

# Children on the move

From protection towards a quality sustainable solution  
A practical guide



International Social Service  
Service Social International  
Servicio Social Internacional

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## A global issue requiring a global response

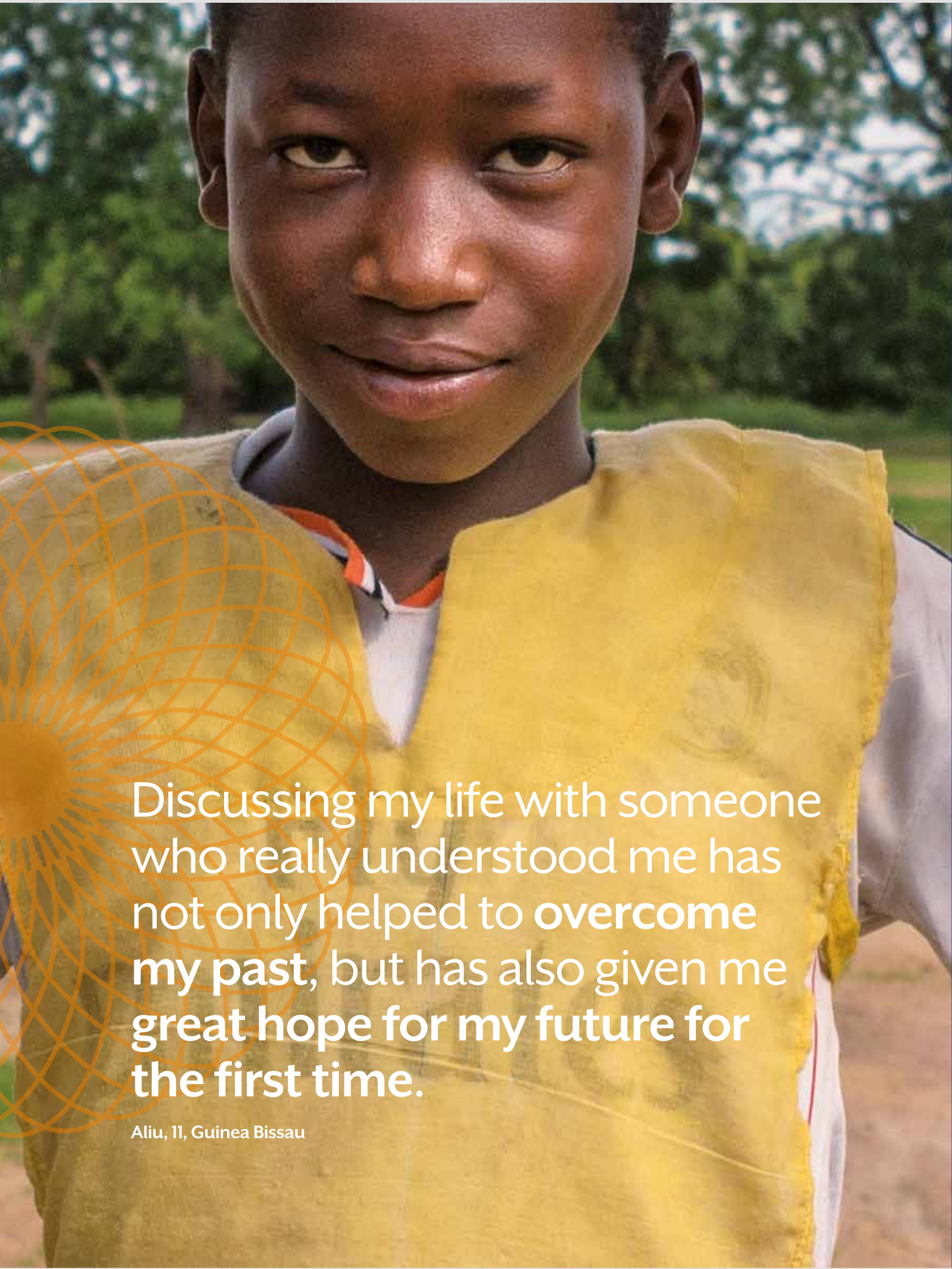
### Child migration is a global phenomenon.

Today, an ever-increasing number of children and young people are on the move to escape poverty, conflict, abuse and environmental hardship. Sadly, for the estimated 40 million international migrants under the age of 20, the life they find can often be more traumatic than the one they left behind.

It is the responsibility of individual countries to protect children wherever they are, regardless of origin – as set out by the United Nations Convention on the Rights of the Child. However, although all countries have some legislation to protect migrant children, many do not have robust provisions – far less a collaborative and coordinated model to identify, support and re-integrate vulnerable children across borders.

By publishing this manual, the International Social Service (ISS) is calling for greater collaboration between countries, governments and their respective child protection agencies and organisations, and for the establishment of effective transnational referral processes for the protection of children on the move.

The manual is both a roadmap for policy-makers and a daily guide for professionals working with children on the move – from humanitarian workers and border staff to social workers responsible for creating individualised plans that put children first.

A close-up portrait of a young boy with dark skin and short hair, looking directly at the camera with a slight smile. He is wearing a bright yellow, textured vest over a white shirt. The background is a blurred outdoor setting with green foliage. An orange circular graphic with a grid pattern is overlaid on the left side of the image.

Discussing my life with someone  
who really understood me has  
not only helped to **overcome**  
**my past**, but has also given me  
**great hope for my future for**  
**the first time.**

Aliu, 11, Guinea Bissau

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## Welcome

# In the best interests of every child

We welcome this practical manual, **Children on the move: from protection towards a quality sustainable solution**, as developed by the International Social Service (ISS). It will contribute to the better implementation of children's rights, notably reflected in the UN Convention on the Rights of the Child as well as UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. It will also facilitate the practical implementation of the upcoming Joint General Comment, which is currently being drafted by our two committees on the human rights of children in the context of international migration.

The richness of this manual is that it is based on the daily casework of ISS members and specific projects targeting this group of children in all regions of the world – from the initial contact with the child to the working towards a quality sustainable solution. The manual will also be significant in helping advocacy efforts to ensure that the child's rights are protected at each stage of the process. Therefore, it is a hands-on tool that will help workers ensure that the child's best interests are at the heart of decision-making.

We recommend the manual's wide dissemination and encourage all to continue to work collaboratively to ensure that quality sustainable solutions are found for every child.

**Pablo Ceriani**  
UN Committee on Migrant Workers

**Benyam Dawit Mezmur**  
UN Committee on the Rights of the Child

June 2017





# A practical guide and an aspirational ideal

We are proud to introduce this manual for the protection and safeguarding of children on the move. The recent influx of migrant children to Europe, as well as ongoing movements in Africa, Asia-Pacific, the Americas and the Middle East highlights the precarious situation for this most vulnerable section of society. Today, there are among 60 million refugees worldwide, and around half of them are minors. Many are at risk of neglect, abuse, exploitation, violence, illness or worse.

This is not a new phenomenon, nor is it one that does not get the attention of global support organisations or international instruments. However, despite the best of intentions, international care and protection guidance does not translate well into national contexts. As a result, there has been a requirement for a collaborative and coordinated model to identify, support and re-integrate vulnerable children across borders. Many national governments and civil society organisations are committed to respecting children's rights – but lack the assurance that the child will be care for adequately during and after the process of re-integration to their country of origin.

This manual has been developed to encourage greater solidarity between countries when it comes to the integration (or re-integration) of children on the move, and to establish effective transnational systems for their protection. It is both a practical guide and an aspirational ideal – setting out the eight key steps that can transform the outcomes for children on the move. Furthermore, it will help ensure that all children on the move benefit from quality support and receive adequate protections as outlined in the SDG 2030 and the two global compacts (on refugees and for safe, orderly and regular migration); specifically the Initiative for Child Rights that aims to ensure that global compacts reflect a common approach to protecting children on the move.

I sincerely hope this manual will help ensure that all children on the move have their rights respected, and are placed at the centre of all decisions affecting their future.

**Jean Ayoub**  
Secretary General, International Social Service

June 2017



## Introduction

# About this publication

**Children on the move: from protection towards a quality sustainable solution** is a practical guide for all professionals working with vulnerable children on the move. It promotes the development of a well-connected, transnational network of child protection professionals, and proposes an eight-step procedure to deliver continuity of care.

Specifically, it proposes holistic protection that:

- provides children on the move with child-centred, quality and sustainable solutions
- develops and follows harmonised care standards to ensure a quality and continuity of transnational care, and
- establishes adequate case monitoring and follow-up mechanism across borders.

The manual has its roots in West Africa, where many children move to neighbouring countries or other regions, such as North Africa and Europe. Recognising a lack of collaboration and common standards within the region, ISS Switzerland developed the eight-step model with local partners. The work was supported by concrete measures for the transnational care of children between the 15 countries of West Africa and Mauritania. Today, an inter-country referral mechanism, recognised by national and regional authorities as the West Africa Network for the Protection of Children ([www.resao.org](http://www.resao.org)) supports more than 1,500 children a year.

A similar manual has been adapted to address disparities in the treatment of vulnerable children in different regions of Switzerland. This international manual is the next step – enriched by the experiences and practices of ISS members worldwide.

## About ISS

The International Social Service (ISS) is a global network committed to helping children and families deal with the complex social and legal problems of migration. Founded in 1924, ISS has a presence in more than 140 countries and is a global player in the promotion of child protection and welfare – most notably in its transnational aspects.

ISS members include national social services, NGOs or associations specialised in child protection or migration issues. They play an important part in national child or social protection systems by connecting with foreign countries to deal with individual situations. As such, ISS has the capacity to provide support and follow-up services on a transnational level – notably in family tracing and social assessment abroad.

Today, ISS promotes cooperation between child protection services and diverse governmental, non-governmental and inter-agency stakeholders – from multi-disciplinary fields – to create and implement sustainable solutions that enhance the protection of children in vulnerable situations.

[www.iss-ssi.org](http://www.iss-ssi.org)

# About children on the move

According to UNICEF, an estimated 50 million children are ‘on the move’ in the world today. The description refers to children\* who are migrating within or between countries for a variety of reasons – voluntarily or not – with or without their parents or other primary caregivers. Other children can be ‘affected by migration’, by remaining at home after their parents have migrated, or by living with their parents in a new country.

\* In this publication, we use the terms ‘child’ and ‘children’ to include all children and young people under the age of 18.



40 million  
international  
migrants  
under the  
age of 20

#### Numbers



**244 million**   
international migrants



**37 million**  
from the least developed countries



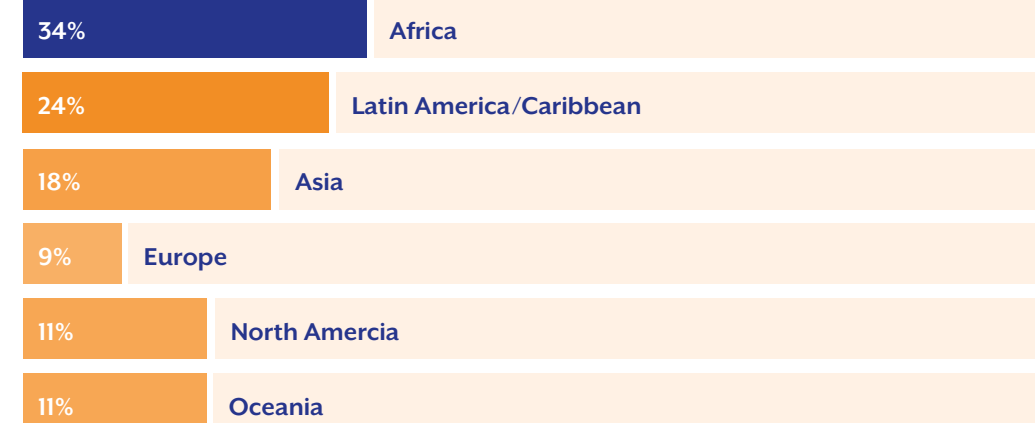
**1 in 6** is under the age of 20

**51%**

of the world's  
60 million  
refugees  
are children

#### Key facts

##### International migrants under the age of 20



#### Statistics

**2015** **29%** of all asylum seekers in the EU were children  
**14%** younger than 14 years

**2016** **2.4 MILLION**  
Syrian child refugees

  
**404** of the 3,708 refugees living in detention centres in Australia in 2016 were children

 **100,000**  
unaccompanied and separated children were apprehended at the Mexico-US border in 2015 and 2016

Children make up to **two-thirds** of detected trafficking victims in some regions







Children leave their homes for a variety of reasons. But for the estimated **40 million** international migrants under the age of 20, the life they find can often be **more traumatic than the one they left behind.**

### Dangers

#### Reasons for leaving

- War, conflict and violence
- Natural disaster, drought, famine
- Economic hardship, poverty
- Lack of basic services
- Family conflict
- Threat of forced or early marriage
- Victim of trafficking
- Religious persecution
- Better education or work opportunities
- Harmful traditional practices
- Joining family members

#### Risks on the move

- Detention
- Sexual exploitation
- Abuse and violence (physical, psychological)
- Neglect, illness, malnutrition
- Drug addiction
- Forced marriage
- Religious persecution
- Labour exploitation and/or begging
- Conflict with the law
- Death or serious injury

### Benefits

#### The positive impact of migration

Around the world, migration is often associated with crisis and human rights violation. However, migration is not always wholly negative. Many migrants (children included) acquire skills and social capital both on their journey and at their destination. New ideas, education, languages, vocational skills and cultural values strengthen their individual development, whether their future lies in the host country or the country of re-integration.

Furthermore, today's discussions about migration do not sufficiently recognise the positive contribution young migrants can make to their host societies and their communities of origin - not only as a workforce or as providers of skills and income but also as advocates of human rights, democratisation or gender equality.







# International standards

The following international conventions and standards provide some important benchmarks for working with children on the move.

- Convention on the Rights of the Child, 20 November 1989, CRC
- Convention on the Rights of the Child, General 2005 Comment No.6: Treatment of unaccompanied and separated children outside their country of origin
- Committee on the Rights of the Child 2012 Day of General Discussion: The Rights of All Children in the Context of International Migration
- ICMW International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 18 December 1990, CMW
- OP-CRC-AC Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 25 May 2000, CRC
- OP-CRC-SC Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 25 May 2000, CRC
- OP-CRC-IC Optional Protocol to the Convention on the Rights of the Child on a communications procedure, 14 April 2014
- Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children (Hague Convention 1996)
- UN Guidelines for the Alternative Care of Children

Other standards may also be relevant when examining reasons why children are on the move, and the discrimination they can face.

- OP-CRPD Optional Protocol to the Convention on the Rights of Persons with Disabilities, 12 December 2006, CRPD
- ICERD International Convention on the Elimination of All Forms of Racial Discrimination, 21 December 1965, CERD
- ICCPR International Covenant on Civil and Political Rights, 16 December 1966, CCPR
- ICESCR International Covenant on Economic, Social and Cultural Rights, 16 December 1966, CESCR
- CEDAW Convention on the Elimination of All Forms of Discrimination against Women, 18 December 1979

A number of regional and sub-regional standards safeguard children in Africa, Europe, the Americas and the Asia-Pacific region, while each State has its own child protection frameworks in place. (See Annex I)



# Fundamental principles for children on the move

In May 2016, representatives of international and non-governmental organisations met in Geneva to agree on a fundamental set of principles to underpin policy relating to children who migrate or are affected by migration.

The nine guiding principles are designed to remind the international community of the importance of safeguarding this vulnerable group in society and to guide future actions.

The nine principles are derived from existing international human rights law, humanitarian law and refugee law. They apply to children who move within their own country, children who migrate with their parents, and children who remain behind when one or both parents migrate.

**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 assured 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 individualised analysis of their request and due guarantees consistent with a best-interest 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 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 livelihood opportunities is a critical prerequisite to preventing 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. During all phases of migration, children shall not be separated from their parents or primary caregivers (unless it is in their best interests).**

States shall not separate children from their families (for example, by instituting onerous and protracted family re-unification 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 re-unification 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 criminalisation and stigmatisation 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 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 organisations have a responsibility to ensure a continuum of protection between local government authorities and States through which children travel, and to promote harmonised 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 until the age of 18 (or only grant children authorisation to remain on their territory until that age) 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.

For more information and explanatory comments, see Recommended Principles for Children on the Move and Other Children affected by Migration (<https://principlesforcom.jimdo.com>).





## Challenges

# Guaranteeing the rights of children on the move

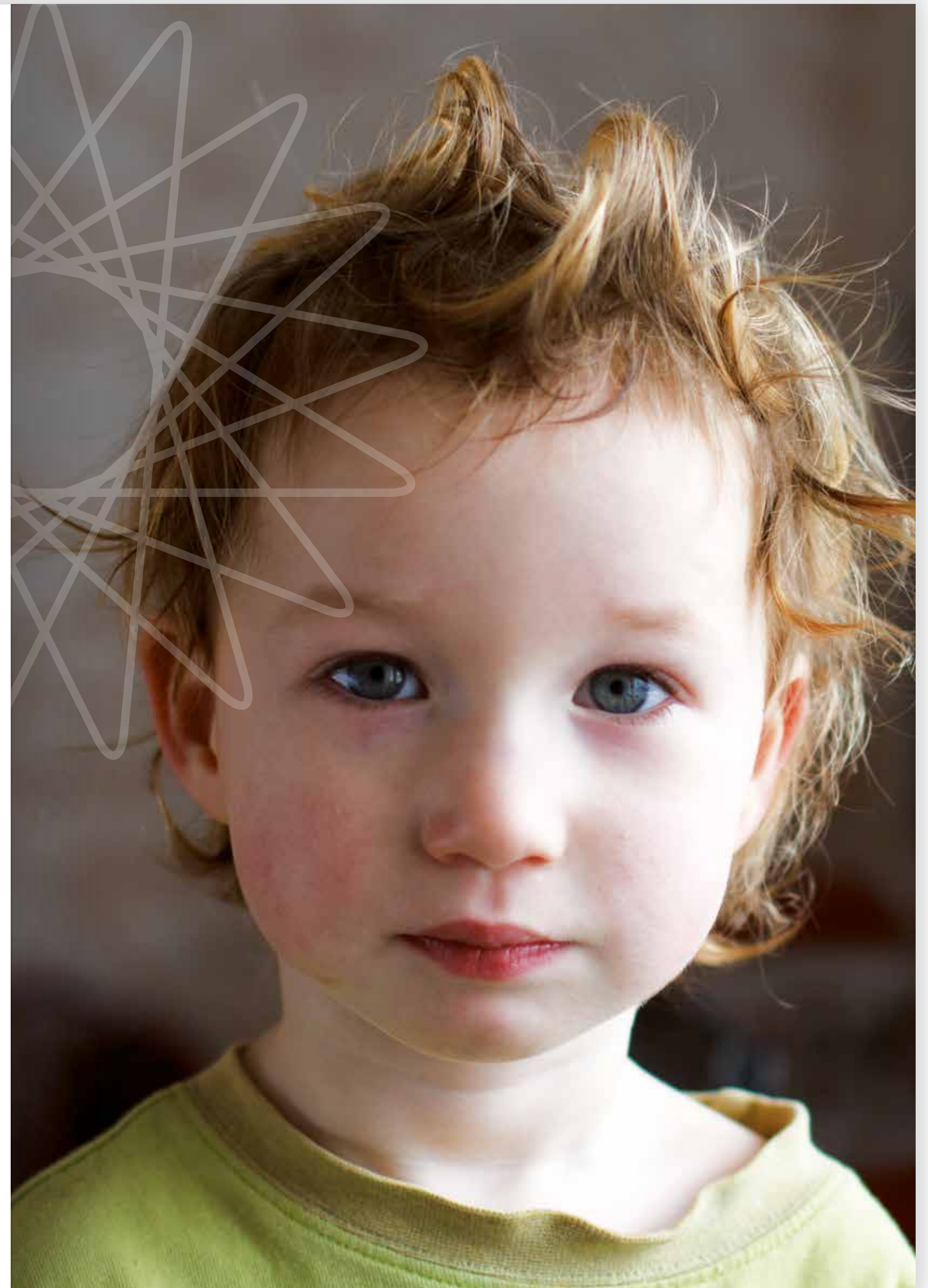
Despite the best of intentions, international guidance rarely translates nationally or trans-nationally. As a result, the care and protection of migrant children in destination or transit countries is seldom in accordance with their internationally recognised rights.

Around the world, children on the move face a multitude of risks and vulnerabilities<sup>1</sup>.

- Broken links with family and their place of origin
- A life in waiting and uncertainty, homelessness
- Loss of family, cultural and religious benchmarks
- Psychological stress and trauma
- Pressure from family or community to work or pay off the debt for the trip
- Restricted access to vocational training and employment
- Stigma and discrimination compared to other children
- Loss of protective measures upon attaining 18 years of age
- Loss of identity and risk of affiliation with dangerous networks
- Lack of future prospects and sustainable solutions in the interests of children
- Detention
- Unprepared return to the country of origin

These risks are almost universally recognised. However, there are also universal challenges in ensuring that the rights of children are guaranteed across countries.

Few national child protection legislation and policies take the specific needs and vulnerabilities of migrant children into account<sup>2</sup> so it's little surprise there is a lack of quality, sustainable care solutions.







# The challenges of implementing international child protection<sup>3</sup>

**Care solutions for children on the move (if they exist) are short-term and rarely involve a robust evaluation of a child's individual needs.**

When it comes to protecting children on the move, the main focus today is on providing emergency shelter and basic needs. This is necessary but inadequate. States fail to provide concrete and long-term (re-)integration solutions that take into account the social, educational and professional needs of children on the move. Furthermore, the child's individual situation, unique needs and special risks are seldom properly assessed, and the child rarely placed at the centre of decision making. As a result, many children remain in uncertain and precarious situations for years – unable to plan or build their futures.

**Actors do not listen to the child.**

Care measures for children on the move rarely address the evolving nature of the child's migration experience or their views and ambitions. Children on the move often have complex motivations. For example, they be under pressure from their home communities to reach their destination and generate income, so pretend to be adults and disappear from child-focused care settings. In such cases, children are even more vulnerable to unsafe migration, human trafficking and exploitation.

**Children on the move are often not aware of their rights.**

Children are often not given adequate information about their rights and the services available. This can include options they may have if they choose to seek a change of status – or if they choose not to. In some situations, children may continue to move and this makes it challenging to inform them of services or to provide support. This can lead to 'missing' children, who are largely off the radar and, in many cases, beyond protection.

**The option of using a qualified legal guardian to protect the best interests of the child is often not available and/or not considered<sup>4</sup>.**

Children who move without their parents should have a legal guardian to help guarantee and protect their rights. This guardian should be legally recognised and appointed, and be properly trained to ensure the best interests of the child are considered in all matters and at every stage. In many states, a guardianship system is not in place and/or does not involve sufficiently qualified individuals.

**National migration and border policies often constrain migrant children's rights.**

Migration or asylum procedures too often limit minors' human rights. Priority is often placed on determining legal status as opposed to giving due consideration to the 'social' wellbeing of the child. For example, unstable residence status creates insecurity and hinders social and professional integration. In particular, there are risks of arbitrary detention and/or 'refoulement' that are against the child's interests. In such cases, social services are often not adapted to the legal realities in which they are offered.

**There is a protection gap for children on the move who reach adulthood abroad.**

When young migrants reach the age of 18, they no longer have access to specialised support measures. It is common practice for States to issue return decisions when migrant children turn 18. These young adults are often repeatedly uprooted, making them more vulnerable and/or forced to go 'off the radar'.



## Challenges

### The rights of the child in relation to social, educational and professional integration are often neglected.

In current protection frameworks, the child's family links and social relations – as well as educational and professional development – do not receive enough consideration. However, they are the backbone of stability and future wellbeing for children on the move.

### There is not enough transnational collaboration.

Child protection decision-makers and care professionals do not collaborate across borders. However, transnational cooperation (including migration management) is the prerequisite for a holistic, durable and child rights-centred care approach. Unfortunately, professionals within countries often lack sufficient training in international and transnational laws on children on the move (and don't have the mandate to work transnationally); let alone how to implement them.

### Development policies do not sufficiently address the root causes of unsafe child migration.

Families and communities in countries of origin lack livelihood alternatives and, therefore, the means to provide children with appropriate care and opportunities to make their (re-)integration durable.

## Summary

The continuity of care and its quality across borders poses an important challenge to children's basic rights. To safeguard children on the move, transnational challenges of child migration must be addressed with a cross-border approach. States need to place every child at the centre of decision making, and tackle the challenges with the following commitments.

1. Provide children on the move with child-centred, sustainable and quality solutions\*
2. Develop and follow harmonised care standards to ensure quality and continuity of transnational care
3. Establish adequate case monitoring and follow-up mechanisms across borders

\*Encompassing both legal and child protection needs.





## Solutions

# Quality, lasting solutions... in the child's best interests

As stated in the previous section, every child on the move should be provided with a quality, sustainable solution that takes into account his or her best interests. So, what is a 'sustainable' solution? According to international guidelines issued by UNHCR, UNICEF and non-governmental protection experts, a durable solution...

...ensures that any child on the move is able to develop into adulthood, in a safe and secure environment which will meet his or her needs and assert his or her rights as defined by the CRC and will not put the child at risk of persecution or serious harm. Because the durable solution will have fundamental long-term consequences for children on the move, it must consider the child's views and wishes and any decisions must be in their best interests. A durable solution also ultimately allows the child to acquire, or to re-acquire, the full protection of a state<sup>5</sup>.

Finding a quality, sustainable solution for children on the move is interpreted in this manual as a process that aims to establish continuity of care in a safe and enabling environment. The establishment of stable social relations and individual development opportunities is central, and gives young migrants prospects for the future that respect their human rights. The aim is to overcome vulnerabilities and strengthen a child's individual capacities and resilience<sup>6</sup>.

The determination of a quality, sustainable solution requires careful assessments of the child's situation in the host country, his/her country of origin or the country where family members live<sup>7</sup>. Through a Best Interest Determination (BID) process<sup>8</sup>, care professionals collect all relevant information for designing an adequate care plan. This is also called a 'sustainable solution process' and includes a multi-disciplinary evaluation that consists of:

- consultation with the child on his/her individual situation, views and ambitions (a 'Best Interest Assessment');
- when possible, the appointment of a legal guardian or person of confidence to ensure that the best interests of the child are always a primary consideration<sup>9</sup>;
- an evaluation of the situation in the country of origin (including families or potential caregivers), and
- the situation and opportunities for the child in the host country.

Based on this information (and ideally speaking), a multi-disciplinary panel (led by the legal guardian<sup>10</sup> or reference person for the child in the absence of caregivers) determines a geographical solution and a corresponding individual care plan<sup>11</sup>.

Geographically, a sustainable solution can result in:

- local integration in the host country,
- voluntary integration in a third country, or
- (re-)integration in the country of origin.

A sustainable solution can also involve a combination of some or all of the above points, as integration can be temporary and often complex. Depending of the complexity of a child on the move's situation, the sustainable solution may require periodic review and revision<sup>12</sup>.

## Solutions

### The DNA of a sustainable solution

- Ensure continuity of care (between organisations caring for a child and between states when a child moves from one country to another)
- Ensure the child is in a safe environment (and, where possible, a family-like environment)
- Enable the child to develop stable social relationships
- Enable the child to develop plans for the future





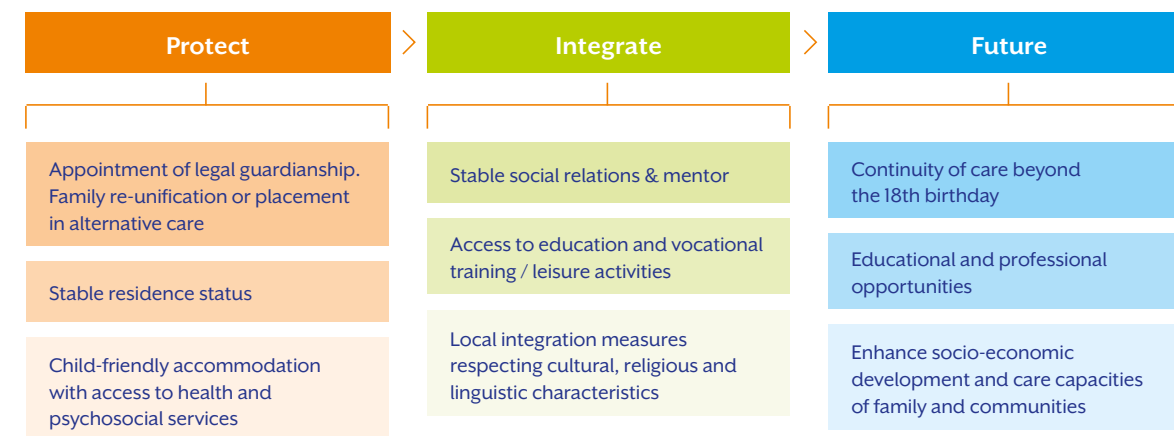
# The approach to better transnational care

Today, ISS promotes cooperation between child protection services and diverse governmental, non-governmental and inter-agency stakeholders – from multi-disciplinary fields – to create and implement sustainable solutions that enhance the protection of children in vulnerable situations.

## Establish the building blocks

The first step towards putting a quality, sustainable solution into practice is to appoint a legal guardian or care professional to oversee and lead the sustainable solution process. In the absence of caregivers, this person must ensure that the best interests of the child on the move are respected when it comes to all measures and decisions related to his/her care plan and protection setting<sup>13</sup>.

Protection and care professionals should always explore the possibility of family re-unification to re-establish a stable and nurturing care environment for the child. However, in some circumstances, re-unification with the family or relatives is not possible, or not in the child's best interests<sup>14</sup>. States must become active and build a support structure for the child that includes the following elements.



Protection, Integration and Future prospects are the building blocks of a quality, sustainable solutions. They are linked and sequential, and lead to long-term solutions. From initial measures to protect the child (such as providing physical and emotional security), the support structure must progress to provide solutions that endure in the long term.

The child needs to be able to integrate in a community that provides stability and opportunities to develop personal skills and resources. Access to basic services (including legal, health and psychosocial support) as well as education and vocational training opportunities are key for establishing stability for any child on the move. Once the child has been able to integrate in a structured life with trusted social relations, they will be able to plan for the future. The three building blocks are prerequisites for children on the move to gain resilience and enjoy their human rights fully<sup>15</sup>.

It is important for the sustainability of any care solution that families and communities engage to ensure safe and positive re-integration. This includes strengthening their capacities to care for these children and provide them with future prospects locally<sup>16</sup>.

## Promote transnational collaboration

A major obstacle to achieving quality, sustainable solutions for children on the move is the lack of transnational collaboration and training on the implementation of international standards. This is perhaps not surprising. Because of the many stages in a child's migration journey, a wide range of care and protection stakeholders need to be involved – from the child's country of origin, transit countries and their destination<sup>17</sup>.

The primary stakeholders are those involved in the protection of child rights in each country – authorities as well as child protection and care professionals (including civil society organisations and youth networks<sup>18</sup>).

These main actors need to collaborate with migration management stakeholders – at national and transnational level. Collaboration across borders is vital to ensure that children move safely from one protection system to another, and receive continuous care across borders<sup>19</sup>.

Transnational collaboration is particularly important in:

- family tracing and re-unification,
- evaluation of the child's situation,
- evaluation of the situation in the country of origin,
- implementation of the care frameworks and (re-)integration measures, and
- guardianship and transnational case handover and monitoring.

To date, very few countries have included elements of the quality, sustainable solution process into their protection plans for children on the move. Despite the obvious challenges that brings, it also presents an opportunity to introduce a harmonisation of protection and care standards across different countries, and to make the solutions sustainable.

It's that opportunity for harmonisation that has led to the creation of this publication. **Children on the move: from protection towards a quality sustainable solution** provides proven guidance for the transnational case management of vulnerable children on the move by professionals around the world. It promotes the development of a well-connected network of child protection professionals across borders – with children always at the centre.

## Protect the rights of children

Children on the move are, above all, children. So the priority is always to protect their overarching individual rights as children – regardless of any migration status.

ISS considers social work to be a human rights profession. Our work is not limited by borders but inspired by the rights of children around the world, and their different concerns and needs. We are dedicated to helping States collaborate effectively and find innovative solutions that put the best interests of children first.

The following chapters proposes attitudes to be adopted when working with children on the move as well as proposing a step-by-step procedure aimed at facilitating the continuity of care across countries.



# Eight steps to a better future

Around the world, there are many experienced and committed child protection agencies and government departments, while most countries are signatories to various international child protection instruments. So, it would be wrong to assume there isn't the desire, the capability or the skills within individual countries to support children on the move. What has been lacking, however, is a functional transnational process to bring together these disparate elements to support this vulnerable section of society.

In 2005, the International Social Service and partners in West Africa began to develop a framework for the transnational care of children on the move in the region. Today, a continuum of services are delivered within an eight-step model – from the identification of a vulnerable child and provision of emergency care to their successful social re-integration. The model has already helped more than 6,000 children and young people in West Africa and provides a proven set of operating standard for other regions.

The eight-step model is a 'common thread' for professionals and establishes the foundations for effective intervention and re-integration for children on the move. It puts children at the centre and, significantly, can also be applied to children who become young adults.

This document introduces the eight steps and is based on the experiences of ISS members in the field, the knowledge of partners and the most effective elements of existing practices.

The eight steps should not be considered in isolation but as interdependent elements with a whole single process.

Each step contains the following elements

Description of the step

Objective of the step

Structure of the step

Important elements to consider and related questions

Actors and their roles

Story/illustration

Overarching topics to explore





# The 8 steps



Further information can be found at the end of the chapter and gives references for more in-depth knowledge of the steps' content.

Of course, the care of children on the move requires more than a model. It involves a diversity of skills, attitudes and competences (educational, legal, intercultural and transnational). However, the contents of this document provide the framework for a working method that ensures attentive listening and effective participation of children at every stage, promotes cooperation of all stakeholders, and strengthens the rights of the child in the making of all decisions.

Our intention is to give a general orientation for work with children on the move – their needs are universal. The model can also be adapted to match the needs of different protection systems, as the contexts, conditions and resources vary greatly from one region or country to another.

Ultimately, it is the responsibility of society as a whole to create the conditions to accommodate these children and young people... to nurture them, protect them and help them build a positive future.

## Overarching topics to explore

Interwoven into each step are 'overarching' issues that might arise – depending on the individual situation of the child. They could arise anywhere in the process but are most likely at the stage where they are included.



# Arrival, detection and identification

## Definition

The process of detecting and identifying children on the move and any vulnerabilities that have to be addressed, such as establishing identity and responding to immediate protection and care needs.

## Objective

Wherever a child on the move is discovered, information on their identity and situation is collected to establish specific vulnerabilities. If a child exhibits indicators of risk factors, actors can decide if it is in the child's best interests to be referred to a competent protection service (ie, shelter centre). The aim is to remove the child from the risky environment immediately. Registration with a competent service can meet his/her basic needs and provide a safe space where protection professionals can provide emergency care (see Step 2).

## Step 1

### 1. Identification

At an appropriate moment, invite the child to go to a drop-in point, such as a (asylum) centre or temporary shelter to begin and formalise the registration process.

Get to know and understand the protection system or any services for the provision of care.

### 2. Measures of protection

Talk with and listen to the child in the places and at the moment where he/she feels comfortable.

Establish a relationship based on an emphatic approach and aim for dialogue and mutual trust.

Nominate a legal guardian or a person of reference.

### 3. Support during asylum or registration procedure

Accompany the child during legal procedures and ensure they are heard and participate in all decisions that concern them.



## Step 1

### Elements to consider

#### Passive identification

This is when a child on the move arrives at the border, walks into a shelter or looks for a social worker for protection. It is also 'passive' identification if the child is intercepted by police or any other authority. At this first moment, it is important to show interest in what the child says and consider the solutions he/she is proposing to overcome their vulnerable situation.

#### Questions to ask

- How can we, as professionals, protect children on the move in our country or our region? What authorities, agencies or organisations would normally have first contact with a child on the move? How could cooperation or coordination with these different stakeholders be established? Has mapping been developed with all active governmental, non-governmental and civil society actors?
- Who is in charge of the child's immediate protection needs – and who will assess their situation? Does the child feel protected at this point of first contact?
- Are there places and trained professionals available where the child on the move can feel safe and comfortable to express themselves? Are these services offered immediately and in a format that takes into account the potential reticence of the child based on past experiences?
- Who makes sure the most important vulnerabilities are rapidly assessed with the child on the move?
- What is the best way to identify these vulnerabilities and any risk factors affecting the child?

#### Active identification

This is when case workers or street workers, volunteers or member of peer groups go to places when vulnerable children on the move may be being exploited. It is only through active identification that large numbers of vulnerable children can be identified. Active identification is an important marker of performance for a case worker or social worker.

Experiences show that, in certain situations, it is very difficult for any adult to approach a child living on the streets or in a place of possible exploitation. An alternative method of identifying vulnerable children in these situation is to work with children's peer groups (who in turn would be trained and supported).

#### Questions to ask

- Are there any services or organisations engaged in the active identification of children on the move – for example, social workers or street workers who screen for vulnerable children at habitual places or potential risk environments (see example below)?
- How are those services or organisations linked to child protection systems or networks? Are there cooperation mechanisms in place with these specialised services active in the field?
- If there are difficulties identifying children on the move in possible places of exploitation, are there ways to work with (and/or accompany) peer groups who have easier access to the children? Is it possible to organise meetings with young people to share their experiences of how to overcome vulnerable situations?





## Step 1

### AMWCY

#### The role of peers in identification

The African Movement of Working Children and Youth (AMWCY) is mainly comprised of children and young people (boys and girls) who did not have the opportunity to go to school or have dropped out for a number of reasons.

They have come together as a movement of more than 300,000 active members in 27 African countries to protect children through respect for the priority rights. AMWCY's strong geographical coverage (present in the whole of the West African region except Cape Verde) makes it a major player in the active identification of vulnerable children and young people on the move.

Moreover, the movement's strong roots in the community (with a presence in public places such as markets, railway and lorry stations, places of worship, slums, etc) and the personal experience of its members helps make contact with vulnerable children and young people on the move. **AMWCY is at the front line.**

Through visits, outings, surveys, and door-to-door actions organised at a grass-roots level, AMWCY members are well placed to identify and refer cases of vulnerable children and young people on the move for support and care.

#### Seek dialogue and mutual trust

The first dialogue aims to show an interest in the child on the move and his/her situation. It aims to get to know his/her physical and psychological conditions, and to learn more about their interests and wishes. It's then important to understand from the child what risks they face and what they believe is required to physically remove them from the vulnerable environment. However, this is not the moment to question or interview the child concerned – it is about using subtle interactions to evaluate how to best address their primary needs.

#### Questions to ask

- What kind of first interactions or dialogues are used to motivate the child on the move to find an alternative to his/her vulnerable situation in a more protective way and environment?



## Step 1

#### Cooperation with agencies, services or organisations potentially involved within first contacts

Every country or region has established (or needs to develop) services and actors to ensure positive first reception, and provide medical, psychological and social assistance. A referral mechanism should be in place with stakeholders to ensure the first needs of the child on the move are addressed immediately after identification.

#### Questions to ask

- Which organisations and stakeholders could cooperate to evaluate the immediate needs of the child on the move upon identification? Who can respond to immediate needs for medical assistance and adequate accommodation?
- Is there a possibility to start networking with reliable organisations to establish a chain of immediate protection for children on the move?

#### Child protection system or any service for the provision of care

Depending on the situation in a country, a national child protection system (if possible, in cooperation with specialised NGOs) has the responsibility to address the immediate vulnerabilities of children on the move. This may be the responsibility of governmental or non-governmental organisations in charge of the care of persons requesting international protection (see below). Alternatively, other actors or services from the civil society may take charge after the child on the move is first identified.

#### Questions to ask

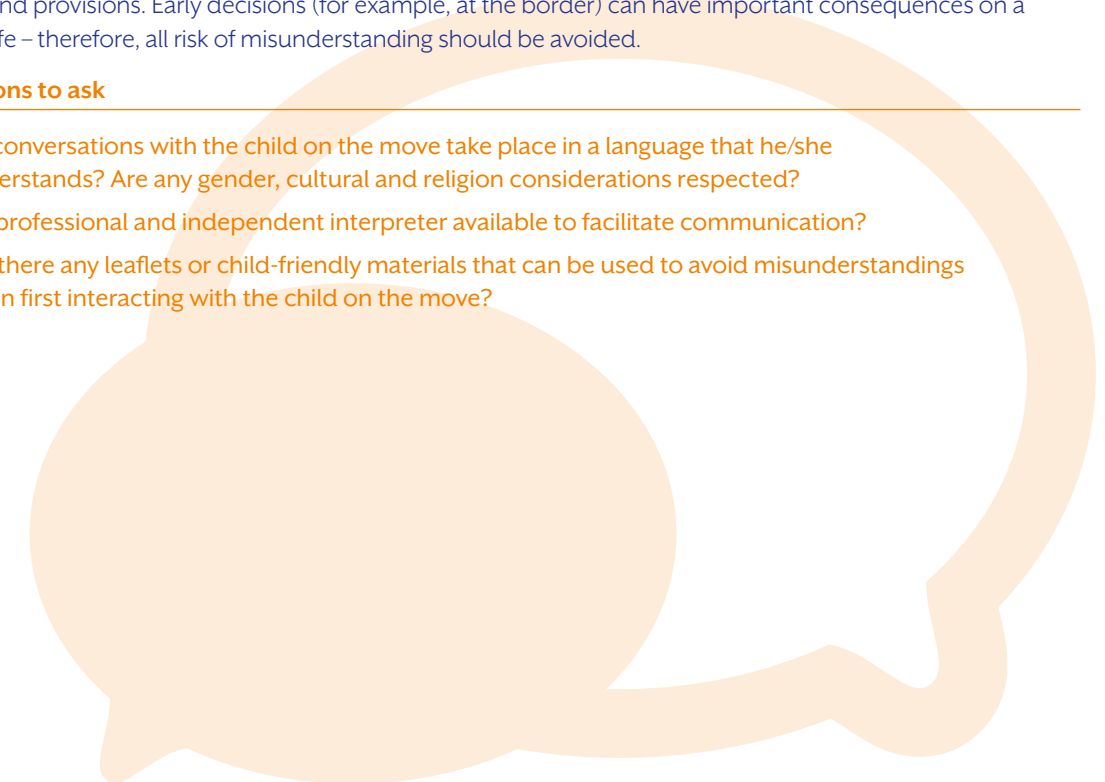
- Who could (or does) address the immediate situation of vulnerable children on the move?
- What possibilities are there to refer vulnerable children on the move to a more suitable environment?

#### Child-friendly information, translator or inter-cultural mediator

A translator or cultural mediator ensures the child on the move understands his/her rights and responsibilities, and makes sure the child is heard and can participate actively in any assessments related to their protection needs and provisions. Early decisions (for example, at the border) can have important consequences on a child's life – therefore, all risk of misunderstanding should be avoided.

#### Questions to ask

- Do conversations with the child on the move take place in a language that he/she understands? Are any gender, cultural and religion considerations respected?
- Is a professional and independent interpreter available to facilitate communication?
- Are there any leaflets or child-friendly materials that can be used to avoid misunderstandings when first interacting with the child on the move?





Step 1

Registration

It is in a child on the move's best interests to have his/her name, date of birth and nationality registered and documented as soon as possible. All children have the right to be given a name after birth, and an ongoing right to preserve their identity (including name and nationality).

Questions to ask

- Which competent protection service or organisation (governmental or otherwise) takes responsibility to register children on the move and their immediate care and protection needs?
- Are there mechanisms in place to ensure the most important elements of the child's situation are collected on file? How are documents transferred from one competent service to another?
- Are there guidelines for data protection and data transfer? How can guidelines be used or introduced to make sure data transfers are always used to guarantee continuity of care?

No detention of children

No child on the move should ever be detained. The detention of children in relation to their irregular entry to a country, or their parents' migration status, constitutes a child rights violation. Make sure the child is never detained and has access to legal assistance if required.

Questions to ask

- Are children on the move detained because of their (or their parents') legal status? If yes, are there services or organisations in contact with them in detention?
- Are there any campaigns or movements that seek to end child detention for migration status reasons (eg, IFRC, IDC, ISS) that can be joined or supported?

Access to the territory

Children on the move should always have access to the territory of a State and should not be returned at any border without having their actual situation and immediate protection needs properly assessed – independently on any directives or laws in migration control.

Questions to ask

- How can it be assured that children on the move always have access to the national territory?
- Who makes sure that children on the move are not returned at any border without a prior assessment of their needs?
- If law and enforcement agencies (immigration, police) are the first contact of the child, are they trained in child protection and children's rights, and is there a clear referral procedure to professional care service?



Step 1

Access to international protection

In some countries, national systems for the reception of persons seeking international protection also care for children on the move after their arrival or identification. In other countries, international protection agencies, such as the UNHCR, provide care for children on the move who escape war, poverty, climate disasters or any kind of persecution.

Questions to ask

- To whom may children on the move be referred for international protection? Is there a national asylum system, or are international protection agencies active and operational in the country?

Step 1

Actors and their roles

The child	The identification step includes a set of educational interventions to welcome and integrate the child, developed by the intervening party of a social or private institution. It ensures the right to protection against any form of abuse, violence and exploitation.
The family	When the family in charge of the child is confronted with serious problems, identification can serve as a support mechanism. The ultimate objective of this supportive approach is to fix and restore family ties so that the child can develop and re-integrate. Interventions must be planned, standardised and developed by a competent organisation.
The professionals	Among other community mechanisms, early warning committees are informal structures composed of people from the community, who are made aware of this purpose and whose task is to identify the children who need protection. They are linked to a communal/regional service capable of intervention when necessary. For example, a case manager should be systematically identified for each child on the move.
The community	The identification is conducted by legally recognised professionals, who are able to identify children in vulnerable situations and support them. It is based on an empathetic approach and the development of a relationship based on dialogue and mutual trust. This will facilitate the identification of appropriate support for the child when the time comes.



## Step 1

### Overarching topics to explore

#### Checklist for active identification

- Identify places where children congregate OR known places of child exploitation
- Observe the child from a distance
- Evaluate his/her physical appearance
- Approach the child respectfully
- Engage the child in a friendly conversation
- Ask open-ended questions
- Talk less – listen carefully and encourage the child to talk
- Encourage the child to confide in you
- Make sure the child understands you – if possible, try to talk in their language
- Discover the child's nationality
- Analyse the child's situation
- Propose removing the child from the vulnerable situation and explain the advantages – the efforts to stay the current situation may be greater than the benefits received
- Inform all relevant competent authorities

#### Children on the move in potential need of international protection

In a number of states, formal asylum procedures are in place that determine if a person is entitled to receive international protection under the 1951 convention and the 1967 protocol relating to the status of refugees. In these countries, proper identification is normally made within the asylum system. For children on the move escaping war, conflict or violence, this determination of refugee status is a crucial issue within the sustainable solution process and often determines the geographical sustainable solution by granting refugee status or subsidiary protection in the host country.

In many other states, a national formal asylum procedure does not exist; UNHCR or UNICEF often offer their services instead. Independently of the determination process of refugee status, the Best Interest Determination process described in this document shall be implemented - even if refugee status or subsidiary protection are not granted, return and re-integration in the country of origin might not be necessary in the child's best interests.

#### Safeguard child rights in age-assessment

Age assessments are mainly carried out in states with formal asylum procedures but common child-centred standards are often lacking. Furthermore, it is not scientifically possible to determine the exact age of a person. The following key safeguards in the age assessment process need to be taken in account (see also the 2012 position paper on age assessment from the Separated Children in Europe Programme at [www.scepnetwork.org/p/1/76/position-papers](http://www.scepnetwork.org/p/1/76/position-papers)):

- The need of the informed consent from the child on the move
- The benefit of doubt needs to be applied
- The legal guardian or person of confidence needs to be involved
- A legal appeal mechanism needs to be in place
- There are possibilities to refuse to undergo (certain) exams and this does not prejudice the outcome of the determination of international protection

### Case example

Three children, aged 13, seven and six were abducted by a group of Cambodian kidnappers while on their way to school. The children were put in the van with four others who had been abducted previously and driven towards Thailand. As the van approached the Thai/Cambodian border, the three children started to cry loudly so the kidnappers dropped them off. The children walked toward the border and managed to cross to the Thai side (and the infamous Rongkleau Market).

It was here that they were spotted by a representative of ChildSafe, who suspected something was wrong. He called his contacts at the Friends International programme (Peuan Peuan), who took the children to the safety of their drop-in centre for further support. After calling the local police, the response from undercover agents, local police and other relevant agencies was immediate. Social workers talked to the children and were able to get in touch with their worried families to say they were safe. Thanks to the rapid response and strong collaboration between locals, NGOs and authorities from both sides, the three children were re-united with their families later that day.

Source: Friends-International, Cambodia







# Immediate support and care

## Definition

The process of meeting the child's immediate physical and psychological needs to stabilise his/her situation and secure their basic human rights.

## Objective

To develop an emergency care framework immediately after identifying the child on the move – and satisfy his/her basic physical and psychological needs in a safe and secure environment. An independent guardian may be appointed and legal advice organised to safeguard the child's rights and best interests in all proceedings – as well as ensuring his/her wellbeing and a continuity of care. If the national context does not allow the appointment of an independent legal guardian, a dedicated 'person of confidence' shall be named to defend the child's interests. The objective is to develop a trusting relationship that helps the child feel emotionally stable in his/her new environment.

## Step 2

### 1. Emergency support for the child

With an empathic approach, provide the child with all living needs (food, medical care, clothing, hygiene and psychological support).  
Designate a 'person of confidence' for each child and explain his/her role and the way to cooperate together.  
Cooperate with agencies, services and organisations in the best interests of the child.

### 2. Living with the child

Listen to the child and consider his/her potential as well as possible opportunities.  
Show trust to the child and recognise him/her as a fully-developed human being.  
Together, understand the reasons for the vulnerabilities with a view to addressing them.

### 3. Role of persons accompanying the child

Listening to the child and assuring participation.  
Recognising that each child is unique.  
Recognising that the child has the right to grow up in a safe and stable environment within a structure that allows to build future perspectives.  
An individual plan for each child must be developed in collaboration with the child and his/her person of confidence/legal guardian.  
Inter-disciplinary cooperation between actors, and possibly with parents, to support this structure in view of developing future perspectives.



## Step 2

### Elements to consider

#### Immediate care and support provisions

After a child on the move is identified (Step 1), access to medical care, psychosocial assistance and other specialised services is required. Providers should be easily accessible to stakeholders who have first contact with a child on the move.

##### Questions to ask

- Are there safe, temporary shelter facilities providing regular meals and a secure environment, where children on the move can recover from struggle and stress?
- If it is a shelter for any person in need, are there special units for families and children?
- Who runs the shelters or centres? How can other service providers collaborate with them?
- Are staff regularly instructed on the care and protection of children on the move?

#### Assessment of accompanying adult

If a child on the move is accompanied by an adult (but not a parent or former caregiver), it is important to carry out an assessment to ensure this person does not represent a risk of any kind.

##### Questions to ask

- Are there safeguards in place within first reception shelters in order to make sure the accompanying adult is indeed caring for the child on the move?

#### Child trafficking/signs of trafficking

If there are signs of the child being a victim of any form of abuse or trafficking (such as reported threats, coercion or signs of exploitation, torture and neglect), there is a need to collaborate with specialised services to ensure the child receives professional help and appropriate protection.

##### Questions to ask

- What specialised services within social or police systems exist in the country? In what way are they involved when a child on the move shows signs of abuse or trafficking?
- Are there specific articles within the national law that address children who are victims of abuse or trafficking?

#### Immediate family tracing after recent separation from family members or close persons

Many children on the move are separated from family members during their journey, or have lost contact with them recently. In such situations, separation might be the most important vulnerability that has to be addressed.

##### Questions to ask

- Which organisations can be contacted or collaborated with to help trace or search for a family member?
- What form of (pragmatic) ways are available to trace important persons for the child on the move after a recent separation?







### Case example

Ayman was born in Sierra Leone to Marissa and Jacques. Ayman travelled with a group of 11 people from Sierra Leone and arrived in Australia aged six years. Immigration paperwork indicated that Ayman's birth mother was the person with whom he travelled to Australia. However, this person later stated that Ayman was not her son. Due to child protection concerns, Ayman was put into foster care. The social worker at the Children's Court approached ISS Australia seeking assistance in obtaining information about Ayman's actual birth family in Sierra Leone, as the matter was before the Children's Court and could not be finalised until this information was obtained. A formal referral was sent to ISS Sierra Leone, requesting information about the location and status of Ayman's birth parents. Despite very limited information, ISS Sierra Leone were able to locate and meet Ayman's mother, Marissa, within three days of receiving the referral. Marissa was living in a slum and did not own a mobile phone. Marissa advised ISS Sierra Leone that Ayman had been snatched from her arms when he was little and had been smuggled to Australia. She did not know if he was alive or dead and became very emotional on learning her son was alive. ISS Australia and ISS Sierra Leone communicated via email and phone to coordinate this case and establish a contact plan, in consultation with Community Services.

Source: ISS Australia and ISS Sierra Leone

## Step 2

### Appointment of a legal guardian or a person of confidence

The appointment of an independent legal guardian for a child on the move (by a guardianship authority, whenever possible) is the single most important child protection measure, as the responsibility for the child's wellbeing and safety is entrusted to one professional. In the absence of a national guardianship system, alternative systems should be in place or developed to ensure one competent person and/or someone who is trustworthy and reliable is always accessible to the child.

#### Questions to ask

- Is there a formal guardianship system whereby a guardianship authority nominates an independent legal guardian as the first and most important child protection measure (eg, kafalah, foster care)?
- Alternatively, is it possible to name a 'person of confidence', or a reference person, to take responsibility for the child and coordinate all different services around him/her?
- Are these professionals regularly trained on the care and rights of children on the move?

### Initiating and establishing a support network for the child on the move within a holistic care approach

As in the identification process (See Step 1), there can be many different actors and organisations involved or active in providing support and care in the host country. It is important that they are connected, that their roles are defined, and that cooperation mechanisms are in place meet the child's needs.

#### Questions to ask

- Is there effective collaboration between the different protection and support providers, or are there ideas or possibilities to improve collaboration mechanisms?
- Are the roles and responsibilities of each stakeholder (eg, legal guardian, medical and socio-psychological staff, legal advisor, interpreter, social educator, mentor) defined in a way that all efforts are coordinated and aimed in the same direction?
- How is coordination and cooperation between these actors organised? Is somebody taking the lead for this coordination?

### Access to legal advisor

In some national contexts, at borders or within a procedure for international protection, specialised lawyers or legal advisors shall ensure the rights of a child on the move are respected. First interventions by legal advisors could be to request international protection at the point of access to the territory.

#### Questions to ask

- Where there are international protection procedures or migration control measures (eg, detention), are there specialised lawyers to safeguard the rights of children on the move?

### Regular information to children on the move, and exchange between stakeholders

A holistic care approach will involve several stakeholders and their (specialised) fields of intervention. However, for a child on the move, it is not always clear who is who, with which tasks and responsibilities.

#### Questions to ask

- Do all persons involved in the immediate care of children on the move ensure that the child is well informed about their roles and their working methods?
- What instruments are there to make sure that the child concerned does indeed understand the work of the professional adults around him/her? Are there regular meetings, round tables or oral exchanges between all stakeholders?



Step 2

Reception and support

Towards individualised support – What are the structures that children need?

Each child on the move should be accommodated in a manner appropriate to their age and needs, informed of their rights and responsibilities, accompanied by professionals and a reference person, and directed to an appropriate service structure.



Step 2

Actors and their roles

The child	Provide the child with psychological and medical care, as well as social services. Ensure the child's right to a dignified standard of living in all aspects, including food, health, clothing, hygiene, education and lodging.
The family	Support efforts to put the child in touch with his/her family or family alternatives and his/her community.
The professionals	The individual responsible for support demonstrates professionalism and is very demanding, particularly with regard to the legal framework. The person regularly seeks the view and perspectives of children, taking into account the maturity of the child. In addition, the professional collaborates with colleagues and others involved in the regional network.
The community	Ensure the child's right to live in a family environment and to participate in community life.



## Step 2

### Overarching topics to explore

#### Roles of some stakeholders in the support network

For example, the roles of the legal guardian will include:

- all formal and informal proceedings (registration with competent services, migration status determination, asylum procedure, sustainable solution process),
- support of the child on the move in decisions related to care arrangements, and access to services and education or training,
- ensuring the child's overall wellbeing the respect of their rights, as well as education and development to ensure continuity of quality care,
- information, advice and support related to family tracing, re-unification and search for sustainable solutions, and
- ensuring links between the protection environment and the host society, and between the child on the move and civil society organisations.

#### Guardianship systems and alternatives

Formal guardianship systems and professional guardians are appointed and act according to clear regulations. It is best practice for the legal guardian to be appointed by a guardianship authority representing the host country's responsibility to ensure all actions are made in respect of children's rights. In the absence of national guardianship systems, care professionals or volunteers can take the role of safeguarding the best interests of children on the move as 'persons of confidence' for the child concerned. In formal and informal frameworks, guardians and representatives of the child need to have the relevant professional competencies and knowledge to act in their key role to protect the human rights of children. Moreover, they need to be free of potential conflicts of interest with the authorities. It is important to secure continuity of guardianship at all times. This accounts for situations when the child is transferred from the emergency shelter to temporary or long-term care facilities, as well as for a handover of guardianship in cross-border procedures related to the return to the country of origin or resettlement to a third country<sup>20</sup>.

#### Procedural safeguards

Useful guidance about establishing guardianship for children deprived of parental care, such as needs assessment and checklists, can be found in the European Union Agency for Fundamental Rights (FRA)<sup>21</sup> publication.

#### Persons of reference/mentors

A person of reference or a mentor/befriender is a part of the complementary informal support system from the civil society and helps the child integrate in the local environment and become familiar with the culture and customs of the host country. A person of reference/mentor/befriender is a committed person who is accessible to the child and offers an empathetic personal relationship. Such a person will give their time to listen to the child, ensure his/her wellbeing and facilitate his/her local social integration.

#### Socio-educational support

Care professionals who are aware of each child's unique circumstances help identify their immediate needs and ensure the implementation of emergency protection and mid-term quality care. Thereby, socio-educational professionals support the child in the structuring of the every-day life (as these care professionals often spend more time with children on the move than other professionals, they might take over a role of a substitute parent).

#### Case example

I know my granddaughter is well taken care of in the foster home... I also feel thankful for the assessment report conducted by the ISS social worker. The visit and report were comprehensive and objective.

A grandfather, whose granddaughter lives in a foster home as her parents are imprisoned in another country.

Source: ISS Hong Kong





# Assessment of the situation of the child on the move

## Definition

After identifying the child and providing immediate care (Step 1 and Step 2), this step aims to collect all necessary information to determine temporary support and care in the host country (Step 4), evaluate the situation in the country of origin (Step 5) and formulate a quality, sustainable solution (Step 6).

## Objective

The child is the main and most relevant source of information. By listening to the child, professionals can learn about his/her personal situation and life story, the main difficulties they have faced, and their aspirations and dreams. This includes an expeditious assessment of the child's vulnerabilities and resources, and the circumstances behind their separation from family (if the child is separated). Assessment can include legal and psychosocial aspects. Every child receives an individual support plan that outlines the appropriate mid- and long-term care and protection arrangements, and is used to prepare a family tracing and social evaluation request to the country of origin (see Step 5).

## By whom

The personal assessment should be carried out by a professional; ideally by the child's legal guardian, but otherwise by a social worker or person of confidence.

## Step 3

### 1. Assessment with the child

Individual assessment with each child to identify his/her specific needs, resources and interests.

The professionals should gradually learn about the experiences of the child.

Following the study of the personal situation, the legal guardian or person of confidence develops an individual plan with the child that specifies the actions of support that will be conducted with the child, his/her family and the environment.

Encourage the child to maintain or renew contacts with his/her family or persons important to them.

### 2. Individual plan

Assisting the child to identify their strengths and needs is vital to the success of (re-)integration programmes.

The child participates in all decision-making that concern daily life and future plans.

### 3. Responsibilities

The child must understand the support network available as well as their functions and roles in relation to him/her:

- Legal guardian/Person of confidence
- Care worker at place of residence
- School
- Financial service



### Step 3

#### Elements to consider

##### Setting the scene of the assessment

One should never forget that a child on the move could have had several bad experiences with adults before arriving in the host country – in the country of origin, on the journey or during stays in transit countries. This needs to be taken into account when the case worker or guardian carries out the initial assessment. It is important to comprehensively record all bad experiences when they are first revealed to avoid any re-traumatisation by asking the child to re-tell his/her story to several actors. Post-assessment support should also be made available. Professionals also need to explain to children that they can talk again later if they cannot immediately remember the details or chronology of events – especially as they are likely to be initially exhausted, mistrusting or confused.

##### Questions to ask

- What attitudes and procedures need to be put in place to gain the trust of the child on the move so he/she feels listened to?
- How can the child be supported so he/she can do what they would really like to do?
- What is the best way to explain to a child that professionals depend on their cooperation in order to help?

#### Best interests of a child on the move

Art. 3 of the CRC is a fundamental principle that applies to all actions concerning children. When it comes to children on the move, the main objective is to determine a sustainable solution that best respects the interests of the child (Best Interest Determination). This decision can only be made if an individual assessment takes place first (Best Interest Assessment). The BIA and BID have to be considered with a process that starts immediately after identification and progresses until the child on the move has obtained a sustainable solution (in other words, the 'eight steps' that are included in this publication).

Assessing the best interests of a child means evaluating and balancing all the elements necessary to make a decision in a specific situation for a specific individual child or group of children.<sup>22</sup>

The following elements are the minimum that need to be addressed for a comprehensive individual assessment.

- Communication with the child in a language that she/he understands
- The involvement of a multi-disciplinary team in the assessment and determination process
- The participation of the child
- An individual assessment the child's situation, his/her history and background, needs, wishes, personal resources, etc
- A family and social assessment in the country of origin or in a third country, including the evaluation of the parental competences and economic resources required an eventual family reunification

### Step 3

#### Assessment of the personal situation of the child on the move

To get to know the child on the move is a process. The child concerned has many justified reasons why he/she will need time (and probably several exchanges) before gaining the trust to share past experiences and situations. At this stage, it is not the aim to discover the whole truth (this needs to be treated later, or when it becomes an issue) but to make the child understand that the actor(s) are willing to find joint solutions. One has to respect that a child on the move may not be able (yet) to talk about everything. In other words, it is important to adapt to the individual pace of each child.

The timing of an assessment will depend on the individual situation of the child. There might be situations in which a child on the move quickly feels ready and motivated to talk about all aspects of his life. Therefore, the assessment can take place one or two weeks after identification, or as soon as the child has settled and their basic needs have been met. Other children may need several months to open up (after a process to build trust).

##### Questions to ask

- Who is important in the child's life and why? With whom is he/she in contact? If there is a choice, who would the child prefer to live with?
- What needs to happen so the child can interact with people who have been (and are still) very important to them?
- What currently makes the child feel pleased and happy?
- What would it take for the child to feel safe and comfortable?
- How does the child on the move describe his/her health situation?
- What needs to be known about the child's past, their personal history, family and/or migration circumstances and journey that will guide actions now – and shape a future that is in the child's best interests?
- After immediate vulnerabilities have been addressed, what is the best way to identify the child's resources, sources of support and coping strategies etc? How are the child's cultural background, values and religious beliefs taken into account?
- What are the child's interests and hobbies?

#### Assessment of immediate and long-term risks

It is also important to consider if there are any supporting instruments that make it easier to evaluate risk factors – such as physical or psychological harm, abuse or neglect? Or risks related to age, gender order or gender identity? Or sexual or labour exploitation? (European Agency Fundamental Rights Agency FRA (2014): Guardianship for children deprived of parental care.<sup>23</sup>





Step 3

Information about the situation in the country of origin

When it comes to family tracing or a social assessment in the country of origin (Step 5), all possible information needs to be gathered from the main resource – the child concerned. The more information available, the easier the tracing and the social assessment in the country of origin will be. As mentioned above, there might be many reasons why the child cannot (yet) talk about his/her previous life before, or about his/her family members in the country of origin.

Questions to ask

- Assuming it is in the child’s best interests and does not put family members at risk, what information is required to start the family tracing process?
- What does the child believe are the reasons behind his/her separation from family members? What are the most relevant facts about the former family life in the country of origin or elsewhere?
- Is there a checklist that provides useful hints about the information that could be gathered to trace family members?
- What safeguards are in place to ensure the child on the move has the final decision about whether his/her family can be traced?

Establishing an individual support plan

An individual support plan that is based on a personal assessment, and developed in collaboration with the child, is the best instrument for determining the next steps. A plan can be divided into four parts:

- Psychological and medical assistance
- The child’s most important relationships with close persons in the country of origin and host country, and how they can be maintained or developed
- The child’s ambitions and interests, professional and otherwise
- The procedure for formal registration (for possible further actions)

The final point is particularly important in certain national contexts where there are children on the move whose births have never been registered.

When establishing an individual support plan, the following should be taken in account.

- Resilience (see ‘Overarching topics to explore’, below) – even with a difficult past, it is possible to shape a positive future
- The experiences of the child on the move – this leads to more active participation<sup>24</sup>
- Solutions – the points and objectives in the plan should always be solution-orientated

Questions to ask

- Has it been possible to gather at least some information about the four areas above? (See example in Appendix.)
- Is it necessary to concentrate on priority issues within the care arrangement, such as medical or social-psychological support, foster family placement or re-establishing family links?
- What are the short-, medium- and long-term objectives? Are the objectives in the individual support plan realistic? Do they need to be adapted according to available resources?
- Is it possible to define the responsible actors working with the child on the move to help achieve a common set of objectives?
- Are there already areas in the plan that local support network partners could take responsibility for?

Step 3

The individual assessment



Step 3

Actors and their roles

The child	The study of the personal situation aims to understand the child, including his/her life story, the main difficulties faced, available resources and aspirations. Each supported child has a personal plan that outlines the actions of support that will be conducted with him/her.
The family	The reasons for the child’s vulnerability and the separation from his/her family are to be explored and understood to provide improved responses related to the family and home environment.
The professionals	The study of the personal situation is not conducted by interrogation, but is achieved step-by-step at the pace dictated by the child in a language that they are comfortable with. It is performed by a trained person, as per the standards and suggestions for listening to the child.
The community	The evaluation with the child of available structures, persons and interpersonal relationships is important for the child’s development.



### Case example

Boka came to the attention of Social Services in Bolton when a neighbour reported that she never went to school. Investigations showed that Boka had entered the UK three years previously and stayed with her 'uncle'. Talking to Boka was very difficult as she was so timid but, as her story unfolded, it was discovered she had been treated like a servant, beaten regularly and never attended school. She was taken into care and CFAB were contacted to see if contact could be made with her family in Romania. Unfortunately, CFAB discovered that the family had 'sold' Boka and there was a very serious risk that it would happen again if she returned to any of her large extended family overseas. Boka is now living with foster carers in the UK. She is happy, attending school and developing well.

Source: CFAB (ISS UK)

## Overarching topics to explore

### Basics for talking to a child

How can we show interest in the child on the move, and understand their competences and wishes?

- Respect the child's right to confidentiality and privacy
- Facilitate the active participation of the child
- Demonstrate empathy and show the child that he/she is important
- Allow the child to express himself/herself through different means (drawing, roleplay, etc)
- Listen carefully to the child's experiences and he/she is dealing with existing trauma or painful moments in the past

### Process of family tracing in the country of origin

All information for the purpose of family tracing needs to be gathered in the most practical way possible (for example, contacts of family members, former caregivers, friends or neighbours, or former schools). Various professional organisations (eg, ISS, UNHCR, IOM, Red Cross and Red Crescent) can also be approached as others may also be trying to trace the family.

### Transnational collaboration

When tracing family or carrying out a social assessment in the country of origin, ISS case workers should ideally be involved with the legal guardians or persons of confidence to ensure the quality and completeness of the information collected. This allows the child on the move to build trust with the actors involved in the assessment of their family situation in the home country.

### Refusing collaboration

If the child on the move insists on continuing his/her migration journey and refuses to collaborate in a sustainable solution process, professionals should put in place a safe migration solution that protects the rights of the child on their onward journey. Protection professionals should ensure that the child on the move is well informed about the risks or negative consequences of refusing collaboration.

### Individual support plan

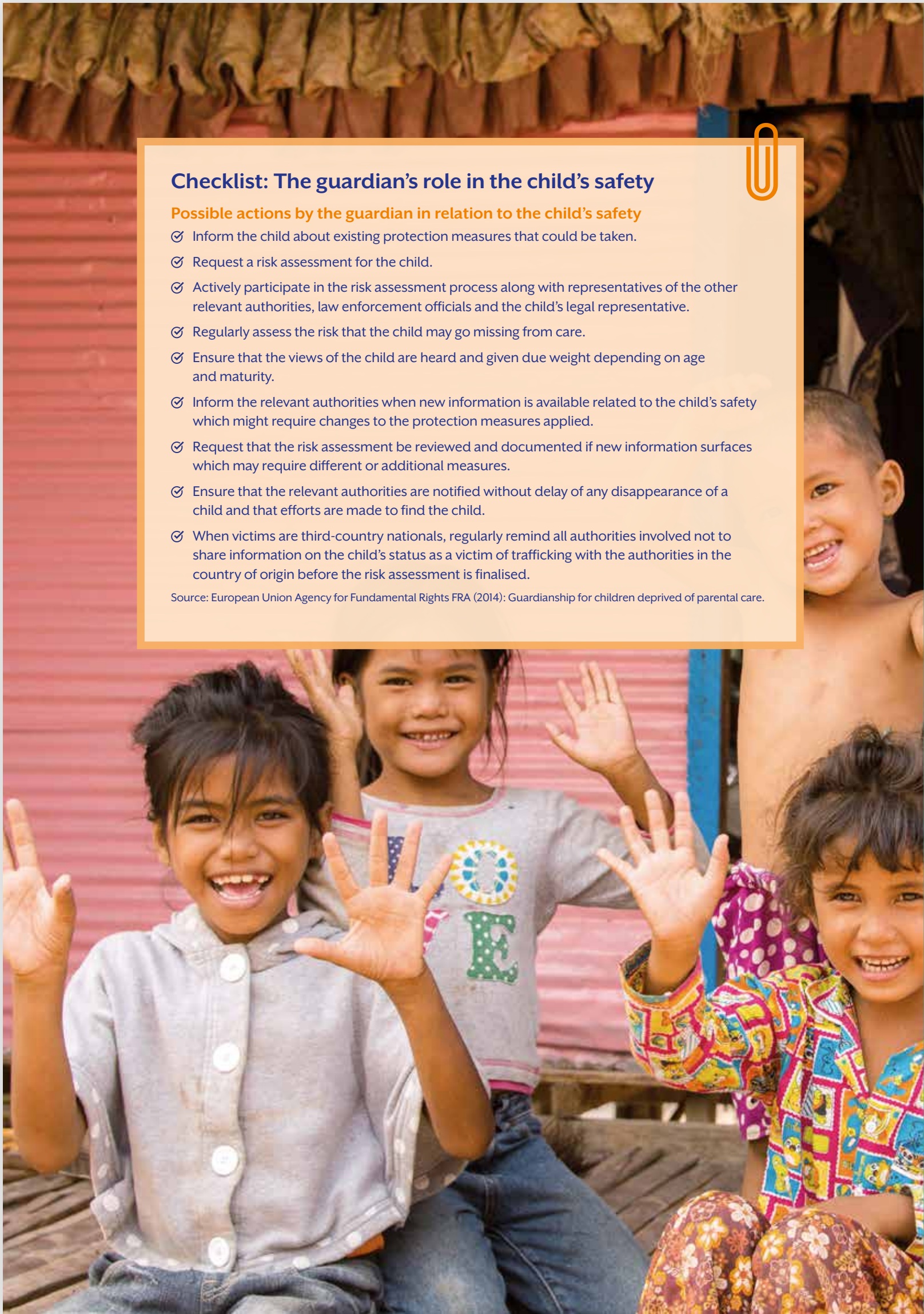
An individual support plan is a written agreement between the child on the move and the legal guardian or person of confidence. It describes the child's goals, and sets out how these goals can be met, when, and by whom (including by the child himself/herself). The goals are formulated in a SMART way: specific, measurable, acceptable, realistic, and time defined.

### Resilience

The resilience of children on the move can be improved by supporting them to be optimistic, accept his/her situation, look for solutions, escape the role of victim, take responsibility, expand personal contacts and relations, and create and develop future perspectives. For more information, see <http://refugeehealthta.org/physical-mental-health/mental-health/adult-mental-health/resilience-and-coping/>







**Checklist: The guardian’s role in the child’s safety**

**Possible actions by the guardian in relation to the child’s safety**

- ✔ Inform the child about existing protection measures that could be taken.
- ✔ Request a risk assessment for the child.
- ✔ Actively participate in the risk assessment process along with representatives of the other relevant authorities, law enforcement officials and the child’s legal representative.
- ✔ Regularly assess the risk that the child may go missing from care.
- ✔ Ensure that the views of the child are heard and given due weight depending on age and maturity.
- ✔ Inform the relevant authorities when new information is available related to the child’s safety which might require changes to the protection measures applied.
- ✔ Request that the risk assessment be reviewed and documented if new information surfaces which may require different or additional measures.
- ✔ Ensure that the relevant authorities are notified without delay of any disappearance of a child and that efforts are made to find the child.
- ✔ When victims are third-country nationals, regularly remind all authorities involved not to share information on the child’s status as a victim of trafficking with the authorities in the country of origin before the risk assessment is finalised.

Source: European Union Agency for Fundamental Rights FRA (2014): Guardianship for children deprived of parental care.

# Temporary integration and quality care arrangements in the host country

**Definition**

The process of implementing an individual support plan (Step 3) that assures quality care for the child on the move, and promotes personal development during their stay in the host country.

**Objective**

According to the individual support plan, adequate care arrangements are put in place to create a safe and stable environment for the child. The child on the move receives appropriate accommodation, and access to health services, education and training according to his/her needs. Efforts are made to socially integrate the child while professionals work towards defining a sustainable solution.

However, the process of finding a sustainable solution for the child on the move – one that is in their best interests (Step 6) – may take several months, or longer. Therefore, it is important to invest in the child’s temporary integration by improving personal skills and resources that will strengthen his/her resilience and promote his/her personal, social and educational development for the future... wherever that may be. It is a dynamic process – the individual support plan needs to be adapted according to the child’s development and changes to their circumstances that may occur.

**Step 4**

**1. Temporary conditions of life in extra familial care**

Ensure a professional accompaniment for each placement in extra familial care  
Ensure the wellbeing of each child when the extra familial care arrangement is assessed by trained staff  
Evaluate the child’s present environment and take into consideration the positive and negative consequences of removing the child from this environment  
Build trust between the child and the person of confidence in order to share experiences, fears and wishes  
Consider all areas of the child’s wellbeing and the resources needed for successful (re-)integration

**2. Life skills and education**

Whenever possible, ensure that the child is integrated in public schools  
Consider different types of training:  
Language courses / Living together within another culture /  
Direct integration in regular schools / Vocational training / Courses of how to manage daily life / Courses with a view to becoming independent

**3. Legal and administrative support**

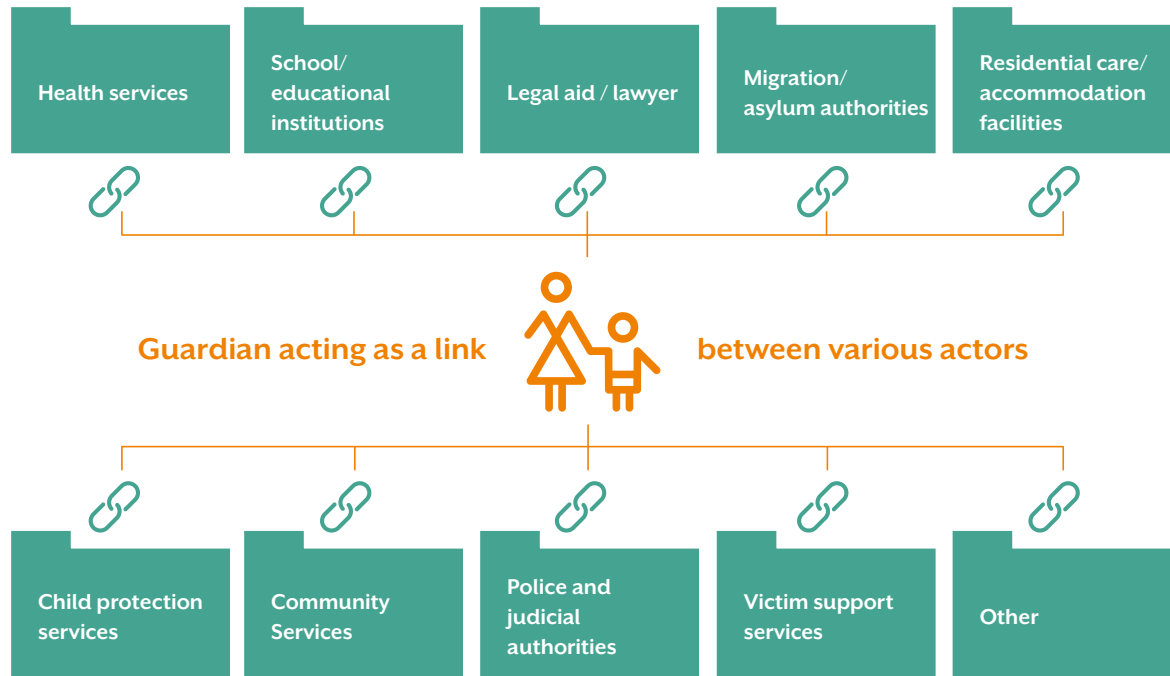
Guardian/person of confidence:  
• Represents the child’s interests and personal situation to authorities (eg, migration)  
• Ensures that the child has adequate living conditions allowing his/her development  
The child and the daily support network must inform the guardian/person of confidence about the wellbeing of the child and all situations that could create a change.



Step 4

Elements to consider

Tasks of reception and service providers



Source: European Union Agency for Fundamental Rights FRA (2014): Guardianship for children deprived of parental care  
Source: FRA, 2014





Accommodation

In general, there is a preference for small shelters, centres or structures. Experience shows that large centres with more than 100 children on the move are very difficult to manage. Moreover, personal relations can be difficult to develop when a large number of children are living in one place – and it’s nearly impossible to address the individual needs of vulnerable children on the move.

The younger the child, the more likely it is that a family environment would better meet their needs. The suitability of foster family placement depends on the circumstances and wishes of each individual. Nevertheless, the question of a family placement should also be raised when children on the move are younger than 14 years.

Group homes are alternative care arrangements where as few as two children on the move share the same accommodation but are accompanied by someone else in aspects of daily life or other forms of care arrangements.

The subject of accommodation is always linked to the subject of a reference person for the child on the move. Is there a consistent individual (professional or not) who the child has access to during their daily life?

Accommodation	Find age and gender appropriate accommodation that responds to the child on the move's special needs
Factors to be considered when deciding what accommodation is in the child's best interests	<ul style="list-style-type: none"><li>the child's own views and wishes</li><li>his/her accommodation before leaving the host country</li><li>his/her age, gender, gender identity and sexual orientation</li><li>any particular vulnerabilities he/she may have<sup>25</sup></li><li>any medical or psychological conditions, or disabilities</li><li>the child's cultural, ethnic or religious background</li><li>any past experiences of being exploited or abused</li><li>the child's ability to speak a language understood in the receiving country</li><li>the need for continuity of care<sup>26</sup></li><li>existence of family members or relatives in the host country</li></ul>
Types of accommodation	<ul style="list-style-type: none"><li>With family members in the host country</li><li>Placement in alternative care</li><li>Foster care (eg, placement with families of the host country or the diaspora)</li><li>Residential care</li><li>Shared apartments in small groups</li></ul>
Dos and don'ts	<ul style="list-style-type: none"><li>Involve the child on the move in the decision-making process for accommodation and prepare for placement</li><li>Accommodate children on the move in a child-friendly manner, separated by gender and from adults</li><li>Provide a daily structure to prevent the isolation of the child</li><li>Monitor and reevaluate the housing situation continuously</li></ul>

Questions to ask

- What type of accommodation would best suit the child – in terms of their age, gender, specific needs and proximity to family members?
- How can the child participate in the choice of accommodation?
- Is there access to a foster family agency for particularly young children on the move, or could a network of foster families be created? How should foster families be supported by professionals, and how could they exchange experiences?
- Does the accommodation provide the child with personal space?

Health services

There is no reason why a child on the move should not have the same access to medical and psychological help as any children from the host country. However, children on the move typically have a greater need for specialist health professionals, such as psychiatrists or therapists.

Questions to ask

- Is access to health and social-psychological professionals guaranteed?
- What kind of efficient models could be organised to ensure access according to the needs of the child on the move?
- Are specialists available for special health deficits or specific assistance (eg, trauma, abuses and all other forms of violence)?
- Is a budget allocated to cover the costs of health services?

Education and training	Ensure access to education or training as quickly as possible
Factors to be considered when deciding which education or training is in the child's best interests	<ul style="list-style-type: none"><li>Educational background, skills, expertise</li><li>Age</li><li>Interests, resources and ambitions</li><li>The labour market in the country of origin (with a view to eventual integration)</li></ul>
Types of training	<ul style="list-style-type: none"><li>Language course (if appropriate)</li><li>Living together within another culture</li><li>Life skills</li><li>Integration in regular schools – if of compulsory school age</li><li>Specialised or vocational training – if older than compulsory school age</li></ul>
Dos and don'ts	<ul style="list-style-type: none"><li>Conduct a skills assessment for the choice of the appropriate education</li><li>Avoid prolonged inactivity</li><li>Anticipate transition periods (eg, from compulsory schooling to vocational training)</li></ul>



Education and vocational training

Unless the child on the move has already received some form of international protection, it may not be known where he/she will spend the rest of their life. Therefore, any vocational training should be based not only on the child's skills and competences but also on the labour market in their country of origin, the host country or potentially a third country. When possible, children on the move should attend public schools that support local social integration.

Questions to ask

- What would the child like to do personally and professionally? Do his/her skills and competences match their interests?
- How can the present school system adequately meet the needs of the child?
- If there are difficulties with access to a public school system, what are the alternatives?
- Does the child on the move need to attend a language course before being integrated into the school system?
- What about children who have never (or hardly ever) been to school? Who is available to help?
- Is national vocational training always suitable for the child on the move?
- What's the best way for children without much schooling to attend the vocational training system?

Social integration and implication of the civil society

If the child on the move feels integrated in the society of the host country, he/she is likely to have better opportunities and feel stronger and more confident about life.

The question, therefore, is how social exclusion can be prevented. Involvement with civil society organisations, mentors or befrienders, neighbours or religious communities, and sports clubs not only builds stable emotional relationships in the host country, but also links the child to the local population.

Questions to ask

- Are there ways to integrate local young people and children on the move in a positive way? What can be done to avoid distinction between 'refugee', 'migrant' and 'local' children?
- Sport, music and other cultural activities are said to connect people – can this principle be used to integrate children on the move?
- Does the child on the move have hobbies that could be encouraged?
- How can civil society organisations, volunteers and neighbours be engaged? Are mentor or befriender projects possible?

Legal and administrative support

In several national contexts, where asylum procedures or migration control measures are prevalent, children on the move may need help from specialist lawyers or legal advisers to ensure their rights are respected.

Questions to ask

- Is there a local or national network of lawyers specialised in children's rights and migration? Are there cooperation mechanisms in place?



Step 4

Actors and their roles

The child	The child has access (according his/her needs) to psychological and medical care, as well as social services. Ensure the child's right to a dignified standard of living in all aspects, including food, health, clothing, hygiene, education and lodging.
The family	Support efforts to put the child in touch (or maintain contacts with) his/her family members and community of origin (if the child wishes to do so).
The professionals	The individual responsible for support demonstrates professionalism and is very demanding towards, particularly with regard to the legal framework. The person regularly seeks the view and perspectives of the entrusted child, taking into account the maturity of the child. In addition, the professional collaborates with colleagues and others involved in the regional network.
The community	Ensure the child's right to participate in community life (eg, sports clubs, cultural centres). Engagement with committed volunteers and their initiatives is also a good way for the child on the move to get to know the environment he/she lives in.

Reviewing care arrangements

A few months after a child on the move enters a care and protection scheme in the host country, it will be necessary to formally review the situation. This evaluation may involve discussions with the child about accommodation, education and training possibilities – as well as identifying needs for further health assistance, social integration or life opportunities generally.

All information gather should feed into a written report on the situation and the development of the child in the host country. This, in turn, will be relevant for the determination of a sustainable solution in the best interests of the child in the future (Step 6). Other actors in the child's support network may also provide information (eg, medical or psychological reports, and school tests) to complement the evaluation report.

Questions to ask

- Who is to carry out the evaluation and prepare a social report on the situation, development and progress of the child on the move?
- Has the child concerned had the possibility to express his/her views and to participate in the review of care arrangements?



## Step 4

### Overarching topics to explore

#### National child protection systems and the absence of formal systems

Where there are national child protection systems, or immigration or asylum reception procedures, responsibilities and formal competences are normally defined and structured. In other situations, dedicated persons, family communities, faith-based organisations or other civil society groups are better placed to be in the front line to protect the child. Collaboration between these informal systems must be supported in any way possible. Ultimately, however, it will remain the responsibility of a governmental authority to take responsibility for the care of all children who stay permanently (or pass through) its territory.

#### Requirements for child care workers

In many states, professionals have had social work or child protection training. Elsewhere, dedicated volunteers do a great job helping children on the move and their families. Regardless of (professional) background, people working with (and for) children on the move should be guided by the rights of the child, ethical values and legal standards. This includes a deep respect for the human dignity of every individual that takes into account cultural specificities.

#### Temporary integration in the host country

Essential assets for the child on the move's future are the basic elements of social life that include educational activities, relationships, values, self-image and motivation. Investment in these areas during the child's stay in the host country will help prepare them for a long-term integration in the host country or the re-integration in their country of origin or a third country.

#### Social evaluation report about the situation and development in the host country

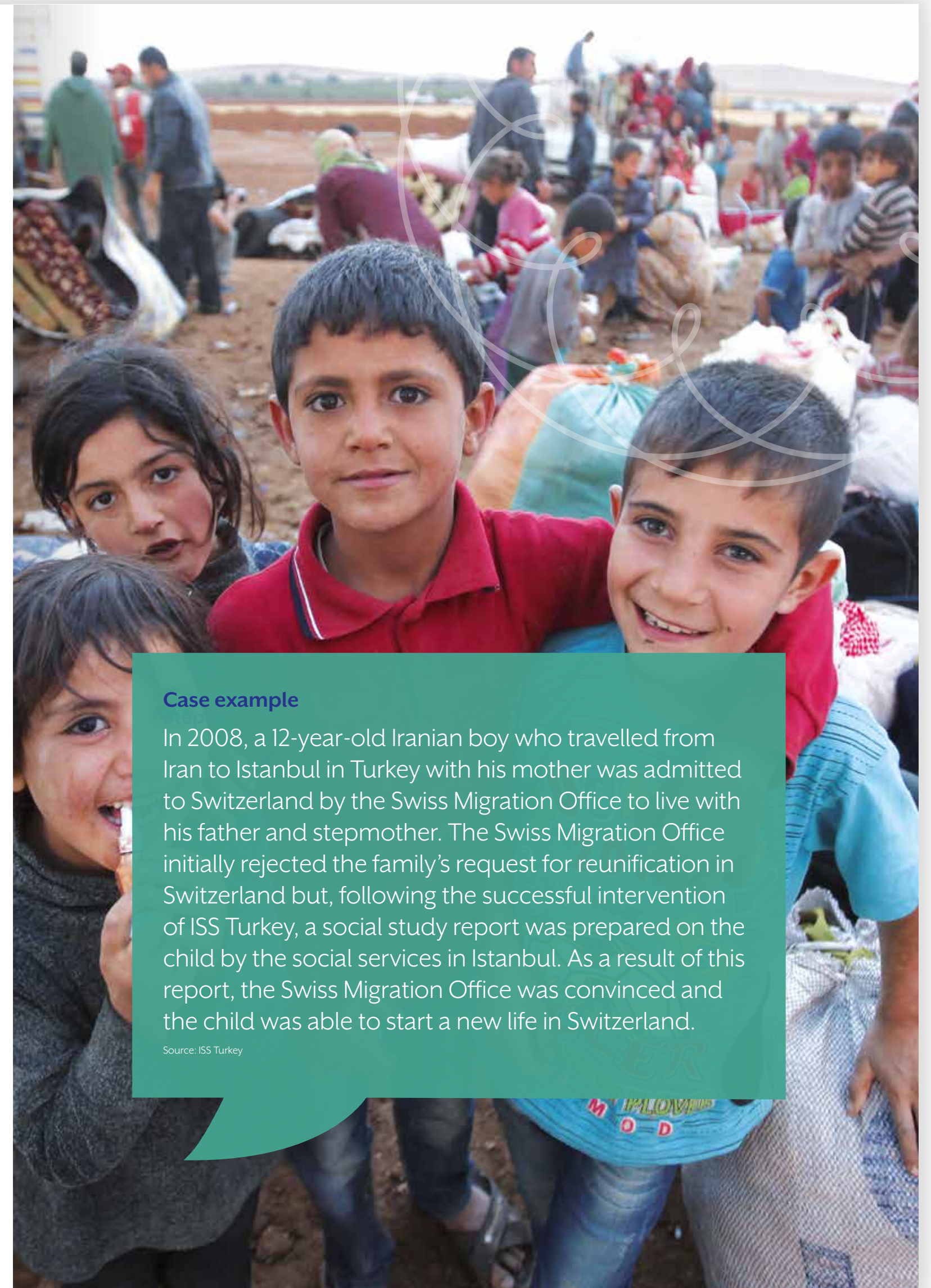
As part of determining a quality, sustainable solution (step 6), the actual situation and development of the child on the move in the host country should be described in a social report by the legal guardian or person of confidence. This written report is required to compare the situation in the host and the country of origin.

#### ISS-USA Community Survey tool

The ISS-USA Community Survey© for planning, repatriation and reintegration services is an in-depth compendium of community-level information about the resources, deficits and dangers within the community to which a child will be returned.

Data from the survey is used to determine if necessary support is in place to safely return the child and, if so, serves as a planning tool to establish links to services specific to the child's needs. If the Community Survey reveals that necessary services are not in place, ISS partners involved in the case may work to identify an alternative return location.

The survey has also been used successfully to illustrate that return to the home community is not in the child's best interests.



#### Case example

In 2008, a 12-year-old Iranian boy who travelled from Iran to Istanbul in Turkey with his mother was admitted to Switzerland by the Swiss Migration Office to live with his father and stepmother. The Swiss Migration Office initially rejected the family's request for reunification in Switzerland but, following the successful intervention of ISS Turkey, a social study report was prepared on the child by the social services in Istanbul. As a result of this report, the Swiss Migration Office was convinced and the child was able to start a new life in Switzerland.

Source: ISS Turkey





# Evaluation of the situation in the country of origin

## Definition

The process of locating the child's family, and evaluating family and community circumstances to determine if conditions are suitable for successful family re-unification in the country of origin.

## Objective

The evaluation of the situation in the country of origin is essential to understand the risks and opportunities that may arise from the child's re-unification. It informs the context around the right of the child to maintain family ties.

To find a sustainable solution that is in the best interests of the child, objective information about his/her family, extended family or formal caregivers is collected in a social evaluation report. The written report will inform the possibility of a family re-unification by assessing the family or caregivers' ability to meet the child's needs and fulfil their rights as a child. It also provides information about what kind of support the family and/or local community would require for the child's successful return and re-integration.

## When and by whom

When it is the child's best interests (with neither the child nor the family being put in danger), the family evaluation should be carried out as soon as possible. It is the responsibility of the legal guardian or the person of confidence (caregiver) to initiate the assessment.

## Step 5

### 1. Family tracing

After the initial assessment with the child, tracing members of the family may include parents, brothers and sisters, or other family members.

After the family is identified and located, a social evaluation must be conducted that assesses the situation of the child in relation to his/her family and determines the conditions under which the re-integration of the child within his/her family should be organised – if this is indeed in the child's best interests.

The child is aware of the visit to his/her family and is assured that the social worker carrying out the evaluation will only speak to the parents about topics the child has authorised.

### 2. Assessment and social report

Assess the reasons for the child's vulnerability and the circumstances that led to it. Try to understand the logic of the parents and identify how they understand the difficulties associated with their child:

- Family members' perception of the reasons for separation as well as other issues and problems coming from the family members
- Family's ability to care for the child in an adequate way
- Evaluate the support that is needed for the child as well as the family in view of an eventual family reunion
- Establish a follow-up plan and integrate it in the social evaluation report



## Step 5

### Elements to consider

#### Establishing or re-establishing family links as soon as possible

Every child has the right to maintain contact with his/her parents after separation as long as it is in their best interests. Therefore, it would help to have information about any existing contacts between the child on the move and his/her family so it can be included in the transnational request for a social assessment. However, it is possible the child may not wish to talk about it – and a social assessment in the country of origin cannot take place without the child's consent.

#### Questions to ask

- What is known about any contact between the child and his/her family members or close persons in the country of origin? What would the child on the move like to improve about this contact?
- What efforts are being made to gather the information about the child's contact with family members in the country of origin so it can be included in social assessment request?
- What information would the child on the move like shared with his/her family? What do they not want shared?

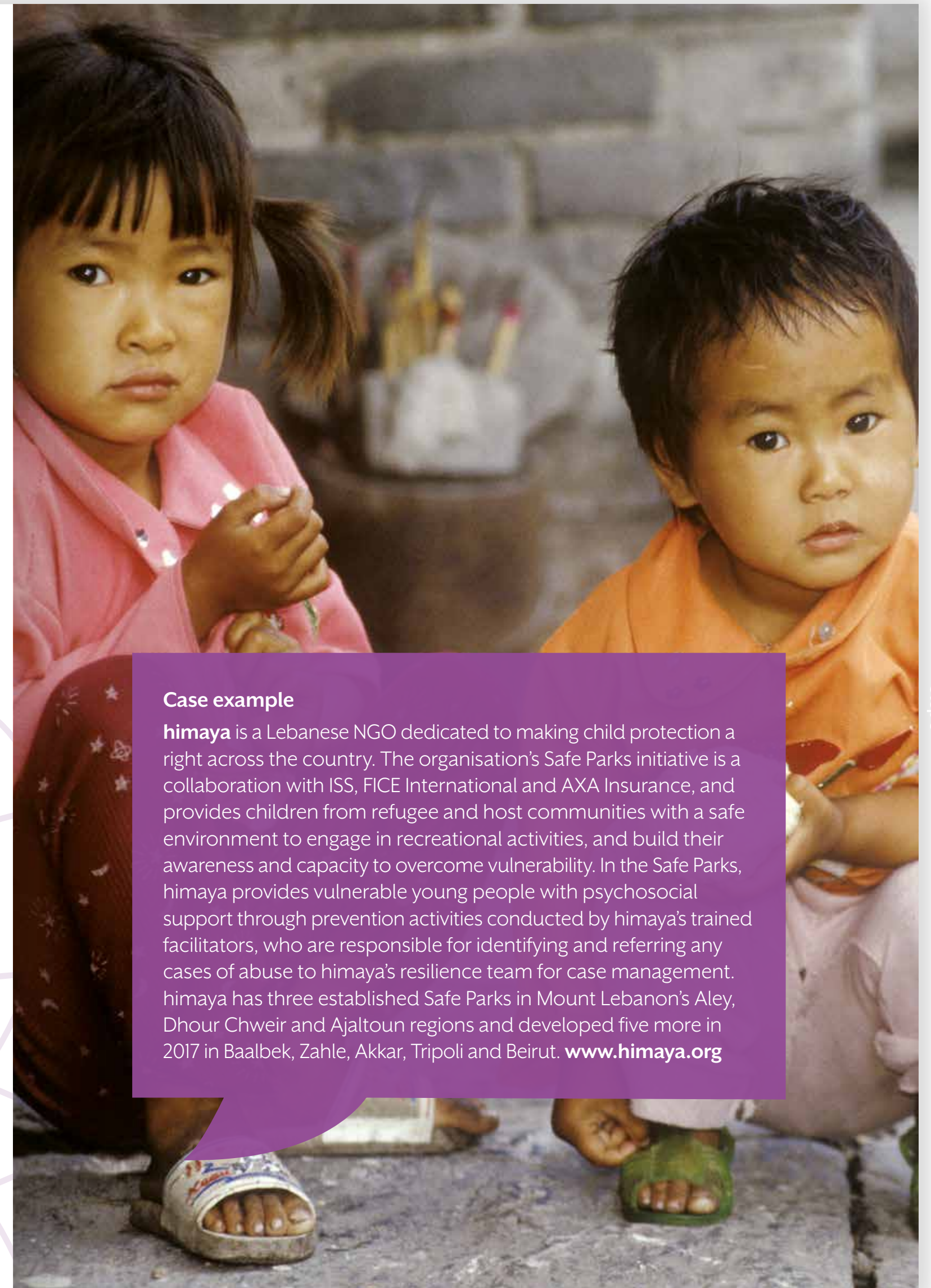
#### Transnational request for a social assessment of the child's family or other potential family members

Without objective information about the situation in the country of origin, the best interests of the child cannot be ensured and a sustainable solution cannot be determined. Proceeding with a social assessment in the country of origin is always based on the desire to find a solution in the best interests of the child. It is not motivated by potential interests of foreign or asylum authorities wanting to find a member of the family to facilitate a return of the child.

For example, the ISS network, with its experience and expertise in cross-border casework, plays an important role in this process. With its broad membership base, ISS is able to facilitate inter-country cooperation between partner organisations (including its members) at a local, national and international level.

#### Questions to ask

- Are there safeguards to ensure the child on the move has agreed to a social assessment of his/her family? Does the child completely understand the reasons why it is crucial to obtain all necessary information from the country of origin?
- Is it possible to improve cooperation between the ISS network partners and local partner organisations to improve the quality of the request to the country of origin?
- Is it possible for a social worker from the ISS network to be present (in person or perhaps via Skype) when the responsible care worker talks to the child about a possible social assessment in his/her country of origin?
- Do questions in the request focus on the child on the move's needs and interests?
- Are there specific questions about the separation between the child and his/her family that need to be addressed?



#### Case example

**himaya** is a Lebanese NGO dedicated to making child protection a right across the country. The organisation's Safe Parks initiative is a collaboration with ISS, FICE International and AXA Insurance, and provides children from refugee and host communities with a safe environment to engage in recreational activities, and build their awareness and capacity to overcome vulnerability. In the Safe Parks, himaya provides vulnerable young people with psychosocial support through prevention activities conducted by himaya's trained facilitators, who are responsible for identifying and referring any cases of abuse to himaya's resilience team for case management. himaya has three established Safe Parks in Mount Lebanon's Aley, Dhour Chweir and Ajaltoun regions and developed five more in 2017 in Baalbek, Zahle, Akkar, Tripoli and Beirut. [www.himaya.org](http://www.himaya.org)



## Step 5

### Assessment of the family situation

<b>1. Confirmation of child's identity and identity of family members</b>	<ul style="list-style-type: none"><li>✓ Family name and surname</li><li>✓ Place and date of birth</li><li>✓ Ethnic origin and religion</li><li>✓ Language(s)</li><li>✓ Current address</li></ul>
<b>2. Context</b>	<ul style="list-style-type: none"><li>✓ Who are the members of the family?</li><li>✓ What is the professional situation of the adults in the family?</li><li>✓ What is the socio-economic situation of the family?</li><li>✓ How is the general health of family members?</li><li>✓ How is the emotional climate of the family?</li><li>✓ Did the child live with the family before they left? If not, with whom did they live?</li><li>✓ Was the attending school before leaving?</li><li>✓ What was their health condition before departure?</li><li>✓ How developed was their social network before leaving?</li><li>✓ What are the reasons and circumstances for the separation from the family?</li><li>✓ How was the trip organised?</li></ul>
<b>3. Contact/ Maintaining family ties</b>	<ul style="list-style-type: none"><li>✓ What is the relationship between the child and family members?</li><li>✓ Has the child made contact with their family since the departure? If so, with whom and how?</li><li>✓ Does the family plan to keep in contact with the child? How?</li><li>✓ Does the child have other contacts in the country of origin (extended family, support persons)?</li></ul>
<b>4. Goals</b>	<ul style="list-style-type: none"><li>✓ What are the family's expectations and wishes about the child's future?</li><li>✓ What are the resources and needs of the family?</li><li>✓ What measures does the family have to support the young person's return to their family of origin?</li><li>✓ Specific questions after listening to the child</li></ul>



## Step 5

### Assessing the socio-economic situation

The assessment of the socio-economic and political situation in the country of origin must contain the following information:

<b>1. Security</b>	<b>Are there risks for the child on the move?</b> <ul style="list-style-type: none"><li>• Political conflicts and/or armed conflicts</li><li>• Risks created by family situation</li><li>• Others</li></ul>
<b>2. Protection and re-integration</b>	<b>Supervisory</b> <p>Gather information on the existence of adequate structures providing long-term support:</p> <ul style="list-style-type: none"><li>• Institutions for children and vulnerable young people</li><li>• Services for temporary reception, family tracing and integration assistance</li></ul> <b>Training</b> <p>Gather information on the possibilities of continuing training:</p> <ul style="list-style-type: none"><li>• What are the educational facilities available?</li><li>• What is the quality of educational services?</li><li>• What training could the young person continue?</li></ul> <b>Health care</b> <p>Gather information on the availability and quality of health care:</p> <ul style="list-style-type: none"><li>• Are there support structures to meet the medical and psychosocial needs of children on the move?</li><li>• What is the quality of service given the needs of the child on the move?</li></ul>
<b>3. Community</b>	<p>Gather information on the <b>attitudes and customs</b> of children on the move:</p> <ul style="list-style-type: none"><li>• Is there a possibility of re-integration into the community?</li><li>• How is the community's ability to support children on the move?</li><li>• Is there a support person in the community?</li></ul>

ISS Guidelines: Unaccompanied and separated children, 2012.

### Social report

A written social evaluation report in the country of origin is essential in the process of determining a sustainable solution.

### Questions to ask

- Is there clear agreement about who will have access to the social evaluation report in the host country? How will the child concerned be informed about the report's content?



## Step 5

## Actors and their roles

<b>The child</b>	When the re-integration of the child in his/her family proves impossible and/or contrary to the best interests of the child, alternative care arrangements shall be assessed in the country of origin with a view to an eventual placement within a secured family environment with relatives or others.
<b>The family</b>	Evaluate the strengths and weaknesses of the family of origin to help the family overcome difficulties and, if possible, maintain a bond with the child. A possible foster family should be ready to accept and maintain bonds with the family of origin. Families of origin or foster families, if possible, should be prepared for a possible return and re-integration of the child on the move.
<b>The professionals in the country of origin</b>	These individuals are persons of reference to whom the child, the parents or the adults involved in alternative placement can refer to at any moment. Professionals make known their availability and commitment to ensure a bond between the foster family and the family of origin in order to promote a positive relationship between the child and his/her family.
<b>The community in the country of origin</b>	The community might know about violence and other forms of mistreatment. Stakeholders of the community might be an important resource within the assessment procedure and their observations or experiences might be important issues to integrate in social evaluation report.

## Overarching topics to explore

**Child on the move refuses contact with his/her family**

If a child refuses to get in touch with his/her family or other former caregivers, this wish must be respected. It might be a strong indicator of a situation of risk, a lack of confidence with the professional in the host country, or an indication that the child is afraid of being in contact with his/her family.

**Issues of approaching family in the country of origin**

When meeting the family, it is essential to inform the parents or other family members about the purpose and objectives of the home visit and assessment. Case workers should be aware that parents might have received different information from their child abroad than that obtained by the case workers from their colleagues in the host country. When it comes to determining what information is shared with the family, the wishes of the child on the move must always be respected.

# Determination of a sustainable solution in the best interests of the child on the move

## Definition

The determination of a practical, sustainable solution that is in the best interests of the child on the move in the country of origin, the host country or a third country.

## Objective

All information gathered in the previous steps should be analysed by a multi-disciplinary panel, with the participation of the child concerned (directly or represented by the legal guardian or case worker). By considering all elements of the child's situation in the host country and the family situation in the country of origin (and, in turn, assessing the likelihood of successful re-integration), an individually tailored, sustainable solution that respects the best interests of the child can be determined.

## Step 6

## 1. Inter-disciplinary decision

- Preparation of all information available on the child's and his/her family situation
- Taking in account the view of the child and the view of the family
- Inter-disciplinary meeting with the participation of the child according to his maturity
- Decision based on criteria linked to the child's needs (security, stable relationships, conditions to develop future perspectives)
- Significant risks on any sustainable solution identified



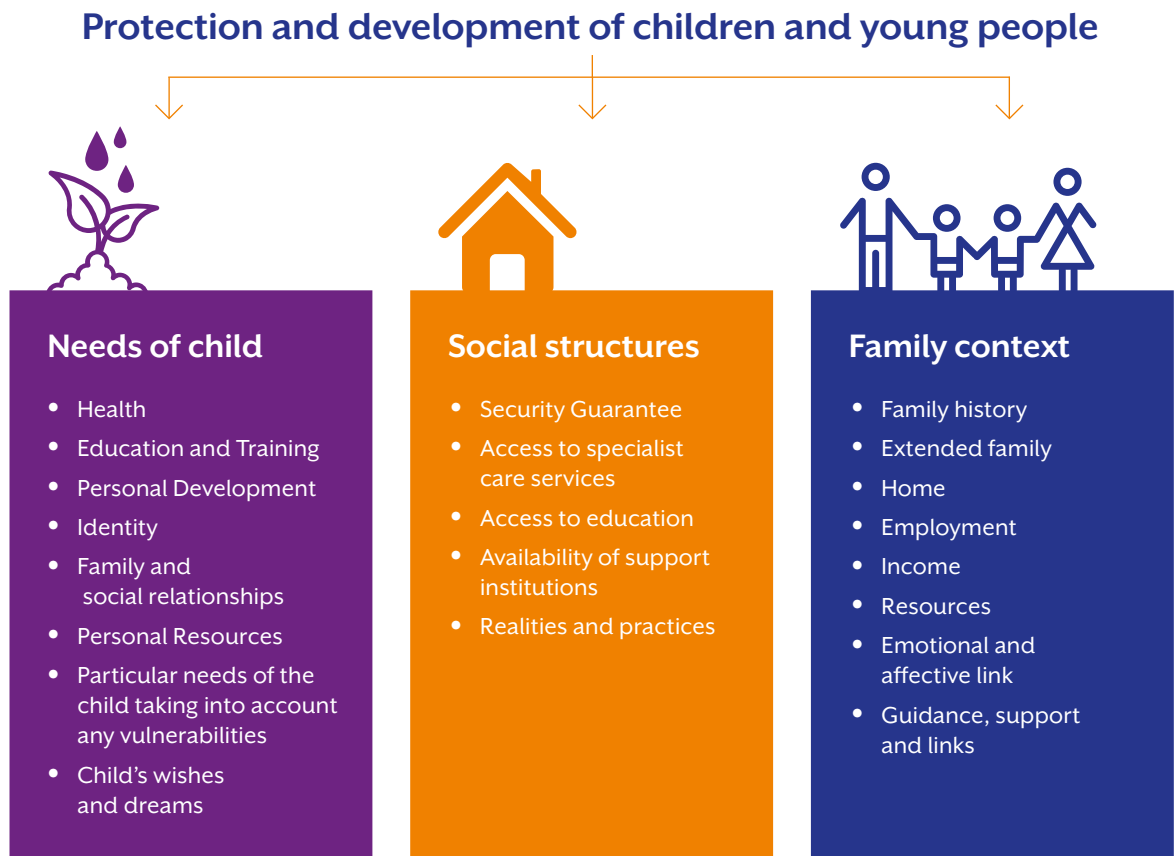


Step 6

The following guiding principles are essential when ensuring that the sustainable solution is in the child's best interests:

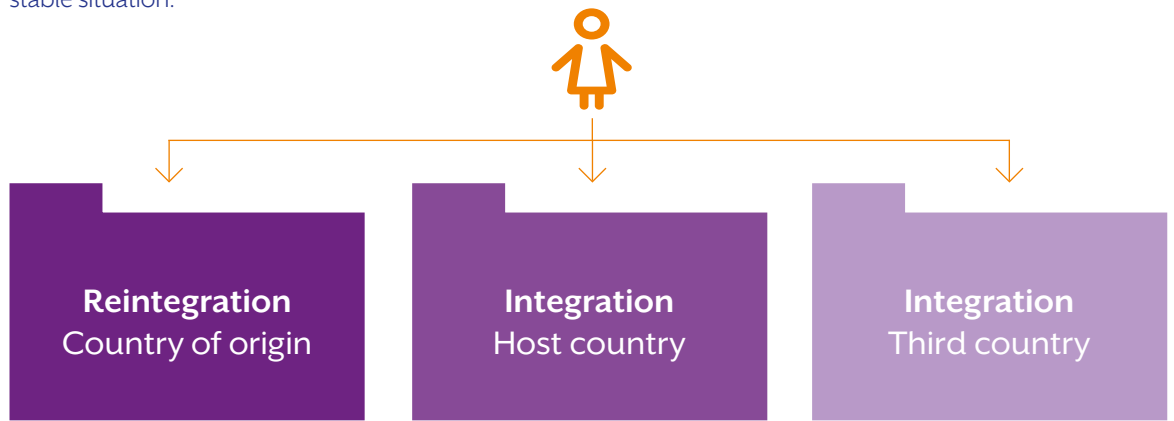
- The child on the move lives in a secure environment
- The child on the move has (or has the potential to develop) a stable relationship network
- Conditions are fulfilled so the child on the move can develop plans for his/her future

The following graphic shows the guiding principles in more detail:



Geographical options

There are generally three geographical options for sustainable solutions: re-integration in the country of origin, integration into the host country or integration in a third country (eg, along with the whole family or within a resettlement program). It is important to consider that, depending on the child's situation, the search for a sustainable solution may require a combination of two or three of these options until the child reaches a stable situation.



Case example

After leaving the Dominican Republic, my son's biological mother abandoned him in Switzerland with a friend he didn't know. Soon, officials in Switzerland became involved. Social workers in Switzerland and the Dominican Republic coordinated research (starting with tracing and evaluation) and identified me as the father. Based on this, my son returned to his country of origin. My son is now living with me in the Dominican Republic with the support of my family and social workers, who are still monitoring the case.

Marlon, Dominican Republic

Source: Consejo Nacional para la Niñez y la Adolescencia Dominican Republic – ISS Dominican Republic





## Step 6

### Elements to consider

#### Information gathering

It is a challenge to obtain all possible information required to make decision on a child on the move's future. Therefore, it is essential that there is a central person who coordinates and takes responsibility for ensuring all information is collated in one place. Formally, this would be the responsibility of the legal guardian responsible for making sure the child's best interests are taken into account in all decisions affecting them. Alternatively, this role can be entrusted to the person of confidence in charge of the child in the host country.

#### Questions to ask

- What mechanism are in place to ensure all relevant information from the host country (as well as from the country of origin) is gathered?
- Will information from medical doctors, psychologists and schools be taken into account?
- How will the child on the move participate in the process? How will he/she know they have a right of access to the information?

#### A balance between the resources and the wishes of the child and the family and environment/community

A child-centred approach always concentrates on the resources of the child. However, when determining and implementing a sustainable solution, family and community also need to be considered. The child's experiences from the past and from the migration journey must be included. Ultimately, however, a long-term plan will be based on a balanced view of the child's resources and ambitions, and resources of his/her family and environment (in the case of return and re-integration).

#### Questions to ask

- How has the child on the move developed coping techniques in the host country that would allow him/her to better deal with past traumatic experiences or other vulnerabilities? (See also 'Resilience' in 'Overarching topics to explore', in Step 3)
- How can the resources of the child on the move be integrated in the determination procedure for a sustainable solution?
- How can the child's experiences from the past and the migration journey be integrated in a sustainable solution?
- Have the views of the child on changes they want for their situation been taken into account?
- What is known about the resources of the family and the community in the country of origin? How could they be supported in the case of eventual return and re-integration?

#### The context of determining a quality, sustainable solution

ISS network partners can evaluate the sustainable solution process and its steps within their country, and get involved to promote the best interest principle and its application for children on the move. (ISS network partners do not normally have any decision-making powers when it comes to determining a sustainable solution for a child on the move but can influence the decision-makers.)

In reality, decisions are made in many countries that favour immigration or asylum procedures and do not take into account the child's best interests. These procedures may hinder the implementation of a quality, sustainable solution that focuses on the child's needs and individual development. As a result, children on the move can seldom choose their own sustainable solution.

Even if a sustainable solution decision is not in the child's best interests according to child rights specialists, everything possible must be done to avoid too many negative consequences. At the very least, the immigration procedures should place the child at the centre, with efforts to help a child increasing at this stage, and more support required from transnational child protection specialists.

## Step 6

It should be noted that in a number of states, immigration or asylum authorities do in fact grant refugee status (or at least subsidiary protection) in cases where it is impossible to return the child to countries or regions because of war or other crisis.

Regardless of the circumstances, an individual support plan for the child's social and professional integration in the host country is required. However, any family left behind will remain an important issue for the child on the move and needs to be considered.

#### Questions to ask

- In what areas is it possible to promote the sustainable solution process for children on the move in the ISS network partner's country? Are there potential connections with political or administrative decision makers? What other promotion possibilities are there within the child protection system?
- What role can the ISS network partner play when decisions are made that do not seem to respect the child's best interests? In such situations, how does the partner communicate with other local, national and international partner organisations? What is the best way to communicate with the child?
- How can one ensure that the child receives the necessary support and assistance in the host country and the country of origin?
- Before implementing the sustainable solution, have the experiences of the child on the move been taken into account?
- In the case of return decision, is it possible for the child to first complete vocational training in the host country?

#### Determination of a sustainable solution

The determination of a sustainable solution is a crucial decision within a complex set of circumstances. Therefore, the analysis of all information gathered, and the decision-making process is best carried out by a panel of inter-disciplinary professionals. A typical panel will include a legal representative or care worker, a social educator, the person of reference, a person from the foreign or asylum authority, an expert on the country of origin and (depending on the situation) other experts, such as a doctor and psychologist (or, again, the person of reference, who may eventually be the child's teacher) who know the particular vulnerabilities of the child concerned.

#### Questions to ask

- How is the participation of the child in the decision process assured?
- Is the child-rights approach (a framework that enables children on the move to grow up in safety, to develop in an environment with stable relationships, to build their prospects and fulfil their potential) the main criteria when deciding on the child's future?
- How can ISS network partners or their local partner influence the decision of the sustainable solution in the national context? How can the ISS network partner demonstrate ways for the best interest principle to be applied?





Step 6

Safeguards in the sustainable solution procedure

With such important decisions being made about the child’s future, safeguards are required. For example, multi-disciplinary analysis, written and reasoned recommendations, independent decision-making and robust appeal-review mechanisms.

How to balance the different elements informing the sustainable solution for the child on the move within a multi-disciplinary panel

Re-integration in the country of origin

Prepare the child on the move and their family for a future life together, ensuring that the child can evolve safely and in a stable relationship environment.

1. Conditions	According to the assessed opportunities and conditions in the country of origin, and the child on the move’s resources (see also Step 4).
2. Determining elements for a decision to re-integrate	<p>Any decision must be based on a social evaluation report and be in the best interests of the child on the move, taking into account:</p> <ul style="list-style-type: none"><li>• their personal history,</li><li>• their emotional and psychological needs,</li><li>• their wishes and fears,</li><li>• the situation of the country of origin in terms of security and future prospects,</li><li>• the ability of the family or the community to take charge on their return, and/or</li><li>• the degree of integration in the host country and the duration of absence from the country of origin.</li></ul>
3. Steps to respect	<p>Be sure to prepare the steps of return and re-integration in detail.</p> <p>Define with each child:</p> <ul style="list-style-type: none"><li>• an action plan, and</li><li>• a concrete life project in terms of education, training and employability.</li></ul> <p>Ensure that:</p> <ul style="list-style-type: none"><li>• there is a continuation of medical and psychological treatment according the needs of the child on the move upon return, and</li><li>• there is a continuation of the vocational training upon return.</li></ul>

Step 6

Integration in the host country

Establish a sustainable solution in the host country if a return to the country of origin is not feasible for legal or practical.

1. Conditions	<ul style="list-style-type: none"><li>✓ Residency or other stable permit to stay</li><li>✓ Support measures for integration</li></ul>
2. Determining factors for integration	<p>Develop a project of social and professional integration with the child to facilitate their long-term integration in the host country.</p> <ul style="list-style-type: none"><li>✓ Coordination of care by a reference person (legal representative, educator, social worker)</li><li>✓ Orientation to the various competent services</li><li>✓ Access to individualised support</li><li>✓ Access to social integration measures</li><li>✓ Access to legal support if necessary</li><li>✓ Housing search assistance</li><li>✓ Support related to training</li><li>✓ Support in job search</li></ul>
3. Steps to respect	<p>Promote the establishment of new bearings.</p> <ul style="list-style-type: none"><li>• Encourage children to develop their social network, inviting active participation in the life of the host society</li><li>• Encourage children to keep in regular contact with their culture and place of origin, especially their family if possible and in their interests</li></ul>

Resettlement in a third country

Establish a sustainable solution in a third country when the child is not able to return to their country of origin, when a solution is not possible in the host country or (especially) when there is also established in the third country.

1. Conditions	A separated child should be transferred to a third country only if the decision is considered in their best interests (eg, resettlement programme) and/or for family re-unification.
2. Determining factors for a decision to transfer	<p>The transfer of a separated child must be in their best interests and meet the following guarantees:</p> <ul style="list-style-type: none"><li>• Search for family</li><li>• Evaluation of the situation of the family in the third country</li><li>• Resume contact between the child and their family</li><li>• Family re-unification as possible in the third country</li><li>• Continuity of care</li><li>• Continuity of education and training</li><li>• Legal status in the third country</li><li>• Link with ethnic, religious and/or linguistic culture of children</li></ul>
3. Steps to respect	<p>Transfer to a third country is a complex process that must be included in the life project of the child.</p> <p>Establish a similar plan of action as for re-integration.</p>



Step 6

Actors and their roles

The child	The child on the move's participation needs to be assured and can be respected in different ways directly or indirectly depending on the child's wishes and their individual situation.
The family	The participation of the family of origin or potential foster family in the country of origin is respected through their statements and through the assessment report. The participation of an eventual foster family in the host country is guaranteed through the social report about the actual situation of the child concerned.
The professionals in the country of origin	The participation and the point of view of the professionals or case workers in the country of origin is guaranteed through the assessment report. The professionals on the BID panel are dedicated to the 'best interest' principles. Their experiences with children on the move and their analysing skills allow them to collaborate with other professionals to find the sustainable solution that respects the best interests of the child on the move.
The community	

Overarching topics to consider

Aged-out children

The term 'aged-out minors' refers to separated children who arrive as children and become adults during their stay in the host country.

A significant number of separated children reach the age of 18 during their stay in a host country. Upon reaching adulthood, the majority of young people leave the system of care for children. In practice, some countries (but too few) seek to ensure follow-up care and coaching of young adults to the age of 25.

Several difficulties are particularly prevalent with young adults, especially access to training, coaching and building their future. Even if they can attend school, access to vocational training, scholarships or employment is often restricted. In general, many host countries do not distinguish between adult migrants and separated children turning 18 during their stay in the host country. Consequently, host countries do not distinguish between majority and independence.

Vocational training is one of the best paths to personal and financial independence, and every young person should be able to develop according to their skills and interests. In the same way, every young person who is obliged to return to their country of origin should be able to complete any training and be supported through a reintegration programme. To support these efforts, quality care that lasts beyond 18 years of age has proved essential.

There are only two specific age-related legal categories that define and distinguish a child from an adult: minor and major. However, the gap to reach adulthood is substantial. Adolescence is considered by the World Health Organisation as the period of development between the ages of 10 and 19. It is followed by the period of youth, which extends to 25 years. Both involve significant physiological, psychological and cerebral changes.

Therefore, the period from 10 to 25 years is critical to the development of children and young people, especially where there is deficiency or trauma during childhood. Many harmful developments and behaviours

occur during this age, as well as problems related to mental health, accidents and violence, nutrition and chronic diseases. The identification of specific needs of young people, the everyday environment in which they operate (place of residence, school, work, and social life) and empathy afforded to them are therefore crucial.

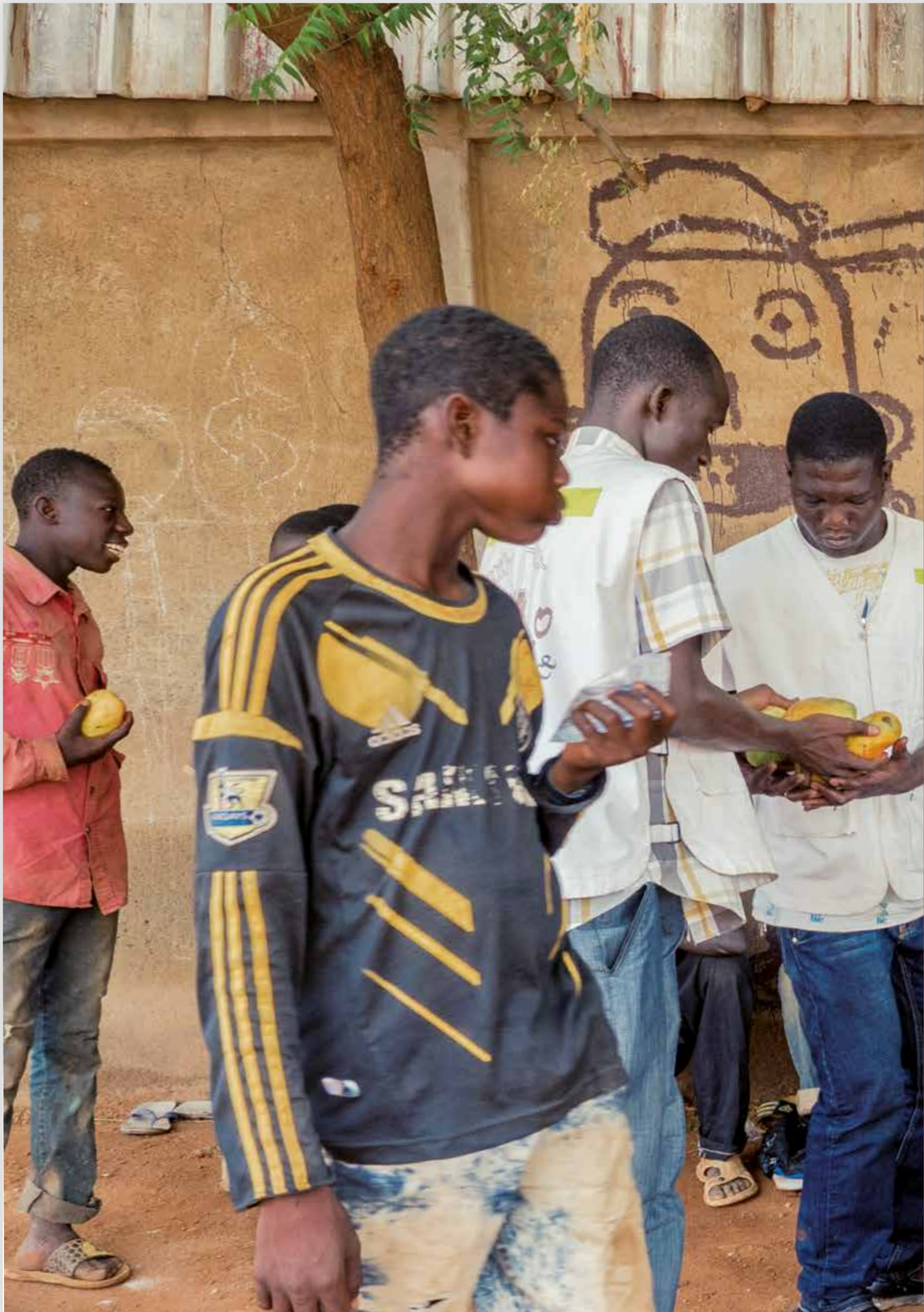
Alternatively, the construction of identity is one of the central tasks of adolescence. Becoming adult in a new environment involves the construction of new benchmarks and new reference figures. Finding a balance between their original world and the world of the host country plays a key role in identity construction and development of young migrants.

ISS strongly recommends there should be a flexibility regarding the treatment of aged-out minors because in some contexts it is not clear who is a child and who is an adult (for example, in Africa there is an issue of birth registration). In some countries, the migration authorities tend to consider unaccompanied minors as adults and treat them as such. However, any doubt should always favour the individual – young adults who left their country as unaccompanied minors should be treated as children and benefit from protection measures until their first graduation, precisely because they were vulnerable during their child age.

A quality of care in favour of this group until the possible return and reintegration, or until the young adult concerned becomes (socially and financially) independent, should always be assured.







# Implementation of the sustainable solution

## Definition

The development of an action plan to implement the sustainable solution for (and with the participation of) the child on the move.

## Objective

After a sustainable solution has been determined (Step 6), a long-term action plan is required to set the child on an appropriate 'life course' that supports his/her development into adulthood. The action plan (or 'arrangement plan', see below) defines roles and responsibilities for each actor in the host country, country of origin or third country.

The action plan will include references to education, training and employability, and will highlight where coordination and cooperation is required between actors, and if support is required for the child's family and community.

### Step 7

#### 1. Organisation of family re-unification or alternative care arrangements in the country of origin

- Eventual placement into temporary alternative care in the country of origin
- Eventual identification of new permanent home for the child in the country of origin and organisation of the accompaniment of this placement
- Preparation of child, family and community for re-unification by accompanying network in the country of origin
- Arrangement plan defines roles and prepares work of each actor in both countries related to the child and the family
- Child needs to recognise that his/her role and 'identity' may have to change in comparison to the situation before separation
- Returning to school or education is an important part of returning to 'normal' life
- A well implemented re-integration process is a clear opportunity to engage the prevention of further separation

#### 2. Transnational case management

- Cooperation among all relevant actors involved in the country or countries concerned to ensure a transnational case handover
- Case transfer must be undertaken with the permission of the child and the family, and in a clearly documented manner
- Regular contact between child and family before re-unification takes place

#### 3. Full integration in the host country

- Establish an integration plan in the host country concerning housing, schooling, reference person and social life
- Ensure that the child stays in contact with important persons in the home country



## Step 7

### Elements to consider

#### Establish transnational case management for a continuity of quality care

A pre-condition for the successful implementation of a sustainable solution for the child on the move is collaboration between all relevant actors involved in the country or countries concerned (eg, immigration and border control, social workers and legal professionals). If the sustainable solution for the child occurs in the country of origin or a third country, it is essential to ensure a transnational case handover.

In this way, professionals can provide continuity of guardianship, care and exchange of essential information related to the child's situation. Furthermore, although many efforts are made to establish a re-integration project plan, many aspects are difficult to plan or foresee before return and may require modification. For this reason, it is important to identify a responsible case worker or person from the civil society who is accessible to the concerned child during the re-integration period.

The ISS network is well-placed to facilitate transnational case management that safeguards the best interests of the child while a long-term life project involving two or more countries is being implemented.

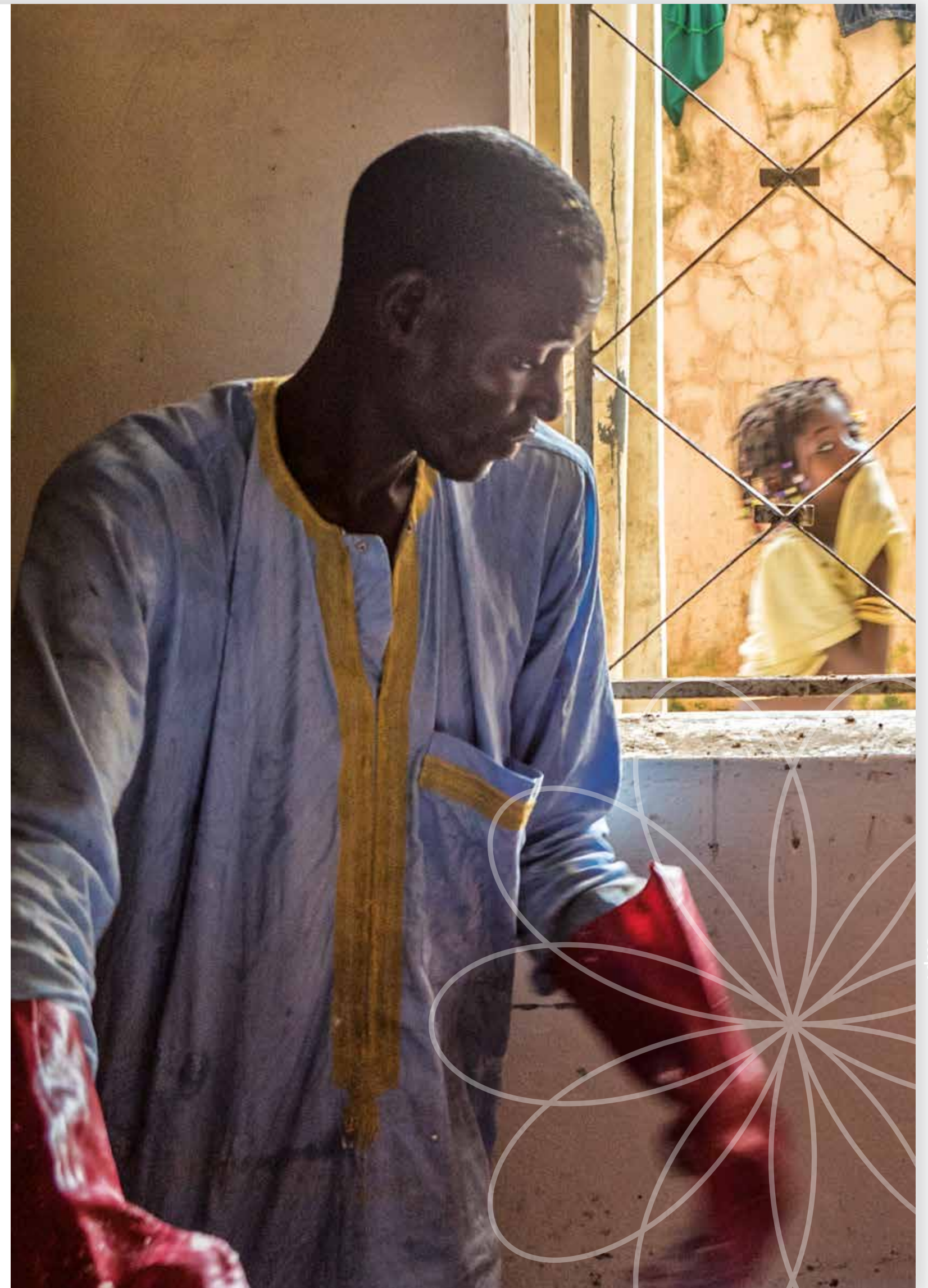
#### Re-integration in the country of origin or resettlement in a third country

Return and re-integration of children on the move often involves countries with limited resources or experience to do so successfully. In such cases, there are potential benefits from linking migration management and return assistance to national or international development aid.

A well implemented re-integration project not only benefits the child but also helps the countries involved, as re-migration is likely in the future. Furthermore, services to assist the re-integration of children on the move after their return need to be open for all children and young people in the country of origin.

#### Questions to ask

- Who makes sure of regular contact between the child and his/her family (by phone or other communication channel) prior to their return?
- What kind of 'farewell ritual' prior to return could help the child and his/her close friends?
- Who is involved in and who coordinates the re-integration project plan? Are contact points, responsible persons in the country of origin or third country (professional or persons from the civil society) identified who will accompany and provide help and support to the child and his/her family within the re-integration process?
- What support needs to be put in place so the child can maintain contact and relationships with important people in the host country after their return?
- What can be done in the country of origin to stop the child feeling their return is a 'defeat'? What is the best way to tell the family and the community about the circumstances leading to the child's return and re-integration? What can be done in to ensure the child who was on the move is welcomed back home?
- What positives can the child take from his/her migration journey or stay in a host country that could help his/her re-integration?
- Who should work with the host community in the country of origin?
- What ideas are there to support communities to generate income?





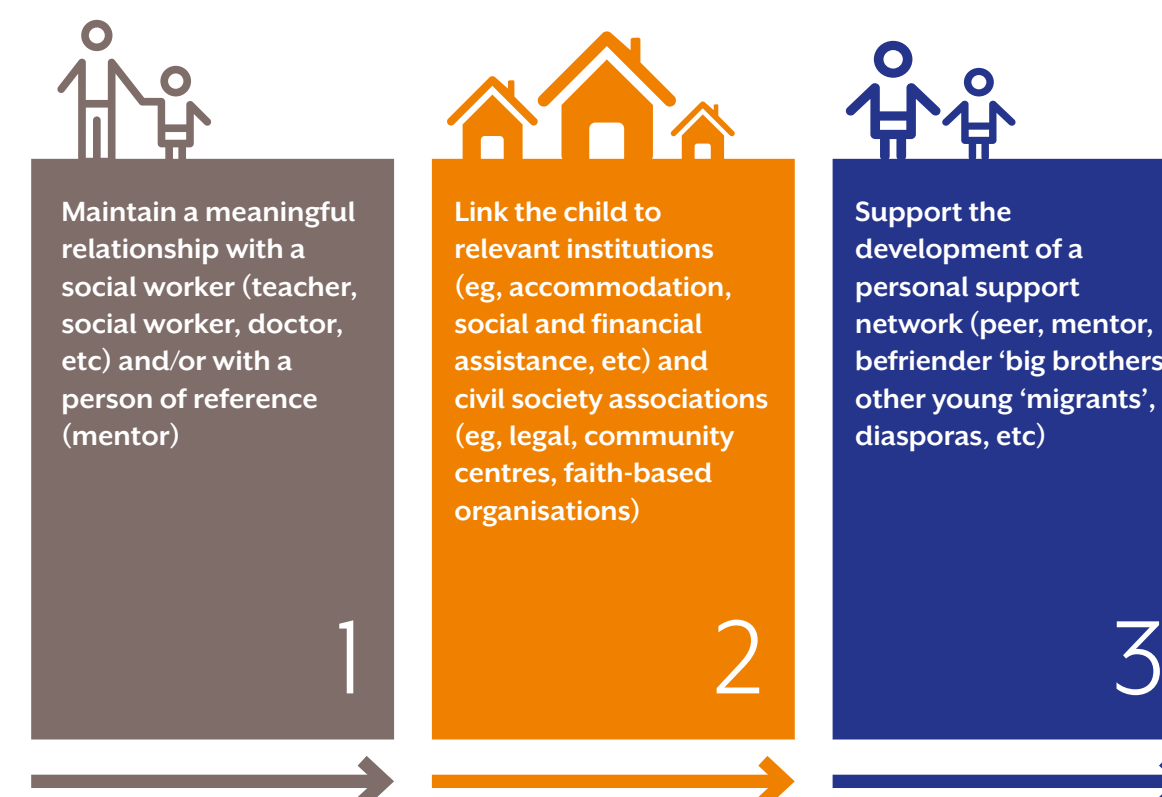
### Full integration in the host country

For reasons of war, crisis, instable country conditions and others – but also as a consequence of all information gathered about the child's individual situation (Step 6) – it might be concluded that a return to the child's country of origin would not be in his/her best interests (or perhaps he/she already receives international protection in the host country). Consequently, to ensure the continuity of quality care, the child needs to be supported on a socio-integrative level to help him/her become an autonomous, independent and active member of society in the host country.

#### Questions to ask

- Who are the actors, and how should their roles be defined, to guarantee the continuation of quality care in the host country when it comes to social, educational and professional integration?
- How can the child be assured the same access to vocational training as local young people?
- Who is responsible for ensuring that the child maintains contact with important people in their country of origin to help him/her develop a proper sense of identity?
- How can persons of reference/mentors/befrienders within the civil society be identified and accompanied? Who from the civil society can assist the formal support network for the child when it comes to emotional stability, full integration or transition into adulthood in the host society? How can ISS members facilitate this phase?

### Becoming an autonomous, independent and active member of the host society



### Arrangement plan

Coordinate the various stages of the return and reintegration by determining each stakeholder and their roles and responsibilities:

- 1. Assess the reintegration options (see Step 5)**  
Evaluate in advance the acceptance opportunities in the family, extended family or in a suitable structure.
- 2. Prepare the child on the move**  
Discuss reintegration options with the child concerned and establish a feasible reintegration project.
- 3. Arrange the departure and travel with the assistance of the competent organisation**  
Travel documents, The flight and airport assistance, The arrival in the country of origin.
- 4. Ensure family and social reintegration**  
Prepare the family for the return of the child (expectations, fears)  
Ensure the physical and emotional requirements (resources, limitations) defining appropriate support measures for the child and his/her families.
- 5. Ensure the safety of all persons concerned**
- 6. Provide psychological and medical support if necessary**  
Identify and contact the appropriate structures.
- 7. Establishing a training or work project**
- 8. Provide individualised follow up in the form of accompaniment and reintegration support**  
Work with competent organisations or civil society on site.

Note: If the parents or extended family cannot (yet) take care of the child on the move on their return, it is imperative to establish specific and adequate reception arrangements, including the defining of a reference person who coordinates the various responsibilities in regards of the child concerned.



Step 7

Actors and their roles in the country of origin

The child	The child concerned learns that his/her return and re-integration is not a failure – instead they take advantage of the positive aspects and learnt skills from and during his/her migration experiences. The child must feel respected by his/her family and community members. The child should be prepared for the different options and, therefore, more than one scenario should be envisaged and shared with the child.
The family	Family members support the child in his/her educational and professional path and allow him/her to access education and vocational training as well as a social life. It takes some time to reconnect emotionally with the child especially if he/she has been away for a long time. The family needs to be patient and understands the child’s experiences during his/her journey.
The professionals	Provide psychological counselling and support for the parents so they can assume their role. Parents or other family members should receive adequate support for their parental competences and skills and/or economic situation by engaging in activities that generate revenue. Professionals provide the support that cannot be provided by the parents or the community.
The community	Make the community aware that the re-integration process is a difficult task for the child as well as his/her family. Make the community aware that educational and professional training for the child is an investment that forms the basis for improving community life. The community should be encouraged to see the return as something positive for the child and the community - the child will bring back experiences, resources, languages, cultural elements, etc. Prejudices about the child or the migration should be addressed.

Step 7

Actors and their roles in the host country

The child	Until such time as the child or young adult becomes an independent and active member of the host country society, he/she receives the necessary support for his/her professional and social integration.
The family	Although the child on the move remains in the host country, he/she shall stay in regular contact (phone, internet, visits) with his/her family members. An eventual family reunification in the host country shall be considered.
The professionals	Through an individual plan of integration, professionals help the child become independent, particularly with support for housing, health, education, social protection needs and leisure activities.
The community	Active members from the local civil society or diaspora, as well as committed volunteers such as mentors, play a crucial role in the integration process in the host country.

Overarching topics to consider

Return to child institutions in countries of origin

ISS takes the position that a child cannot be returned to a child institution in the country of origin when the parents or family members have not first been identified and worked with. For the purpose of the family re-integration process, a temporary stay in a child institution might be a suitable option to assure a proper re-integration within the family. Furthermore, ISS promotes the development of family- and community-based alternatives (such as foster care, placement in small groups, etc) when an immediate re-placement with the family is not possible for various reasons.







# Monitoring and follow-up

## Definition

Monitoring and support (in agreement with the child) following the implementation of the sustainable solution, to ensure continuity of development, wellbeing and adequacy of the life project.

## Objective

According to the individual plan to implement the sustainable solution (Step 7), professionals (in cooperation with actors from the civil society) must provide necessary support to the child and his/her family, and take into account (new) risk factors that may require the plan to be modified. The ultimate objective of the follow-up is to ensure that adequate resources are dedicated to the child – at all times.

### Step 8

#### 1. Child's wellbeing

- Psychological monitoring of the child in family
- Educative support for parents and family members
- Socio-economic support for family

Monitoring may involve phone calls with child, family and service providers, but should also include face-to-face visits

Make sure that child stays in contact with important persons from the former host country

#### 2. Holistic approach

Children, families and communities will need different forms of follow-up support  
Monitoring the effectiveness, economic-strengthening support and develop activities that improve the economic status of parents and enable them to carry out their roles as parents

Parents and community are the key players to ensure the protection and development of the child

#### 3. Community approach and follow up

The community approach builds dignity and self-esteem and utilises protection mechanisms specific to the communities in the performance of their obligations towards their families and the collective

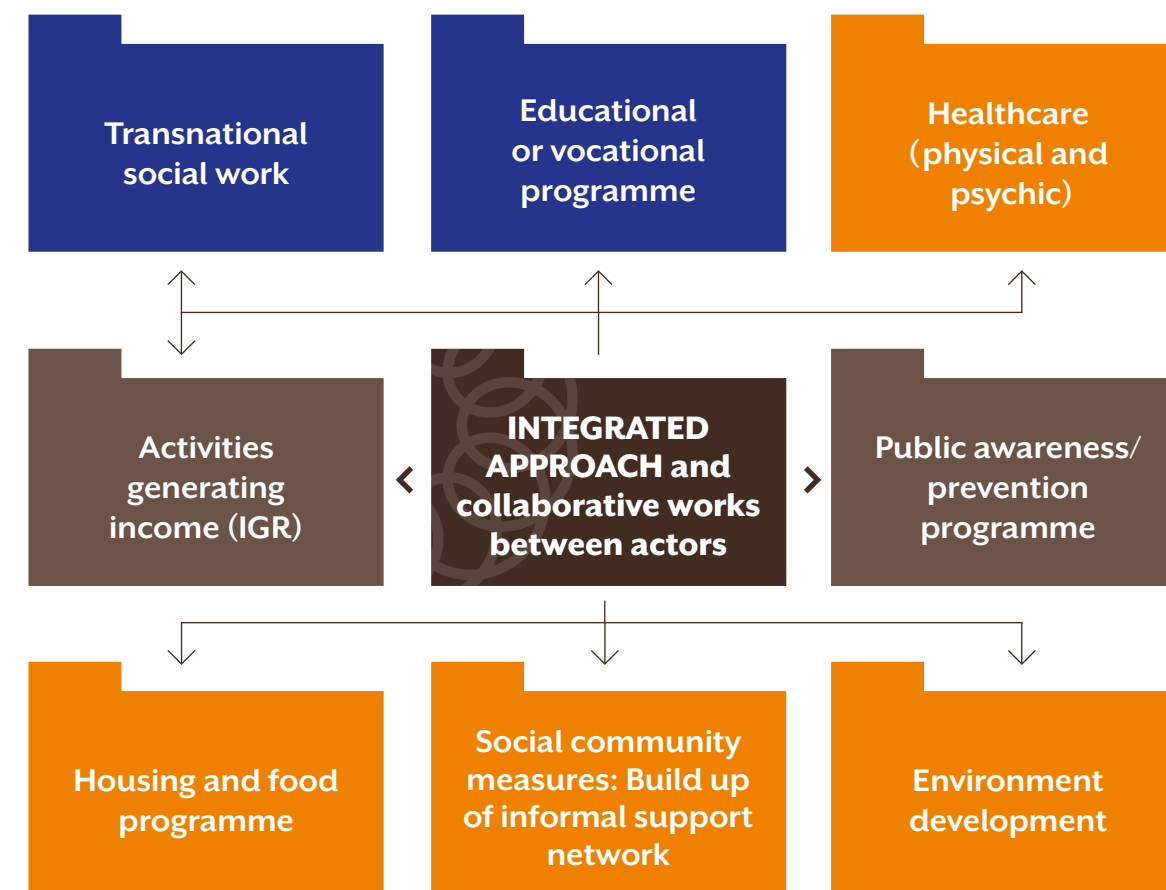
Follow up of a child in a situation of vulnerability should continue for at least two years and, if necessary, until he/she becomes an adult

In some countries, informal systems and cooperation with the community needs to be enforced to develop a set of good practices based on their own experiences  
Children should have regular opportunities to speak to his/her person of reference.  
Children who have been without any adult care for long periods of time may need support in adopting behaviours that will fit with family and community expectations  
Visits to children's community of origin as part of efforts to monitor and support re-integration offer an opportunity to identify the factors that led to separation; and a chance to tackle some of the root causes of separation



## Step 8

### Elements to consider



### Follow up and monitoring

The implementation of the sustainable solution cannot be a single action – it needs a follow-up. As with other ISS case work activities (eg, return after child abduction), ensuring the stability of the child on the move's situation, regularising relationships with family members or other important personal relations, and controlling risk factors are of great importance.

Referring to the individual action plan (step 7), indicators would help to assure that the set (re-)integration measures can be verified and revised.

Furthermore, as mentioned several times in the previous steps, a complementary support network of state services and engaged persons or associations from the civil society would not only facilitate the follow-up – in the host country as well as in the country of origin or third country – it would also strengthen inter-cultural understanding and solidarity.

### Questions to ask

- Which competent service or care worker is responsible for follow-ups at regular intervals? Who will ensure that the necessary information is transferred or fed back to the host country?
- How can a network of professionals be defined or developed to evaluate the measures of the individual plan?
- Who could offer training to such a regional monitoring group?
- How long will monitoring continue? What needs to be fulfilled during the follow-up period before monitoring is reduced or ended?
- What kind of support could be offered to families with difficulty taking responsibility for their children?





## Step 8

### Individualised monitoring in the country of origin

Ensure continuity in the development, wellbeing and life project of the child on the move.

<b>1. The child</b>	<p>Monitoring a vulnerable child must be ensured as they have not achieved independence.</p> <ol style="list-style-type: none"> <li>1. Psychosocial support</li> <li>2. Medical monitoring if necessary</li> <li>3. Training Project or employability</li> </ol>
<b>2. The family</b>	<p>Develop modalities for supporting and accompanying the family to strengthen its parental capacity and/or economic conditions.</p> <ul style="list-style-type: none"> <li>• Close relationship and exchange between the child and their family</li> <li>• Family mediation</li> <li>• Implementation of measures to support families in difficulty</li> </ul>
<b>3. The community</b>	<p>Define one or more reference persons for the child and their family to watch over and monitor the situation.</p> <ul style="list-style-type: none"> <li>• Social worker</li> <li>• Members of the community</li> </ul>
<b>4. The professionals</b>	<p>Develop a network of state actors, NGOs and individuals who have skills to support children and their families.</p> <ul style="list-style-type: none"> <li>• Reception of children under suitable conditions</li> <li>• Monitoring to evaluate and adapt the life project of the child</li> </ul>

### Individualised monitoring in a third country

<b>1. The child</b>	<p>Ensure continuity of care during a transfer to a third country until the child achieves autonomy.</p> <ol style="list-style-type: none"> <li>1. Psychosocial support</li> <li>2. Medical monitoring if necessary</li> <li>3. Training Project or employability</li> </ol>
<b>2. The family</b>	<p>Prepare and support family re-unification to preserve family relationships.</p> <p>In the case of re-integration, develop support mechanisms and help the family strengthen their parenting skills and/or economic status.</p> <ul style="list-style-type: none"> <li>• Close relationship and exchange between the child and their family</li> <li>• Family mediation</li> <li>• Implementation of measures to support families in difficulty</li> </ul>
<b>3. The professionals</b>	<p>Develop a network of state actors, NGOs and individuals who have skills to support children and their families.</p> <ul style="list-style-type: none"> <li>• Reception of children under suitable conditions</li> <li>• Monitoring to evaluate and adapt the life project of the child</li> </ul>

## Step 8

### Individualised monitoring in the host country

<b>1. The child</b>	<p>Monitoring of children in their daily lives until the age of 18 and, depending on their autonomy and economic situation, support of young people to 25 years.</p> <ol style="list-style-type: none"> <li>1. Orientation to appropriate services for young adults</li> <li>2. Continuity of support by the reference person</li> </ol>
<b>2. The reference person</b>	<p>Support the young person in their search for:</p> <ul style="list-style-type: none"> <li>• Training</li> <li>• A job</li> <li>• A home</li> <li>• A social network</li> <li>• Activities and leisure</li> <li>• Psychosocial and medical support</li> </ul>
<b>3. The family</b>	<p>Encourage children to maintain ties with their family if it is in their best interests.</p>
<b>4. Civil society</b>	<p>Promoting exchanges of children with civil society is an essential resource for integration and support.</p> <ul style="list-style-type: none"> <li>• Homes neighbourhood</li> <li>• Sports clubs</li> <li>• Youth associations</li> <li>• Religious groups</li> <li>• Diaspora organisations</li> <li>• Other</li> </ul>
<b>5. The professionals</b>	<p>Develop a support network around the child to meet their needs and promote empowerment (eg, school, family, social services, youth groups, medical support).</p>







## Step 8

### Actors and their roles

#### The child

Follow-up of a child in a situation of vulnerability should continue for at least two years and, if necessary, until he/she becomes an adult. The follow-up involves psychosocial support for better social integration. It also helps the child pursue an education or professional project for better future prospects.

#### The family

Develop support mechanisms and personalised support adapted to the resources of the family to reinforce and develop parenting capacities and/or provide financial assistance as needed.

#### The professionals

Set up monitoring for every child re-integrated to evaluate and adapt the individual plan of the child. Support the parents in raising and educating their children and in activities that improve their financial situation.

#### The community

Within the community, select persons and communal groups to form a watch committee and serve as persons of reference for the children and their families. They should organise activities for awareness-raising in the local context. Establish mechanisms for monitoring and warning that serve as frame of reference.

### Case example

In 2015, CFAB received a call from a UK local authority about an 11-year-old Syrian girl called Rana. Her family had fled the civil war to Turkey, from where Rana had travelled unaccompanied to the UK to stay with her extended family. However, UK authorities grew concerned that Rana was not happy in her new surroundings. Although she had been in the UK for eight months, she was not attending school and had started saying that she wanted to return to Turkey to be with her immediate family. There were even fears that she was being exploited as a domestic slave.

The local authority suspected that it may be in Rana's best interests for her to return to Turkey. However, this required making sure her family were able to provide a safe living environment – something the local authority lacked the overseas contacts, expertise and capacity to find out. It was for this reason they contacted CFAB, who were able to contact partners in Turkey and arrange for them to locate and visit the family to conduct a comprehensive assessment. They discovered that Rana's father had found regular work and had moved his family into safe housing.

As a result of the assessment, the local authority concluded that there were no grounds for overriding Rana's clear wish to return home. Rana was soon returned to her family, where her welfare continues to be regularly monitored by Turkish local authorities. Thanks to CFAB's work with its International Social Service (ISS) network, Rana is now attending school once more.

Source: CFAB (ISS UK), ISS Turkey



# References

- <sup>1</sup> Irish Refugee Council (2015) : Durable Solutions for Separated Children in Europe.
- <sup>2</sup> ENOC (2016): Safety and Fundamental Rights at Stake for Children on the Move.
- <sup>3</sup> Destination Unknown Campaign/ISS Switzerland (2017): Factsheet on durable solutions for children the move; Destination Unknown Campaign Working Group on Durable Solutions (2016): Durable Solutions: Giving Children on the Move Prospects for the Future. [http://destination-unknown.org/wp-content/uploads/sheet\\_10.pdf](http://destination-unknown.org/wp-content/uploads/sheet_10.pdf)
- <sup>4</sup> <http://fra.europa.eu/en/publication/2014/guardianship-children-deprived-parental-care-handbook-reinforce-guardianship>
- <sup>5</sup> UNHCR (2008): UNHCR Guidelines on determining the best interest of the child. UNHCR and UNICEF (2014): Safe & Sound: The best interest determination.
- <sup>6</sup> Irish Refugee Council (2015): Durable Solutions for Separated Children in Europe.
- <sup>7</sup> ECOWAS (2016): ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants, ISS Switzerland.
- <sup>8</sup> UNHCR and UNICEF (2014): Also referred to as "best interest determination process", which is a formal procedure for making significant decisions that will have a fundamental impact on a child's future development.
- <sup>9</sup> Defence for Children International (2011), Core standards for guardians of separated children in Europe, <http://www.corestandardsforguardians.eu/>
- <sup>10</sup> Association 'I Girasoli' and Defence for Children International – Italy (2016), SafeGuard: Safer with a Guardian, transnational report Europe, Italy, August 2016, <http://www.defenceforchildren.org/wp-content/uploads/2016/11/DCI-SafeguardEuropeaReportweb.compressed.pdf>
- <sup>11</sup> Irish Refugee Council (2015): Durable Solutions for Separated Children in Europe.
- <sup>12</sup> UNHCR and UNICEF (2014): Safe & Sound: What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe.
- <sup>13</sup> European Union: European Agency for Fundamental Rights (FRA) (2015): Guardianship for children deprived of parental care: A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking pp. 92–98.
- <sup>14</sup> Committee on the rights of the child: Comment Number No. 6 (2005): Treatment of unaccompanied and separated children outside their country of origin; Council of the European Union, Regulation (EU) No 604/2013.
- <sup>15</sup> Destination Unknown Campaign/ ISS Switzerland (2017): Factsheet on durable solutions for children on the move. [http://destination-unknown.org/wp-content/uploads/sheet\\_10.pdf](http://destination-unknown.org/wp-content/uploads/sheet_10.pdf)
- <sup>16</sup> Destination Unknown Campaign Working Group on Durable Solutions (2016): Durable Solutions: Giving Children on the Move Prospects for the Future. [http://destination-unknown.org/wp-content/uploads/sheet\\_10.pdf](http://destination-unknown.org/wp-content/uploads/sheet_10.pdf)
- <sup>17</sup> Save the Children (2012): Transnational Coordination Mechanisms for the Protection of Children on the Move in the Context of International Migration and the Fulfilment of their Human Rights.
- <sup>18</sup> For example African Movement of Working Children and Young (AMWCY). <http://english.maejt.org/>
- <sup>19</sup> Destination Unknown Campaign/ ISS Switzerland (2017): Factsheet on durable solutions for children on the move. [http://destination-unknown.org/wp-content/uploads/sheet\\_10.pdf](http://destination-unknown.org/wp-content/uploads/sheet_10.pdf)
- <sup>20</sup> Council of Baltic Sea States Secretariat, 2015: Guidelines Promoting the Human Rights and the Best Interest of the Child in Transnational Child Protection Cases, p.50.
- <sup>21</sup> European Union Agency for Fundamental Rights FRA (2014): Guardianship for children deprived of parental care, June 2014.
- <sup>22</sup> See also: J Nagda & M Woltjen. (2015). Best Interests of the Child Standard: Bringing Common Sense to Immigration Decisions. <https://firstfocus.org/wp-content/uploads/2015/04/Best-Interests-of-the-Child-Standard.pdf>
- <sup>23</sup> <http://fra.europa.eu/en/publication/2014/guardianship-children-deprived-parental-care-handbook-reinforce-guardianship>
- <sup>24</sup> [www.resiland.org/27-orientations-for-professionals-and-officials-working-with-com-now-published.html](http://www.resiland.org/27-orientations-for-professionals-and-officials-working-with-com-now-published.html)
- <sup>25</sup> General Comment No. 6 on the Treatment of Unaccompanied and Separated Children Outside Their Country of Origin CRC/GC/2005/51 September 2006 paragraph 40.
- <sup>26</sup> General Comment No. 6 on the Treatment of Unaccompanied and Separated Children Outside Their Country of Origin CRC/GC/2005/61 September 2005 paragraph 40.

# International Social Service – at the service of children, migrants and their families since 1924

The International Social Service (ISS) is an international NGO founded in 1924 in response to the large scale European migration that started at the end of the 19th century. Massive cross-border movements, especially in the aftermath of two world wars, required new types of social services that could help children who were unaccompanied and separated. ISS helped provide each child with a socially sound plan, as well as delivering tracing services for family members across borders.

ISS also developed (especially in the 1950s) specific projects to help children and families forced to migrate or become refugees as a result of dictatorships or global decolonisation. The projects offered psychosocial assistance, legal orientation, financial support, language training and counselling.

This expertise gained by helping migrant families and children also allowed ISS to actively participate in the development of principles, norms and international instruments of major importance in this arena. For example, ISS helped draft the 1989 UN Convention on the Rights of the Child and was involved in the elaboration of other international texts, such as Hague Conventions related to child protection and the UN Guidelines for the Alternative Care of Children.

Today, ISS is a network of national entities and a General Secretariat that help children and families confronted with complex socio-legal problems as a result of migration and other transnational factors. With a presence in more than 140 countries, ISS is a global player

## What does ISS do for children on the move now?

ISS members play an important part in national child or social protection systems. As such, ISS has the capacity to provide support and follow-up services on a transnational level – notably in family tracing and social assessment abroad.

Today, ISS promotes cooperation between child protection services and diverse governmental, non-governmental and inter-agency stakeholders – from multi-disciplinary fields – to create and implement sustainable solutions that enhance the protection of children in vulnerable situations.

ISS supports and helps around 75,000 families in the world each year, putting the best interests of the child above all other considerations. Its mission to be a major player in humanitarian issues and, in particular, the protection of children on the move, is translated

- Transnational casework and operational projects
- Advocacy
- Policy development, research, training
- Capacity building.





International laws, standards and policies for children on the move

UN CRC Clusters	Rights	Convention on the Rights of the Child	CRC OPSC	Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Convenant on Civil and Political Rights	1996 Hague Convention			Convention 182 on the Worst Forms of Child Labour	1951 Convention on the Status of Refugees	1961 Convention on the Reduction of Statelessness	1.	2.	3.	4.	5.
INT LAW																
Definitions	MINOR/CHILD	Art. 1		Art. 1, 7		Art. 2			Art. 2					Section II Section III	Arts. 2(k)(l)	
General Principles	NON-DISCRIMINATION	Art. 2.			Arts. 24(l), 26					Art. 3		Art. IV		Section II	Preamble 17	
	BEST INTERESTS	Art. 3(l)	Art. 8(3)			Preamble								Section II – Step II Section IV (8) Section IV (9) Section IV (10) Section IV (12) Section IV (13) Section IV (14)	Preamble 18, 19, 27, 38, Arts. 20-5, 31-4-5	§8.2.10
	RIGHT TO BE HEARD/ RIGHT TO PARTICIPATION	Art. 12	Art. 8(l)(c)											Section II Section ) Section IV (7) Section IV (9) Section IV (10)	Preamble 18, Art. 22	
Civil Rights and Freedoms	AGE ASSESSMENT													Section II – Step I & Step II Section IV (4)	Art. 2 (i)	§8.2.5
	REGISTRATION AND DOCUMENTATION	Art. 7, 8		Arts. 29, 44	Art. 24(2)					Art. 27	Art. 1		The Local Integration Programme (e) Statelessness (c)	Section IV (2) Section IV (3)	Art. 25	§8.2.1.
Family Environment and Alternative Care	PROTECTION OF THE FAMILY	Arts. 8 - 9			Art. 23									Section II Section IV (6) Section IV (9) Section IV (10) Section IV (13)	Preamble 18 & 19; Art. 23	
	RESTORING FAMILY LINKS	Arts. 10, 22(2)												Section II – Step II Section IV (7) Section IV (8) Section IV (9)	Arts. 30-5; 31-4; 31-5	§8.1.4
	PERIODIC REVIEW OF PLACEMENT AND TREATMENT	Art. 25												Section IV (8) Section IV (9)	Art. 31-2	§8.2.10
	REHABILITATION AND REINTEGRATION OF VICTIMS OF VIOLENCE	Arts. 19, 39							Art 7 (b)					Section IV (8) Section IV (14)	Art.30-2	
	ASSISTANCE TO VICTIMS OF TRAFFICKING/ VIOLENCE	Arts. 19, 39	Art. 8(l)(d)											Section IV (2) Section IV (10) Section IV (12) Section IV (13)	Art. 30-2	
	RECEPTION STAFF SPECIFIC TRAINING													Section IV.2	Art. 31-6	§8.2.4



UN CRC Clusters	Rights	Convention on the Rights of the Child	CRC OPSC	Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Convenant on Civil and Political Rights	1996 Hague Convention			Convention 182 on the Worst Forms of Child Labour	1951 Convention on the Status of Refugees	1961 Convention on the Reduction of Statelessness	1.	2.	3.	4.	5.
INT LAW																
Basic Health and Welfare	ACCESS TO HEALTH SERVICES	Art. 24											The Borders of Solidarity and Safety Programme (f) The Local Integration Programme (b)	Section IV (9)	Preamble 40, 46, Arts. 29-30	§8.2.3.
	ACCOMMODATION (including alternative care)	Arts. 20, 27 (1)-(3)											The Borders of Solidarity and Safety Programme (f) The Local Integration Programme (b)	Section IV (9)	Arts 31-3, 32	§8.2.3.
	RIGHTS OF DISABLED CHILDREN	Art. 23													Arts 20-3, 30-2	
	RIGHTS TO SOCIAL SECURITY	Art. 26								Arts. 23, 24					Preamble 45, Art. 29	
	RIGHT TO ADEQUATE STANDARD OF LIVING/MATERIAL SUPPORT	Art. 27		Art 30.						Art. 21			The Borders of Solidarity and Safety Programme (f)		Preamble 45	
	RIGHT TO EDUCATION	Arts. 28, 29							Art. 7(c)	Art. 22			The Local Integration Programme (b)	Section IV (9)	Art. 271	§8.2.7
Education, Leisure and Cultural Activities	RIGHT TO REST, PLAY AND PARTICIPATE IN ARTISTIC AND CULTURAL ACTIVITIES	Art. 31														



UN CRC Clusters	Rights	Convention on the Rights of the Child	CRC OPSC	Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Convenant on Civil and Political Rights	1996 Hague Convention			Convention 182 on the Worst Forms of Child Labour	1951 Convention on the Status of Refugees	1961 Convention on the Reduction of Statelessness	1.	2.	3.	4.	5.
INT LAW																
Special Protection Measures	GUARDIANSHIP/ REPRESENTATION	Arts. 12(2), 18(1)		Art 18(3)									Statelessness (g)	Section IV (10) Section IV (13)		
	LEGAL INFORMATION, ASSISTANCE AND REPRESENTATION	Arts. 37(d), 40(2)(a)	Art. 8(1)(b)							Art. 16				Section IV (2) Section IV (5)	Arts. 2 (k), 31	§8.1.3 +§8.2.6
	ACCESS TO PROTECTION PROCEDURES	Art. 20, 22				Art. 6								Section IV (7) Section IV (11) Section IV (14)	Art. 4.3	
	DURABLE SOLUTIONS												The Quality Asylum Programme (i)	Section IV (2)		
	CHILD SENSITIVE PROCEDURAL MEASURES	Arts. 3, 12, 19		Arts. 16, 17									The Quality Asylum Programme (j) The Voluntary Repatriation Programme (a) + (c)	Section IV (10) Section IV (13) Section IV (14)	Arts 31.3, 32, 34, 35	§8.2.10
	SAFEGUARDS ON DETENTION	Arts. 37(b)-(d)		Art 22										Section IV (12)		§8.2.4.
	APPEAL (AGAINST NEGATIVE DECISIONS)	Art. 37(d)											The Borders of Solidarity and Safety Programme : Alternative to detention (c)	Section IV (6)		§8.2.3
	DATA PROTECTION	Art. 16											The Quality Asylum Programme (g)	Section IV (12)	Art. 27	
General Measures of Implementation	IMPLEMENTATION OBLIGATIONS	Arts. 4, 42, 42, 44(6)												Section IV (3)	Preamble 27 Arts 31.5, 37	
	ACTORS TRAINING AND QUALIFICATIONS		Art. 8(4)												Art. 39	
	RESPECT FOR EXISTING HIGHER STANDARDS	Art. 41	Art. 11	Art 73						Art. 5			The Quality Asylum Programme (m) The Borders of Solidarity and Safety Programme (d)	Section IV (2) Section IV (5) Section IV (6) Section IV (9) Section IV (12)	Arts 31.6, 37	§8.2.6
	DATA COLLECTION AND REPORTING	Art. 44	Art. 12	Art 74	Art. 40										Art. 3	
	MONITORING AND REVIEW	Arts. 43, 45.		Arts. 76, 77									The Quality Asylum Programme (d)	Section IV (9)	Art. 38	§8.1.1
	COMPLAINTS			Art. 1, 7	Art. 41									Section IV (9)	Art. 38	

Glossary

1. OAU 1969 Convention Governing The Specific Aspects Of Refugee Problems In Africa
2. Brazil Declaration and Plan of Action
3. Regional Guidelines For Responding To The Rights And The Needs Of Unaccompanied And Separated Children (Uasc) 2013
4. Recast Qualification Directive
5. Resolution 2136 (2016) Harmonizing the protection of unaccompanied minors in Europe

Other laws & policies to be considered

- The Role Of Parliaments In Protecting The Rights Of Children, In Particular Unaccompanied Migrant Children, And In Preventing Their Exploitation In Situations Of Armed Conflict (<http://www.ipu.org/conf-e/130/res-3.htm>)
- Etc.



UN CRC Clusters	Rights	New York Declaration for refugees and Migrants (19 September 2016)	Alternative Care Guidelines	IOM Guidelines on the Protection of Unaccompanied Migrant Children	UNHCR Guidelines on dealing with Unaccompanied Minors Seeking Asylum (1997)	UNHCR Guidelines on International Protection No. 8 (Child Asylum Claims)			UNHCR Guidelines on determining the best interests of the child (2008)	UNHCR framework for the Protection of children (2012)	UNICEF Guidelines on the Protection of Child Victims of trafficking	UNICEF Implementation Handbook for the CRC	UNICEF Age Assess. - Technical Note	UNCERD Gen Rec No. XXX on Discrim. Against Non-Citizens (2005)
INT STANDARDS /POLICIES														
Definitions	MINOR/CHILD			Point 1.	No. 3	No. 7						Pages 1-13		
General Principles	NON-DISCRIMINATION	No. 32	No. 6, 10	Point 2.1.	No. 10.4	No. 5, 41				Guiding Principle	No. 2.3	Pages 17-32	Standard 3	No. I, II
	BEST INTERESTS	No. 32, 58, 59	No. 6	Point 2.2.	Preamble/ No. 2, 10.4	No. 5, 10			No. 1.3	Guiding Principle	No. 2.2, 8.3	Pages 35 -43	Standard 2	
	RIGHT TO BE HEARD/RIGHT TO PARTICIPATION		No. 6	Point 7.	No. 5.14, 5.15	No. 5 , 70			No. 2.2.3	Goal 2, 6	No. 2.4	Page 149 – 172, 296	Standard 4	
Civil Rights and Freedoms	IDENTIFICATION AS CHILD/ UNACCOMPANIED CHILD		No. 29(a)	Point 3.1.	No. 3, 5.1-5.5	No. 75			No. 3.2.1		No. 3			
	REGISTRATION AND DOCUMENTATION	No. 32		Point 3.2.	No. 5.6					Goal 4	No. 5	Pages 97 - 103		Art IV (16)
Family Environment and Alternative Care	PROTECTION OF THE FAMILY		No. 3	Point 2.4.	No. 7.7.3, 7.4	No. 13			No. 3.3.5		No. 4.2	Page 76, 105-110, 122, 129		
	RESTORING FAMILY LINKS		No. 11, 162-167	Point 2.4.; 3.3.	No. 5.17, 10.5	No. 68			No. 2.1.3	Goal 5	No. 4.2, 8.1	Page 113-118, 135-141, 316		
	PERIODIC REVIEW OF PLACEMENT AND TREATMENT		No. 67									Page 379 -383		
	REHABILITATION AND REINTEGRATION OF VICTIMS OF VIOLENCE	No. 23								Goal 5		Page 516, 589 - 598		
	ASSISTANCE TO VICTIMS OF TRAFFICKING/ VIOLENCE	No. 23	No. 9(b), 144	Point 4.6.		No. 24 -33				Goal 5	No. 2.7	Page 531 - 540		
	RECEPTION STAFF SPECIFIC TRAINING		No. 154(a)		5.12									
Basic Health and Welfare	ACCESS TO HEALTH SERVICES	No. 59	No. 16	Point 4.4	No. 7.9 – 7.11				No. 3.3.5		No. 4.2	Page 313, 343 - 376		
	ACCOMMODATION		No. 91	Point 4.2.	No. 7.2-7.5, 10.6-10.10	No. 13			No. 2.2		No. 4.2, 7.2	Page 393 -403		
	RIGHTS OF DISABLED CHILDREN		No. 34(b), 86, 117									Page 321-340		No. VII (32)
	RIGHTS TO SOCIAL SECURITY											Page 314, 385-391		
	RIGHT TO ADEQUATE STANDARD OF LIVING/ MATERIAL SUPPORT			Point 2.3.					No. 3.3.5					
Education, Leisure and Cultural Activities	RIGHT TO EDUCATION	No. 59, 81, 82	No. 85	Points 2.3; 4.3.	No. 7.12-7.14				No. 3.3.5	Goal 4		Page 314, 407 - 452		No. VII(30)
	RIGHT TO REST, PLAY AND PARTICIPATE IN ARTISTIC AND CULTURAL ACTIVITIES		No. 11, 86,	Point 2.3.					No. 3.3.5			Page 469 - 477		



UN CRC Clusters	Rights	New York Declaration for refugees and Migrants (19 September 2016)	Alternative Care Guidelines	IOM Guidelines on the Protection of Unaccompanied Migrant Children	UNHCR Guidelines on dealing with Unaccompanied Minors Seeking Asylum (1997)	UNHCR Guidelines on International Protection No. 8 (Child Asylum Claims)			UNHCR Guidelines on determining the best interests of the child (2008)	UNHCR framework for the Protection of children (2012)	UNICEF Guidelines on the Protection of Child Victims of trafficking	UNICEF Implementation Handbook for the CRC	UNICEF Age Assess. - Technical Note	UNCERD Gen Rec No. XXX on Discrim. Against Non-Citizens (2005)
INT STANDARDS /POLICIES														
Special Protection Measures	GUARDIANSHIP/ REPRESENTATION		No. 19, 98, 101	Point 4.1.	No. 5.7	No. 69				Goal 5	No. 4		Standard 5	
	LEGAL INFORMATION, ASSISTANCE AND REPRESENTATION		No. 66		No. 4.2, 8.3	No. 77				Goal 3, 5	No. 2.4 , 10.2	Page 565, 611	Standard 9	
	ACCESS TO PROTECTION PROCEDURES	No. 70			No. 71					Goal 3		Page 313		
	DURABLE SOLUTIONS		No. 131 - 136	Point 5.	No. 9/10			No. 21			No. 9			
	CHILD SENSITIVE PROCEDURAL MEASURES			Point 3.2.										
	SAFEGUARDS ON DETENTION	No. 33	No. 48	Point 4.7.	No. 7.6-7.8	No. 13					No. 10.3	Page 314, 556		
	APPEAL (AGAINST NEGATIVE DECISIONS)				No. 8.5								Standard 10	No. VI
	DATA PROTECTION			Point 8.							No. 26			
General Measures of Implementation	IMPLEMENTATION OBLIGATIONS			Point 2.										
	ACTORS TRAINING AND QUALIFICATIONS		No. 46, 57, 71, 102, 115, 116, 129	Points 2 & 4.10	No. 5.7, 5.12, 5.13, 11							Page 566	Standard 11	
	RESPECT FOR EXISTING HIGHER STANDARDS	No. 32						No. 1					No. 2	
	DATA COLLECTION AND REPORTING			Point 2.										
	MONITORING AND REVIEW		No. 128-130											
	COMPLAINTS											Page 566		



UN CRC Clusters	Rights	AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD			AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS	ARAB CHARTER ON HUMAN RIGHTS	OAU 1969 CONVENTION GOVERNING THE SPECIFIC ASPECTS OF REFUGEE PROBLEMS IN AFRICA
AFRICA							
Definitions	MINOR/CHILD	Art. 2					
General Principles	NON-DISCRIMINATION	Art. 3 + Art. 23(3) + Art. 26			Arts. 2 & 19 & 28	Art. 2	Article IV
	BEST INTERESTS	Art. 4 + Art. 25(2)					
	RIGHT TO BE HEARD/RIGHT TO PARTICIPATION						
Civil Rights and Freedoms	AGE ASSESSMENT						
	REGISTRATION AND DOCUMENTATION						
Family Environment and Alternative Care	PROTECTION OF THE FAMILY	Art. 18-19			Arts. 18 & 29 (I)	Art. 38	
	RESTORING FAMILY LINKS	Art. 23 (2) + Art. 25 (b)					
	PERIODIC REVIEW OF PLACEMENT AND TREATMENT						
	REHABILITATION AND REINTEGRATION OF VICTIMS OF VIOLENCE						
	ASSISTANCE TO VICTIMS OF TRAFFICKING/ VIOLENCE						
	RECEPTION STAFF SPECIFIC TRAINING						
Basic Health and Welfare	ACCESS TO HEALTH SERVICES	Art. 14					
	ACCOMMODATION (including alternative care placement)	Art. 25(2)a9					
	RIGHTS OF DISABLED CHILDREN	Art. 13			Art. 18(84)		
	RIGHTS TO SOCIAL SECURITY						
	RIGHT TO ADEQUATE STANDARD OF LIVING/ MATERIAL SUPPORT				Art. 16		
Education, Leisure and Cultural Activities	RIGHT TO EDUCATION	Art. 11			Art. 17		
	RIGHT TO REST, PLAY AND PARTICIPATE IN ARTISTIC AND CULTURAL ACTIVITIES	Art. 12			Art. 17 (2)	Art. 36	
	CULTURE & IDENTITY	Art. 25 (3)			Arts. 7 & 22		
Special Protection Measures	GUARDIANSHIP/REPRESENTATION						
	LEGAL INFORMATION, ASSISTANCE AND REPRESENTATION						
	ACCESS TO PROTECTION PROCEDURES						
	DURABLE SOLUTIONS						
	CHILD SENSITIVE PROCEDURAL MEASURES						
	SAFEGUARDS ON DETENTION					Art. 8	
	APPEAL (AGAINST NEGATIVE DECISIONS)						
General Measures of Implementation	DATA PROTECTION						
	IMPLEMENTATION OBLIGATIONS	Art. 42					
	ACTORS TRAINING AND QUALIFICATIONS						
	RESPECT FOR EXISTING HIGHER STANDARDS						
	DATA COLLECTION AND REPORTING	Art. 43					



UN CRC Clusters	Rights	American Declaration of the Rights and Duties of Man	American Convention on Human Rights	Res. 1	Res. 2			Inter-American Convention on International Traffic in Minors	Cartagena Declaration	Brazil Declaration and Plan of Action	Brasilia Declaration	Mexico Declaration
AMERICAS												
Definitions	MINOR/CHILD							Art. 2 (a)				
General Principles	NON-DISCRIMINATION	Article II	Art. 24		Principle II							
	BEST INTERESTS							Arts. I (a) + (c) ; 18			Point 10.	
	RIGHT TO BE HEARD/RIGHT TO PARTICIPATION											
Civil Rights and Freedoms	AGE ASSESSMENT											
	REGISTRATION AND DOCUMENTATION									The Local Integration Programme (e) Statelessness (c)		
Family Environment and Alternative Care	PROTECTION OF THE FAMILY	Article VI + Article VII	Articles II (2) + 17+ 19	Article 3.a								
	RESTORING FAMILY LINKS								Point III.13			
	PERIODIC REVIEW OF PLACEMENT AND TREATMENT				Principle VII							
	REHABILITATION AND REINTEGRATION OF VICTIMS OF VIOLENCE											
	ASSISTANCE TO VICTIMS OF TRAFFICKING/ VIOLENCE											
	RECEPTION STAFF SPECIFIC TRAINING											
Basic Health and Welfare	ACCESS TO HEALTH SERVICES				Principle X				Point (h)	The Borders of Solidarity and Safety Programme (f) The Local Integration Programme (b)		
	ACCOMMODATION (including alternative care placement)				Principle XII.1					The Borders of Solidarity and Safety Programme (f) The Local Integration Programme (b)		
	RIGHTS OF DISABLED CHILDREN				Principle III.3							
	RIGHTS TO SOCIAL SECURITY											
	RIGHT TO ADEQUATE STANDARD OF LIVING/ MATERIAL SUPPORT				Principles XI + XII					The Borders of Solidarity and Safety Programme (f)		
Education, Leisure and Cultural Activities	RIGHT TO EDUCATION	Article XII							Point (h)	The Local Integration Programme (b)		
	RIGHT TO REST, PLAY AND PARTICIPATE IN ARTISTIC AND CULTURAL ACTIVITIES	Art. XIII + XVI			Principle XIII							
	CULTURE & IDENTITY	Art. XIX			Principle XV					Statelessness (g)		



UN CRC Clusters	Rights	American Declaration of the Rights and Duties of Man	American Convention on Human Rights	Res. 1	Res. 2			Inter-American Convention on International Traffic in Minors	Cartagena Declaration	Brazil Declaration and Plan of Action	Brasilia Declaration	Mexico Declaration
AMERICAS												
Special Protection Measures	GUARDIANSHIP/ REPRESENTATION											
	LEGAL INFORMATION, ASSISTANCE AND REPRESENTATION				Principle V							
	ACCESS TO PROTECTION PROCEDURES			Article 3. c+d						The Quality Asylum Programme (i)		
	DURABLE SOLUTIONS									The Quality Asylum Programme (j) The Voluntary Repatriation Programme (a) + (c)	Point 4.	Chapter III.
	CHILD SENSITIVE PROCEDURAL MEASURES										Point 10.	
	SAFEGUARDS ON DETENTION	Art. XXV	Article 5.5 (criminal proceedings = relevant?) + Article 7		Principle III.I					The Borders of Solidarity and Safety Programme : Alternative to detention (c)		
	APPEAL (AGAINST NEGATIVE DECISIONS)									The Quality Asylum Programme (g)		
	DATA PROTECTION											
	IMPLEMENTATION OBLIGATIONS							Art. 6	The whole Declaration			Chapter IV
	ACTORS TRAINING AND QUALIFICATIONS			Art. 3.e.	Principle XX				Point (j)	The Quality Asylum Programme (m) The Borders of Solidarity and Safety Programme (d)		Chapter II.
General Measures of Implementation	RESPECT FOR EXISTING HIGHER STANDARDS											
	DATA COLLECTION AND REPORTING									The Quality Asylum Programme (d)		
	MONITORING AND REVIEW				Principle XXIV							Chapter IV
	COMPLAINTS											
UN CRC Clusters	Rights	American Declaration of the Rights and Duties of Man	American Convention on Human Rights	Res. 1	Res. 2			Inter-American Convention on International Traffic in Minors	Cartagena Declaration	Brazil Declaration and Plan of Action	Brasilia Declaration	Mexico Declaration
AMERICAS												



UN CRC Clusters	Rights	ASEAN HUMAN RIGHTS DECLARATION	ASEAN CONVENTION AGAINST TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN	BANGKOK PRINCIPLES ON STATUS AND TREATMENT OF REFUGEES 2001			REGIONAL GUIDELINES FOR RESPONDING TO THE RIGHTS AND THE NEEDS OF UNACCOMPANIED AND SEPARATED CHILDREN (UASC) 2013	ASEAN GUIDELINES FOR THE PROTECTION OF THE RIGHTS OF TRAFFICKED CHILDREN IN SOUTH EAST ASIA	CRIMINAL JUSTICE REPONSES TO TRAFFICKING IN PERSONS: ASEAN PRACTITIONER GUIDELINES 2007	DECLARATION ON THE COMMITMENTS FOR CHILDREN IN ASEAN 2001
ASIA										
Definitions	MINOR/CHILD		Art. 2 (d)				Section II + Section III	1.1		
General Principles	NON-DISCRIMINATION	Arts 1-3; 9	Art. 1(2)	Art. IV.5.			Section II	2.3		
	BEST INTERESTS						Section II – Step II Section IV (8) Section IV (9) Section IV (10) Section IV (12) Section IV (13) Section IV (14)	2.2 3.5.1.1. 3.5.1.3. 3.5.3.1. 3.5.3.3. 3.5.3.4.		
	RIGHT TO BE HEARD/ RIGHT TO PARTICIPATION						Section II Section IV (5) Section IV (7) Section IV (9) Section IV (10)	2.4 3.5.2.5.		Point 6.
Civil Rights and Freedoms	AGE ASSESSMENT						Section II - Step I & Step II Section IV (4)	3.1		
	REGISTRATION AND DOCUMENTATION						Section IV (2) Section IV (3)			
Family Environment and Alternative Care	PROTECTION OF THE FAMILY	Arts 19&21					Section II Section IV (6) Section IV (9) Section IV (10) Section IV (13)			Points 8 & 9
	RESTORING FAMILY LINKS						Section II – Step II Section IV (7) Section IV (8) Section IV (9)	3.5.1.3.		
	PERIODIC REVIEW OF PLACEMENT AND TREATMENT						Section IV (8) Section IV (9)	3.5.2.6. 3.5.3.3. 3.5.3.5. 3.5.4.		
	REHABILITATION AND REINTEGRATION OF VICTIMS OF VIOLENCE		Art. 14				Section IV (8) Section IV (14)	3.4.2.		
	ASSISTANCE TO VICTIMS OF TRAFFICKING/ VIOLENCE		Art. 14				Section IV (2) Section IV (10) Section IV (12) Section IV (13)	3.2.3. 3.4.2.	PART I C.3; C5	
	RECEPTION STAFF SPECIFIC TRAINING						Section IV.2	3.1.2.2		
Basic Health and Welfare	ACCESS TO HEALTH SERVICES	Arts 28 & 29.					Section IV (9)	3.5.3.6.		Points 13 & 14
	ACCOMMODATION (including alternative care placement)	Art 28					Section IV (9)	3.4.1.		Point 10
	RIGHTS OF DISABLED CHILDREN									Point 5
	RIGHTS TO SOCIAL SECURITY RIGHT TO ADEQUATE STANDARD OF LIVING/ MATERIAL SUPPORT	Article 30 Arts 28 & 29.		Art. IV						



UN CRC Clusters	Rights	ASEAN HUMAN RIGHTS DECLARATION	ASEAN CONVENTION AGAINST TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN	BANGKOK PRINCIPLES ON STATUS AND TREATMENT OF REFUGEES 2001			REGIONAL GUIDELINES FOR RESPONDING TO THE RIGHTS AND THE NEEDS OF UNACCOMPANIED AND SEPARATED CHILDREN (UASC) 2013	ASEAN GUIDELINES FOR THE PROTECTION OF THE RIGHTS OF TRAFFICKED CHILDREN IN SOUTH EAST ASIA	CRIMINAL JUSTICE REPONSES TO TRAFFICKING IN PERSONS: ASEAN PRACTITIONER GUIDELINES 2007	DECLARATION ON THE COMMITMENTS FOR CHILDREN IN ASEAN 2001
ASIA										
Education, Leisure and Cultural Activities	RIGHT TO EDUCATION	Article 31					Section IV (9)			Point 12
	RIGHT TO REST, PLAY AND PARTICIPATE IN ARTISTIC AND CULTURAL ACTIVITIES									
	CULTURE & IDENTITY	Arts. 18 & 22					Section IV (10) Section IV (13)	2.7 3.5.1.2.		Point 3
Special Protection Measures	GUARDIANSHIP/ REPRESENTATION						Section IV (2) Section IV (5)	3.5.2.3.		
	LEGAL INFORMATION, ASSISTANCE AND REPRESENTATION						Section IV (7) Section IV (11) Section IV (14)	2.5 3.6.2. 3.6.3. 3.7.2.		
	ACCESS TO PROTECTION PROCEDURES						Section IV (2)			
	DURABLE SOLUTIONS			Art. VIII.3.			Section IV (10) Section IV (13) Section IV (14)	3.5.2. 3.5.3. 3.5.4.		
	CHILD SENSITIVE PROCEDURAL MEASURES			Art. IV. 7.			Section IV (12)	3.2.2. 3.6.1.4. 3.6.1.5.	PART I: D.1.	
	SAFEGUARDS ON DETENTION	Article 12					Section IV (6)	3.4.1.4.		
	APPEAL (AGAINST NEGATIVE DECISIONS)			Art. V.4.			Section IV (12)			
	DATA PROTECTION						Section IV (3)	2.6 3.6.1.6. 3.6.1.7.	PART I: C.6, E2	
	IMPLEMENTATION OBLIGATIONS							2.8	PART I: C.1	
	ACTORS TRAINING AND QUALIFICATIONS						Section IV (2) Section IV (5) Section IV (6) Section IV (9) Section IV (12)	3.1.2.2. 3.3.2.5. 3.5.1.1 3.8.	PART 1 : B.2-.3; B.5-6 PART 2 : A.3; E3	Point 11
General Measures of Implementation	RESPECT FOR EXISTING HIGHER STANDARDS		Art. 26							
	DATA COLLECTION AND REPORTING						Section IV (9)	3.1.2.3. 3.3.2.3.		
	MONITORING AND REVIEW		Art. 24					3.8.2.1.		
	COMPLAINTS						Section IV (9)			



UN CRC Clusters	Rights	ECHR	Revised ESC	C.I.			G.1.	G.2.	Rec. 1.	G.3	Rec. 2.	Rec. 3	Rec. 4	Rec. 5	Res. 1	Rec. 6	Res. 2
COUNCIL OF EUROPE																	
Definitions	MINOR/CHILD			Art. 4.d.			Chapter I I.a.	§4.	§§5-6								
General Principles	NON-DISCRIMINATION	Art. 14; Protocol n°12 Article 1		Art.3.			Chapter III. D.	§§13-14				§4 + §9(iii)b					
	BEST INTERESTS			Art. 13.2; 14.2 Art. 16.7 28.3			Chapter III.B Chapter IV.A.2.8	§§15-16		Point III.I.		§4 + §9(iii) a+k			§8.2.10		§3 §9.1 §9.6 §9.7
	RIGHT TO BE HEARD/RIGHT TO PARTICIPATION	Art. 6					Chapter III. A.	§§11-12 §§23-24 §35 §42				§4 + §9(iii)e					
Civil Rights and Freedoms	IDENTIFICATION AS CHILD/UNACCOMPANIED CHILD			Art.10.3-4(b)								§9(vi)a+b.			§8.2.5		
	REGISTRATION AND DOCUMENTATION											§9(vi)a.			§8.2.1.		
Family Environment and Alternative Care	PROTECTION OF THE FAMILY	Art.8								Point III.I.	§14 + §21					§10(ii)a	
	RESTORING FAMILY LINKS			10.4(c)					§18			§4 + §9(iii)i §9(vi)a			§8.1.4		
	PERIODIC REVIEW OF PLACEMENT AND TREATMENT														§8.2.10		
	REHABILITATION AND REINTEGRATION OF VICTIMS OF VIOLENCE			Art.13													
	ASSISTANCE TO VICTIMS OF TRAFFICKING/VIOLENCE			Art. 12													
	RECEPTION STAFF SPECIFIC TRAINING			Art.10.1											§8.2.4		
Basic Health and Welfare	ACCESS TO HEALTH SERVICES	Arts 2;8.	Arts. 11-13	Art.12-1(b)- 3-7				§§13-14	§17						§8.2.3.	§10(ii)g	
	ACCOMMODATION (including alternative care placement)			Art.12.7					§17		§14 §§22-23	§5		§10(iii)g+h	§8.2.3.		§9.7-9
	RIGHTS OF DISABLED CHILDREN							§1									
	RIGHTS TO SOCIAL SECURITY		Arts 12-14;16;30.														
	RIGHT TO ADEQUATE STANDARD OF LIVING/MATERIAL SUPPORT			Art.12-1 (a)						Point XII.	§11 & §13						
Education, Leisure and Cultural Activities	RIGHT TO EDUCATION	ECHR, Protocol I, Article 2.	Art. 17	Art.12-1(f); 12-7					§17				§9		§8.2.7		
	RIGHT TO REST, PLAY AND PARTICIPATE IN ARTISTIC AND CULTURAL ACTIVITIES																
	CULTURE & IDENTITY																



UN CRC Clusters	Rights	ECHR	Revised ESC	C.I.			G.1.	G.2.	Rec. 1.	G.3	Rec. 2.	Rec. 3	Rec. 4	Rec. 5	Res. 1	Rec. 6	Res. 2
COUNCIL OF EUROPE																	
Special Protection Measures	GUARDIANSHIP/REPRESENTATION			Art.10.4(a)					§17	Point IV. 2	§23	§5 +§9(iii)d		§10(iii)g.	§8.1.3 +§8.2.6		
	LEGAL INFORMATION, ASSISTANCE AND REPRESENTATION			Art.12.1 Art. 15			Chapter IV. A-3-5 Chapter IVC + D.2			Point IV.	§17			§10(iii)c.			
	ACCESS TO PROTECTION PROCEDURES			Art.30													
	DURABLE SOLUTIONS														§8.2.10		
	CHILD SENSITIVE PROCEDURAL MEASURES		Art. 28.3	Art. 4(c) Art.5.			Chapter IV. A-2+3 Chapter IVD.5.					§9(iii)e+f			§8.2.4.	§10(ii)b	§9.5
	SAFEGUARDS ON DETENTION						Chapter IV. A. 1. 6.			Point XI. 2.	§20	§9(iii)j.			§8.2.3		§3 §9.2.-3
	APPEAL (AGAINST NEGATIVE DECISIONS)									Point X.I.						§10(i)c	
	DATA PROTECTION			Art. 11.2			Chapter IVA.2.										
General Measures of Implementation	IMPLEMENTATION OBLIGATIONS																
	ACTORS TRAINING AND QUALIFICATIONS			Art. 5.2.			Chapter IV. A.I. 4. D.2(39)		§17	Point VIII.2.		§9(iv)	§9(viii)		§8.2.6		
	RESPECT FOR EXISTING HIGHER STANDARDS									Point XV.							
	DATA COLLECTION AND REPORTING						Chapter VI.					§9(vi)c.			§8.1.1		
	COMPLAINT MECHANISMS						Chapter III.E-3				§19						



UN CRC Clusters	Rights	Charter of Fundamental Rights	Schengen Borders Code	Recast Reception Conditions Directive	Recast Asylum Procedures Directive	Recast Qualification Directive			Recast Dublin Regulation	Recast Eurodac Regulation	Anti-Trafficking Directive	Directive on Residence Permits for Victims of Human Trafficking	Family Reunification Directive	Return Directive	Brussels lia Regulation	Minimum Standards Directive
EUROPEAN UNION																
Definitions	MINOR/CHILD			Art. 2(d) Art. 2(e)	Art. 2(l) Art. 2 (m)	Art. 2(k) Art. 2 (l)			Art. 2(i) Art. 2 (j)		Art. 2-6		Art. 2 (f)			Art. 2(f)
General Principles	NON-DISCRIMINATION	Arts. 20-21;23;45	Art. 6-2	Preamble 8		Preamble 17						Preamble 7	Preamble 5	Preamble 2l		
	BEST INTERESTS			Preamble 9 & 22; Arts 2(j), 1l-2, 23, 24	Preamble 33, Arts 2(n), 25-1(a), 25-6	Preamble 18, 19, 27, 38, Arts. 20-5, 3l-4-5			Preamble 13, 16, 24 & 35, Arts 2(k), 6, 8 &20-3	Preamble 35	Preamble 8, 22-23, Arts 13, 16-2	Art. 10(a)	Art. 5.5	Preamble 22, Arts 5(a), 10-1, 17-5	Preamble (12)	Art. 15 (4)
	RIGHT TO BE HEARD/RIGHT TO PARTICIPATION	Art. 24		Arts. 5, 9,4, 10,5, 23,2 (d)	Preamble 22, Arts 8.1, 12.1(a), 19, 21, 25,4, 34.1	Preamble 18, Art. 22			Art.4, Art. 5; Art. 6-3 (d)Preamble 4 Annex XI Implementing Regulation 118/2004		Arts. 1l, 15.		Art. 5.2-3	Arts 7-1, 12	Art. 4l(2)(c) Art. 42(2)(a) Art. 1l(2) Art. 23(b)	Art. 16(2)
Civil Rights and Freedoms	AGE ASSESSMENT				Preamble 22, Art. 25.5 Art. 2(m)	Art. 2 (i)			Art. 2 (j)		Preamble 23	Art. 2 (f) Art. 10(c)	Art. 2 (f)			
	REGISTRATION AND DOCUMENTATION			Art. 6		Art. 25							Art. 5.2			Arts. 8-10
Family Environment and Alternative Care	PROTECTION OF THE FAMILY	Art. 7-24		Preamble 9		Preamble 18 & 19; Art. 23			Preamble 14-16							
	RESTORING FAMILY LINKS			Art. 23-2(a) Art. 24.3		Art. 30-5 Art. 3l-4 Art. 3l-5			Arts 6-3(d), 6.4, 8; Art. 1(7), Annex II List A (l), LIST B(l) Implementing Regulation 118/2004			Art. 10 (c)	Preamble 9, 12; Arts 4, 10,3	Arts 5, 10-2		Art. 15
	PERIODIC REVIEW OF PLACEMENT AND TREATMENT					Art. 3l-2										
	REHABILITATION AND REINTEGRATION OF VICTIMS OF VIOLENCE			Art. 23.4		Art.30-2					Preamble 18 & 22.	Arts 6.1, 7, 9				
	ASSISTANCE TO VICTIMS OF TRAFFICKING/ VIOLENCE			Art. 23.4, 25.1		Art. 30-2					Arts 13, 14, 16, 17	Arts 6.1, 7, 9				Art. 13(4)
	RECEPTION STAFF SPECIFIC TRAINING			Arts 18,7, 24.4, 25.2		Art. 3l-6					Preamble 25					
Basic Health and Welfare	ACCESS TO HEALTH SERVICES			Art. 19		Preamble 40, 46, Arts. 29-30			Art. 3l-2(a)		Art. 11.5	Arts 7, 9		Art. 14-1(b)		Art. 13
	ACCOMMODATION (including alternative care placement)			Arts. 11,3, 21, 22, 24.2		Arts 3l-3, 32					Art. 11.5	Arts 7, 9		Arts. 14-1 (d), 17,4		Arts. 13; 16(2)
	RIGHTS OF DISABLED CHILDREN			Arts 21, 22	Preamble 29	Arts 20-3, 30-2			Art. 32-1		Art. 11.7					
	RIGHTS TO SOCIAL SECURITY					Preamble 45, Art. 29										
	RIGHT TO ADEQUATE STANDARD OF LIVING/ MATERIAL SUPPORT			Arts. 17, 18, 20, 23.1		Preamble 45					Art. 11.5	Arts 7, 9		Art. 10.2		Art. 13
Education, Leisure and Cultural Activities	RIGHT TO EDUCATION			Art. 14		Art. 27.1					Preamble 22 Art.14.1	Art. 10(b)		Art. 14.1(c)		Art. 14 (l)
	RIGHT TO REST, PLAY AND PARTICIPATE IN ARTISTIC AND CULTURAL ACTIVITIES			Arts 11.2, 23.3										Art. 17.3		
	CULTURE & IDENTITY			Art. 23.2(b)												



UN CRC Clusters	Rights	Charter of Fundamental Rights	Schengen Borders Code	Recast Reception Conditions Directive	Recast Asylum Procedures Directive	Recast Qualification Directive			Recast Dublin Regulation	Recast Eurodac Regulation	Anti-Trafficking Directive	Directive on Residence Permits for Victims of Human Trafficking	Family Reunification Directive	Return Directive	Brussels lia Regulation	Minimum Standards Directive
EUROPEAN UNION																
Special Protection Measures	GUARDIANSHIP/ REPRESENTATION			Arts. 2(j), 24.1	Arts. 2(n), 7-5(b), 25	Arts. 2 (k), 31			Art. 6; Art.1(7) Implementing Regulation 118/2004		Preamble 23-24, Art. 16.3	Art. 10 (c)		Art. 10.1		Art. 16(l)
	LEGAL INFORMATION, ASSISTANCE AND REPRESENTATION			Arts 9.6, 26	Arts 12,19-23, 25.4	Art. 4.3			Arts 26.2, 27		Art. 15.2	Arts 10 (c) , 7.4		Art. 13.3-4		
	ACCESS TO PROTECTION PROCEDURES				Arts. 7.3-4 & 22				Arts 3, 6, 8		Arts 11.5-6, 12.3					
	DURABLE SOLUTIONS					Arts 31.3, 32, 34, 35					Preamble 23, Arts 14, 16.2			Arts 5, 10		
	CHILD SENSITIVE PROCEDURAL MEASURES		Art.19, Annex VII (6.)		Preamble 28 & 29				Art. 8		Arts 8, 15.3, 12.3	Art. 10(a)	Art. 5.5			
	SAFEGUARDS ON DETENTION			Arts 9.5-6, 11.2-3	Arts 8.1, 26				Art.28.4					Art. 17		
	APPEAL (AGAINST NEGATIVE DECISIONS)			Art. 26	Art. 46	Art. 27							Art. 18	Art. 13		
	DATA PROTECTION			Arts. 18.7, 24.3-4, 25-2.	Preamble 52, Arts 30, 48	Preamble 27 Arts 31.5, 37			Preamble 26, Arts 34, 40; Preamble (4) Implementing Regulation 118/2004	Arts 16, 23	Preamble 33	Art. 7.2				
General Measures of Implementation	IMPLEMENTATION OBLIGATIONS			Art. 31.1	Art. 51	Art. 39					Art. 22	Art. 17	Art. 20	Art. 20		Art. 32
	ACTORS TRAINING AND QUALIFICATIONS		Arts 15, 16.4.	Arts. 18.7, 24.4, 25.2, 29.1	Preamble 16 & 26, Arts. 4.3-4, 6.1, 14.1, 25.3, 34.2	Arts 31.6, 37			Arts. 6.4, 35.3		Preamble 15, 25, Arts 9.3, 15.3, 18.3					
	RESPECT FOR EXISTING HIGHER STANDARDS			Preamble 28, Art. 4	Preamble 14, Art. 5	Art. 3						Art. 4	Art. 3.4-5	Art. 4		Preamble 12
	DATA COLLECTION AND REPORTING			Art.30	Art.50	Art. 38			Art. 46	Art. 40	Art. 19	Art. 16	Art. 19	Art. 19		Art. 31
	MONITORING AND REVIEW			Preamble 30, Arts 28, 30.	Preamble 55, Art. 50	Art. 38			Preamble 28, Art. 46	Art. 40	Art. 23		Art. 19	Art. 19		
	COMPLAINTS									Art. 29						





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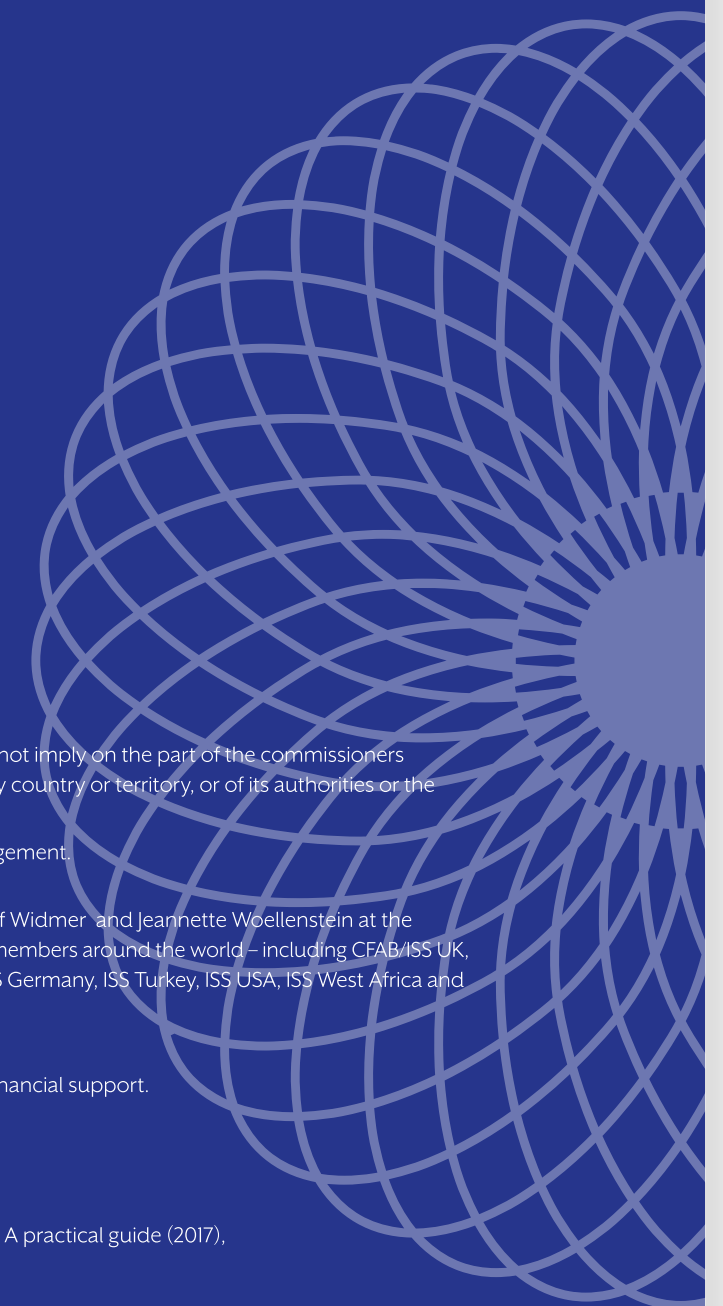
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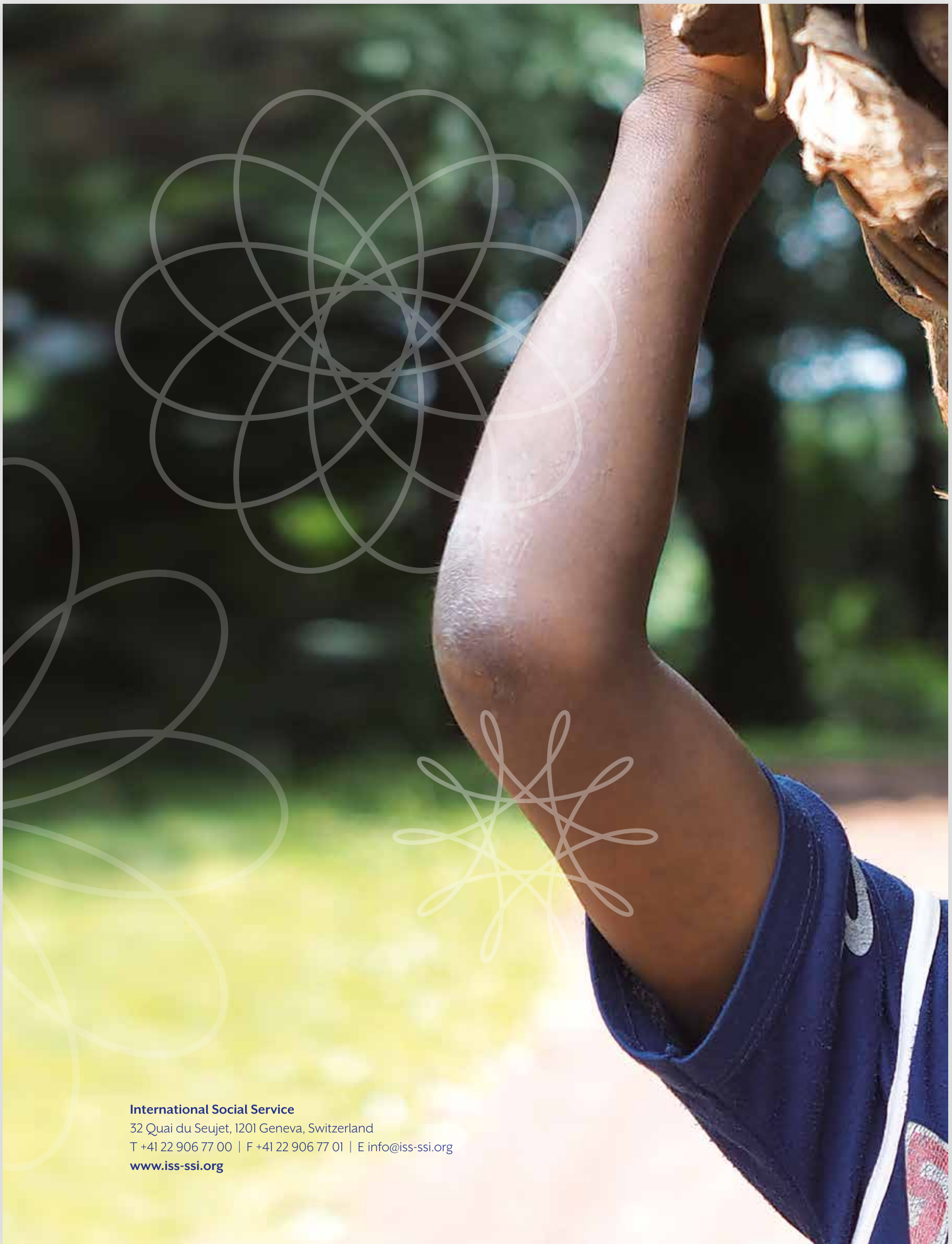
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