASC to understand their dietary preferences and needs.
- c. Support access to school-based breakfast and lunch meals.
- d. Work with local food suppliers and restaurants to provide vouchers so UASC can access meals.
- e. Partner with local NGOs to provide cooking classes.

ix. Shelter

- a. See chapter on Reception Services.

## Case studies of smart practice<sup>17</sup>

### **Finnish Red Cross: Education Support for UASC**

The Finnish Red Cross implements an educational integration programme that provides enrolment and after-school support targeted at migrants, including UASC. Volunteers are trained on how to support students both academically and socially. Once asylum applications have been accepted, volunteers provide support with translation and administrative procedures to facilitate enrolment. Volunteers then manage after-school groups of students, ranging from 5 to 20 students. In these groups, volunteers provide academic assistance and serve as mentors for their groups. Students also provide peer support to each other in these groups. These after-school groups are open to all school children and not limited only to migrants, which further facilitates integration.

### **Swiss Red Cross: Health Care for Irregular Migrants, Including UASC<sup>18</sup>**

The Swiss Red Cross runs health centres for undocumented migrants in Bern and Zurich. According to Swiss law, irregular migrants have the right to health insurance and therefore access to public health care. Furthermore, providing health care to irregular migrants is not criminalized if it does not contribute to an extension of their stay in Switzerland. The Swiss Red Cross therefore provides medical support to individuals who cannot afford the high cost of health insurance. The centres provide health counselling, health insurance information, primary health care, psychiatric support and preventive care. They also support irregular migrants to access specialists, hospitals or dentists, and to receive assistance from a network of disciplinary specialists and donors of medical equipment. Furthermore, the Swiss Red Cross has published a booklet with information on the right to health care, how to access health care and insurance, and recommendations to health practitioners on how to care for migrants who do not have health insurance.

### **Luxembourg Red Cross: Legal Counsel for UASC**

Reception centres supported by the Luxembourg Red Cross have dedicated spaces for UASC, and the National Society manages a specific home for UASC. As part of their comprehensive services, the Red Cross assigns professional social workers and psychosocial support (PSS) experts to support UASC. Their roles include ensuring that children are in contact with appropriate government and legal authorities, are prepared for meetings with authorities, and are accompanied to meetings when needed.

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<sup>17</sup> Some content is derived from: IFRC. (2017). *Smart Practices for Enhancing the Resilience of Migrants*. <http://media.ifrc.org/global-review-on-migration/view-smart-practice-database/>.

<sup>18</sup> IFRC. (2016). *Operation Framework for Involvement in Migrant Health and Care Services*.

### **British Red Cross: Independence Skills for UASC**

In several cities in the UK, the British Red Cross organizes groups to help young people seeking asylum integrate into their new communities. The groups are usually run in 10- to 12-week sessions in the evenings or on weekends and are supported by staff and volunteers. The groups aim to help young people reduce isolation, gain independence, improve their English, learn important life skills, increase physical and emotional well-being, and understand British culture. Individual casework is offered in conjunction to address personal needs requiring additional support.

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<sup>17</sup> Some content is derived from: IFRC. (2017). *Smart Practices for Enhancing the Resilience of Migrants*. <http://media.ifrc.org/global-review-on-migration/view-smart-practice-database/>.

<sup>18</sup> IFRC. (2016). *Operation Framework for Involvement in Migrant Health and Care Services*.

<sup>19</sup> European Network of Guardianship Institutions. (2015). *Reception and Living in Families*.



*Image: British Red Cross, artwork by anonymous young migrant in the United Kingdom.*

## Reception Services

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### What constitutes reception services

Reception services are actions taken to provide lodging and basic amenities to asylum seekers while they transit through a country, wait for their asylum status to be determined, or wait to transition to other accommodation.

Reception services for UASC need to be set up in accordance with national legislation regarding infrastructure, safety and privacy. They also need to reflect the special protection, assistance and care required for each child using the services.

Reception services for UASC can include managing reception centres, providing services like health care and MHPSS within reception centres, and connecting UASC within reception centres with local government and NGO services.

For UASC, reception centres are one option for providing appropriate care. Other, often more preferable options, include: reunification with adult relatives, foster placement, adoption, or if necessary, placement in suitable and safe institutions for the care of children on the move.

A reception structure is assigned by the authorities of a country to which UASC arrive from the moment the UASC present to the authorities. Even if the request for international protection is not yet introduced, reception should be provided.

## Why reception services are important

Providing shelter and basic living requirements are crucial to the protection of UASC. Having a dedicated and safe space exclusively for UASC helps them to feel physically and emotionally safe while also allowing for privacy.

Regional and international instruments include provisions for reception services for UASC. For example, Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 refers to the best interest of the minor and to accommodation centres with special provisions for minors. Article 24 of the Directive states that:

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*“UASCs who make an application for international protection shall, from the moment they are admitted to the territory until the moment when they are obliged to leave the Member State in which the applicant for international protection was made or is being examined be placed...”*

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Most countries have a similar reception system applied to all UASC: asylum-seeking and non-asylum-seeking. However, some States apply different reception systems depending on the migration status of the UASC. Most Member States accommodate asylum-seeking UASC in one or a combination of the following ways:

- Separate reception facilities specifically for children
- Designated area within the mainstream facility
- Foster families (further information on some Member States' use of reception provisions within families for UASC is available through the Reception and Living in Families project implemented between 2013 and 2015 by the European Network of Guardianship Institutions)<sup>19</sup>
- With relatives.

When delivering reception services, there are some common challenges. A key concern is the transition of UASC when they turn 18 years of age. At this age they are recognized by law as adults rather than children. At 18 years the social assistance and reception conditions for UASC can significantly change. This change of accommodation is commonly considered a cause of major distress for UASC and one of the biggest challenges:

- First, because it may mean that UASC move to a different city/region, thus causing them to abandon school and other established social networks.
- Second, because the move to an adult reception centre can represent a shock for UASC, as the new environment and supports are different from those found in facilities for children.
- Moving to individual accommodation can be an overwhelming experience for UASC as well, for example, due to the transition from living in a house with many other young persons to living in an apartment alone.<sup>20</sup>

The changes can leave UASC feeling sad, depressed, and struggling to cope with the loss of routines, friends, and support that they have become used to. With few social supports available, leaving a reception centre can be overwhelming.

In some EU countries, UASC who turn 18 and are awaiting a decision on their asylum status might be moved to an adult reception centre and thus lose access to the integration measures that are normally in place for UASC.

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<sup>19</sup> European Network of Guardianship Institutions. (2015). *Reception and Living in Families*.

<sup>20</sup> European Migration Network. (2015). *Report of Policies, Practices and Data on Unaccompanied Minors*.

On the other hand, several States allow former UASC to stay in the same accommodation/care until they reach a certain age (usually ranging from 21 to 25 years), if they are in school or employed, or if they are deemed exceptionally vulnerable.<sup>21</sup>

Another challenge is UASC experience large constraints in accommodation and material conditions (both in reception centres and in independent living situations).<sup>22</sup> Often, these material stressors increase the longer they are in the host country.

## When reception services should be provided

To assess the needs of UASC and determine the reception structure best suited to them, UASC should be initially accommodated in a specific “orientation reception structure,” and a best interests assessment (BIA) should be conducted. From there they can be directed to the best-suited follow-up reception facility and be assigned a legal guardian. The reception structure assigned to UASC should be a reasonable distance from and easily accessible to the legal guardian of the UASC.

## Where reception services can be implemented

Reception centres can be provided in a variety of locations. They may be urban or rural, but any reception location should have reasonable access to nearby medical care, public transport, education facilities, an integration office and leisure possibilities. Reception structures for UASC can be integrated in bigger reception structures, with a specific department for UASC, or they can be for UASC only. Some UASC may be better suited to the first option; others to the latter. If the UASC already have a social network, this should be taken into account when deciding the location of the reception structure.

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## Smart practices

1. Advocacy and sensitization
  - i. Even if a National Society is unable to provide reception services directly, it can advocate to government and other decision makers to ensure that reception services are provided to UASC.
  - ii. Key messages to advocate and sensitize:
    - a. UASC have the right to safe reception facilities regardless of their legal standing, age, gender or health status.
    - b. UASC in reception facilities should have separate sleeping areas away from adults. There should be heightened security mechanisms to protect UASC in reception facilities.
    - c. Reception services need to be child-friendly and sensitive and involve children through feedback and complaint mechanisms, and they should organize forums for children to help make relevant decisions.

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<sup>21</sup> For example: Austria, Belgium, Czech Republic, Ireland, Luxembourg, Poland, Sweden and the United Kingdom.

<sup>22</sup> Vervliet, M. (2013). *The Trajectories of Unaccompanied Refugee Minors: Aspirations, Agency and Psychosocial Well-being*. Gent: Academia Press.

- d. Reception facilities should meet national and international standards for safety.
  - e. Personnel providing reception services need to have an appropriate and relevant education and be adequately screened, trained and supported. The principle of “do no harm” must guide reception services involving children.
  - f. Reception facilities need to have a code of conduct that includes guidelines on unacceptable behaviour from personnel toward children and guidelines on the prevention of violence and exploitation.
  - g. Actions concerning UASC should adhere to international standards – specifically, Minimum Standards for Child Protection in Humanitarian Action.
  - h. All UASC in reception centres should have access to:
    - Mental health and psychosocial support.
    - Medical assistance.
    - Legal assistance.
    - Guidance on the asylum procedure.
    - Education (e.g., local schools, language training, vocational training).
    - Leisure activities (in or outside the reception structure).
  - i. Interventions and support to children within reception facilities need to be culturally appropriate, and wherever possible in the language the child is most comfortable with.
  - j. Where multiple government agencies are involved in provision of reception services, ensure a coordinated approach.
  - k. Government reception systems should be prepared to meet the needs of large numbers of UASC, including in time of emergency.
2. Provide support as an auxiliary to the State/authorities in the humanitarian field
- i. Support local authorities to organize round-table discussions with service providers to identify priority needs, processes, key challenges and gaps, ways to collaborate and coordinate, and define solutions to protect UASC in reception facilities.
  - ii. Promote key messages to government and the public on why UASC require safe spaces. This can be done through:
    - a. Discreet, closed-door bi-lateral conversations between a National Red Cross Society and national governments
    - b. Developing social inclusion campaigns with local media to promote general acceptance and tolerance of children on the move
    - c. Working in partnership with local Red Cross Red Crescent clubs, schools and local organizations to engage local youth to take a leadership role to sensitize their communities about the rights, vulnerabilities and capacities of UASC
    - d. Informing local organizations and schools about UASC and their situation by providing workshops, information sessions and other educational programmes
    - e. Help train local authorities on protection of UASC in reception facilities.



- f. Share UASC-related data, assessments, and monitoring or evaluation results with authorities in order to influence their decision-making.
  - g. Support local authorities to conduct a gender analysis to ensure the needs of UASC of different genders are reflected in the design and implementation of the reception structure. An analysis can be done on two levels: one from above by staff and experts, and another from the ground (community-based), by asking the UASC living in the reception structure.
3. Take direct action as a substitute when services are unavailable
- i. Provide UASC with specific safe living spaces within reception facilities. Ensure the spaces are separated from adults and have heightened security mechanisms in place.
  - ii. Aim to have a ratio of one professionally trained staff person, such as a social worker, for up to three UASC in a reception centre.
  - iii. There should be 24-hour supervision of UASC and presence of professional staff.
  - iv. Implement reception facilities dedicated only to UASC with appropriate MHPSS, health, security and supervision systems.
  - v. Ensure MHPSS and protection referral services, including for child protection, trafficking, and prevention and response to sexual and gender-based violence (SGBV), are clearly and visibly posted in the reception facilities.
  - vi. Establish child-friendly spaces within reception facilities.
  - vii. Set aside safe spaces by having a private place where UASC can deal with their emotions by themselves or where staff can interact with UASC on an individual basis.
  - viii. Create opportunities through reception facilities for UASC to learn local languages, learn new skills (e.g., cooking, music), participate in sports, and take a leadership role in decisions affecting them within reception facilities.
  - ix. Include MHPSS personnel as part of reception centre and outreach teams that work with UASC.
  - x. Manage male and female UASC in the same facility by creating safe spaces for each group apart, but communal spaces as well where it is safe to interact with each other.
  - xi. If UASC are moved to individual accommodation after living in a reception facility with many other young persons, provide MHPSS support during the transition.
  - xii. Ensure participation by UASC in decisions that affect them. Staff and UASC should work as much as possible together, and have a shared responsibility in signalling needs, envisioning solutions, implementing changes and evaluating.

## Case studies of smart practice

### Belgium Red Cross-Flanders: Services for UASC

The Belgium Red Cross-Flanders works closely with the Government of Belgium to protect UASC. In particular, the Red Cross manages up to 213 living spaces for UASC across 10 reception centres. UASC between the ages of 15 and 18 have access to safe spaces designed only for UASC, but also share spaces with other asylum seekers. In addition, each reception centre includes staff specifically dedicated to UASC. The reception centre aims to give UASC peace and tranquillity during their stay, in order to bring stability to their daily life. The children go to school and have access to medical support, psychosocial support and individual guidance. With each UASC and with support from other stakeholders, the Red Cross develops a guidance and action plan to define their next steps.

### **Luxembourg Red Cross: Villa Nia Domo Home for UASC**

The Luxembourg Red Cross supports UASC within reception centres, and it also manages the Villa Nia Domo, a home for UASC. From first contact at the initial reception centre where migrants stay for 24 to 48 hours, UASC are provided special spaces with additional security, weather-appropriate clothes and access to social workers. Then at longer-term reception centres, teams dedicated to UASC have been established by the Red Cross. The teams consist of social workers, ethno-psychologists, nurses and a manager who can work with dozens of children at a time. Children are provided access to a local school, medical care, art programmes, sports, cooking classes, and exchanges with local youth and communities. For children who have particular vulnerabilities or have faced some of the most severe experiences the Villa Nia Domo home has space for up to nine children to stay until the age of 18. At the home staff is available 24 hours a day, and they act as the guardians for the children.

### **Greece: Accommodation Centres for UASC**

In response to the overwhelming need for services to support child migrants, the Hellenic Red Cross runs five accommodation services for UASC. Two are safe zones operating in Ritsona and Kavala. These are sites within larger camps intended as interim accommodation for UASC while they wait more appropriate and sustainable residential care options. They consist of demarcated sites within camps where children have access to dedicated support services, staff and activities. The Red Cross also runs three accommodation centres, in the cities of Volos, Patras and Athens. At these centres, boys are housed and can access specialist support services, such as PSS, legal support for asylum claims, health care, vocational training, interpretation, language classes and intercultural activities.



Image: British Red Cross, artwork by anonymous young migrant in the United Kingdom.

## Mental Health And Psychosocial Support

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### What mental health and psychosocial support consists of

Mental health and psychosocial support (MHPSS) is a composite term that describes supports, interventions and programmes that aim to protect or promote psychosocial well-being and to prevent mental disorders.<sup>23</sup> MHPSS focuses on the social and psychological aspects of people's lives. The term "psychosocial" refers to the dynamic relationship between the psychological and social dimension of a person and how these interact. The psychological dimensions include internal emotional and thought processes, feelings and reactions. The social dimensions include relationships, family and community networks, social values and cultural practices. Psychosocial support involves strengthening the systems that provide protection to children. This means improving the capacity of personnel to respond adequately to children's needs and to their right to protection from abuse, neglect and harm.

MHPSS commonly includes helping UASC to:

- a. Gain a sense of self-confidence, control and resilience.
- b. Feel safe, healthy and dignified.
- c. Access specialized MHPSS-related services.
- d. Develop healthy social behaviours.
- e. Enhance social connections.<sup>24</sup>

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<sup>23</sup> Inter-Agency Standing Committee. (2007). *Guidelines on Mental Health and Psychosocial Support in Emergency Settings*.

<sup>24</sup> UStanding Committee (IASC) Reference Group for Mental Health and Psychosocial Support in Emergency Settings, A Common Monitoring and Evaluation Framework for Mental Health and Psychosocial Support in Emergency Settings, IASC, Geneva, 2017. [https://interagencystandingcommittee.org/system/files/iasc\\_common\\_monitoring\\_and\\_evaluation\\_framework\\_for\\_mhpss\\_programmes\\_in\\_emergency\\_settings\\_2017.pdf](https://interagencystandingcommittee.org/system/files/iasc_common_monitoring_and_evaluation_framework_for_mhpss_programmes_in_emergency_settings_2017.pdf).

## Why MHPSS is important

It is generally underestimated how much children are affected by hardship experienced through disasters, migration or war. The consequences of this hardship can be long lasting. It is important to acknowledge that even if a child plays and appears happily engaged, the experiences are not forgotten. UASC need support to come to terms with what they have experienced and may still be experiencing due to unstable, unsafe and precarious environments.

UASC undergo extremely stressful experiences. Feelings of fear, loneliness, isolation, anxiety and stigma are constant challenges. UASC may have lost loved ones, and they have left behind their family, friends, routines, education, medical care and sense of place due to disaster, conflict, drought or poverty. They often travel through unfamiliar, dangerous and hostile places, and they may find themselves in unsafe situations, be forced into crime and illegal behaviours, be exploited, or be sexually or physically abused. UASC have to choose who to trust or not, and they have to navigate the uncertainty of what will happen, where they will stay, and how they will be treated during their transit and on arrival at their destination.

Most UASC will have spent almost all of their psychic energy on surviving day to day and may have suppressed their reactions to horrifying events and other hardship they have experienced. An additional factor is that after crisis events, children who have been migrating for a long period will often have difficulties comprehending their experiences. They may need help to understand what they have been through, and support to acknowledge and manage their reactions and feelings.

Once a child arrives at the destination, the uncertainty while waiting for a decision regarding their application can result in anxiety and depression. The longer the wait, the potentially more damaging it is for the child.

## Children with pre-existing mental health challenges

For children with pre-existing mental health challenges, the experience of being on the move can intensify their condition and struggles. Leaving family and home makes any child vulnerable, and the loss of identity, the emotional task of adapting to a new country, and social and economic struggles increase the risks of developing anxiety, psychosomatic stress and other mental health problems.

The World Health Organization (WHO) notes that if mental disorders are left untreated, they can, even under normal circumstances, “severely influence children’s development, their educational attainments and their potential to live fulfilling and productive lives.”<sup>25</sup> In other words, if a child has lived through disaster or war or has experienced turbulent times on a migration trail, it will be difficult for that child to trust, relate, learn, sleep and react adequately when being with others.

In addition, pre-existing conditions such as belonging to a minority that is discriminated against and being marginalized can lead to depression, anxiety and substance abuse.

Most UASC are forced to process their experiences alone, which can negatively affect their daily routines, disturb their sleep, disrupt their concentration and prevent them from being able to fully or successfully engage in daily activities. Such circumstances make it difficult to maintain routines and are a challenge to a child’s psychosocial well-being. They will also affect the child’s ability to form stable and sound attachments.

UASC can display a number of psychosocial symptoms,<sup>26</sup> such as:

- Social isolation or lack of engagement with peers
- Grief
- Severe distress and PTSD

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<sup>25</sup> WHO. *Maternal and Child Mental Health*. [www.who.int/mental\\_health/maternal-child/en/](http://www.who.int/mental_health/maternal-child/en/).

<sup>26</sup> Laban C.J., Gernaat, H.B., Komproe, I.H, Schreuders B.A., & De Jong J.T. “Impact of a Long Asylum Procedure on the Prevalence of Psychiatric Disorders in Iraqi Asylum Seekers in The Netherlands.” *Journal of Nervous and Mental Disease*. Dec. 2004. 192(12): 843-51.

- Difficulties in dealing with the past, present and/or future
- Loneliness and tendency to isolate themselves from others
- Inability to express, talk about and/or deal with feelings and stresses (and therefore a risk of re-experiencing distressing experiences)
- Confusion and anger
- Loss of control
- (Relative) lack of constructive and meaningful involvement in daily activities
- Thoughts of or engaging in suicide attempts
- Thoughts of or engaging in acts of self-harm
- Various relational issues and relationship disturbances with other unaccompanied minors and/or siblings in the same centre

Children, as well as adults, react in different ways to stressful events such as being unaccompanied or separated. During and after such crises, children are especially in need of care and protection. Many children can be helped through the provision of basic services and security, including psychosocial support. However, some special considerations need to be taken into account.

Staff and volunteers must be well trained in protection, psychosocial support, identification of children with special needs and safe referrals.

MHPSS assessments take more time and are more resource-intensive with UASC due to the complexity of their mental health care needs and other contextual factors. These factors also mean that UASC may under-report their psychosocial problems and concerns due to fear of repercussions from authorities. The transition from living with a group of other UASC to living independently at the age 18 of years (or before) can also be particularly hard on UASC.<sup>27</sup>

## **When MHPSS should be provided**

MHPSS can take many forms based on local needs of children on the move and the capacity of the National Society.

## **Where MHPSS can be implemented**

MHPSS can be implemented within various settings such as distribution centres, reception facilities, transit centres, schools, hospitals and clinics, displacement camps, and through mobile services – or even on trains and buses.

## **Smart practices**

1. Advocacy and sensitization
  - i. Even if a National Society is unable to provide essential basic services directly, it can advocate to government and other decision makers to ensure that essential basic services are provided to UASC.
  - ii. Key messages to advocate and sensitize:
    - a. UASC have the right to MHPSS regardless of their legal standing, age, gender or health status.

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<sup>27</sup> European Migration Network. (2015). *Report of Policies, Practices and Data on Unaccompanied Minors*.

- b. MHPSS services need to be child-friendly and sensitive, involve children in the design and implementation, and be tailored to children’s specific needs along migratory trails.
  - c. Mental health screenings need to be conducted to determine the presence of any pre-existing mental disorders as well as exposure to trauma and violence (physical, psychological and sexual) before, during and after the migration journey. Mental health providers should be aware that UASC may have been interviewed several times and be sensitive to the impact of recounting traumatic events.
  - d. Anyone delivering MHPSS needs to be adequately screened, trained and supported. The principle of “do no harm” must guide MHPSS interventions with children.
  - e. Guardianship of children on the move should be stable and only changed when absolutely needed.
  - f. Actions concerning UASC should adhere to international standards such as the Inter-Agency Standing Committee Guidelines on Mental Health and Psychosocial Support in Emergency Settings.
  - g. Interventions and support needs to be culturally appropriate, and wherever possible in the language the child is most comfortable with.
  - h. Where multiple government agencies are involved in provision of essential services, ensure a coordinated approach.
  - i. Government systems should be prepared to meet the needs of large numbers of UASC, including in time of emergency.
2. Provide support as an auxiliary to the State/authorities in the humanitarian field
    - i. Support local authorities to organize round-table discussions with MHPSS service providers to identify priority needs, processes, ways to collaborate and coordinate, and define solutions to MHPSS-related challenges.
    - ii. Help train local authorities on MHPSS.
    - iii. Share non-confidential MHPSS-related data, assessments, and monitoring or evaluation results with authorities in order to influence their decision-making.
  3. Take direct action as a substitute when services are unavailable
    - i. Provide psychosocial first aid.
    - ii. Support communication between UASC and their families, where it is safe and appropriate to do so.
    - iii. Help UASC access local MHPSS referrals and specialized resources, including for child protection, trafficking, and prevention and response to SGBV.
    - iv. Establish child friendly spaces.
    - v. Support UASC to participate in local recreation, art and life-skills activities.
    - vi. Implement child resilience programmes that involve children, parents and school personnel. (<http://pscentre.org/topics/childrens-resilience-programme/>)
    - vii. Include MHPSS personnel as part of reception centre and outreach teams that work with UASC.

- viii. Organize opportunities for UASC to work with other children and youth and local NGOs to define concerns and barriers around MHPSS and to develop solutions.
- ix. If UASC are moved to individual accommodation after living with many other young persons, provide them PSS support during the transition.

## Case studies of smart practice

### Turkish Red Crescent: Child Friendly Spaces

As part of its response to the Syrian migration crisis, the Turkish Red Crescent has included the development and management of over 30 child friendly spaces. The spaces are supported in partnership with the IFRC and UNICEF. The child friendly spaces are large durable tents in protected person settlements or part of community centres in urban locations. In the spaces, girls and boys have a safe environment to learn Turkish and English, play games, receive psychosocial support, and to gain knowledge to prevent bullying, trafficking and child marriage. As an extension to the activities within the child friendly spaces, the Turkish Red Crescent has also been working in communities to increase child protection. A group of professional social workers visit migrant families to understand their needs and challenges and then help provide access to local health, psychosocial and protection services. The Red Crescent also works to influence safer conditions for children within communities, including UASC. To access the hardest-to-reach migrant settlements, the Red Crescent has mobile child friendly spaces that drive to remote locations and spend several weeks in each place mobilizing communities to protect children's rights to safety.

### Croatian Red Cross: Integration of MHPSS into Reception Centres

The Croatian Red Cross provides humanitarian services in two government-managed reception centres. One is in the capital city, Zagreb, and the other in the town of Kutina. Within the reception centres there are dedicated professional PSS staff and volunteers who work directly with UASC and other children on the move. In addition, the Red Cross supports PSS through multiple activities, including acting as legal guardians for UASC, managing stressful events like gathering and filling out asylum applications and other legal paperwork, and accompanying UASC to legal interviews. In addition, the Red Cross helps UASC to enrol in local schools and purchase clothing and school materials. The Red Cross also provides UASC with recreational opportunities such as football, break-dance lessons and wrestling. It also has a dedicated art room in the Zagreb reception centre for migrants where children and adults can learn art and pursue art projects.

### British Red Cross: Using Art to Heal<sup>28</sup>

The British Red Cross provides UASC with casework support for navigating the asylum process and for accessing local essential basic services. In addition, the Red Cross helps UASC integrate into communities and work through emotions and experiences related to their migration journeys. An example is an art project where 14- to 19-year-old UASC were supported to channel their emotions into meaningful drawings and sketches, transforming life jackets and vases into canvases for their creativity. The project was aimed at helping them integrate into their new communities. The artwork was showcased for the public, over one week, at the "All I Left Behind, All I Will Discover" exhibition at London's OXO Tower.

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<sup>28</sup> Adapted from: Huffington Post. (June 2017). Child Refugees Document Horror of Fleeing their Homes through Powerful Art.  
[http://www.huffingtonpost.ca/entry/child-refugees-art-british-red-cross\\_us\\_5943bf67e4b06bb7d2726b83](http://www.huffingtonpost.ca/entry/child-refugees-art-british-red-cross_us_5943bf67e4b06bb7d2726b83).



Image: British Red Cross, artwork by anonymous young migrant in the United Kingdom.

## Tracing

### What are restoring family links activities

The Red Cross and Red Crescent Movement carries out its Restoring Family Links (RFL) activities strictly for a humanitarian purpose.

RFL is the generic term for a range of activities that aim at preventing separation and disappearances, restoring and maintaining contact between separated family members and clarifying the fate of persons reported missing. Those activities include organizing the exchange of family news; tracing individuals; registering and following up with individuals to prevent their disappearance and to enable families to be informed of their whereabouts; reuniting and repatriating families; collecting, managing and forwarding information on the dead; forwarding official documents; and issuing travel documents.

Tracing of individuals is a term used to describe all activities related to the search for missing family members. These activities are undertaken by the ICRC and National Societies in response to families' rights to know what has happened to their missing relatives.



The ICRC and National Societies both implement activities in favour of UASC. However, in view of the current debate taking place among EU institutions and Member States on the issue of tracing for UASC in Europe aiming at promoting a common approach, States sometimes approach National Societies to facilitate the tracing of UASC in order to return them to a family member in their country of origin.<sup>29</sup>

According to the ICRC's *Special Note to National Societies on Separated and Unaccompanied Children in Europe*, States should be reminded that the Movement works according to clearly stated humanitarian principles, in particular independence and impartiality. Tracing the family of UASC does not necessarily end with children being reunited with their family. While the ultimate goal is generally family reunification, this is not always possible, desired or in a child's best interest. Before family reunification can take place, both the child and the family must be in agreement with the family reunification, and the child's best interest must be considered.

The importance of RFL activities is highlighted in the IFRC Policy on Migration.<sup>30</sup>

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*“An increasing number of migrants are unaccompanied minors or minors separated from their families. Without family links or appropriate care arrangements, they are at high risk of abuse and exploitation. Their rights may be violated, and their prospects for a secure and productive future are often dim. These minors are of special concern to the Movement. National Societies shall cooperate and engage in the protection of unaccompanied and separated minor migrants, including through efforts to restore their family links...”*

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## Smart practices: how RFL should be provided

The ICRC “Special Note to National Societies on Separated and Unaccompanied Children in Europe” aims to ensure a common and consistent approach to the RFL work for all components of the Family Links Network, when accepting tracing requests concerning children<sup>31</sup>, as following:

- National Societies should accept to help to trace family members of UASC provided that the request comes from the child. National Societies should also accept tracing requests from family members looking for children.
- National Societies should always be guided primarily by the best interests of the child, which constitute the basic standard for guiding decisions and actions taken to help children. However, a person has the right not to be found. In this case, no contact details of the person traced should be disclosed to the enquirer without the consent of the traced person.
- Tracing the family of UASC does not necessarily end in the child being reunited with his or her family. External circumstances (e.g. security conditions in the country of the proposed reunification), as well as the consent of the family members are determining factors. In instances where a family reunification is not feasible, the work of the National Societies should be limited to helping restore and maintain contact between the child and his or her family.
- National Societies should treat tracing information as confidential data. Only the child, or in certain circumstances, the legal guardian should be informed of the results of the tracing efforts. This information may be shared with third parties only if the child's, or in certain circumstances, the legal guardian's informed consent is given.

<sup>29</sup> Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

<sup>30</sup> IFRC. (2009). *Policy on Migration*. [http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/Migration-Policy\\_EN.pdf](http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/Migration-Policy_EN.pdf).

<sup>31</sup> ICRC. (2011). *Special Note to National Societies on Separated and Unaccompanied Children in Europe*. For additional guidance, please see ICRC (2010), *Guidelines on Providing Restoring Family Links Services to Persons Separated as a Result of Migration*

## Case studies of smart practice

### Spanish Red Cross: RFL Services

The Spanish Red Cross provides RFL services that aim to re-establish family contact and reunification, as well as to identify the fate of those that have gone missing during their journey. In addition to RFL activities, the Spanish Red Cross works with the International Social Service to provide support to children and families that have ended up in different European countries and are thus separated by Europe's internal borders.

### Swedish Red Cross: Legal Advice for Reunifications

The Swedish Red Cross employs a team of lawyers (currently three) who provide legal advice, assistance and representation in the family reunification procedure. This process can be a lengthy and difficult one for which the State does not provide legal aid. The lawyers work closely with the advocacy team to highlight relevant issues and push for changes with policymakers. Providing this service to children is a priority for the Swedish Red Cross.

### Austrian Red Cross: Information About Reunification

There is no legal aid foreseen for family reunification applicants in Austria. Information about the procedure and how to access it is only provided through the counselling of the NGOs or the Red Cross. The Austrian Red Cross is responsible for providing this advice for 85% of all family reunification applications; this includes many requests from unaccompanied children.

### British Red Cross: Training on Providing Tracing Services

The British Red Cross has also identified training for its staff and volunteers on working with unaccompanied minors as a priority in order to appropriately meet the demand for tracing services for children that are separated from their families. A video intended for Afghan service users is planned to help inform them about the tracing process and services, as well as to ensure their full understanding of the implications of lodging a tracing request. Furthermore, having noticed increased pressures by UK authorities, immigration solicitors, legal practitioners and social workers to produce information about the tracing process and results in cases concerning UASC, the British Red Cross has developed an external document entitled [Guidelines for Restoring Family Links for Unaccompanied and Separated Children](#) to explain its mandate and procedures, as well as to manage expectations.



Image: British Red Cross, artwork by anonymous young migrant in the United Kingdom.

## Guardianship

### What guardianship is

Guardianship refers to “the designation of responsibility to an adult or organization for ensuring that a child’s best interests are fully represented.”<sup>32</sup>

A comprehensive description of the guardian’s role and responsibilities is included in the UN Guidelines for the Alternative Care of Children and in the General Comment No 6 by the UN Committee on the Rights of the Child; however, there is no commonly agreed-upon definition of a guardian. While EU law recognizes the importance of guardianship and legal representation to safeguard the child’s best interests and well-being, it does not define the notion of guardian, nor does it define the guardian’s function.<sup>33</sup> Instead, the responsibility for the care and protection of UASC rests within the boundaries of childcare legislation stated in the children’s acts of the country in which a UASC claims international protection.

A guardian is different from a “legal representative.” Legal representatives, unlike guardians, have a restricted mandate, which is often precisely defined when they are appointed: to represent the child in particular proceedings, such as asylum proceedings.<sup>34</sup> A guardian’s role is more comprehensive and includes supporting a child’s well-being and achievement of their best interests. For example, access to essential basic services such as health care, psychosocial support, education, recreation and restoring family links.

<sup>32</sup> Inter-agency Working Group on Unaccompanied and Separated Children. (2004). *Inter-agency Guiding Principles on Unaccompanied and Separated Children*. <https://www.icrc.org/en/publication/1101-inter-agency-guiding-principles-unaccompanied-and-separated-children>.

<sup>33</sup> United Nations, Council of Europe and European Union’s instrument do not have a common standard: they either refer to “Guardian,” “Legal representative,” “Legal guardian,” “Recognised responsible adult,” “Guardian representative,” “Representative,” “Legal guardian representative,” or “Special representative.” See: European Union: European Agency for Fundamental Rights, *Guardianship for children deprived of parental care: A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking*, p. 13, June 2014.

<sup>34</sup> FRA. (2016). *Overview of Guardianship for Unaccompanied Children in EU MS*. [http://ec.europa.eu/newsroom/document.cfm?doc\\_id=44011](http://ec.europa.eu/newsroom/document.cfm?doc_id=44011).

Guardians are normally authorized by local authorities. Qualifications, screening procedures, required training, and monitoring support for guardians can vary by country and location. However, often guardians are expected to have professional qualifications and experience working with vulnerable children.

Common roles and responsibilities of a guardian:<sup>35</sup>

- Ensure that all decisions have the child's best interests as a primary consideration.
- Ensure that the child's view and opinions are taken into consideration in all decision affecting the child.
- Consult and advise the child.
- Ensure that the child has suitable care, accommodation, education, language support and health-care provisions, and that the child is able to practise their religion.
- Ensure that the child is assisted in any legal procedure concerning their application for international protection, and when any other durable solution is offered.
- Explore, together with the child, the possibility of family tracing and reunification, and assist the child to keep in touch with their family where appropriate.
- Provide a link to organizations that provide services, and ensure transparency and cooperation between the child and the various organizations.
- Advocate on the child's behalf.

In relation to asylum cases, a guardian's main role is to provide support and guidance for the child. Common examples are:

- Provide support and guidance for the child in regards to the asylum case and other matters of importance. This includes providing an understanding of the child's own position within the asylum system and larger legal framework.
- Prepare the child for meetings with authorities: where the meeting is, who it is with, possible outcomes, the significance of these outcomes and appeal options.
- Revise any relevant documents with the child before meetings.
- Accompany the child to all meetings with authorities.
- Explain the guardian's own supportive and observational role to the child and other participants at meetings.
- Ascertain that the child and the translator understand each other, and intervene if this is not the case.
- Ensure that the content and form of the meeting is adjusted to be appropriate to the child's age and level of maturity.
- Object to the responsible public officer if appropriate care and considerations are not taken into account.
- Help the child understand – as far as possible – the case procedure and the child's rights, such as the right to be heard.
- Care for the well-being of the child during the course of the meeting, and ensure that the meeting length is appropriate to the child's age and ability. Also ensure that there are breaks during the meeting, that the child has access to food and drink and that the child has access to confidential talks with the guardian when needed during the meeting.

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<sup>35</sup> UNHCR. (2010). *Statement of Good Practice: Separated Children in Europe Programme*. <http://www.unhcr.org/4d9474399.pdf>

- Follow up with the child when the child is notified of a major ruling or development in the case. UASC are often under great emotional pressure and may be overwhelmed by the meaning and consequences of such a development, and therefore this follow-up support will often take place a day or two later.
- Inform the child of available appeal options, in the event of a ruling contrary to the child’s desired outcome, and help the child file a complaint if needed.

## Why guardianship is important

Because they are alone, UASC lack protection from their parents or primary caregiver, and, in the context of migration, they are not always provided with assistance when claiming their rights. However, UASC are entitled to international protection under a broad range of international and regional legal instruments.<sup>36</sup> When applying for international protection, UASC are also entitled to special assistance to ensure that their interests are fully represented. Appointed guardians are one of the most important features in this regard.

Rights of UASC are not always fulfilled.<sup>37</sup> A comparative study carried out through the ENGI<sup>38</sup> framework, Towards a European Network of Guardianship Institutions, highlights a series of deficiencies. In particular, among the EU countries studied, a guardianship system was in place in only 5 out of 11. In brief, the authors made the following comparisons regarding guardianship systems:

Guardianship System Exists	No Guardianship System Exists
There are <b>significant design differences</b> in terms of structure, practice, main responsible government actor and maturity [of the child].	Fulfils international obligations <sup>39</sup> for a youth care system – government responsible at different levels.  Systems <b>do not create true responsibility</b> for the well-being of UASC.
<b>Improvements are needed</b> in methodology, professional training and organization.	Since State actor is responsible for daily care and legal representation, issues of <b>independent representation can arise</b> .
There are <b>opportunities for cooperation</b> and exchange of good practices.	Youth care social workers <b>lack context-specific training to work with UASC</b> .
	Decentralized model <b>creates gaps of understanding</b> trends, trafficking routes or abuse.
	Care of children is <b>poor or altogether absent</b> .

## When guardianship should be provided

Once UASC are identified, or when an individual claims to be a UASC, regardless of whether further assessment of their age is required by the authorities, an independent guardian must be appointed to advise, protect and assist the child. The appointed guardian should be consulted and informed about all actions taken in relation to the child. Where the child, subject to age and maturity, gives consent, the guardian should have the authority to represent the child during all planning and decision-making processes regarding the child’s application for international protection.

<sup>36</sup> UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3; UN Committee on the Rights of the Child (CRC), CRC General Comment No. 6 (2005): *Treatment of Unaccompanied and Separated Children Outside their Country of Origin*, 1 September 2005, CRC/GC/2005/6; UN High Commissioner for Refugees (UNHCR), *Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum*, February 1997; European Union, *Charter of Fundamental Rights of the European Union*, 26 October 2012, 2012/C 326/02; Art. 25, Directive 2013/32/EU.

<sup>37</sup> For further information, see HFC UNCRC Policy Centre. (2011). *Voice of Unaccompanied Child Asylum Seekers on Guardianship: A Study on Guardians of Unaccompanied Child Asylum Seekers in Cyprus*.

<sup>38</sup> The ENGI project is a project funded under the European Commission European Refugee Fund (ERF) aiming to improve guardianship services in the EU Member States. The project is implemented by NIDOS Foundation from the Netherlands and Refugium from Germany.

<sup>39</sup> Whereas this study refers to Art. 19 of Directive 2003/9/EC, legislation currently in place refers to art. 25 of Directive 2013/32/EU.

There are advantages to having volunteers and professionals as guardians. For example, important advantages of a child having a volunteer guardian are the opportunity for inclusion in local society and a family-like relationship that may carry over should the child be granted a residence permit. However, for vulnerable UASC with cases that require relevant technical experience and a higher level of insight into the asylum process, a professional guardian is likely preferable. Such cases can include UASC in detention facilities, victims of human trafficking, UASC with street-oriented behaviour, or if the UASC is being transferred to another EU country under the Dublin III Regulation.

It is important that guardians do not hold positions that could lead to a potential conflict of interest with the best interests of the child.

## Where guardianship can be implemented

Guardianship is provided by people and is not tied to any specific location. Although guardians may be personnel working in reception facilities or specific homes for UASC, they can be located anywhere that allows them to provide protection and assistance to the child in their care.

## Smart practices

1. Advocacy and sensitization
  - i. Even if a National Society is unable to provide guardianship services directly, it can advocate to government and other decision makers to ensure that high-quality and well-monitored guardianship services that do no harm are provided to UASC.
  - ii. Key messages to advocate and sensitize:
    - a. UASC have rights to guardianship regardless of their legal standing, age, gender or health status.
    - b. In order to do no harm, guardians need to be well-trained, screened, supported and monitored.
    - c. Guardians should be appointed until a durable solution has been identified and implemented. Where a durable solution is secured before the child turns 18 years old, the role may continue up to the child's 18th birthday if this is appropriate.
    - d. Procedures for the appointment of a guardian must not be less favourable than the existing national administrative or judicial procedures used for appointing guardians for national children.
    - e. Children should be provided opportunities to actively participate in decisions that affect them.
    - f. Actions concerning UASC should adhere to international standards.
    - g. All UASC need to be treated by guardians with dignity and respect and receive support to achieve self-reliance.
    - h. Guardianship support needs to be culturally appropriate.
    - i. If family members of the UASC arrive after the appointment of a guardian, the guardian should remain in their role until the nature of the relationship between the child and apparent family members has been thoroughly examined.
    - j. Ensure government systems to provide guardianship are prepared to meet the needs of large numbers of UASC, including in time of emergency.

2. Provide support as an auxiliary to the State/authorities in the humanitarian field
  - i. Providing guardianship to UASC is the responsibility of national authorities.
  - ii. Red Cross and Red Crescent activities to support guardianship should not attempt to duplicate the efforts of local authorities or of other stakeholders, but the National Society should have a clear auxiliary role and add value where there are gaps in service.
  - iii. Based on its own internal diagnostic and through working with local and international partners, the National Society can determine what its best added value is for working with and protecting UASC, including through guardianship.
3. Take direct action as a substitute when services are unavailable
  - i. Make available qualified staff and volunteers to act as guardians.
  - ii. Ensure guardians have relevant childcare expertise and an understanding of the cultural and other needs of UASC.
  - iii. Make it mandatory for guardians to undergo police or other appropriate reference checks in order to limit the risk of harm against UASC.
  - iv. Work with UN, local NGOs and authorities to provide ongoing training to guardians on their role and responsibilities.
  - v. Provide all guardians with up-to-date referral service lists to support UASC with any concerns about SGBV, mental health or any other child protection issues.
  - vi. Make available MHPSS support to guardians to help them work through any stresses and challenges stemming from their guardianship role.

## Case studies of smart practice

### **Croatian Red Cross: Reception Centre Volunteers as Guardians**

Within the reception centres for migrants that the Croatia Red Cross supports, some volunteers act as guardians for UASC. To ensure guardians are qualified, the Red Cross developed a partnership with UNHCR and local authorities to create a guidance manual on guardianship in Croatia. Using the manual, it has since helped to train personnel from across agencies, including its own volunteers, on best practices, expectations, and local resources for supporting UASC. The Red Cross guardians are responsible for the care and safety of UASC, helping them access legal services including applications for asylum and joining UASC for their asylum interviews with government officials. UASC are also supported to access essential basic services like health care, psychosocial support and education.

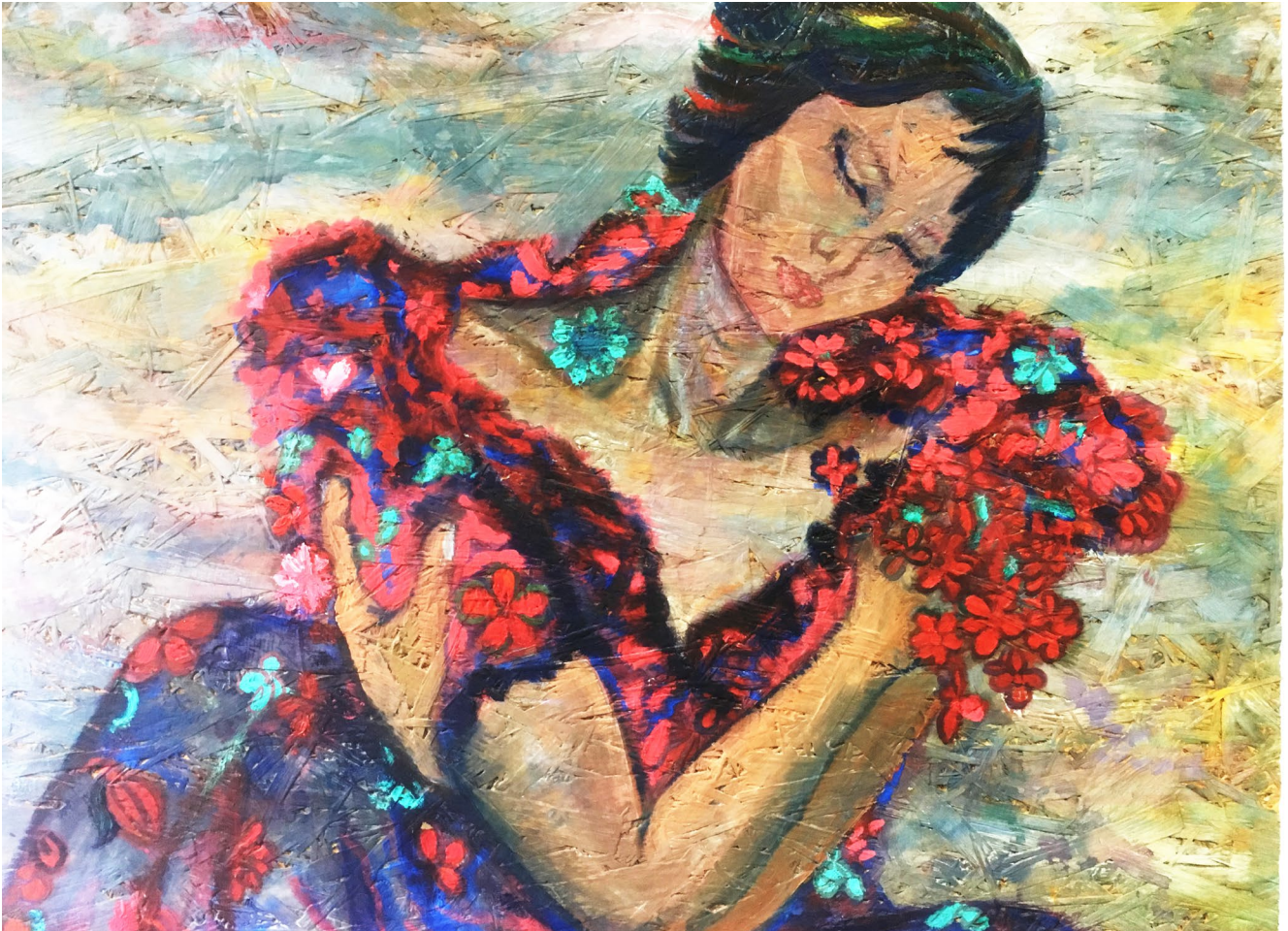


Image: IFRC, artwork by anonymous young migrant in Croatia.

## Dilemmas

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### What dilemmas exist when protecting UASC

When working with UASC dilemmas can arise. These are situations where a National Society has to make a choice between different and challenging options in order to protect a child.

When working through dilemmas it is important to consider the options in detail, understand the local circumstances and Red Cross and Red Crescent positions, make decisions on a case-by-case basis and based on a thorough assessment and evidence, consider ethical implications, and to seek advice and support within the Movement.

While there can be many dilemmas when working with UASC, this chapter focuses on three specific dilemmas that have been challenges for National Societies in Europe. These are providing assistance to returnees, taking action in immigration detention settings, and resolving how to support girls who have been married underage.

For each dilemma, the following sections provide a brief background on the issue, potential dilemmas and considerations for National Societies.



## Key considerations

Given the transnational/transregional nature of migration, it is essential to recognize that activities carried out by one component of the Movement in one part of the world may affect the work and perception of other components in other parts of the world, including their access to migrants, such as UASC and their families. Therefore it remains essential that a proper and meticulous multidimensional assessment be conducted before engaging in any activity that is directly or indirectly related to the protection of UASC.<sup>40</sup>

Key factors to consider in determining how a National Society will respond to any one of the dilemmas include understanding how to achieve the “do no harm” principle and how to improve the child’s well-being by thinking through:

- How the Fundamental Principles apply
- Whether the best interests of the child are being prioritized and met
- The national laws, international legal framework and humanitarian standards
- If a best interests assessment (BIA) and a best interests determination (BID) have been completed for the child by authorities
- The perspectives of the child including making sure the child has given informed consent
- What options are available, through the Red Cross Red Crescent or other agencies, to meet the essential basic services of the child

## Returnees<sup>41</sup>

### Background

It is within the prerogative of States to regulate the presence of migrants on their territory, and if they are deemed to be in an irregular situation, to expel or deport them. However, in all situations governments must comply with their obligations under international law, including the principle of non-refoulement, the right to be treated humanely and the right to family unity.

With regard to the return and removal of UASC, it is essential to highlight that Article 10(2) of the European Union Return Directive (2008) requires that UASC only be returned to family members, to a nominated guardian or to adequate reception facilities in the State of return in compliance with EU law. In addition, these procedures must be applied in conformity with States’ obligations under international law, including relevant articles of the *United Nations Convention on the Rights of the Child*.

In all circumstances, a State is required to assess carefully and in good faith whether there are substantial grounds for believing that an individual child runs the risk of being subjected to a violation of rights as protected under international obligations.

### Potential dilemmas

The involvement of components of the Movement in return-related activities, even on purely humanitarian grounds, raises a number of concerns, in particular the risk that such involvement will conflict, or be perceived to conflict, with the Movement’s Fundamental Principles and therefore affect the ability of its components to reach people in need. The perception that the Movement, as a whole or through one of its individual components, plays a part in the implementation of State migration policies could be in contradiction with and detrimental to the Movement’s image and reputation, and thereby to the realization and achievement of its mission and mandate.

See the chapter on Tracing for further challenges that National Societies can face in these circumstances.

<sup>40</sup> Adapted from: ICRC. (2016). *ICRC Perspectives regarding the International Red Cross and Red Crescent Movement’s Participation in Return-related Activities*.

<sup>41</sup> This section draws on: ICRC. (2016). *ICRC Perspectives regarding the International Red Cross and Red Crescent Movement’s Participation in Return-related Activities*.

## Considerations

The 2009 Movement Migration Policy requires National Societies to avoid participating in expulsions or deportations of migrants, recognizing that doing otherwise could endanger the neutrality and humanitarian identity of the Movement. The policy also underlines that “National Societies are under no obligation, as auxiliaries to public authorities or otherwise, to have a role in coercive acts or migration control.” This is further reinforced by Resolution 2 of the 30th International Conference, which emphasizes National Societies’ duty to decline any request that could conflict with the Movement’s Fundamental Principles.

It is also essential to consider Article 10 of the Return Directive. National Societies want to ensure that their actions are not in any way perceived as contributing to activities, such as supporting governments to trace children that could harm child or lead to their return to unsafe conditions.

## Immigration detention

### Background

Regardless of the reasons for immigration detention<sup>42</sup>, a number of studies have shown that detaining children has a profound and negative impact on child health and well-being. Even very short periods of detention can undermine a child’s psychological and physical well-being and compromise their cognitive development.<sup>43</sup> UASC deprived of liberty are exposed to increased risks of physical and sexual abuse, acts of violence and denial of access to education, health care and family life.<sup>44</sup> Detainment often includes a lack of knowledge of the language and the legal and social system in the country; a lack of network, social isolation and the possible loss of family links; potential discrimination in accessing services; and the risk of being subject to refoulement when subjects do return.

Furthermore, in their countries of origin, during their trip or in the country of destination, many UASC have endured great hardship, exploitation, violence and family separation that could have affected their physical integrity, mental health and overall well-being. Research shows that detention can be particularly harmful for UASC’s mental health because it may compound the trauma they have already suffered in their home country or along the migratory route.

### Potential dilemmas

National Societies that manage programmes on immigration detention must continually reflect on the responsibility that comes with their presence. For instance, if a National Society were to provide specific services in detention without engaging in a dialogue with the authorities, when it observes or is aware of serious violations against children, it could be perceived as accepting or endorsing such behaviour.<sup>45</sup>

In addition, National Societies have to consider that their status as auxiliaries to public authorities means assisting public authorities in ensuring that the needs of detained child migrants are met while guaranteeing that their rights and dignity are also protected. However, National Societies are not auxiliaries in fields related to security and immigration control.<sup>46</sup>

When intervening in immigration detention, National Societies need to maintain an important and sometimes delicate balance between acting as auxiliaries to the authorities in the realm of humanitarian assistance and remaining independent and neutral. In particular, the National Society must be careful not to put itself in the situation of enforcing constraints imposed on child migrants in detention or facilitating requests by the State rather than the child detainee (e.g., for family tracing). In particular, it would be inappropriate for a component of the Red Cross and Red Crescent Movement to manage a detention facility. These issues

<sup>42</sup> By immigration detention, we understand exclusively detention for reasons of irregular entry or stay in a country’s territory. On this issue, please see: ICRC Policy Paper on Immigration Detention (2016). <https://www.icrc.org/en/download/file/21937/icrc-policy-paper-migration-detention.pdf>.

<sup>43</sup> International Detention Coalition. (2012). “Chapter 5: Impacts of Detention on Children.” Captured Childhood. <http://idcoalition.org/wp-content/uploads/2012/03/Captured-Childhood-FINAL-June-2012.pdf>.

<sup>44</sup> Save the Children. (2011). Leaving Home: Voice of Children on the Move. <https://resourcecentre.savethechildren.net/library/leaving-home-voices-children-move>.

<sup>45</sup> ICRC. (2009). *Activities for the Benefit of Detained Migrants, Refugees and Asylum Seekers: Basic and Practical Guidelines for National Societies*.

<sup>46</sup> IFRC. (2009). *Policy on Migration*. [www.ifrc.org/Global/Governance/Policies/migration-policy-en.pdf](http://www.ifrc.org/Global/Governance/Policies/migration-policy-en.pdf).

are particularly relevant if the National Society is considering a role as a government contractor to provide specific services in detention.

Finally, children deprived of their liberty – and UASC in immigration detention in particular – are by definition vulnerable. The deep concern for the vulnerabilities arising in immigration detention is at the core of a National Society's ethical responsibility to alleviate detainees' suffering and ensure respect for their rights, dignity and mental and physical integrity. On this point, clear commitments were made in the framework of the IFRC Migration Policy.<sup>47</sup>

### Considerations

Children should not be detained solely based on their immigration status.<sup>48</sup> In addition, girls and boys have the right to family unity and the right not to be separated from their parents against their will.<sup>49</sup> Consistent with the principle of family unity, parents or primary caregivers should not be detained, but should be allowed to live in a community setting with their children during migration-related procedures. Liberty and alternatives to detention should always be the preferred solution. Most importantly, the best interests of the child must be a primary consideration in all measures concerning children.

Research increasingly shows that even very limited periods of detention in relatively humane contexts has severe negative and long-term impacts on child mental and physical health and development.<sup>50</sup> The Committee on the Rights of the Child has stated that detention can never be in a child's best interests.<sup>51</sup>

Detention of children often depends on the result of a BIA. It is therefore paramount that BIA procedures are conducted properly, in full respect of the child's rights, and that appropriate child identification procedures are put in place.<sup>52</sup>

The Fundamental Principles of the Red Cross and Red Crescent Movement, in particular the principles of humanity, impartiality and neutrality, provide an ethical, operational and institutional framework for National Societies with activities related to immigration detention. Adherence to the Red Cross and Red Crescent principles of neutrality and independence is an important method for gaining access to immigration detention, but it is also the cornerstone for National Society engagement in responding to protection needs, even if it means engaging in a difficult dialogue with the authorities.

## Services for girls who are married below legal age

### Background

The Convention on the Elimination of Discrimination against Women provides for the prohibition of Child Marriage in Article 16. As such, many States in Europe have set the age of marriage at 18 years.

Child marriage can be a problem for boys and girls; however, it disproportionately affects girls.

Girls who are married in their home or transit country below the legal age in the European country where they arrive can face a number of challenges.

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<sup>47</sup> IFRC. (2011). *31st International Conference, Resolution 3 – Migration: Ensuring Access, Dignity, Respect for Diversity and Social Inclusion*. [http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/R3\\_Migration\\_EN.pdf](http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/03/R3_Migration_EN.pdf).

<sup>48</sup> IFRC. (2017). *Position Paper on Protection and Assistance for Children on the Move*.

<sup>49</sup> Right to family unity (inter alia, Convention on the Rights of the Child articles 5, 8 and 16) and the right not to be separated from their parents against their will (Convention on the Rights of the Child article 9).

<sup>50</sup> See citation 50 and ICRC. (2017). *Children and Detention – In Brief*. <https://www.icrc.org/eng/assets/files/publications/icrc-002-4201.pdf>. International Detention Coalition. (2012). "Chapter 5: Impacts of Detention on Children." *Captured Childhood*. <http://idcoalition.org/wp-content/uploads/2012/03/Captured-Childhood-FINAL-June-2012.pdf>.

<sup>51</sup> The Committee on the Rights of the Child has stated that States should expeditiously and completely cease the detention of children and their parents on the basis of their immigration status. CRC. (2012). *Report of the 2012 Day of General Discussion on the Rights of All Children in the Context of International Migration*. p. 18. [http://www2.ohchr.org/english/bodies/crc/docs/discussion2012/2012CRC\\_DGD-Childrens\\_Rights\\_InternationalMigration.pdf](http://www2.ohchr.org/english/bodies/crc/docs/discussion2012/2012CRC_DGD-Childrens_Rights_InternationalMigration.pdf).

<sup>52</sup> "Recognizing that age cannot easily be established, even by medical methods, the ICRC believes that age should be assessed through an interdisciplinary approach. If there is any doubt, the individual should be considered a child and protected as such. Assessments, including forensic age assessments, must be conducted with the child's informed consent by independent and appropriately skilled practitioners (not law-enforcement or judicial officials). They must be carried out without discrimination, in an age-, culture- and gender-sensitive manner, and avoid any risk of violating the dignity and physical integrity of the child. The margin of error inherent in the methods used should be recognized and documented, and the benefit of the doubt always given to the individual." ICRC. (2017). *Children and Detention – In Brief*. p. 3. <https://www.icrc.org/eng/assets/files/publications/icrc-002-4201.pdf>.

For instance, there are currently no comprehensive provisions in European law on how to address girls on the move who have been married below the legal age of 18 – with a few exceptions. Different countries have different laws. Some consider girls who are married below the legal age as unaccompanied children, while other countries conduct a BIA and can, based on that, allow girls to be treated as married. Nonetheless, the trend is clearly toward treating girls as unaccompanied children rather than married adults among humanitarian agencies.

### **Potential dilemmas**

Where laws are unclear or do not exist, or there are delays in conducting a BIA, it can be difficult for a National Society to determine how to provide humanitarian services for a girl who is married. For example, should the girl be provided separate lodging like other UASC or lodging with the person who identifies as her husband? Can access to humanitarian services, such as education or sexual and reproductive health care, be denied to the girl if the person identifying as her husband does not grant her permission? How can personnel respond if they have specific concerns that the girl is being exploited or trafficked, but it is denied by both the girl and the man identifying as her husband?

### **Considerations**

The National Society is not responsible for making a determination of whether the girl should be considered married or not. That is the responsibility of the government.

Where there are laws around what is recognized as a legal marriage among migrants, those need to be followed by National Societies.

Where there is a lack of clarity, where appropriate, local authorities and experts or Movement partners can be consulted to help determine appropriate action. However, in all actions the National Society needs to promote meeting the best interests of the child – in particular, ensuring that the underage girl is safe, her perspectives are captured, she is provided with support and she knows what options are available to her. To achieve this BIA is essential.

National Societies do not want in any way to endorse, or be perceived to endorse, child/early/forced marriage. All children need to be safe from all harmful practices and all forms of violence.

Access to essential basic services need to be provided to the girl regardless of whether she is categorized by authorities as married or not. These include health care, psychosocial support, legal counsel, shelter, education, nutrition and restoring family links. A National Society can work with other humanitarian agencies and local authorities, where appropriate, to plan this out.

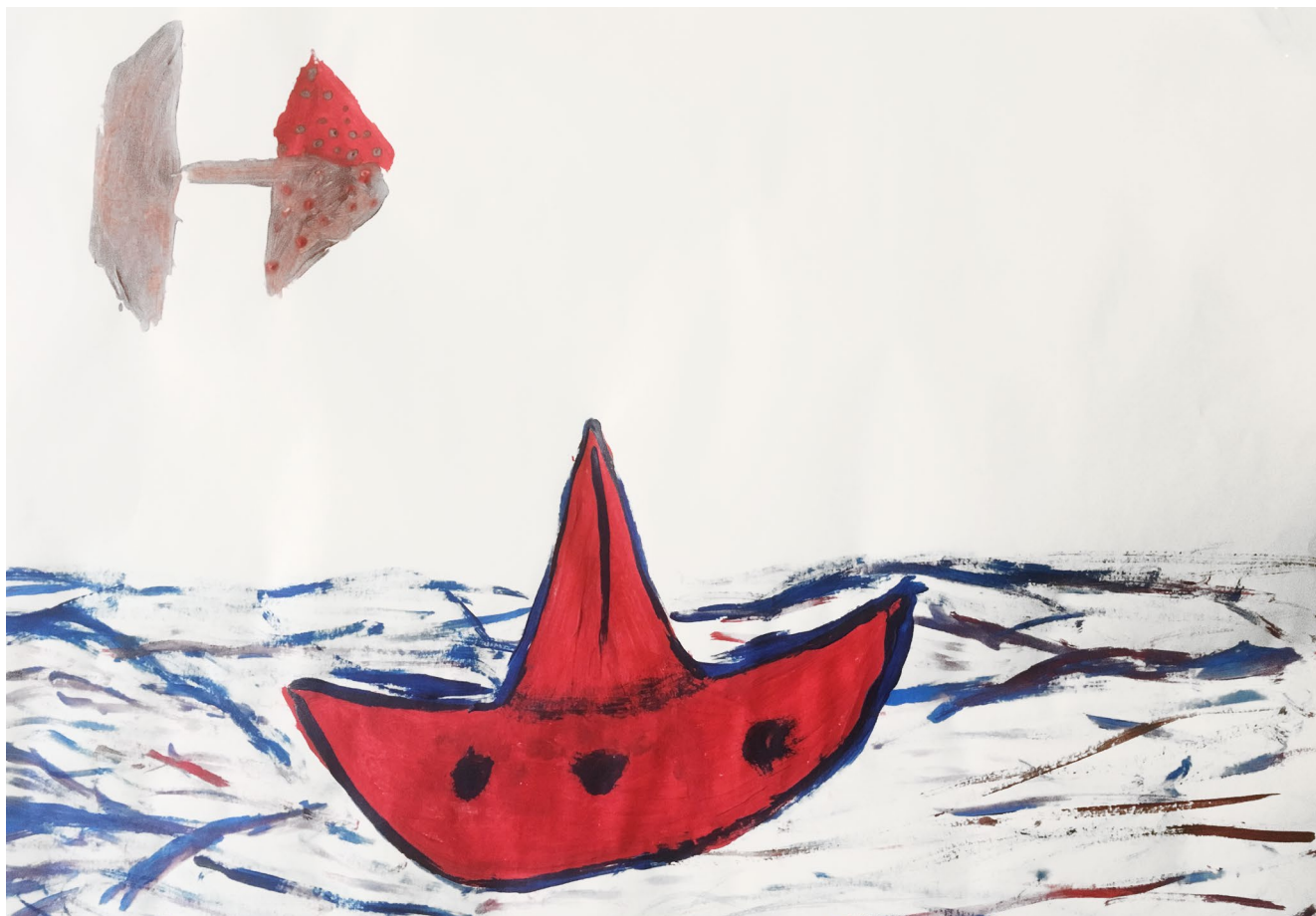


Image: IFRC, artwork by anonymous young migrant in Croatia.

## Laws To Protect UASC

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This chapter presents the legal frameworks and regional plans affecting UASC in the European Union (EU) and some of the main challenges and needs UASC face.

NOTE: The laws listed in this chapter are under regular revision. Therefore, it is important to monitor the laws that apply to a National Society's specific projects.

### The EU action plan for UASC

The European Union (EU) Action Plan for Unaccompanied Minors sets out a comprehensive framework for responding to the challenges posed by the arrival of unaccompanied children in the EU.<sup>53</sup> The four primary areas of the Action Plan relate to addressing insufficient data collection; preventing unsafe migration and trafficking; ensuring reception and procedural guarantees in the EU; and finding durable solutions for UASC. In April 2017, the European Commission identified the achievements, gaps and limitations in the implementation of the Action Plan and listed them in the Commission Staff Working Document (SWD).<sup>54</sup>

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<sup>53</sup> European Commission. (May 2010). *Action Plan on Unaccompanied Minors (2010-2014)*. p. 16.

<sup>54</sup> European Commission. (April 2017). *Commission Staff Working Document: Implementation of the Action Plan on UAMs (2010-2014)*, p. 3.

- Data and statistics: The need to increase and improve statistics about UASC in the EU and in third countries is acknowledged as a crucial step toward making proper assessments and finding appropriate solutions.<sup>55</sup> The data gathered and submitted to Eurostat by the Member States, however, remains fragmented and insufficient due to lack of communication between the different institutions and administrations that oversee the data collection on UASC in each Member State.<sup>56</sup>
- The prevention of unsafe migration and trafficking: Increasing the protection capacities in third countries is presented as a way to prevent unsafe migration and trafficking of children.<sup>57</sup> Some progress in this direction was made under the new Partnership Framework and in the implementation of the EU Strategy Towards the Eradication of Trafficking in Human Beings (2012–2016). Key challenges relate to prevention (that is, ensuring the safety at reception centres and camps), the lack of adequate legal representation by guardians during the asylum procedures, as well as late appointment of guardians, which hinder the protection of unaccompanied children and often lead to disappearances.<sup>58</sup>
- Reception and procedural guarantees in the EU: The Action Plan presents the need to offer assistance and protection to unaccompanied minors from the moment they arrive at the external borders of the EU – particularly the need for adequate age assessment and for starting family tracing<sup>59</sup> (where children choose to conduct tracing and it is in their best interest). The Staff Working Document identifies that the reception and procedural guarantees in the EU needs to be improved, and that there is a need for Member States need to implement the current EU legislation on child protection. There are gaps in terms of providing guardianship, identification, registration and treatment of children at the borders, the use of detention practices, and availability of child protection authorities for UASC. In addition, the SWD stresses the need for funding from EU agencies to be allocated to certain Member States to tackle these gaps.<sup>60</sup>
- Durable solutions: The Action Plan promotes three durable solutions for UASC: return to country of origin–integration in host country and resettlement; based on family reunification, where family members of the minor are legally residing in another Member State.<sup>61</sup> The SWD identifies the different definitions of durable solutions in Member States, as the lack of common EU procedure on the durable solutions, which often leads to gaps in implementation. The Staff Working Document further identifies gaps in clarifying the duty of the guardian concerning the identification of durable solutions, and it stresses the need for family tracing at an early stage.<sup>62</sup>

## The common European asylum system and UASC

### The Dublin Regulation

The Dublin Regulation is the cornerstone of the EU asylum system. It establishes the criteria and mechanisms for determining the Member State responsible for examining an application for international protection in one of the Member States by a third-country national or a stateless person, including UASC.<sup>63</sup> In relation to the protection of UASC the Regulation states that:

- Children should have a guardian/representative to represent and assist them throughout the asylum process (Art. 6.2).
- Member States shall cooperate and take due account of the possibility of family reunification, the child's well-being, security considerations and the age of the child (Art. 6.3).

<sup>55</sup> European Commission. (May 2010). *Action Plan on Unaccompanied Minors (2010-2014)*. p. 3.

<sup>56</sup> European Commission. (April 2017). *Commission Staff Working Document: Implementation of the Action Plan on UAMs (2010-2014)*. p. 4.

<sup>57</sup> European Commission. (May 2010). *Action Plan on Unaccompanied Minors (2010-2014)*. p. 6.

<sup>58</sup> European Commission. (April 2017). *Commission Staff Working Document: Implementation of the Action Plan on UAMs (2010-2014)*. p. 14.

<sup>59</sup> European Commission. (May 2010). *Action Plan on Unaccompanied Minors (2010-2014)*. p. 8.

<sup>60</sup> European Commission. (April 2017). *Commission Staff Working Document: Implementation of the Action Plan on UAMs (2010-2014)*. p. 31.

<sup>61</sup> European Commission. (May 2010). *Action Plan on Unaccompanied Minors (2010-2014)*. p. 12.

<sup>62</sup> European Commission. (April 2017). *Commission Staff Working Document: Implementation of the Action Plan on UAMs (2010-2014)*. p. 61.

<sup>63</sup> Dublin III Regulation. (June 2013). *No 604/2013 (Art. 1)*.

- Member States shall, as soon as possible, identify family and relatives of the minor in other Member States (Art. 6.4).
- Member States where family or relatives of the minor are legally present shall be the Member State responsible for the application (Art. 8.1).
- If family or relatives of the minor are identified in another Member State, the Member State where the child is present shall transfer the minor to that Member State, provided it is in the best interests of the child (Art. 8.2).
- If family of the minor is identified in more than one Member State, the Member State shall decide based on the best interests of the child (Art. 8.3).
- If family or relatives of the minor are not legally present in a Member State, that Member State where the child lodged his or her application shall be the responsible Member State (Art. 8.4).

## The Proposal for the Dublin IV Regulation

A proposal on the reform of the Dublin III Regulation is currently being revised by the European Union to enhance the system's capacity to determine efficiently and effectively a single Member State responsible for examining the application for international protection.

The proposal envisages new rules for determining the Member State responsible for examining an application lodged by an unaccompanied child. The proposal aims to prevent secondary movement of unaccompanied children, determining that secondary movement is not in the best interests of the child.<sup>64</sup>

- The Member State where the minor first lodged his or her application for international protection will be the responsible Member State, unless it is demonstrated that this is not in the best interests of the minor.
- A Member State transferring an unaccompanied minor to another State shall ensure that this Member State will take the necessary measures according to asylum procedures and the Reception Conditions Directives without delays.
- The definition of family members is proposed to include: (a) the sibling or siblings of an applicant and (b) family relations that were formed after leaving the country of origin but before arrival on the territory of the Member State.

More about the Proposal for the Dublin IV Regulation [here](#).

<sup>64</sup> European Commission. (May 2016). Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast). Dublin IV Regulation. p. 5.

## The EU Reception Conditions Directive

The [Reception Condition Directive](#) sets the standards for all third-country nationals and stateless persons who make an application for international protection on EU territory, at the border, in territorial waters or in transit zones. The Directive establishes rules on detention and reception centres for UASC.

- UASC shall be detained only in exceptional cases, for short periods of time, and shall have access to services according to their age (Art. 11.2).
- UASC shall never be detained in a prison accommodation or with adults, and the centres should be provided with the necessary facilities and personnel (Art. 11.3).
- Female UASC shall not be detained with male detainees, except if they are family members and if all parties consent (Art. 11.5).
- Member States shall appoint a representative to represent the best interests of the child and to ensure the rights and well-being of the minor (Art. 24.1).
- Member States shall ensure that minors stay in a foster family, with adult relatives, in accommodation centres with special provisions for minors or in other accommodation suitable for minors throughout the process. Children above 16 years may be placed with adults if it is in the best interests of the child, and siblings should be kept together (Art. 24.2).
- Member States shall start tracing family members as soon as possible (Art. 24.3).
- Member States shall ensure that personnel and authorities working directly with minors receive the necessary training (Art. 24.4).

## The EU Qualification Directive

The [EU Qualification Directive](#) sets out the standards and procedures for the qualification of third-country nationals and stateless persons eligible for international protection – either refugee status or subsidiary protection. It establishes rules about access to public services, and criteria for the asylum assessment and accommodation for UASC.

- Member States shall give minors full access to education after being granted international protection (Art. 27.1).
- Member States shall ensure full access to health care for minors, especially in situation of abuse (Art. 30.2).
- Member States shall appoint a representative to represent the minor as soon as possible (Art. 31.1).
- Minors shall stay with adult relatives, with a foster family, in centres specialized in accommodation for minors or in other accommodation suitable for minors (Art.31.3).
- Member States shall keep siblings together as much as possible (Art. 31.4).
- If family tracing has not started, the Member State shall prioritize family tracing (Art. 31.5).
- Personnel and authorities working closely with the minor shall receive the necessary training (Art. 31.6).



## The EU Asylum Procedure Directive

The [Asylum Procedure Directive](#) sets out the standard and procedures for granting and withdrawing international protection. It establishes rules for the application process, the responsibility of the representative of the minor and the criteria for age assessment.

- The minor can make their own application as long as it is certain that the minor has the capacity to do so (Art. 7.3).
- Appropriate bodies have the right to make applications on behalf of unaccompanied children (Art.7.4).
- Member States shall appoint a representative to represent the best interests of the child, inform the child about the procedure and prepare the child for personal interview(s) (Art. 25.1).
- Member States may refrain from appointing a representative where the applicant will be soon turning 18 years old, most likely before a decision is taken (Art. 25.2).
- Medical examinations can be used to determine the age of the applicant, as long as the minor is informed and has consented. The minor has the right to refuse to undergo medical examinations, and the final decision by immigration authorities shall not be based solely on the minors' decision to refrain from examinations (Art. 25.5).

## The return of UASC

### The EU Return Directive

The [EU Return Directive](#) was established in 2008 and sets out the standards and procedures for returning third-country nationals to their country of origin. It establishes the rules and criteria for the return and removal of an unaccompanied minor from the Member State to the State of return.

- Before issuing a return decision, the Member State shall ensure the minor is offered assistance by appropriate bodies, other than the authorities enforcing return, in the best interests of the child (Art. 10.1).
- The Member State shall be certain that the child is returned to (a) family member(s), a legal guardian or adequate reception facilities in the State of return (Art. 10.2).
- Unaccompanied minors shall only be detained as a measure of last resort and for a short period of time (Art. 17.1).
- The Member State shall as much as possible provide the child with accommodation in institutions with necessary personnel and facilities, appropriate for the age and needs of the child (Art. 17.4).

### Schengen Borders Code

The Schengen Borders Code establishes rules governing border control of persons crossing the external borders of the European Union. It establishes the criteria and standards for handling minors at the EU borders, ensuring the best interests of the child and recognizing trafficking and smuggling of minors.

- The Border Guards shall receive the necessary training to detect and deal with unaccompanied minors and child victims of trafficking at the border (Art. 16.1).
- Border guards shall pay particular attention to minors, whether travelling accompanied or unaccompanied (ANNEX VII, Art. 6.1).
- In cases of accompanied minors, the border control shall thoroughly check the adult accompanying them, to ensure they have the appropriate care (ANNEX VII. Art. 6.2).
- In cases of unaccompanied minors, the border control shall check all documents and ensure that the minors do not leave the territory against the wishes of the person(s) having parental care (ANNEX VII, Art. 6.3).

- The Member State shall appoint national contact points for minors entering the State (ANNEX VII, Art. 6.4).
- If in doubt about the circumstances of the minor, Border Control shall contact the national contact point for further guidance (ANNEX VII, Art. 6.5).

## Family reunification of UASC

### The EU Family Reunification Directive

The [Family Reunification Directive](#) sets out the standards and procedures to determine whether a person has the right to family reunification enabling those who already reside legally in a Member State (referred to as sponsors) to be joined by their family members. It establishes the criteria and standards for family reunification for UASC in the EU.

- Member States shall approve the entry and residence of first-degree relatives of an unaccompanied minor that is legally residing in a Member State (Art. 10.3(a)).
- Where the unaccompanied minor does not have first-degree family members, a Member State may authorize the entry and residence of a legal guardian or other family member (Art. 10.3(b)).

## Abuse and exploitation of UASC

### The EU Directive on preventing and combating trafficking in human beings and protection of victims

The [EU Directive on preventing and combatting trafficking in human beings and protecting its victims](#) was established in 2011 to set out minimum rules and measurements concerning all victims of trafficking. It establishes the criteria concerning investigations and support in cases of unaccompanied child victims.

- Member States shall ensure particular assistance and support to unaccompanied minor victims, taking due account of the personal and special circumstances of the child (Art. 16.1).
- Member States shall ensure durable solutions for unaccompanied child victims of trafficking (Art. 16.2).
- Member States shall ensure that, where appropriate, a legal guardian is appointed to the unaccompanied child victim (Art. 16.3).
- Member States shall ensure that in investigations and proceedings, competent authorities appoint a representative to assist and support the process (Art. 16.4).

### The EU Directive on combating the sexual abuse and sexual exploitation of children and child pornography

The [EU Directive on combatting the sexual abuse of children](#) was established in 2011, to increase the focus on child victims of sexual abuse and exploitation and to set thresholds for maximum penalties depending on seriousness of the offense. It establishes criteria for the protection, assistance and representation in cases of child victims of sexual abuse.

- Member States shall ensure that the minor receives the necessary support and protection when it is identified that the minor has been a victim of sexual abuse (Art. 18.2).
- Member States shall ensure that unaccompanied minor is appointed a special representative in criminal investigations and proceedings (Art. 20.1).
- Member States shall ensure that the minor has access to legal counselling (Art. 20.2).
- Member States shall ensure that the investigation and interviews occur under (age-) appropriate circumstances, in the presence of the legal representative (Art. 20.3).
- Where appropriate, interviews may be audio-visually recorded as a means of evidence for the criminal court (Art. 20.4).

## **International Laws and Guidelines Protecting the Child**

- The Convention and Protocol relating to the Status of Refugees (The Refugee Convention; 1951)
- UNHCR Guidelines on Reunification of Refugee Families (1983)
- The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules; 1985)
- The Convention of the Rights of the Child (1989)
- The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (JDLs or Havana Rules; 1990)
- The United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines; 1990)
- The Guidelines for Action on Children in the Criminal Justice System (Vienna Guidelines; 1997)
- The United Nations Convention against Transnational Organized Crime (The Palermo Protocol; 2000)
- Recommended Principles and Guidelines on Human Rights and Human Trafficking (2002)
- The United Nations Approach to Justice for Children (2008)
- The UN Sustainable Development Goals (2016)



# Reference Documents

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## Specific to the Movement

1. IFRC Policy on Migration <http://www.ifrc.org/en/what-we-do/migration/migration-policy/>
2. Movement Resolution on Migration [http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/01/R3\\_Migration\\_EN.pdf](http://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2017/01/R3_Migration_EN.pdf)
3. IFRC Ten Migration Principles <http://www.ifrc.org/en/what-we-do/migration/migration-principles/>
4. IFRC Migration Policy Brief <http://www.ifrc.org/PageFiles/89801/Migration%20policy%20brief-EN.rev1.pdf>
5. Movement Policy on Internal Displacement <https://www.icrc.org/en/publication/1124-movement-policy-internal-displacement-resolution-no-5-2009-council-delegates>
6. IFRC Smart Practices to Enhance the Resilience of Migrants <http://media.ifrc.org/global-review-on-migration/view-smart-practice-database/>
7. IFRC Position Paper on Protection and Assistance for Children on the Move
8. IFRC Child Protection Action Plan 2015–2020 [http://www.ifrc.org/Global/Publications/principles/IFRC-Child-Protection-Action-Plan\\_2015-2020.pdf](http://www.ifrc.org/Global/Publications/principles/IFRC-Child-Protection-Action-Plan_2015-2020.pdf)
9. IFRC Briefing on Child Protection in Emergencies [http://www.ifrc.org/Global/Publications/principles/IFRC-CPiE-Briefing\\_EN.pdf](http://www.ifrc.org/Global/Publications/principles/IFRC-CPiE-Briefing_EN.pdf)
10. IFRC Minimum Standard Commitments to Gender and Diversity in Emergency Programming <http://www.ifrc.org/Global/Photos/Secretariat/201505/Gender%20Diversity%20MSCs%20Emergency%20Programming%20HR3.pdf>
11. Movement Resolution on SGBV: Joint Action on Prevention and Response [http://rcrcconference.org/wp-content/uploads/2015/04/32IC-AR-on-Sexual-and-gender-based-violence\\_EN.pdf](http://rcrcconference.org/wp-content/uploads/2015/04/32IC-AR-on-Sexual-and-gender-based-violence_EN.pdf)
12. IFRC Strategy on Violence Prevention, Mitigation and Response 2011–2013 <http://www.ifrc.org/PageFiles/53475/IFRC%20SoV%20REPORT%202011%20EN.pdf>
13. ICRC Professional Standards for Protection Work <https://www.icrc.org/en/publication/0999-professional-standards-protection-work-carried-out-humanitarian-and-human-rights>
14. ICRC Protection Policy <https://www.icrc.org/eng/assets/files/other/irrc-871-icrc-protection-policy.pdf>
15. ICRC Guidelines on Mental Health and Psychosocial Support <https://shop.icrc.org/icrc/pdf/view/id/2632>
16. ICRC Policy Paper on Immigration Detention (2016) <https://www.icrc.org/en/download/file/21937/icrc-policy-paper-migration-detention.pdf>
17. ICRC Activities for Migrants (2016) <https://shop.icrc.org/icrc/pdf/view/id/2140>
18. ICRC Children and Detention (2017) <https://shop.icrc.org/icrc/pdf/view/id/1931>

## External to the Movement

1. Inter-Agency Minimum Standards for Child Protection in Humanitarian Action [https://www.unicef.org/iran/Minimum\\_standards\\_for\\_child\\_protection\\_in\\_humanitarian\\_action.pdf](https://www.unicef.org/iran/Minimum_standards_for_child_protection_in_humanitarian_action.pdf)
2. Toolkit on Unaccompanied and Separated Children <https://resourcecentre.savethechildren.net/library/toolkit-unaccompanied-and-separated-children>
3. Field Handbook on Unaccompanied and Separated Children <https://resourcecentre.savethechildren.net/library/field-handbook-unaccompanied-and-separated-children>
4. UN Refugee Convention <http://www.unhcr.org/1951-refugee-convention.html>
5. OCHA Guiding Principles on Internal Displacement [http://www.eods.eu/library/UN.OCHA\\_Guiding%20Principles%20on%20Internal%20Displacement\\_2001\\_EN.pdf](http://www.eods.eu/library/UN.OCHA_Guiding%20Principles%20on%20Internal%20Displacement_2001_EN.pdf)
6. New York Declaration for Refugees and Migrants <http://refugeesmigrants.un.org/declaration>
7. Recommended Principles to Guide Actions Concerning Children on the Move and Other Children Affected by Migration <https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/06/Principles.pdf>
8. Inter-agency Mental Health and Psychosocial Support for Refugees, Asylum Seekers and Migrants on the Move in Europe <http://pscentre.org/wp-content/uploads/MHPSS-Guidance-note-FINAL-12-2015.pdf>

# The Fundamental Principles of the International Red Cross and Red Crescent Movement

**Humanity** The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples.

**Impartiality** It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

**Neutrality** In order to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

**Independence** The Movement is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

**Voluntary service** It is a voluntary relief movement not prompted in any manner by desire for gain.

**Unity** There can be only one Red Cross or Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

**Universality** The International Red Cross and Red Crescent Movement, in which all societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.

The vision of the IFRC is to inspire, encourage, facilitate and promote at all times all forms of humanitarian activities by National Societies, with a view of preventing and alleviating human suffering, and thereby contributing to the maintenance and promotion of human dignity and peace in the world.