

Mr Gert WESTERVEEN, United Nations High Commissioner for Refugees (UNHCR) Representative  
to the European Institutions in Strasbourg

“Putting children at the heart of global efforts”

The number of children on the move is unprecedented & the protection issues that they face require urgent action on the part of the Council of Europe, its member states and civil society

- UNICEF’s 2016 Report “Uprooted” estimates that 65 million children around the world are on the move – running from conflict, poverty and extreme weather, looking for a better life and a place to call home. UNHCR’s own data shows that children constituted more than half (51%) of the total refugee population in 2016, with the number of unaccompanied and separated children on the move also at record levels. Some 112,305 asylum claims were lodged by UASC in 2015 and 75,000 in 2016 – the majority of which were lodged in the EU.
- Closed borders result in a stronger reliance on smuggling and trafficking networks. Women and children face additional risks of becoming victims of trafficking and sexual exploitation and abuse during transit and while on the move. This threat has in some areas increased in recent years.<sup>[2]</sup>

Policies and Programmes for Children on the Move should be guided by the overarching principle that children on the move are “children first”

- An overall ethic of care – and not enforcement – needs to govern interactions with children on the move, especially those who are unaccompanied. Regardless of the circumstances and reasons they are on the move, all children on the move share two fundamental characteristics:
  - (i) they are children, and should first and foremost be treated as such; and
  - (ii) as children, they are entitled to special protection and assistance under the Convention on the Rights of the Child (CRC), and their best interests should be a primary consideration.
- Children and young people on the move report the following protection gaps:
  - A safe, inclusive and enabling environment - violence, exploitation and abuse are paramount fears of children on the move across a wide range of settings, in countries of transit and destination, in and outside of camps, in rural and urban areas, and in designated reception centres. This includes significant risk of sexual and gender-based violence. Children, both alone and travelling with their families, speak of the traumatic effects of being detained in countries where they are seeking safety.
  - Concerns related to access to rights - Children and adolescents appeal for better information about their rights and for programmes to help them to access their rights. Children with specific needs, such as child survivors of violence or children at risk of sexual and gender-based violence, and children with disabilities, may face particular challenges in accessing information and services, or in having their voices heard, highlighting the importance of ensuring that procedures and services are inclusive, taking into consideration the age, gender and diversity of individual children. Children frequently report that they lack clear information about the asylum process, especially if they do not have access to legal aid and are not supported by guardians. The appointment of qualified guardians is key to ensuring that UASC are able to exercise

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<sup>[2]</sup> E.g. Bay of Bengal boat Crisis and continued risk for stateless population in Bangladesh; Nigerian women and girls traveling to Europe. Other areas where there are risks of smuggling and trafficking include: smuggling of women and children in the NTCA, populations affected by the humanitarian crisis in the Lake Chad Basin (Boko Haram), and Libya.

their rights, and strengthened policies and practices around guardianship should be prioritized.

- Concerns related to prospects for the future – Refugee children are deeply concerned about their future prospects. For unaccompanied and separated children, family reunification is a major concern, particularly as the separation from their families exposes them to heightened protection risks and integration difficulties.

The absence of legal pathways for children to move puts them at risk of trafficking. A comprehensive response is needed to ensure their safety and protection.

- International, regional and national child protection standards and guidance exist but many children on the move have not benefited from their implementation. States are primarily responsible for the protection of children: they need to establish and implement child protection systems in accordance with their international obligations, ensuring non-discriminatory access to services for all children under their jurisdiction, regardless of their nationality.
- Gaining access to asylum systems is a particular challenge that child victims of trafficking often face. Children may be unaware of their right to apply for asylum and they may not be provided with the information in a manner adapted to their age or maturity.
- To ensure that international protection is available to victims of trafficking who need it, asylum authorities must be able to identify links between trafficking and refugee protection needs.

UNHCR works closely with States, NGOs, civil society and displaced communities to better protect children from sexual abuse and exploitation

- In many countries, UNHCR is working with Governments to strengthen policies and practices for the improved protection of children. Examples include:
  - the European Union, where UNHCR is working with Governments and civil society on a “Roadmap to Strengthened Policies and Practices for Unaccompanied and Separated Children” following extensive consultations in 2016;
  - Beyond the EU, UNHCR continues to work with States on the recommendations made in “Safe and Sound” (2014), with specific roundtables with several European Governments; and
  - in the Middle East, where government authorities are included in the development and implementation of Standard Operating Procedures on child protection and SGBV, including for child survivors of sexual exploitation and abuse.
- From 2014-2016, UNHCR implemented a regional child protection initiative (“Live, Learn & Play Safe”) in Egypt, Ethiopia, Sudan and Yemen - the first child protection initiative developed by UNHCR for regional, rather than national, implementation.
  - The initiative targeted, in particular, children on the move across the Horn of Africa to address their protection, assistance and solutions needs, to provide stability as well as prospects for a safer and more hopeful future. It also aimed to better inform and protect children against dangerous and potentially life threatening actions including onward movement and including trafficking.

- In Europe, UNHCR supported the provision of holistic protection services, including response to survivors of sexual and gender based violence, through the Blue Dots system of safe spaces in Greece and in the countries of the Balkan route.<sup>[6]</sup>
  - UNHCR conducted safety audits in key locations, including first and second line reception centres in Italy using a pilot tool to identify risk factors and potential exposure of adults and children to SGBV. Key elements of the tool were incorporated into an overall monitoring tool to support regular monitoring of reception facilities across Italy led by the Government and supported by UNHCR.
  - Specialized Senior Protection Officers (SGBV) were deployed for six-month rotations in Greece and Italy to support enhanced programming and coordination.
- There is unfortunately no global tally of unaccompanied and separated children (UASC) who seek asylum or who are recognized as refugees. The numbers published annually in UNHCR's Global Trends Report are presumed to be incomplete as many major countries of asylum, such as the United States of America, the Russian Federation and South Africa do not report statistics. In addition, countries use different definitions of such children and do not always record them separately from children who are present with their families – despite the fact that children who are deprived of parental care or separated from their primary caregiver are considered particularly vulnerable to exploitation and abuse, and entitled to special protection.

#### 2016 High Commissioner's Dialogue

- The theme for the 2016 High Commissioner's Dialogue was 'Children on the Move'. The Dialogue was attended by a wide array of child protection experts, States, intergovernmental organizations, civil society and other humanitarian and academic partners, and included 12 Refugee Youth Representatives.
- Despite the strong legal framework that exists for children and the consensus on its importance, there is a vital need for "a collective push" towards: (i) ending immigration detention of children and implementing alternatives to detention; (ii) ending childhood statelessness and ensuring documentation and birth registration for all children; (iii) facilitating family reunification and actively pursuing clear pathways to comprehensive solutions in a timely manner for today's refugee children and youth; (iv) ensuring access to education and learning opportunities for children on the move; (v) strengthening national child protection systems that are inclusive of all children on the territory of a State; (vi) increasing regional and cross-national cooperation in relation to child protection; (vii) increasing international cooperation and sustained multi-year financial support to strengthen the capacity of State and non-governmental actors to protect and provide services for children on the move, particularly in the case of large scale movements where national capacities may need additional support; (viii) exploring greater private sector engagement; (ix) Recognizing the value of the participation of children and youth in policy and decision-making; and (x) developing more reliable sources of data.
- These operational considerations will be reflected in the Comprehensive Refugee Response Framework and the Global Compact on Refugees which are to be adopted by the UN General Assembly in 2018.

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<sup>[6]</sup> UNHCR, UNICEF launch Blue Dot hubs to boost protection for children and families on the move across Europe  
<http://www.unhcr.org/en-us/news/press/2016/2/56d011e79/unhcr-unicef-launch-blue-dot-hubs-boost-protection-children-families-move.html>