

THE TRANSITION OF UNACCOMPANIED MIGRANT CHILDREN TO ADULTHOOD



A compendium
of good practices

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The country profile on Greece was prepared by Gelly Aroni and Maria Karavalaki from the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum of Greece.

The country profile on the Netherlands was prepared by Nidos.

The country profile on Spain was prepared by Jesús Fernandez de Sevilla Gómez from Fundación Cepaim-Convive.

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LIST OF ACRONYMS

AMIF	Asylum, Migration and Integration Fund
CM	Committee of Ministers
CMJ	Joint Council on Youth
CRC	United Nations Convention on the Rights of the Child
EU	European Union
Fedasil	Federal Agency for the reception of asylum seekers, Belgium
FRA	European Union Agency for Fundamental Rights
NGO	Non-Governmental Organisations
PACE	Parliamentary Assembly of the Council of Europe
SIL	Supported Independent Living
SRSR	Special Representative on Migration and Refugees
SSPUAM	Special Secretariat for the Protection of Unaccompanied Minors (Greece)
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

1. INTRODUCTION

1.1. Challenges that migrant children and young people face in their transition to adulthood

For most of us, turning 18 is an occasion to celebrate, a rite of passage into adulthood and to greater independence. It should be a time when young people can make their own choices and explore a wide range of future opportunities through education and work. However, as research and consultations with former unaccompanied migrant children show, for them it is often a time of great uncertainty and precariousness.³ This is because the transition to adulthood usually means the loss of the rights and protection that they have enjoyed because they were children. Once they turn 18, unaccompanied migrant children are usually no longer entitled to special protection measures, social welfare support or the assistance of an independent guardian. For some unaccompanied children, this transition also means losing important guarantees and safeguards while dealing with ongoing asylum or immigration procedures. For others, the transition to adulthood may mean losing their existing residence status, leaving them undocumented⁴ and having to face complex legal and administrative procedures on their own. In contrast to the gradual ageing process typical for most children, unaccompanied migrant children are expected to become independent overnight, often with limited resources and little or no support. Thus, for many unaccompanied migrant children, the transition to adulthood brings instability and serious risks, and also creates challenges for the professionals and other people supporting them.

Across Europe, systems of childcare and aftercare vary greatly. In some countries, unaccompanied migrant children are not entitled to aftercare support. In other countries, where aftercare supports systems do exist, there may be a lack of the necessary expertise and funding. Similarly, access to social housing varies greatly across Europe, and many former unaccompanied migrant children have difficulty finding safe, appropriate accommodation,

WHAT DO PEOPLE SAY?

“it feels like a jungle becoming an adult”

Unaccompanied migrant child (Greece)¹

“When I turned 18, I started living alone. This was quite difficult. In Eritrea and during my trip I’ve seen so many bad things, like dead people. I think of these things right away when I’m alone. I don’t like to sleep alone. That’s why I live with a friend now and I had to quit my own home. My friends also have a lot of problems, but we understand each other and try to support each other.

Former unaccompanied migrant child (Netherlands)²

1. Report of the study visit to Greece. The study visit was carried on 14 - 16 September 2022 in the framework of the project “Building Futures, Sharing Good Practices: Migrant Children’s Transition to Adulthood – UACFutures”.
2. Kinderombudsman en Nationale Ombudsman, [Alleen volwassen worden. Onderzoek naar knelpunten bij overgang meerderjarigheid amv’s met verblijfsstatus](#), 25 mei 2022.
3. Report of the Consultative meeting [Challenges faced by young refugees and asylum seekers in accessing their social rights and their integration, while in transition to adulthood](#), organised by the Strasbourg European Youth Centre on 17 and 18 November 2011 (DJS/CM Refugees (2011) 7), 4 October 2012; Council of Europe, Parliamentary Assembly, Report, [Migrant children: what rights at 18?](#), 23 April 2014; European Migration Network (EMN), EMN Inform, [Transition of unaccompanied minors to adulthood](#), 2022; PICUM, [Turning 18 and undocumented: Supporting children in their transition into adulthood](#), 2022; OXFAM, [Teach us for what is coming: The transition into adulthood of foreign unaccompanied minors in Europe: case studies from France, Greece, Ireland, Italy, and the Netherlands](#), 2021; EMN, [Approaches to Unaccompanied Minors Following Status Determination](#), 2018; VYRE, VYRE publishes the [report on study session on Unaccompanied Minor Refugees](#), 2016; Council of Europe and UNHCR, [Unaccompanied and Separated Asylum-seeking and Refugee Children Turning Eighteen: What to Celebrate?](#), March 2014.
4. Council of Europe, Parliamentary Assembly, Report, [Migrant children: what rights at 18?](#), 23 April 2014, p. 4, para. 1; PICUM, [Turning 18 and undocumented: Supporting children in their transition into adulthood](#), 2022.

especially after turning 18. The uncertainty, instability and challenges that young migrants face during the transition period often have a great impact on their psychological well-being and overall health. In addition, they may have difficulty accessing healthcare and specialised mental health services. The lack of interpreters, translated information and intercultural mediators may exacerbate language barriers and further hinder their access to the services they need.

■ A majority of unaccompanied migrant children arrive in Europe just before or shortly after the age at which schooling is no longer compulsory (between 14 and 17 years of age), and many of them may have had little or no formal education. Even when unaccompanied children manage to access education, they may face challenges in continuing their studies or may not have access to training because of language barriers, missing documents, etc. Despite the recognition that integration measures should target the needs of migrant children,⁶ much remains to be done in this field to address discrimination and barriers.

■ Education and employment are closely connected and play an important role in guaranteeing social inclusion. However, without proper education and training, unaccompanied young migrants often end up in low-skilled jobs, and it can become extremely difficult for them to achieve any social or economic autonomy. As highlighted by the Parliamentary Assembly of the Council of Europe (PACE), the “impossibility of accessing [...] decent work or housing makes these young migrants even more vulnerable by preventing them from attaining financial independence and exposing them to [...] risks.”⁸

■ Notwithstanding the many challenges that young migrants and refugees face when they reach the age of 18, many Councils of Europe member states have developed various promising practices for supporting their transition to adulthood. Several of these are described in the second Chapter of this compendium.

1.2. The Council of Europe’s standards and work in the field

■ The protection of unaccompanied children, including their transition to adulthood, has been among the priority areas of the Organisation’s work. Numerous Council of Europe bodies have addressed the transition to adulthood in various standard-setting instruments, action plans and strategies.

■ **Standard-setting instruments** which are relevant for the transition of unaccompanied children to adulthood include the following:

- ▶ **Recommendation CM/Rec(2019)4 of the Committee of Ministers to member States on supporting young refugees in transition to adulthood**, adopted in 2019. The Recommendation calls for additional temporary support for refugees who have turned 18 with the aim of helping them access their rights, become

WHAT DO PEOPLE SAY?

“Many people have failed me and I don’t trust anyone any more. I feel lonely a lot of times even though I am with a lot of people.”

Former unaccompanied migrant child (Spain)⁵

WHAT DO PEOPLE SAY?

“I want to find a job but I don’t have the papers. I thought they were being processed but they are not and now I am 18 years old and I have to find a contract.”

Former unaccompanied migrant child (Spain)⁷

5. Country report from Spain.

6. See the [EU Action plan on Integration and Inclusion 2021-2027](#), which notes that “the transition into adulthood and from school to work can be particularly challenging for recently arrived migrant children, in particular unaccompanied young people, not least because support measures often stop when a child reaches 18 years of age. Preparing for such a transition in advance – through supporting their educational achievement, including them in vocational education and training and in the [Youth Guarantee](#), and providing coaching and mentoring – can be particularly effective.” Therefore, EU Member States are encouraged to develop support programmes that are specific to unaccompanied minors who arrive past the age of compulsory schooling and programmes for unaccompanied minors on the transition to adulthood. Furthermore, one of the ten policy lessons identified by the Organisation for Economic Co-operation and Development (OECD) in its stocktaking of governments’ experiences supporting the integration of refugees and other groups in need of protection, is that states should develop support programmes specific to unaccompanied children who arrive past the age of compulsory schooling (OECD), [Making Integration Work: Refugees and Others in Need of Protection](#), 2016).

7. Country report from Spain.

8. Council of Europe, Parliamentary Assembly, [Resolution 1996 \(2014\)](#), Migrant children: what rights at 18?, Text adopted by the Standing Committee, acting on behalf of the Assembly, on 23 May 2014, para. 6.

independent and promote their inclusion into European societies. Recommendation CM/Rec(2019)4 contains nine guiding principles:⁹

- Improve the legal framework for young refugees in transition to adulthood
- Ensure protection and non-discrimination
- Access to social services, accommodation and welfare benefits
- Access to education, vocational training and apprenticeship
- Access to free and comprehensive health care, including psychological support
- Access to timely, clear and transparent information and free legal advice
- Safeguard the right to family reunification
- Access to employment
- Life projects

■ In addition, Recommendation CM/Rec(2019)4 underlines the crucial role of youth work and non-formal education in supporting young refugees in their transition into adulthood and recognises the importance of encouraging young refugees to be culturally, socially and politically active in their host societies.

■ This Recommendation was adopted in the framework of the Council of Europe Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019) and of the “Youth for Democracy” programme. Coordinated by the Special Representative of the Secretary General on Migration and Refugees, the Action Plan proposed concrete support to protect children on the move with a focus on unaccompanied children.¹⁰

■ A **Roadmap** for the implementation and dissemination of Recommendation CM/Rec(2019)4 was adopted by the Joint Council on Youth (CMJ) in 2019.¹¹ A Guide to Recommendation CM/Rec(2019)4 has also been developed by the Youth Department of the Council of Europe.

- ▶ **Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors**, adopted in 2007, calls for the establishment of life projects to support unaccompanied children including in their transition to adulthood. A “life project” is a tool/plan/strategy based on a joint agreement of limited duration between the relevant state authorities and an unaccompanied or separated child. The Recommendation provides advice on how relevant authorities can use “life projects” to develop the ability of children to acquire and strengthen the skills they need to become independent, responsible and active in society.¹² In order to achieve this aim, life projects should contain steps and actions which facilitate the social integration of children, foster their personal and cultural development, as well as access to housing, health, education and vocational training, and employment. Finally, the explanatory memorandum to the Recommendation contains checklists for (a) policy makers, (b) guardianship authorities, (c) Guardians, as well as (d) key information for children concerned with Guardianship.
- ▶ **In Recommendation CM/Rec(2019)11 of the Committee of Ministers on Effective guardianship for Unaccompanied and Separated Children in the Context of Migration**, adopted in 2019 and its Explanatory Memorandum, member states are encouraged to put in place an effective guardianship system which takes into account the specific needs, circumstances and vulnerabilities of unaccompanied and separated children. The Recommendation includes specific guidance on legislation, public policy and institutional measures. It also underlines the important role of the guardian in guiding children in their transition to adulthood, including through individualised life projects.¹³ There is also guidance on helping children to participate actively in the processes that affect them, by providing access to legal advice, assistance and representation and, where necessary, working with their legal advisor during administrative and judicial

9. Council of Europe, [Recommendation CM/Rec\(2019\)4 of the Committee of Ministers to member States on supporting young refugees in transition to adulthood](#), adopted by the Committee of Ministers of the Council of Europe on 24 April 2019.

10. Further information on the Council of Europe Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019) can be found at the following link: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/action-plan>.

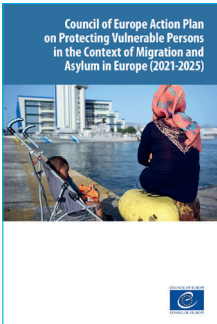
11. Further information about the Roadmap and accompanying actions from public authorities in Council of Europe member states, youth organisations and the Council of Europe Youth Department can be found at the following link: <https://www.coe.int/en/web/youth/young-refugees>.

12. Council of Europe, [Recommendation CM/Rec\(2007\)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors](#), adopted by the Committee of Ministers on 12 July 2007, para. 1.

13. Council of Europe, [Effective guardianship for unaccompanied and separated children in the context of migration, Recommendation CM/Rec\(2019\)11 of the Committee of Ministers and Explanatory Memorandum](#), October 2022, Principle 4, para. 1 d).

proceedings. The Recommendation calls on member states to consider extending guardianship for transitional periods after a child reaches the age of 18 to ensure ongoing care and support.¹⁴

Some of the key Council of Europe **action plans and strategies** which are relevant for the transition of unaccompanied children to adulthood include the following:




In May 2021, the Committee of Ministers unanimously adopted a new **Council of Europe Action Plan on protecting vulnerable people in the context of migration and asylum in Europe (2021-2025)**. The Action Plan is based on four pillars: three pillars which mirror the core mandate of the Council of Europe – human rights, democracy, the rule of law – and a fourth transversal pillar which focuses on co-operation. Each pillar comprises a set of actions which were identified through internal co-ordination and consultation with member states. The aim of the Action Plan is to enhance the protection of vulnerable persons in the context of asylum and migration, with a particular focus on children. An important priority of the Action Plan is to facilitate the social inclusion of all refugee and migrant children by supporting their transition to adulthood.



The **Council of Europe Strategy on the Rights of the Child (2022-2027)** was adopted by the Committee of Ministers of the Council of Europe in February 2022. It identifies six strategic objectives:

1. Freedom from violence for all children
2. Equal opportunities and social inclusion for all children
3. Access to and safe use of technologies for all children
4. Child-friendly justice for all children
5. Giving a voice to every child
6. Children’s rights in crisis and emergency situations

The Strategy sets out measures aimed at advancing the protection and promotion of the rights of the child across Europe, including by supporting the transition into adulthood of children in vulnerable situations.



The Council of Europe Youth Sector Strategy 2030, adopted by the Committee of Ministers in January 2020, also aims to empower young people and promote human rights in order to build more inclusive societies. It will do this by focusing on four thematic priorities:

1. Guaranteeing young people’s access to rights
2. Fostering living together in peaceful and inclusive societies
3. Supporting youth work.

1.3. The purpose and scope of this compendium

The purpose of this compendium is to promote knowledge sharing, improve know-how and contribute to the mainstreaming of promising practices for supporting unaccompanied migrant children turning 18. It aims to showcase promising practices which contribute to supporting unaccompanied migrant children effectively during their transition to adulthood. By doing so, the compendium aims to inspire and support relevant professionals, organisations and other stakeholders who are active in this field.

Because every context is unique and presents its own specific challenges, there is no “one size fits all” approach, but it can be instructive and useful to learn about – and to learn from – good practices and experiences in other contexts. The purpose of this compendium is to share information about examples of good practices

¹⁴ Ibid, page 34, para. 45 and page 37, para. 56.

in six Council of Europe member states. The aim is to help promote long-term improvements in the quality of support for unaccompanied migrant children during their transition to adulthood in line with European and international standards. The primary intended audience for this compendium includes government officials and civil servants, legal professionals, social workers, child protection and youth service providers and civil society.

1.4. How was this compendium developed?

■ This compendium was developed as part of the multilateral project “Building Futures, Sharing Good Practices: Migrant Children’s Transition to Adulthood – UACFutures” (the Project), funded by the European Union’s Asylum, Migration and Integration Fund (AMIF) and the Council of Europe. The Project is coordinated by the Council of Europe and implemented jointly with the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Migration and Asylum in Greece, SolidarityNow (Greece), Stichting Nidos (the Netherlands) and Fundación Cepaim-Convive (Spain). The overall objective of the Project is to enhance the quality of support provided to unaccompanied migrant children during their transition to adulthood through, *inter alia*, the development of information and training materials, including this compendium of good practices.

■ The methodology followed in developing this compendium included extensive desk research, contributions from the Project partners in the form of country profiles (for Greece, the Netherlands and Spain) and discussions with relevant national experts and professionals during the three study visits to Greece, Spain and the Netherlands, which took place between May and September 2022, as well as during three transnational workshops, one in Spain on 24 November 2022 and two in Greece on 30 and 31 January 2022. The three study visits and the transnational workshops were organised as part of the project and helped to identify good practices in the countries represented by the project partners as well as in other European Union (EU) member states. This work shaped a better understanding of the various approaches and practices used to support unaccompanied children in transition to adulthood in accessing their rights. Finally, to ensure a comprehensive approach to the topic, consultations were also held with experts.

■ The ‘promising practices’ described in this Compendium were selected on a basis of common criteria, such as:

- ▶ Child rights-based approach
- ▶ Effectiveness
- ▶ Transferability
- ▶ Inclusiveness
- ▶ Participatory approach
- ▶ Community based approach

■ In line with the thematic areas outlined in the Project, specific attention was given to the following topics which are of particular importance for unaccompanied children during the transition to adulthood: psychological impact and support; legal support and access to basic rights; access to education and to the labour market; and access to accommodation. To ensure a comprehensive approach, examples of promising practices from other areas such as guardianship, case management, and child/youth participation have also been included in this compendium.

■ In terms of geographic scope, this compendium focuses on practices from the project partner countries – Greece, the Netherlands and Spain – and three other EU member States – Belgium, France and Germany. The compendium does not, however, claim to be a comprehensive study, and the examples of good practices included are by no means exhaustive or definitive. Given the constraints of the project, it was not possible to include the many other initiatives to support the transition of unaccompanied migrant children to adult life that have been developed in other Council of Europe member states.

1.5. How to use this compendium?

For the purposes of this compendium, the following definitions are used.

- ▶ **Asylum seeker:** an individual who is seeking international protection.¹⁵
- ▶ **Child:** “every human being below the age of 18 years unless under the law applicable to the child majority is attained earlier”.¹⁶
- ▶ **Guardian:** “a person who is appointed or designated to support, assist and, where provided by law, represent unaccompanied or separated children in processes concerning them. [...] The guardian acts independently to ensure that the child’s rights, best interests and well-being are guaranteed. The guardian acts as a link between the child and all other stakeholders with responsibilities towards him or her.”¹⁷
- ▶ **Migrant children:** “children crossing borders for whatever reason”.¹⁸
- ▶ **Refugee:** a person who is outside their country of nationality due to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, and who is unable or, because of this fear, unwilling to avail himself or herself of the protection of that country. A refugee could also be a stateless person who is outside the country of habitual residence for the same reasons.¹⁹
- ▶ **Unaccompanied children:** “children [...] who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so”.²⁰
- ▶ **Separated children:** “children [...] who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members”.²¹
- ▶ **Transition to adulthood:** can be understood as entailing “the assumption of new roles and tasks related to the acquisition of autonomy and social integration, that culminates in the achievement of education, training, work, mature relationships, financial and housing independence.”²²

This Compendium is structured as follows:

- ▶ **Chapter I** gives an overview of the challenges faced by unaccompanied children in transition to adulthood, the Council of Europe’s work and standards relating to the topic, as well as information on how the Compendium was developed and how it can be used.
- ▶ **Chapter II** provides information about the specific national contexts and relevant good practices on transition to adulthood from Belgium, France, Germany, Greece, the Netherlands and Spain.
- ▶ **Chapter III** delineates key lessons learnt from the good practices identified and the conclusions reached.
- ▶ **Appendix I** includes a list of key Council of Europe reference documents.
- ▶ **Appendix II** provides suggestions for further reading.

The examples of good practices identified have been grouped into categories labelled with icons. If you are interested in a particular thematic area, look for the icons below.

15. Convention relating to the Status of Refugees (adopted 28 July 1951) 189 UNTS 137 and Protocol relating to the Status of Refugees (adopted 31 January 1967) 606 UNTS 267.

16. Article 1, United Nations Convention on the Rights of the Child, 20 November 1989.

17. Council of Europe, [Recommendation CM/Rec\(2019\)11 of the Committee of Ministers to member States on effective guardianship for unaccompanied and separated children in the context of migration](#), Adopted by the Committee of Ministers on 11 December 2019, II. Definitions, d).

18. [Promoting child-friendly approaches in the area of migration - Standards, guidance and current practices](#), December 2019, p. 18.

19. *United Nations Convention relating to the status of refugees, 1950, Article 1A(2)*.

20. United Nations, Committee on the Rights of the Child, *General Comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin*, CRC/GC/2005/6, 17 May – 3 June (“CRC Committee (2005), General Comment No. 6”), para 7.

21. CRC Committee (2005), General Comment No. 6, para 8.

22. López, M.L., Santos, I., Bravo, A. and del Valle, J.F., 2013, The process of transition to adulthood of young people fostered by the child welfare system. *An. Psiacol.*, 29, 187–196; cited in PICUM, [Turning 18 and undocumented: Supporting children in their transition into adulthood](#), 2022, p. 4.

ICON	AREA OF GOOD PRACTICE
	Clear entitlement to support for transition and care specified in law and in policy
	The role of guardians and mentors in supporting young people in their transition to adulthood
	Holistic case management and care planning
	Youth empowerment and meaningful participation
	Access to housing and accommodation
	Access to education, vocational training and the labour market
	Access to psychological support and healthcare
	Social support including mentoring
	Free legal aid and quality legal assistance

2. SUPPORTING THE TRANSITION TO ADULTHOOD: EXAMPLES OF GOOD PRACTICES

2.1. BELGIUM

■ In Belgium various levels of government and different authorities are responsible for different tasks relating to the reception, guidance, and protection of unaccompanied migrant children. The federal government is responsible for the entry and residence of immigrants including the reception of asylum seekers. The Guardianship Service, which falls under the Federal Public Service Justice, oversees the guardianship of unaccompanied children including the follow-up and the quality of the guardianship system in Belgium. The Federal Agency for the reception of asylum seekers (Fedasil) is responsible for the reception and guidance of asylum seekers and unaccompanied children. The communities are in charge of the care, education and integration of newcomers. The regions deal with issues related to housing, etc.

DID YOU KNOW?

The [Platform Children in Exile](#) (Plate-forme Mineurs en exil/ Platform Kinderen op de vlucht) is a Belgian national bilingual platform that offers support to organisations or services working with unaccompanied children through training, meetings, thematic exchanges of experience, study days, etc.

A similar platform also exists in France – see further below.

■ The modalities for the reception of unaccompanied children are regulated by the Reception Act.²³ The reception of unaccompanied migrant children at Fedasil consists of three phases:²⁴

- (1) observation and orientation
- (2) accommodation at a collective reception centre, and
- (3) reception in a local reception initiative (only for young people with regularised residence status).

■ The stay at an **Observation and Orientation Centre** is short term (between 4 and 6 weeks) and provides the opportunity to observe the young people and better understand their strengths, weaknesses, needs and their possible social or family network in Belgium. Following this initial phase of reception, unaccompanied children applying for asylum are transferred to a **collective reception centre**, while those who do not seek asylum are taken in charge of by the Youth Welfare Services of the communities. Unaccompanied children stay in the collective reception centre until they are 16 years old unless an alternative is found within the communities. The right to reception remains for as long as the procedures relating to the request for international protection are ongoing.

■ The situation changes when the young person receives a positive answer to his or her asylum application. In this third phase, unaccompanied children over the age of 16 can move on to **individualised reception** services for unaccompanied children where they are prepared for independent living and integration into society. This is done through **local reception initiatives** in cooperation with cities and municipalities. Children who receive a negative answer to their asylum application can continue to be accommodated until they reach the age of 18. Once they reach that age, the special protection stops, and they must leave the reception facilities.

23. Agence fédérale pour l'accueil des demandeurs d'asile (Fedasil), Asile en Belgique, [Cadre légal](#), last accessed on 20 September 2022.

24. European Migration Network (EMN)-Belgian Contact Point, [Unaccompanied Minors in Belgium: Reception, return and integration arrangements](#), July 2009, pp. 29-32.

Agence fédérale pour l'accueil des demandeurs d'asile (Fedasil), [Qu'est-ce qu'un Centre d'Observation et d'Orientation ?](#), 10/12/2021.

Belgium

■ The Wallonia-Brussels Federation (FWB) supports several facilities that offer counselling exclusively for unaccompanied children, under a Youth Care mandate (Aide à la Jeunesse). In addition, the FWB offers support to unaccompanied children through the Plan MENA: support for unaccompanied children, in collaboration between the Youth Care and Fedasil facilities. Finally, there are other services that provide support for transition to independent living (e.g., Mentor-Escale and the Aide en Milieu Ouvert).

■ Youth Care in the Flemish Community is 'categorical' in nature, i.e., it is exclusively for unaccompanied children. However, many unaccompanied children also receive help in addition to this exclusive provision, e.g., in foster care and guidance in the transition to independent living (assisted independent living within the Flemish Youth Care system). There is also a cooperation agreement between Fedasil and the Flemish Community to provide co-financed reception places for 145 young people.

■ In Belgium, the Immigration Law provides a specific procedure for unaccompanied migrant children: **the special residence procedure**. In this procedure, the guardian, the unaccompanied child and his/her lawyer and the Immigration Department look for the **most durable solution for the child**. According to the law, a durable solution is defined as either:

- ▶ **family reunification** in the country where the child's parents regularly reside, in accordance with articles 9 and 10 of the United Nations Convention on the Rights of the Child of 20 November 1989;
- ▶ **return** to the country of origin or to the country where the unaccompanied child is authorised or is admitted stay, with guarantees of adequate reception and care, depending on his or her age and degree of autonomy, either by his or her parents or other adults who will take care of him or her, or by public bodies or non-governmental organisations;
- ▶ **authorisation to reside in Belgium**, in accordance with the provisions of the law.

■ When determining the durable solution, the child's best interest of the child must be taken into account.²⁵

■ If it is concluded that the durable solution for the young person lies in Belgium, a right of residence for one year is issued. After three years, starting from the issue of the first electronic identity card, the young person receives a residence permit of unlimited duration.

EXAMPLES OF GOOD PRACTICE



Local Reception Initiative for a limited period of time

The most common type of support offered to (former) unaccompanied children from the age of 16 is a Local Reception Initiative (LOI). In this case, Fedasil negotiates an agreement with a local partner, usually a municipality, through which the partner receives resources and makes a commitment to implement the third phase of the reception process. This third phase is reserved for persons who have been granted international protection.

The LOI offers accommodation where the (former) unaccompanied child can stay for a limited period (6 months for a child, 4 months for an adult). The accommodation is usually a house where four or more single persons live together. Each person has his/her own bedroom, but the kitchen and sanitary facilities are shared. During this period, the residents learn to take control of their own lives (e.g., housekeeping, daily schedules, managing a weekly budget, finding more permanent accommodation, etc.). The intensity of the support varies greatly, depending on the reception partner.

For many (former) unaccompanied children, the LOI model may be the only preparation they receive for independent living before they are on their own. However, the period of 4 or 6 months to find another home may be too short, and residents are under time pressure to leave.

25. Articles 61/14, 61/17 and 74/16 of the Immigration Law.



Small Residential/Living Units

In the Flemish Community's Youth Care system, the regulations for residential care provide for a 24/7 presence of specialised educators. Like the LOI, Small Residential/Living Units for unaccompanied migrant children are houses where 4 to 6 young people live together but without 24/7 supervision. Everyone has their own room, but sanitary facilities and kitchen are shared. Each resident receives individual guidance, but there is also support for living together. There is no permanent presence of educators, so the young people have to fend for themselves. The management of their monthly budget is part of the residential assistance, and it is handed over in phases. There is no fixed term for the stay: young people move out when they are ready to do so. Moreover, there is continuity in the guidance.

The Minor-Ndako organisation was the first to start with small residential units for unaccompanied children. This life project was extensively documented and positively evaluated. Small Residential/Living Units could be the answer to the missing link between leaving residential and youth care and taking the first steps towards independent living. In addition, they alleviate the loneliness that many young people suffer when they start living on their own, with or without periodic assistance).

These experiments for unaccompanied children were evaluated positively and Small Housing Units were adopted as a working model for the Flemish community's Youth Care system, including for Flemish youngsters in Youth Care.



A manual and training for guardians

In Belgium, the Guardianship Service is part of the Federal Public Service Justice. The Service is responsible for appointing a guardian for every unaccompanied child, as well as for monitoring guardianship arrangements and the quality of the guardianship system in Belgium. The functioning of the Guardianship Service in Belgium is regulated by the Guardianship Act. Specific guidelines for guardians were published on 2 December 2013 and should be read together with the Guardianship Act. Every unaccompanied child has the right to the assistance of a guardian and of a lawyer.

The Guardianship Service has prepared a [manual for guardians](#). A first edition was published in 2007 and a new version was published in 2022. It consists of 7 parts, each highlighting different aspects of guardianship and the assistance of unaccompanied children: the Guardianship Service and the mission of the guardian; providing psycho-social support for unaccompanied children; international protection and the special procedure for residence; other procedures and documents; reception and support; daily life; and the rights of the unaccompanied child. The first edition of the manual had a mainly legal approach. The new version maintains this element, but also devotes a great deal of attention to practical and psycho-social aspects. For example, it includes a checklist entitled 'my pupil is going to live alone'. This makes the manual informative and useful for social workers who work with (former) unaccompanied children.

In addition to the manual, in recent years the Guardianship Service has continued to focus on training for guardians and has set up a solid coaching programme where new guardians are assisted by more experienced guardians who work for the Red Cross and Caritas International.



DUO for a JOB: an intergenerational mentoring programme to facilitate access to the labour market²⁶



"Duo for a Job" is an association which brings together young migrants and refugees seeking employment (mentees) with experienced persons aged over 50 (mentors). The association recruits the mentors and the mentees. Following an initial training programme, the duo meets for two hours a week for six months, under the guidance and supervision of the association. The relationship between the mentor and mentee is based on exchanging, learning and reciprocal trust.

26. European Commission, European Website on Integration, [Mentoring project - DUO for a JOB](#), last accessed on 21 September 2022; see also <https://www.duoforajob.be/en/homepage/>.

Through this mentoring programme, the mentors share their knowledge and expertise with the young persons, supporting them in developing their skills and autonomy, and in achieving their career plans. The aim of the programme is to reduce youth unemployment in Belgium while at the same time avoiding the loss of social capital available among the elderly people capable of being mentors. It also facilitates intergenerational and intercultural exchanges, which in turn, reduce discrimination and strengthen social cohesion.



Planning together with young people by developing growth plans and support plans²⁷

The Flemish Youth Care system included a mission to develop plans for each unaccompanied child who is transitioning to adulthood and so is leaving youth care. This work takes a broader approach and involves cooperation through 'A Way Home' which focuses on offering a framework for those in transition to adulthood.

Planning for aftercare is based on two central principles: (1) focusing on the strengths/competencies/resources of young people, and (2) the importance of social relationships, both those that are professional (within a formal network) and those that are socially supportive (in informal network). These two central principles form the basis of 'The Strengths Model' by Rapp and Goscha (2006),²⁸ which states that bringing together individual strengths and support from the environment can lead to an improvement in the quality of life.

Planning for youth requires that care providers within the Flemish Youth Care system, together with the young people in their care and taking into account their individual contexts, draw up a growth and a support plan. The purpose of both plans is to prepare for the transition to adulthood in a planned and integrated way. For every young person with a long-term programme in youth care, a growth plan is drawn up at around the age of 16. A support plan is drawn up no later than six months before the 18th birthday.

Building on Rapp and Goscha's strengths model, a growth and support plan should contain the following building blocks:

- ▶ The plan focuses on the young person and is directed by their aspirations, ambitions, dreams and goals
- ▶ The plan is future-oriented
- ▶ The plan is aimed at empowerment and directed by the young person
- ▶ All domains of life (study, housing, work, health, finances, leisure time, relationships (social network) are mapped
- ▶ The social context (both the professional and the informal /social support network) is part of the plan.
- ▶ The plan has a good structure with goals and phasing for the short-, medium, and long-term that allows flexibility to adapt goals as time passes
- ▶ The approach is in line with the young person's request for help (cf. tailor-made)
- ▶ The plan must be one integral
- ▶ The plan is user-friendly

The plan has a simple structure, is well-organised, easy to use and contains clear language.

A growth plan or support plan that incorporates the building blocks mentioned above can only be fully effective if it is the result of a round-table discussion. A round-table discussion in the form of a structured consultation is held with every young person in care who will soon have to make the transition to adulthood. Apart from the youngster himself/herself and their individual youth care supervisor, it is important that the discussion should involve people whom the youngster has chosen from his or her informal network, professionals from their youth care environment and others responsible for the kind of adult care which the young person thinks he or she will need during and after the transition period.

27. Jeugdhulp, [Jongvolwassenen](#), last accessed on 20 September 2022.

28. Rapp, C.A. and Goscha, R.J. (2006) *The Strengths Model: Case Management with Psychiatric Disabilities*. 2nd Edition, Oxford University Press, Oxford



Singa: facilitating encounters between newcomers and other people from the local community

Singa is an international organisation that has been active for some time in France and aims at bringing locals and newcomers together to engage in social, professional and entrepreneurial projects with a view to ultimately creating a more inclusive society.²⁹ Singa means “thread” in Lingala, the thread to make a link. In Belgium (Brussels Region), Singa was launched in 2017. It creates a framework to facilitate encounters between newcomers and locals by supporting, among others, group activities, a buddy system and cohousing with refugees.³⁰

Group activities: There are 10 to 15 activities per week. Everything is free, accessible to everyone, there are no conditions for entry (e.g., legal status). Interested parties can participate as often as they like. In addition, there are “*Bazaars*” which are meetings at agreed places and times. Coming together is a goal in itself. Each time, about 50 people attend.

Buddying: By pairing up with local people, the newcomer integrates more easily. The ‘buddy’ can be someone who was born in Belgium or someone who started as a newcomer himself a few months earlier. It is not a relationship that lasts for several months but a short-term one which has the aim of introducing the newcomer to the community

Co-housing: There are always people looking for a flat- or housemate. Among them are also people who are willing to open their homes to newcomers. Singa provides a framework to make this possible. Refugees and other migrants each have their own rental agreements and are, in a legal sense, equal tenants. In addition to their co-housing arrangement, they are linked to a volunteer who has nothing to do with housing but helps with administrative procedures.

29. For more information see: <https://singafrance.com/en>.

30. For more information see: <https://www.singa-belgium.org/>.

2.2. FRANCE

■ In France, the protection of unaccompanied children is based on the notion of children at risk, which is subject to the ordinary law on child welfare and is applicable to all children regardless of nationality or legal status. As such, unaccompanied migrant children are entitled to child protection measures and access to accommodation, health, and education.³¹

■ Within the remit of the Child Protection Services (*Aide sociale à l'enfance* – ASE), the primary responsibility for the protection of children at risk in France lies with the departmental councils.³² Thus, the responsibility for child protection lies with local authorities, which are also in charge of the reception and care of unaccompanied children. The State authorities intervene through their prefectures in the age assessment process relating to unaccompanied migrant children. These prefectures are responsible for checking the authenticity of identity documents, and since 2019, they also play an important role in the age assessment process (through the registration of unaccompanied children seeking the protection of child protection services). Judicial authorities are often involved in the protection of unaccompanied migrant children. Juvenile Court judges have the power to order appropriate measures to protect them. Prosecutors play an important role in taking emergency provisional placement measures (*Ordonnances de Placement Provisoires*). Family Courts Judges (*Juges aux Affaires Familiales*) may designate a legal guardian. Administrative judges, including the administrative judge acting in emergency interim proceedings, may intervene if any of the child's fundamental rights or liberties are violated.

■ The Ministry of Justice is involved in the geographical distribution of unaccompanied children across the country, based on criteria defined by way of decree.³³ Following the increased number of arrivals of unaccompanied children, a distribution mechanism among the different departmental councils was set out in law.³⁴ The aim was to “*harmonise the practices of the departments during periods of protection, evaluation and orientation*” while guaranteeing and respecting the rights of unaccompanied children.³⁵

DID YOU KNOW?

InfoMIE (Centre ressources sur le mineurs isolés étrangers) runs a national web-based platform of resources for professionals from institutions, reception centres and NGOs who work directly or indirectly with unaccompanied children. The platform provides information as well as a forum where professionals can ask questions which are often responded to by professional peers who are experiencing similar situations in their daily practice. One of the main purposes of the InfoMIE platform is to encourage professionals at national level to exchange relevant information.³⁶

A similar platform also exists in Belgium – see above.

■ Unaccompanied children who have not applied for asylum may apply for a residence permit once they have reached the age of 18. Their options for regularisation will depend on various factors, including the length of time spent in the care of the Child Protection Services or with a “trustworthy third party” and their personal situation (training, education), etc. Overall, the following options are available:

- ▶ Children who have been entrusted to the Child Protection Services or a trustworthy third party before the age of 15 can apply for French nationality.³⁷
- ▶ Children who have been entrusted to the Child Protection Services or a trustworthy third party before their 16th birthday may apply for a residence permit for “private and family life”. The decision will be based on their level of integration into French society, their links with their family in their country of origin, education, etc.³⁸

31. Code de l'action sociale et des familles, [article L 111-2](#), (in French), last accessed on 17 September 2022.

32. Code de l'action sociale et des familles, [article L 226-3](#) (in French), last accessed on 17 September 2022. Metropolitan France is divided geographically into 96 'departements', which have a degree autonomy and are managed by 'departmental councils'. Each department has its own administrative centre or 'prefecture'.

33. Code de l'action sociale et des familles, [article R.221-13](#) (in French), last accessed on 17 September 2022..

34. [Law No. 2016-297 of 14 March 2016 on child welfare](#) (in French).

35. European Migration Network-French National Contact Point, Fourth focused study 2017, [Approaches in France to unaccompanied minors following status determination](#), February 2018, p. 11.

36. More information at: www.infomie.net

37. Code civil, [article 21-12](#) (in French) last accessed on 14 December 2022.

38. CESEDA, [article L 423-22](#)(in French), last accessed on 14 December 2022.

- ▶ Children who were taken into care after their 16th birthday may either apply for a permit following the same procedure as any other foreigner in an irregular situation³⁹, or, depending on their former professional training or education, they may apply for a work permit.⁴⁰

■ Residence permits also exist for students, but such permits only allow restricted authorisation to work (maximum 80 hours per month).

Measures to reinforce the integration and autonomy of unaccompanied minors reaching adulthood

■ In February 2022, a new law on child protection was adopted in France.⁴¹ Although this new law does not focus specifically on unaccompanied migrant children, many of its provisions are relevant for their reception, care and transition to adulthood. Specific measures include:

- ▶ further protection under the Child Protection scheme until the age of 21.⁴²
- ▶ better preparation for transition to adulthood through improvements in the quality of information provided during the interview at the age of 17.⁴³
- ▶ assistance from a legal representative on issues pertaining to educational support.⁴⁴

■ These provisions were made to prevent sudden exits from child welfare and to harmonise approaches to case management across the departments.

EXAMPLES OF GOOD PRACTICE

■ In France, there are a number of approaches and promising practices offered by different providers.



Administrative and judicial protection of young adults

French law provides for temporary assistance measures for young adults (“aide provisoire jeune majeur”, usually referred to as “contrat jeune majeur”).⁴⁵ As they are part of the child protection scheme, these measures are managed by the departments, which are responsible for the assistance and protection of young adults.

Until 2022 when the child protection law was passed, temporary assistance measures were not mandatory but at the discretion of the presidents of the departmental councils. The 2022 law on child protection has amended the existing scheme so that it also entitles young adults under 21 to benefit from protection measures. All former beneficiaries of child protection are now eligible for such protection. However, for young adults who have never been beneficiaries of child protection services, such as those who are placed under legal protection or whose age was disputed, these protective measures remain at the discretion of the departmental councils.

Young adults who are not entitled to this administrative protection or are denied it can challenge this decision by appealing to the president of the departmental council or to an administrative judge. Interim emergency procedures can be initiated at the same time in order to ensure a quick suspension of the decision.⁴⁶

39. Ibid., [article L 423-23](#) (in French) last accessed on 14 September 2022.

40. Ibid., [article L435-3](#) (in French) last accessed on 14 September 2022.

41. [Loi du 7 février 2022 relative à la protection des enfants](#) (in French). See also, Groupe d’information et de soutien des immigrés (GISTI), Webinaire, [La réforme de la protection de l’enfant et son impact sur la situation des mineurs isolés étrangers](#) (in French) 6 July 2022.

42. Code de l’action sociale et des familles, [article L 222-5](#) (in French), last accessed on 15 September 2022.

43. Code de l’action sociale et des familles, [article L 222-5-1](#) (in French), last accessed on 15 September 2022.

The attached document contains all new legal provisions pertaining to unaccompanied minors and young adults, throughout the « civil code », « labour code », « social action and family code » and « code of entry and residence of foreigners and right of asylum » : https://www.gisti.org/IMG/pdf/webinaire_gisti_2022-04_impact-reforme-ase-sur-situation-des-mie.pdf

44. Code civil, [Article 375-1](#) (in French), last accessed on 15 September 2022.

45. Code de l’action sociale et des familles, [article L 112-3](#), [article L 222-5](#), and [article L 222-1](#) (in French), last accessed on 15 September 2022.

46. Administrative Justice Code, [L 521-1](#) (in French), last accessed on 15 September 2022.

Young adults who benefit from temporary assistance through the Young Adults Contract (Contrat jeune majeur) scheme receive further legal support and better access to their rights (health accommodation, residence permit, education etc.).

Judiciary protection of young adults

Juvenile court judges can also order judicial protection for young adults who are particularly vulnerable.⁴⁷

The above-mentioned administrative and judiciary protection schemes do not automatically result in a residence permit being granted to former unaccompanied children. They can, however, improve their chances of getting their residence status regularised as they are deemed to have effectively proved their inclusion in France.⁴⁸



Special interviews to organise the transition to adulthood one year before unaccompanied children turn 18⁴⁹

When unaccompanied children reach the age of 17, French law provides for a special interview to prepare them for transition to adulthood and, since the 2022 reform, to inform them of their rights, in particular their right to apply for a residence permit or to claim international protection. Young people may be accompanied by a trustworthy adult during the interview, the aim of which is to assess their situation and to plan support for them as they move towards independence.⁵⁰ An 'access to independence plan' is drafted by the president of the departmental council in consultation with the young person. Relevant institutions and bodies are called upon to draw up a comprehensive plan covering the educational, social, health, housing, training, employment and resource needs of the unaccompanied child. In exceptional circumstances, the interview may be repeated to take account of changes that have occurred in the needs of the young person concerned.



Social housing assistance

In France, young adults who are transitioning out of child welfare services (known as «Protection de l'enfance» in French) and entering into adulthood are often eligible for social housing assistance. This programme aims to provide these young adults with affordable and stable housing as they start to become independent. The social housing assistance programme is administered by the French government and is designed to help low-income individuals and families access affordable housing. The programme provides financial assistance in the form of rent subsidies or vouchers to eligible households, which can help cover the cost of rent and utilities. This programme is not specifically targeted to unaccompanied migrant children, but it is available to all individuals who meet the eligibility criteria. The exact eligibility criteria for social housing assistance vary depending on the region in France, but generally, individuals must have a low income and limited financial resources to qualify.

Different kinds of accommodation depending on the minors' ages

In France Terre d'Asile facilities in Pas de Calais, accommodation provision evolves in stages. Children under 16 live in social houses for children (MECS), where they sleep in dormitories and take their meals together. At the age of 16 they can move to shared flats, and at the age of 17 they can move to a student residence. They therefore already have some degree of autonomy when they turn 18 and leave child protection.

Facility for unaccompanied children and young adults: Sauvegarde de l'Enfance et de l'Adolescence des Savoies

This facility offers support services for unaccompanied children and young adults. Unaccompanied children approaching the age of 18 and young adults are accommodated in independent flats

47. [Article 1](#), Décret n° 75-96 du 18 février 1975 fixant les modalités de mise en œuvre d'une action de protection judiciaire en faveur de jeunes, (in French), last accessed on 15 September 2022.

48. See a [decision](#) from the Council of State dated 21 April 2000, Oladipupo, n° 210291,

49. European Migration Network (EMN), [Approaches to Unaccompanied Minors Following Status Determination in the EU plus Norway – Synthesis Report](#), Brussels, 2018, p. 28.

50. Code de l'action sociale et des familles, [article L 222-5-1](#) (in French), last accessed on 15 September 2022.

or in residences for young workers (Foyers de Jeunes Travailleurs) and look after themselves. However, they have access to support from a team of social workers who can assist them with their applications for residence permits, access to health, domestic issues and so forth. Appointments with these social workers may take place in the office or at the young adult's home, depending on their specific needs. The organisation enters into partnerships with both private and public providers, including state providers such as the integrated reception and orientation service (service intégré d'accueil et d'orientation) to enable young adults to find suitable accommodation for themselves. This model leads to the progressive development of autonomy and very good outcomes when exiting the service as regards success in finding jobs or apprenticeships and gaining residence permits.



The Hope Project: accommodation and job orientation for refugees

The Hope project offers “a pathway to integration through employment for a population facing socio-economic difficulties”. It has several components, including:⁵¹

- ▶ training in French for professional purposes, which goes hand in hand with developing an individual professional project and preparation for employment.
- ▶ vocational training or an interim professional development contract in an area of work where companies have unmet needs for additional staff resources.
- ▶ accommodation and catering services, which are provided at the training location.
- ▶ ongoing support with administrative, social, professional, medical and citizenship issues.

51. Ministère du Travail, du Plein emploi et de l'Insertion, [Parcours Hope, Hébergement - Orientation - Parcours vers l'Emploi des personnes réfugiées](#), last accessed on 15 September 2022.

2.3. GERMANY

■ The main agencies responsible for ensuring the well-being of unaccompanied children and young adults are the local Youth Welfare Offices (Jugendämter). Their general responsibility is to ensure the welfare of any child who is in Germany without parental care, or of children whose parents may compromise or are not able to ensure the child's well-being. The Local Youth Welfare Offices are responsible for age assessment, arranging temporary guardianship of a child, establishing their needs and requesting regular care, as well as partially for providing long-term care and socio-educational support.

■ Social welfare organisations also play a crucial role in the German system. Accommodation for children is mostly provided by non-governmental organisations (NGOs), whose services are reimbursed by the government. All regular care provision within youth welfare facilities is organised by these NGOs. Therefore, from a child's perspective, the NGOs are the principal caregivers even though their right to deal with the child's upbringing derives solely from the legal guardian or youth office within the scope of their power of attorney.

■ Family courts also play a crucial, albeit infrequent role. They determine the appointment of a legal guardian for a child, solve legal disputes between the child and the youth office or legal guardian, and supervise the work of the legal guardian through regular reports. The child's legal guardian is the final decision-maker on an important question.⁵²

■ Unless a child can be returned safely to the care of his or her parents, they are generally granted 'tolerated' or interim leave to remain. This so-called 'toleration' (Duldung), pursuant to §60.2 of the Residence Act, is generally granted until the child reaches adulthood. While this status does not allow the crossing of borders and does not count towards mandatory waiting periods for permanent residence or naturalization, it does guarantee the right to stay and provides access to the social or youth welfare systems, including to healthcare.

■ When the age of 18 is reached, authorisation to remain in Germany in the form of a tolerated stay on educational grounds (Ausbildungsduldung) may be granted if (former) children are enrolled in vocational training, which in most cases lasts up to three years. Vocational training⁵³ enables them to learn a certain trade, usually via a hybrid system of attending learning facilities and simultaneous application of this knowledge in a workplace. This kind of vocational training is the norm in Germany for those who do not go onto higher education.

■ Beyond that, §25a of the Residence Act stipulates that any person under 21, irrespective of their legal status, with four years of residence in Germany who has attended school for four years or obtained a school leaving certificate and has no criminal record can be granted a regular residence permit. This permit can be extended indefinitely so long as the young person can prove their identity, pursues their education in the form of school, vocational training or university, or receives income from work which exceeds the minimum wage.

■ With minor exceptions, in Germany the level of care for unaccompanied children does not depend on the legal status of the child, and the way in which unaccompanied young people within the youth welfare system are processed does not depend on whether an asylum application has been filed with the authorities. Once it becomes apparent to any administrative agency that a child is unaccompanied or does not have a guardian who is authorized by a parental power of attorney, the agency must contact the youth office. They then put in train measures to protect the best interests and well-being of the child by organising temporary custodial care (vorläufige Inobhutnahme). This status enables the youth office to exercise all legal parental rights. The child is placed in a temporary specialized youth welfare facility and has permanent access to a caregiver when needed. After a significant number of arrivals of unaccompanied minors in 2015, mostly in a few major cities, a system was established to ensure equal distribution of children throughout German states and counties. Despite this requirement, children can stay in their current municipality if it is in their best interests, or in certain other cases, for example when the health condition of the child does not allow transfer; if the transfer would result in separation from siblings; if a reunion with family is feasible in the short term; or if the child has already been in that municipality for over a month. The best interests of the child can also be an important consideration if relatives live in the same municipality because such social bonds can prove beneficial to transition into adulthood.

■ In addition to housing, the youth care facilities and the youth office provide a range of assistance services to help with socio-pedagogic, educational and other needs of the child. The minor's needs are regularly assessed and updated by the youth office. Needs assessments are carried out through meetings with the young person

52. BumF – Bundesfachverband unbegleitete minderjährige Flüchtlinge (2022). Themen. [Vormundschaft](#).

53. See a detailed explanation of the German vocational training system in this article: Federal Ministry of Education and Research. [The German Vocational Training System](#). Last accessed on 15 September 2022.

concerned, his/her legal guardian, the primary caretaker and a translator. This process is transparent and expedient, using specific, measurable, realistic goals to be achieved within a specified time in accordance with the wishes of the minor, which can include plans that reach into adulthood.⁵⁴ The costs of all measures of youth welfare are paid by the responsible municipality and include the funding of school trips, additional language courses, school material and recreational needs at the request and the discretion of the youth office. The young person also receives social assistance on clothes, hygiene articles and personal expenditures.⁵⁵

EXAMPLES OF GOOD PRACTICE



The law foresees the possibility for aftercare support until the age of 21

German law addresses the needs of former unaccompanied children when they transition into adulthood. §41 of Part 4 of the Social Code (SGB VIII) states that: *“young adults continue to receive appropriate and necessary support pursuant to this chapter of the law, if and as long the development of their personality, does not guarantee a self-determined, autonomous, independent way of life.”* This support should generally be *“granted until the age of 21 and continued beyond this age only in warranted individual cases.”*⁵⁶



Psycho-Social Centres for Refugees and torture victims

The state of North Rhine-Westphalia reimburses social welfare organisations that set up psycho-social centres for refugees and torture victims in major regional hubs of the state. Using a needs-based clearing process, the centres offer crisis intervention and stabilization measures, psycho-social assistance, group therapy, assistance with finding psychotherapists, and also train translators for psychiatric and psychotherapeutic settings.⁵⁷ The therapeutic Centre for Torture Victims in Cologne specialises in this field and offers long-term psychotherapeutic treatment.⁵⁸ Meanwhile, setting another positive example, the city of Bonn reimburses all the costs of volunteers who work as translators in psychotherapeutic and psychiatric settings involving unaccompanied children.⁵⁹



Support for labour market integration and vocational preparation measures

Support is offered by the German Federal Employment Agency (Agentur für Arbeit) to help unaccompanied children to cope with the obstacles they may face when accessing the labour market due to their personal challenges, such as lack of schooling before or during their departure from their country and language or cultural barriers. The purpose of these support measures is to ease integration into the labour market. This includes support from career information centres within the Federal Employment agency’s facilities and a wide range of transitional programmes to prepare for vocational training, including inter alia:

- ▶ Programmes which start while children are still attending school, such as Career Entry Support (Berufseinstiegsbegleitung) in cooperation with schools; this aims to ensure that the young person successfully obtains the necessary school-leaving certificate. It also provides general career orientation and helps with the application process.
- ▶ Programmes for young people who have had difficulty finding a vocational training placement: these include vocational preparation measures (Berufsvorbereitende Maßnahmen), which offer internship placements and further qualification from educational services providers. Another offer in this category is an Introductory Training Measure (Einstiegsqualifizierungsmaßnahme),

54. BumF – Bundesfachverband unbegleitete minderjährige Flüchtlinge e.V. (2022). Themen. Jugendhilfe

55. The variety of financial support for measures for the benefit of a minor is subject to state recommendations or guidelines as seen in these two examples: Anlage 7 zur Hessischen Rahmenvereinbarung für die Gestaltung der Einzelvereinbarungen über Leistungsangebote, Qualitätsentwicklung und Entgelte nach §§ 78 a ff. SGB VIII (KJHG). URL: <https://www.kostenbeitrag.de/images/Nebenleistungen/Nebenleistungen-2022.pdf> and Empfehlung der Landeskommision Jugendhilfe NRW gemäß §39 Abs.3 Aechtes Buch Sozialgesetzbuch. URL: https://www.lvr.de/media/wwwlvrde/jugend/hilfzuerziehung/dokumente_65/lakonr10.pdf

56. Sozialgesetzbuch (SGB) – Aechtes Buch, §41 (German Social Code, Part 8, §41).

57. A brief outline of this state programme is accessible here: Ministerium für Kinder, Familien, Flüchtlinge und Integration des Landes Nordrhein-Westfalen. [Psychosoziale Zentren für Geflüchtete](#).

58. An overview over all facilities and their offer can be found at the following link: <http://www.psz-nrw.de/>

59. According to a source at the Youth Office in Bonn.

where an assisted 6–12-month internship at a company is organised with the goal of facilitating progression to a regular, usually three-year vocational training programme at the same company.

- ▶ Programmes like Assisted Vocational Training (Assistierte Ausbildung), which assist those who are already participating in company-based vocational training but, because of social disadvantages or language problems, need additional support to be able to finish their training successfully and obtain a diploma.



Case management and counselling children and young adults aged 12 to 26



For young people and youth welfare professionals alike, it is not easy to keep track of all the rules concerning access to the labour market, integration services and assistance programmes. The Youth Migration Service (Jugendmigrationsdienst - JMD) has been established to alleviate this problem. It has a large network of around 500 offices throughout Germany and engages independent non-profit social welfare organizations to provide support and counselling for children and young adults aged between 12 and 26. The Federal Department of the Interior reimburses the organisations for providing these services, ensures common quality standards, and defines the spectrum of services through its funding guidelines. The Youth Migration Service does not support young people based on their specific needs at a certain time, but instead uses a case management approach to develop comprehensive integration support plans for them. These plans are jointly created with the young people under the supervision of an adviser who is a trained social worker or educator. The process begins with an assessment of the current situation and the competencies of a young person, establishes goals, and specifies the resources or support needed to achieve the agreed goals. In many ways, it mirrors the approach of the assistance plan within the youth welfare system. After an integration support plan is agreed upon, some services are provided directly by the Youth Migration Service, and other organisations or public institutions are responsible for others.⁶⁰



Free legal assistance

The state of North Rhine-Westphalia provides one of the most comprehensive free legal assistance support structures for unaccompanied minors in Germany. The support provided includes legal advice on asylum and residence law, custody and legal guardianship, access to education and work, access to social assistance and health services, and assistance in cases of conflict with the law.⁶¹ Many of the services mentioned are also provided by another state-run programme that is specific to North Rhine-Westphalia, the Regional Counselling Service for Refugees (Regionale Flüchtlingsberatung). This programme provides legal advice to asylum seekers and persons of all ages without residence permits. These two programmes together provide a comprehensive network of legal aid which can be accessed by young people free of charge.⁶² These legal services, which are not provided by certified lawyers, are offered pursuant to §6 of the German Act on Legal Services (Rechtsdienstleistungsgesetz) to ensure quality control in a field generally reserved exclusively for registered lawyers. Given these limitations, there needs to be a guarantee that, in complicated cases, the legal adviser has access at short notice to a certified lawyer within the organisation or one from an external law firm. In addition, the legal advisors must regularly receive legal training in the areas of asylum law, residence law and social law, and they are required to keep up to date with the latest changes in the relevant laws, regulations and jurisprudence.⁶³ Furthermore, the terms of the government reimbursement scheme for providers of legal advice generally require that they have a university degree in social work, education or another field relevant to their work, such as political or social sciences or law.

60. The details can be found in the links provided at the following website: [Jugendmigrationsdienste](#). Die Jugendmigrationsdienste (2022).

61. Ministerium für Kinder, Familie, Flüchtlinge und Integration des Landes Nordrhein-Westfalen (2021): Asylverfahrensberatung für unbegleitete minderjährige Geflüchtete“. https://www.bra.nrw.de/system/files/media/document/file/2_2_1-kurzkonzept-asylverfahrensberatung_umf.pdf

62. A brief description of the programme can be found here: [Ministerium für Kinder, Familie, Flüchtlinge und Integration des Landes Nordrhein-Westfalen](#) (2020). Regionale Beratung für Geflüchtete.

63. AWO Bundesverband e.V. (2019). [Das Rechtsdienstleistungsgesetz. Möglichkeiten und Grenzen der rechtlichen Beratung in den Migrationsfachdiensten](#).

2.4. GREECE

■ In Greece the Special Secretariat for the Protection of Unaccompanied Minors (SSPUAM) is the national authority responsible for the protection of children from third countries or who are stateless and are deprived of parental care. The SSPUAM was established in February 2020 within the Ministry of Migration and Asylum.⁶⁴

■ As the designated authority, the SSPUAM also coordinates and supervises all the actions taken by other authorities, agencies or organisations that deal with unaccompanied minors in Greece. The SSPUAM has designed and is overseeing the implementation of a “National Strategy for the Protection of Unaccompanied Minors” (the National Strategy).⁶⁵ The National Strategy is a long-term strategic plan consisting of four thematic pillars, each with accompanying objectives. It aims to provide a comprehensive framework for the care and protection of unaccompanied children in Greece. A specific objective among its main priorities is to support unaccompanied children in their transition to adulthood.⁶⁶

■ In addition to its National Strategy, the SSPUAM initiates and implements policies and actions to safeguard the well-being of unaccompanied children in Greece. Examples include the abolition of detention under “protective custody” and the establishment of a Voluntary Relocation Scheme and of a National Emergency Response Mechanism.⁶⁷

■ The SSPUAM has also devised a new institutional and operational framework for Guardianship⁶⁸, and a new law on guardianship was adopted in July 2022.⁶⁹ According to the new law, responsibility for guardianship falls to the SSPUAM. Individuals from relevant public entities, international organisations and NGOs who are qualified to offer guardianship services are appointed as guardians by the Prosecutor, who may also appoint a child’s family member to be responsible for their everyday care. The reformed guardianship system is considered an important step towards aiding smooth transition to adulthood. Among their other responsibilities, guardians facilitate the orientation of unaccompanied minors to the welfare system, support those who are reaching adulthood and enable them to familiarise themselves with the responsibilities of independent life.

■ In order to obtain legal status in Greece, a third country national or stateless child⁷⁰ has to apply either for international protection or for a residence permit on humanitarian grounds.⁷¹ Following a favourable first or second instance decision, the child is granted refugee status or subsidiary protection.⁷² Alternatively, those children in the care of a non-profit institution or in an accommodation facility supervised by the Ministry responsible⁷³ can apply for a 2-year residence permit on humanitarian grounds.

■ An amended Immigration Code⁷⁴ was adopted on 1 April 2023, including a new legal provision which promotes the development of an integrated system for the protection of unaccompanied minors in Greece. According to this provision, adult citizens of third countries or stateless persons residing in the country, who have entered Greece as unaccompanied minors and have successfully completed at least three (3) grades of

64. The SSPUAM was established in February 2020 by Presidential Decree 18/2020 (A’34). It operates in accordance with articles 35 and 42 of Law 4622/2019 (A’133) and is supervised by the Deputy Minister of Migration and Asylum, who is in charge of integration.

65. National Strategy for the Protection of Unaccompanied Minors (Εθνική Στρατηγική για την Προστασία των Ασυνόδευτων Ανηλίκων), Special Secretariat for the Protection of Unaccompanied Minors, Ministry of Migration and Asylum, 2022.

66. National Strategy, Pillar 2, objective 4.

67. The National Mechanism offers protection through the operation of a 24/7 helpline and emergency accommodation with provision of psychosocial and legal support until UAMs are placed in proper long-term accommodation facilities.

68. According to Article 19 Paragraph 1 of the Presidential Decree 220/2007 and Article 22 of the Law 4540/2008, the Prosecutor for Minors, and in his/her absence the First Instance Prosecutor, acts as the provisional guardian of UAMs until a permanent guardian can be appointed.

69. Law 4960/2022, “National Guardianship System and Accommodation Framework for Unaccompanied Minors and other provisions of the competency of Ministry of Migration and Asylum” (Εθνικό Σύστημα Επιτροπείας και Πλαίσιο Φιλοξενίας Ασυνόδευτων Ανηλίκων και άλλες διατάξεις αρμοδιότητας του Υπουργείου Μετανάστευσης και Ασύλου), Ο.Γ. Α’ 145/22.07.2022.

70. The entry of individuals into the Greek territory is regulated primarily by the Schengen Border Code and the Immigration and Social Integration Code. The prerequisites for the stay of third country nationals or stateless persons in Greece are provided by the Immigration and Social Integration Code. If individuals, though, wish to apply for international protection, then applicable are the Geneva Convention and New York Protocol complementing it, as well as Law 4636/2019 on international protection, as amended and Dublin III Regulation per case.

71. According to article 19 A of the Immigration and Social Integration Code; L. 4251/2014, as amended. Specifically, art. 19 A was inserted with the provisions of L. 4332/2015, which was later amended.

72. For official statistical data, please see http://asylo.gov.gr/en/?page_id=110.

73. The same provision foresees other special conditions too for which one may be granted humanitarian status, like exploitation, serious health issues, etc.

74. Law 5038/2023, “Immigration Code” (A’81/01.04.2023)

secondary education of the Greek school before completing the twenty-third year of age, are granted a ten-year residence permit, which also grants the right to full access to the labour market.

■ The Integration and Support for Unaccompanied Minors Unit⁷⁵ plays a crucial role in preparing for and ensuring a smooth transition to adulthood for unaccompanied minors in Greece. This includes supporting access to formal and non-formal education by facilitating registration of unaccompanied children at schools in cooperation with the Ministry of Education and Religious Affairs; providing capacity building educators to work in accommodation facilities; and liaising with local communities to facilitate unaccompanied children's engagement in extra-curricular activities. To this end, the Unit has undertaken a geographical mapping of the stakeholders at municipal and local level who are involved in the provision of integration services and actions and has provided detailed descriptions of them. The aim is to support and strengthen existing synergies and cooperation and to encourage new initiatives. Depending on the profile of each local community, relevant stakeholders include universities, museums, municipal Migrant Integration Centres, sports clubs, NGOs, and cultural centres, among other entities. Through the services provided by these stakeholders, children not only develop new skills and talents but also enhance their life skills, which helps contribute to their gradual integration in the community and their preparation for adulthood.

EXAMPLES OF GOOD PRACTICES



Supervised Apartments for Semi-independent living (SIL)

SIL apartments constitute an alternative housing arrangement for unaccompanied children aged between 16 to 18 years old established in 2018.⁷⁶ The programme includes housing and a series of services (education, health etc.) and aims to facilitate the transition of children to adulthood and their integration into Greek society by gradually allowing children to undertake more responsibilities. The SIL model is considered a milestone as its establishment marked the shift from institutional care to more appropriate, supported, and empowered independent living. Through SIL children are encouraged to develop their skills and abilities, self-esteem and potential while giving them perspective into life. Currently, 78 SIL apartments are operating across Greece, with most of them located in Athens and Thessaloniki. The actors operating the apartments are Metadراسي, Arsis, Ekfrasi, ICSD, Iliaktida, IRC, KEAN, Nostos and Praksis⁷⁷. All of them operate under the direct supervision of the SSPUAM.

In addition to safe housing, SIL apartments provide a series of services that cover children's needs related to education, health, psychosocial wellbeing, legal assistance, interpretation etc. Multidisciplinary teams are supporting the children residing in SIL apartments. These teams consist of social workers, psychologists, and lawyers as well as caregivers who cover nights shift, and their main task are to ensure safety and assist the children with covering their basic and practical needs.

With regard to their preparation for adulthood, the actors operating the apartments encourage the children to gradually take on essential decision making while they remain available to provide further support when needed. This might take the form of encouraging minors to book a doctor's appointment for themselves, or to actively seek employment for themselves. Typically, when the time of the placement allows it, the preparations for adulthood will start four months before reaching majority. These include comprehensive support for seeking employment, empowerment to access basic services, a large body of information on where essential services support can be found as well as practical preparation, the actor will complete their application for 18+ apartment when this is feasible and assist them in completing their registration for tax and insurance, both of which are essential for their future employment.

75. The Unit is coordinating various actions, such as the access of UAMs to formal education, in close cooperation with the Ministry of Education and Religious Affairs, the provision of homework support and remedial classes in accommodation facilities in cooperation with NFE actors (UNICEF, SOS Children's Villages), and the provision of capacity-building training with the educators at the accommodation facilities.

76. Initially SIL apartments were under the supervision of the National Center for Social Solidarity (Ministry of Labour and Social Affairs). As of November 2020, this role was handed over to the SSPUAM. From November 2020 until 30 April 2023, 1409 unaccompanied migrant children have been hosted in SIL apartments.

77. Solidarity Now and also Koinonino EKAV were also running SIL apartments, but their operation ended as of March 2022). Similarly, Arsis was operating more SIL apartments but as of the end of February some terminated their operation.

A comprehensive guide providing information on the living schemes at a national and European level was created through the PROUD project.⁷⁸ This guide targeted the capacity-building of care professionals working with minors in SIL apartments.



Mentoring programmes

In recent years there have been some noteworthy initiatives to encourage and support the mentoring of unaccompanied children in Greece.

In July 2021 the SSPUAM, initiated the Mentorship initiative led by six former unaccompanied children who have attended school in Greece and have faced similar difficulties and challenges. The pilot programme is funded by the European Union Agency for Asylum (EUAA). Under this scheme, mentors provide individualized guidance at every step of the unaccompanied child's journey, including their reception, accommodation, education, and ensuring their smooth transition to adulthood, as well as their integration into the labour market.

Before deployment, mentors take a two-day training course covering such topics as the code of conduct, basic principles of child protection, gender-based issues, and legal procedures. They then have further capacity-building opportunities. As young adults who themselves arrived in Greece as unaccompanied children, the mentors act as role models, use their knowledge and experience to inform children about the available options, support their needs, boost their confidence and raise their awareness about the possibility of exploitation and abuse.

During the pilot phase, the emphasis was on introducing children to this peer-to-peer support by conducting field visits to accommodation facilities and SIL apartments across Greece. The initiative also aimed to increase referrals to these apartments. The effectiveness and the positive impact of the Mentorship scheme could be enhanced if more mentors of different nationalities are identified, and a gender balance is achieved so that individualized support can be given to a larger number of unaccompanied children. In other words, it would be beneficial if the pilot mentoring activity were to become general policy and practice across Greece.

Other mentorship initiatives in Greece include:

- ▶ **METAdrasi's PROUD Project:** through this mentoring programme, care professionals and other relevant professionals are matched with unaccompanied children between the ages of 15 and 18, to facilitate their transition from care to independent living. The mentors' participation is voluntary and there are concrete procedures⁷⁹ covering application, interviews, and selection, as well as training and matching mentors with mentees.
- ▶ **Re-Generations⁸⁰:** this initiative aims to support young third-country nationals, aged 18-21 through mentoring relationships with volunteer citizens during their integration into the host society and to develop their resilience as they approach adulthood. The main objectives are to foster exchanges between young third-country nationals, volunteers and local communities through cultural and other educational initiatives. The project has also put together a profile of attributes that shape the role of mentors. Among these attributes are kindness, attentiveness, flexibility, guidance, service, cooperation, independence, vigilance, and consistency.⁸¹ In the framework of this project, ARSIS, made a commitment to support the volunteer mentors by providing proper initial and on-going training and support during the mentoring relationship. ARSIS has developed guidelines in Greek describing the necessary steps and principles for training mentors and has also created a comprehensive manual based on the inputs of Punt de Referència, which provides recommendations on setting up a mentoring programme. The manual also includes templates for self-assessment

78. For more on PROUD Project and the comprehensive guide on SIL see <https://careforminors.eu/the-proud-project/>. Duration of the project is 2019-2021, co-financed by the European Commission's AMIF programme and coordinated by METAdrasi - Action for Migration and Development (METAdrasi, Greece) and its partners Nidos (Netherlands), Fundació Privada Idea Per A La Millora Social D Infants I Families (Fundació Idea, Catalonia), Apostoli (Greece), Centre for European Constitutional Law (CECL, Greece), PLAN International Deutschland (PLAN, Germany) and Athens Lifelong Learning Institute (ALLI, Greece).

79. Further information can be found at the following link: <https://careforminors.eu/mentors/how-to-become-a-mentor/>.

80. The project is coordinated by Arsis in Thessaloniki and is funded by the EU Asylum, Migration and Integration Fund with the support of Defence for Children International (Italy) and Punt de Referència (Spain). The duration of the Project was 42 months, from December 2018 until May 2022. Further information can be found at: <https://arsis.gr/regenerations-mentoring-for-young-refugees/>.

81. For an analysis see the Memoir developed for the purposes of the project, page 11.

questionnaires to be filled out by mentoring candidates and sample letters of agreement for both mentors and mentees. The manual is available on the ARSIS site.⁸²

- ▶ **RoAd: Road to Adulthood-Mentorship to Help Unaccompanied Children Navigate Adulthood**⁸³ also with the participation of ARSIS, this project aims to promote mentoring as a sustainable and effective means of preparing unaccompanied children who are migrants and refugees for a smooth transition to adulthood and integration with the local community. This project has a special focus on raising mentors' awareness about the needs of unaccompanied children and the benefits of mentoring. It aims to bridge the gap once unaccompanied children turn 18, when they are no longer eligible for the protection or the benefits and services available to children and lose the right to have a legal guardian. These changes dramatically affect their stay in the country (through loss of e.g., appropriate accommodation, access to medical and psychosocial assistance, continuation of education or vocational training, and access to the labour market).



HOME Project: providing support for accommodation, education, capacity-building and employability

The HOME Project provided four key kinds of services for those reaching adulthood:



It provided up to 20 accommodation places for both male and female young adults with a maximum length of stay up to the age of 21, with the possibility of an extension until a sustainable solution is found.

- ▶ Educational and capacity building opportunities were also offered, including, among other options, computer classes, Greek or English language courses, and scholarships to private schools.
- ▶ Employability was promoted through the provision of support for CV writing, preparation for job interviews and assistance to employers with the hiring procedures related to young adults from third countries. Possible work opportunities were identified by liaising with private or public entities.
- ▶ The HOME Project also ensured access to legal support and representation for individual young adults.



Stepping-Stone: supporting access to education and the labour market

Through the Stepping-Stone project, METAdrasi aimed to enhance the participation of young refugees and migrants in Greek society through two pillars of intervention: employability and education.

The project began in May 2017. Despite COVID-19 restrictions in 2020-2021, the project continued to provide support for many young adults, and at the end of 2021 METAdrasi created a Job Club as a means of providing individualized support, which still exists today. Through the Job Club, support is provided for the creation of CVs, job searches and preparation for job interviews. During 2021 and 2022, several online and in person seminars were organised for the individuals being supported. Examples of the topics covered include: the documents required for employment in Greece, CV writing, basic IT skills and preparation for job interviews through role play. To increase opportunities for employment, contact was also made with employers in the tourism sector.

82. <https://arsis.gr/en/home/>

83. RoAD to Adulthood – Mentorship to Help Unaccompanied Minors Navigate Adulthood, aims to support UAMs and young adults in their transition to adulthood through a common methodological approach of mentoring. The project is implemented with funding from the EU Asylum, Migration and Integration Fund in collaboration with ARSIS - Association for the Social Support of Youth, Defence for Children International (Italy), Punt de Referència (Spain) and Mentoring Europe <https://www.mentoringeurope.eu/> (Netherlands). The duration of the Project is 24 months, from February 2022 to January 2024.



The Design your Future Project: support for access to education and employment

Through “Design your Future”, the FAROS Horizon Center⁸⁴ provides opportunities for further education and employment. The project is designed for young refugees between the ages of 17 and 23. During the first phase young people attend workshops on the development of a problem-solving mindset and acquire essential skills. They are then transferred to the integration phase, during which they are given help to enter the rapidly evolving labour market and integrate with Greek society. The programme lasts three and half months and the core activities are the 15-week training course (which includes training in job readiness, soft skills development, social integration, and life skills), career guidance in the form of one-to-one career coaching sessions, skills assessment and psychometric testing, career exploration through ‘Career Day’ events and field visits to different workplaces. Greek language training and psycho-social support are also provided. The latter includes individual assessments, action plans and support with acquiring the necessary documents for employment in Greece. Upon completion of the programme, participants are eligible to choose one of two pathways: support with their enrolment in further education or other training courses; or signing up with the job placement service, where they will be given access to a wide range of employers and can gain valuable working experience.

84. <https://www.accmr.gr/en/services/service/1891.html>

2.5. THE NETHERLANDS

■ In the Netherlands, Nidos is the national certified care organisation responsible for the guardianship of all unaccompanied migrant children. In addition to guardianship, Nidos is also responsible for the reception into family-based care of children aged 0-15 with or without legal status, and children aged 15-18 with legal status in small scale reception facilities. The court is responsible for appointing a guardian (Nidos) for children deprived of parental care. The Healthcare and Youth Inspectorate (IGJ) is responsible for the supervision of guardians and of Nidos itself.

■ Until recently, unaccompanied children officially had to leave reception facilities at 18 years of age, which is when guardianship and related funding end. Beyond that age, it is the responsibility of municipalities to provide housing for young migrants who have a residence permit. Due to the national housing shortage, many municipalities are not able or willing to provide this follow-up. As a result, many of the small reception facilities in the Netherlands were turned into houses for young migrants who reach their 18th birthday. This, however, causes great uncertainty for the youngsters.

New policy ensuring reception and guidance after 18

■ In June 2022, a promising new policy was announced, which was adapted later that year.⁸⁵ As from January 2023, the Dutch government is funding the reception of unaccompanied youngsters up to the age of 21, and the policy specifies that Nidos is responsible for its implementation. Through its adoption, this policy resolves the difficulties of funding family-based care. The new policy, moreover, addresses the issue of children who are living in small scale facilities and who frequently are not provided with housing after turning 18.

EXAMPLES OF GOOD PRACTICES



Semi-independent living at Nidos

There are two types of small-scale reception options in the Netherlands: children's housing groups (KWG) and small housing units (KWE). These houses are ordinary family homes or apartments in residential areas in a city or village. Younger children who are not yet sufficiently independent are placed in a KWG. The group size at the KWG is 8-12 children and there is 24-hour supervision. Children who are already more independent are placed in KWEs, with each house with between 3-4 youngsters, depending on the size of the house. The children are supported by a coach who is present for 18 hours a week. KWEs are a safe place to experience living independently while still being able to rely on the support of a mentor.

Nidos tries to ensure that these two housing options are situated in close proximity so that the coaches spend less time on travel and more time supporting the children. This also allows the children and coaches to form a small community. To further facilitate community building, Nidos invests in creating and maintaining good relations with the respective neighbourhoods or villages. Ensuring that children feel safe in their surroundings and have opportunities to familiarize themselves with the lifestyles of their host country are key steps in their integration.⁸⁶



Legal support after 18

In the city of Utrecht, the independent support centre "Perspective" provides various forms of support and mentoring for unaccompanied youngsters. This centre offers *inter alia*:⁸⁷

- ▶ **Support for return:** young people who voluntarily choose to return to their countries of origin after turning 18 receive appropriate support. In adapted mentoring sessions and "expert meetings", they are informed about the economic, humanitarian and social situation

85. <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/06/24/kamerbrief-maatregelen-en-situatie-asielopvang>

86. Adapted from the manual created as part of the PROUD project, *Working in SIL: A practical guide Manual for staff working with unaccompanied children living in supported independent living schemes*. Nidos, METAdrasi, Fundació Idea, Apostoli, CECL, PLAN and Athens Lifelong Learning Institute, Utrecht, July 2021

87. European Commission's European Website on Integration, *Perspective for unaccompanied asylum-seeking minors*, last accessed on 26 September 2022.

in their countries of origin. They are also given opportunities to reconnect with their countries through Internet facilities, access to local music, newspapers and books and are also advised on how to use their experiences in the Netherlands to their advantage when they return to their countries of origin. The centre also provides mentoring activities for those unaccompanied minors who are unlikely to obtain leave to remain in the Netherlands.

- ▶ **Professional training:** the centre provides professional training sessions to facilitate access to the labour market, whether in the Netherlands or in the unaccompanied children's countries of origin. These sessions focus on developing specific skill sets and also provide participants with information on how to set up and run one's own business.
- ▶ **Psychological coaching:** the centre offers psychological counselling to help unaccompanied children to cope with future insecurity and overcome traumatic past experiences.



Cooperation between guardians, national government and the Association of Netherlands Municipalities

Following an increase in arrivals in 2015, an agreement⁸⁸ was published on 27 November 2015 to address integration and housing-related challenges. This agreement was supplemented by an operational agreement on 28 April 2016 which proposed a comprehensive approach to facilitating migrants' transition from emergency shelters to active participation in society. A 500 million Euro budget was made available to fund implementation of the agreement.

Prior to these agreements, Nidos and the municipalities realised that unaccompanied children in the Netherlands face many challenges during their transition to adulthood. Nidos regularly consulted with municipalities and the national government, highlighting the challenges, and asking for solutions. As a result, the agreement also proposed measures to facilitate the transition to adulthood. It stipulated that the responsibility for providing reception for former unaccompanied children lies with the municipalities and tasked Nidos and the Association of Netherlands Municipalities with the creation of a guide for professionals. This was developed by both these organisations with the support of a working group. The aim of the guide was to ensure continuity of housing, income, work and job training, social networks and, where necessary, the provision of guidance for unaccompanied children turning 18.

The most important areas of agreement between the municipalities and Nidos were:

- ▶ The municipality is responsible for providing housing and any guidance offered to former unaccompanied children
- ▶ Nidos supervises the search for suitable accommodation well before the child turns 18
- ▶ A preparation interview is held when the child reaches seventeen and a half and there is a "warm transfer"⁸⁹ at 18 years of age
- ▶ Individual municipalities and Nidos will make specific agreements that take account of the local situation
- ▶ Individual municipalities and Nidos will meet regularly to monitor the process and discuss specific cases.

The importance of working in close cooperation with local- and national government and discussing challenges on a regular basis has been an important lesson learned in this process.



Checklist for smooth transition to adulthood and FAQ

The guide comes with a checklist to help guardians prepare young people for transfer at 18 and to facilitate their transition into adulthood. It also addresses frequently asked questions and provides guidance on subjects, such as:

88. The Administrative Agreement Increased Asylum Influx: <https://zoek.officielebekendmakingen.nl/kst-19637-2182.html>.

89. A 'warm transfer' is the name in Dutch for a face to face meeting between the guardian and the professional working for the service to whom the guidance of the (former) unaccompanied child is "transferred".

The Netherlands

Income/ Finances

- ▶ Opening a bank account
- ▶ Applying for benefits and income support, or a scholarship, and possible payment in advance
- ▶ If applicable, applying for travel expenses to attend school/college
- ▶ Gaining insight into income and expenditure at 18+

Insurance

- ▶ Arranging health insurance
- ▶ Applying for a healthcare allowance
- ▶ Arranging liability and home contents insurance

Housing

- ▶ Registering for social housing
- ▶ Looking into housing possibilities within the young person's network
- ▶ Looking for a room and responding to advertisements for accommodation
- ▶ Contacting the local authority about progress in finding housing
- ▶ Viewing a room with the young person
- ▶ Signing a tenancy agreement together with the young person
- ▶ If applicable, applying for housing benefit
- ▶ Making a 'moving home' checklist (household and kitchen necessities, furniture, cleaning supplies etc.)
- ▶ Applying for financial assistance for furnishing the home
- ▶ Purchasing furniture and other necessities
- ▶ Support during the move
- ▶ Registering the young person's new address with the local authority

Education

- ▶ Discussing and applying for education at 18+, preferably four months prior to the child turning 18

Follow-up support

- ▶ Involving a follow-up supervisor at 17 and a half
- ▶ If applicable, applying for additional support after 18 for special needs or other youth care services
- ▶ If applicable, applying for an intervention or guardianship order
- ▶ If applicable, providing guidance on the procedure for family reunification
- ▶ Scheduling a personal ('warm') transfer to a follow-up supervisor

Network

- ▶ Building a support network comprising at least one supportive adult.



Tool: checklist for self-reliance

At the end of guardianship, when a child turns 18, the guardian of Nidos has to fill out a checklist to assess the child's independence. This checklist was initiated to assess whether Nidos has achieved one of its principal missions namely, to prepare children for turning 18 and independence. The subjects of the checklist are based on key elements of the former Nidos methodology. The aim of the new methodology is to regularly assess independence during guardianship, instead of measuring it only when the child turns 18, as is the current practice. Regularly assessments could allow guardians to measure progress and assess which specific guidance and actions

are particularly helpful for children in becoming increasingly independent. The current checklist to be found below:

Surname	:
First name	:
Date of birth	:
Guardian	:

1. Independence/self-reliance

The child possesses sufficient practical skills to live independently.
 good average below average
 Clarification:

The child possesses sufficient social skills to live independently.
 good average below average
 Clarification:

The child possesses sufficient mental resilience to live independently.
 good average below average
 Clarification:

2. Social network

The child is capable of building and maintaining a social network.
 good average below average
 Clarification:

At least one adult (but preferably more than one) is part of the social network.
 several adults one adult no adults
 Clarification:

3. Education/daytime activities

The child goes to school/college or has other meaningful daytime activities.
 yes partly no
 Clarification:

4. Safe housing and living conditions

The child lives in a safe environment where they feel secure and are able to develop well.
 safe reasonably safe unsafe
 Clarification:

5. General

The child is independent.
 yes reasonably no
 Clarification:



A culture sensitive, stress and trauma informed intervention

Unprocessed trauma can cause problems in the transition to adulthood and later on in adult life. During the surge in arrivals in 2015, upon arrival from Eritrea many refugee children had trauma-related symptoms. To help them directly and thus avert imminent development stagnation, the Veerkracht (Dutch for 'resilience') project piloted a short-term culture-sensitive intervention based on EMDR (Eye Movement Desensitization and Reprocessing) and NET (Narrative Exposure Therapy). The intervention was tested with a small group of unaccompanied refugee children from Eritrea, and in the follow-up project, Veerkracht II, it was continued and expanded to include unaccompanied refugee children from different cultural backgrounds. This method is now common practice at Nidos and, according to Nidos, it has to an extent helped children to process their trauma.



Intercultural Mediation

Inspired by the experience of other European countries, in the first phase of the Veerkracht project in 2016, Nidos piloted an intercultural mediation programme. An intercultural mediator is someone who not only acts as an interpreter but also explains cultural differences. In essence, he/she is a professional who can bridge the gap between two worlds. In the context of guardianship

in the Netherlands, the main goal of intercultural mediation is to increase professional guardians' and other care givers' understanding of the needs of the unaccompanied children in their care.

To date, Nidos guardians have consulted intercultural mediators in over 200 individual cases, and the experience has been positive. Beyond increasing mutual understanding, intercultural mediators also support research and development in the field of culturally sensitive (trauma-informed) interventions. Following the lessons learned from the pilot, and in line with WHO recommendations regarding intercultural mediation, Nidos and the ARQ National Psychotrauma Centre/ Centrum'45 have taken steps to professionalise and provide intercultural mediation as part of guardianship and trauma-informed interventions. These steps include:

- (1) A training programme, which has been offered to 15 intercultural mediators. An accreditation process has been initiated.
- (2) A standardised recruitment system for intercultural mediators, including monitoring and evaluation, has been put in place.
- (3) Clear and coherent definitions of the roles and responsibilities of intercultural mediators have been developed.
- (4) Guidelines, standards and quality assurance processes have been developed to support the recognition and professionalisation of intercultural mediators, and these will continue to be improved.
- (5) Professional guidance, supervision and psychological support systems have been developed to enable intercultural mediators to further strengthen their skills and to enhance the quality and consistency of their services.



Connected Youngsters, Trusted Juniors and World Cafés to promote child and youth participation



Connected Youngsters is a group of former unaccompanied children. They have set up a national platform to offer one another a reliable network where they can exchange experiences and ask for and give advice. Connected Youngsters organises an annual get-to-know-you event for all young people who have turned 18. Through the Connected Youngsters platform, former unaccompanied children who have turned 18 can strengthen their social relations in the Netherlands. This is very important because unaccompanied children often indicate that a social network is what is missing once they turn 18 because they had previously been in touch mainly with professionals.



Trusted Juniors is a group of around 15 children under the guardianship of Nidos. Their goal and ambition is to audit Nidos and their offices, including the guardians, and to assess the quality of care. They provide feedback on what should be improved and also seek to support children who wish to bring a complaint against their guardian. Trusted Juniors want to hear about children's experiences and to use social media to keep in touch with each other. They also hope to raise awareness of the support Nidos provides for recently arrived unaccompanied children, and they have created vlogs on relevant topics in order to do this.

Nidos began organising World Cafés in 2008 as a means of eliciting feedback, beginning dialogues with unaccompanied children, and better understanding their needs. World Cafés are a good way of bringing children and guardians together and giving them the opportunity to strengthen their relationship. A welcoming and non-formal atmosphere, for example eating a meal together, is essential for their success. To promote the sharing of experience, separate World Cafés are also organised for foster parents.

2.6. SPAIN

■ In Spain, the protection of unaccompanied children is the responsibility of the Autonomous Communities.⁹⁰ Guardianship of unaccompanied migrant children is organised by the regional authorities, who, in accordance with national law, have the same obligation to protect them as if they were minors with Spanish nationality.⁹¹

■ The rules protecting unaccompanied children are generally clear for the duration of their minority in Spain. These have been extensively developed and have a long history of implementation, protected by the United Nations Convention on the Rights of the Child.

■ The Organic Law for the comprehensive protection of children and adolescents against violence includes measures in areas such as prevention, actions at the educational level, family support, social services, health, regulation of advertising, social networks, justice, etc.

■ The legislative framework concerning youngsters who are 18 or over is no longer so explicit and detailed, nor is it harmonised across the different regions. Responsibility for the processes of transition to adulthood of youngsters leaving the care system is therefore shared by the state and the autonomous communities, which makes the system more complex.

■ In the Organic Law on the Legal Protection of Minors (LOPJM)⁹², reference is made for the first time to the transition of unaccompanied minors to independent living and the obligation to accompany and support this process. It specifies an obligation for the government and the autonomous communities to make provision for the transition to independent living of children in alternative care, including the need for jointly specifying measures to ensure equitable treatment across the different communities.

■ Article 22 bis LOPJM mentions the obligation of the Administration, whenever it is not convenient to return to the family of origin, to prepare the young population under guardianship for independent living. Thus, it states that *“public entities shall offer programmes of preparation for independent living aimed at young people who are under a protection measure, particularly in residential care or in a situation of special vulnerability, from two years before they reach the age of majority, once they have reached it, whenever they need it, with the commitment of active participation and use by them. The programmes must provide socio-educational follow-up, accommodation, socio-occupational integration, psychological support and financial aid”*.

■ The Third Additional Provision, (section 6, of Law 26/2015) includes the mandate for both the Central and Autonomous Administration, based on criteria of accessibility, quality and coverage throughout the territory to have: *“Comprehensive care for youth care leavers: training in skills and competences to promote their maturity and foster their personal and social autonomy when they reach 18 years of age; guarantee of sufficient income to subsist; accommodation; training for employment, which facilitates or prioritises their participation in job offers as a measure of discrimination”*. Thus, Article 11.4 LOPJM obliges public entities to have *“programmes and courses aimed at the support and orientation of those who, being in foster care, reach the of age and fall out of the protection system, with special attention to those with disabilities”*.

EXAMPLES OF GOOD PRACTICE



Legal regime for unaccompanied minors reaching majority in Spain

In October 2021, the Council of Ministers of the Spanish Government approved a reform of the Foreigners' Regulation that will make it easier for foreign minors and young people in guardianship to obtain residence and work permits. Until now, these youngsters have faced a mountain of bureaucratic obstacles that push many of them towards irregularity and exclusion once they reach the age of 18.

The new regulation seeks to simplify administrative procedures and prevent them from reaching adulthood without documentation. The aim is to *“respect and preserve the public investment that has been made by the autonomous communities in their training, integration and care while they were minors, [thus] facilitating the incorporation of these people into the labour market and simplifying the administrative burden”*.

90. Spain is divided into 17 regions/communities which have a degree of political and economic autonomy.

91. See: https://www.emnspain.gob.es/documents/392158/527891/NationalReport_EN.pdf/0fcef90b-cdb3-b24b-5124-22c5d6ac3529?t=1665397382684

92. Law 26/2015.

Individuals, third sector organisations and autonomous communities were involved in the process of drafting this Royal Decree. The Ministry of Inclusion, Social Security and Migration estimates that 8,000 unaccompanied children have already benefited from this reform, while around 9,000 young people between the ages of 18 and 23 could benefit retroactively from the new regulations.



Transcultural Psychiatry Unit at the Vall d’ Hebron Hospital in Barcelona

The prestigious Transcultural Psychiatry Unit at the Vall d’ Hebron Hospital in Barcelona, led by Dr. Francisco Collazos, was highlighted in UNICEF’s 2021 State of the World’s Children report on mental health. It addresses the needs of those who, due to being members of cultural groups, cannot benefit from the care provided in the normal mental health system. The Unit is supra-sectoral and serves the public mental health network (CSMA; CSMIJ, CAS) as well as primary care throughout Catalonia, and supports the Catalan provision for Mental Health and Addiction.

The main objectives of the Transcultural Psychiatry programme are to strengthen intercultural competencies, i.e., the set of behaviours, attitudes and policies needed to enable the system and individual professionals to function effectively with patients and communities of diverse cultural origin. Achieving this goal will lead to better results when working with ethnic minorities. The secondary objectives are:

- ▶ to guarantee general and specialised attention to the needs of those people who suffer from psychiatric and / or psychological pathologies linked to migration and of those with other mental health problems where cultural issues may influence or hinder diagnosis and treatment.
- ▶ to adapt the resources of the public psychiatric care network to the needs of these people, so that all patients receive the same quality of care, regardless of their ethnicity or cultural background.
- ▶ to enhance the capacity of the conventional network to deal appropriately with multiculturalism in the mental health field.
- ▶ to establish contact with the different communities to gain a better understanding of the needs of each and facilitate preventive measures or information campaigns.
- ▶ to promote the culturally sensitive treatment of mental health conditions through research and teaching.
- ▶ to support the third sector and public administration bodies which serve vulnerable groups, such as the Ajuntament de Barcelona.
- ▶ in partnership with Ajuntament de Barcelona in l’ àrea de Drets de Ciutadania, Cultura, Participació i Transparència (sub-portfolio of The Directorate of Feminisms and LGTBI), to offer monthly case supervision and continuing education focusing on intercultural competence in mental health.

Practitioners should recognise that, as cultural beings, people may have attitudes and beliefs that can have a detrimental influence on their perceptions of, or interactions with, individuals of different ethnicities, so it is important to be aware of one’s own cultural

perspective. Two of the challenges faced in providing mental health support to youngsters leaving care are an insufficient number of mental health and psycho-social support professionals and intercultural mediators in the protection centres, and the low level of linguistic and cultural competence among professionals in the protection system.⁹³



The Fundació Cepaim-Convive’s Solidarity Housing Network

The aim of the Solidarity Housing Network is to promote the social integration of families, but also of young people, who are in vulnerable situations or are homeless by providing access to long-term social housing and developing a comprehensive, gender-, culture- and territory- based support services.

93. For further information, see: <https://www.vallhebron.com/en/node/15441>

The network provides families and young people with much-needed housing at an affordable price. While they are living in one of the Cepaim homes, the programme's technical team provides the support needed to alleviate the vulnerability and overcome the lack of housing that first led to their admission to the programme. In the medium to long term, participants are able to increase their income, for example: through access to or improvement of employment and receipt of social benefits etc.

As a self-managed project, participants pay a social level of rent to cover some of the costs of the project itself. In addition, Cepaim is currently funded by regional public administrations in Murcia and Valencia.

Since its launch in 2009, Cepaim has assisted a total of 577 people, mostly families with children who had suffered or were at risk of eviction, and homeless single people. The challenge now is to transfer the intervention methodology to public policy in order to combat homelessness and to expand the number of available homes and areas of intervention. Cepaim aims to continue renting housing on the open market and to make it available to new participants while supporting them through the social integration process.⁹⁴

In December 2020, the Fundación Cepaim-Convive "Solidarity Housing Network" project was given a European Social Network's European Social Services Award as the year's best example of European collaborative practice.⁹⁵



Fundación La Caixa's Incorpora programme

The «la Caixa» Foundation is a non-profit organisation that focuses especially on programmes with the greatest transformative impact, such as those that combat child poverty and social exclusion, those that promote employment, and those that help to improve the living conditions of the most vulnerable.



Incorpora Programme by Fundación La Caixa aims to facilitate the integration into the labour market of people at risk of social exclusion. They work on a personalised basis in each job placement through the Incorpora programme and the other lines that comprise it: Self-employment, Rein corpora and Mental Health.

Since 2008, Fundación Exit has participated in Incorpora of «la Caixa» by promoting the social and occupational integration of people at risk. The work carried out by Fundación Exit through the Incorpora Programme has involved 1,579 young people. 475 of them found employment, 837 companies have been visited, and 222 companies are enrolled in the programme. This initiative takes into account both societal and business needs to ensure the successful integration of different groups, in the case of Fundación Exit, young people aged 16 to 21 in Barcelona and Madrid at risk of social exclusion and school dropout). To achieve this, a network of organisations and of companies has been developed which work together with a common goal within the framework of shared corporate social responsibility. Through this network, Incorpora offers a comprehensive service free of charge to companies. Job placement specialists from organisations provide all the necessary advice and full support in all phases of the process, from selecting job applicants to ensuring their integration into the company. The Incorpora Programme is implemented in Girona (Catalunya) by Cluster Exit and works with vulnerable young people who are no longer at school by assisting them with entry into the world of work or with their return to the education system.

The support provided by volunteers who mentor young people for 6 months to facilitate these processes, and also work on fostering healthy habits and community participation, is an outstanding example of good practice. Youngsters are put in contact with volunteers who act as mentors and accompany them through this process of integration into the labour market, but also during their social integration. Among the mentors' tasks are the provision of support with training, education, health, autonomy, and youth employment, among other areas. The young people concerned are boys and girls without other adult support, and the programme offers participants the opportunity to build or rebuild this type of relationship.

94. For further information, see <https://www.cepaim.org/la-red-de-viviendas-solidarias-impulsada-por-fundacion-cepaim-y-fundacion-cajamurcia-premio-mejor-practica-colaborativa-europea-en-los-premios-europeos-de-servicios-sociales/>

95. See <https://essa-eu.org/finalists/>



Superacció: promoting personal improvement of young people through sport

SUPERACCIÓ is a non-profit organisation which promotes the personal improvement of young people who are at risk of social exclusion. Sport, especially the triathlon, and a programme of artistic and drama activities are the main vehicles for working with these young people.

The more than 1,000 young people whom Superacció has worked with have demonstrated the value of sport as a tool for socio-educational integration. But sport does not work by itself. It involves three essential aspects of the individual:

- ▶ the motor axis: contact between participants where, through sport and other activities, the needs of the young person are analysed.
- ▶ the affective axis: treatment of psychological and emotional aspects at a group and individual level, if necessary, with the collaboration of their families.
- ▶ the intellectual axis: orientation and provision of the necessary tools and resources for social integration or reintegration.

These three axes are covered in the processes, sports and socio-educational activities promoted by Superacció. The aim is to provide opportunities for young people to experiment with the body as a vehicle for learning and as the engine of consciousness. Through its expressive and integrative work, Superacció organises specific and continuous meetings and, over a period of time, develops proposals through which young people can explore different aspects of the body.



The Government of Catalonia's ASJTET financial support programme

ASJTET is the unit of the General Directorate of Child and Adolescent Care (DGAI) which offers technical and educational support in areas such as housing, employment, psychological counselling and economic and legal aid to young people aged between 16 and 21 who are or who have been in care. The aim is to enable them to achieve social and employment integration and achieve autonomy and independence. The objective of this programme is to provide young people of legal age with a financial income that will allow them to become independent in a progressive manner. It offers these young people the opportunity to improve their skills and personal status through further education or professional training over a lengthy period of time without the pressure of being in a full-time job.

Launched in mid-2007, the main requirement of the law⁹⁶ is the involvement of young people themselves, with the support of a professional assigned by ASJTET, in drawing up an Individualized Work Plan. The amount of benefit is determined by the Income Sufficiency Indicator of Catalonia (currently €663.98). It allows the young person to pave their way to autonomy and achieve this goal more quickly.⁹⁷



EX-MENAS Madrid Association

“EX-MENAS Madrid” is a pioneering organisation which defends the rights of young people who have left administrative guardianship. EX-MENAS Madrid works to improve the quality of life of those leaving care by facilitating their integration and promoting equality of rights, duties and opportunities. As part of their activities, they aim to provide a space for meeting, analysis, debate and reflection about the realities and experiences of young people, and to enable them to make their own proposals for improvement. At the same time, the organisation's capacity for advocacy means that it is a protagonist in dialogue and the development of alliances with other Institutions or administrative bodies.⁹⁸

96. Law 13/2006 of 27 July on Social Benefits of an Economic Nature and Decree 123/2007 of 29 May,

97. Further details at: [https://dretssocials.gencat.cat/ca/ambits_tematics/infancia_i_adolescencia/Area-de-Suport-als-Joves-Tutelats-i-Extutelats-ASJTET/index.html#googtrans\(ca|en\)](https://dretssocials.gencat.cat/ca/ambits_tematics/infancia_i_adolescencia/Area-de-Suport-als-Joves-Tutelats-i-Extutelats-ASJTET/index.html#googtrans(ca|en))

98. For further details, see: <https://es-la.facebook.com/pages/category/Youth-Organization/Ex-MENAS-Madrid-272194903729465/>



Fundación Cepaim-Convive's TRANVÍA (transition to adulthood) project

The TRANVÍA methodological proposal, which is specific to the Cepaim Foundation, seeks to bring together young people at risk of exclusion in the communities where they live and community organisations, such as local businesses, public administration associations, citizens and the media, in the search for social cohesion and inclusion in the community.

The TRANVÍA methodology is based on a holistic vision, based on strengths, the application of a Human Rights Based Approach, as a pillar of people's dignity; the intercultural perspective as a basis for the participation and management of diversity in the territories and the gender approach that incorporates intersectionality in its analysis and action.

This approach demonstrates that community and participatory action can combat social exclusion through public policies, and that, to do this, it is necessary to empower excluded youngsters so that they too can tackle the injustice, precariousness and inequality that affect their lives⁹⁹.







99. For further details, see: <https://www.cepaim.org/publicacion/modelo-tranvia-transito-a-la-vida-adulta-bases-para-un-modelo-de-intervencion-comunitaria-con-juventud-extutelada/>

3. LESSONS LEARNT AND CONCLUDING REMARKS

3.1. Lessons learnt

■ The various examples of good practice captured in this compendium illustrate the wide range of support and services that may be necessary to enable unaccompanied children to make a smooth transition to adulthood. They illustrate ways of contributing to the progress and development of children and youngsters.

■ In brief, the key lessons learned from these examples of good practice highlight the importance of:

 <p>A child rights-based approach</p>	 <p>Guardians and other support</p>
 <p>A multidisciplinary, child-centred and child-friendly processes and procedures</p>	 <p>Planning for transition and ensuring continuity</p>
 <p>A holistic approach to ensuring fulfilment of all rights and access to services</p>	 <p>Access to (child-friendly) information, free quality legal assistance and the right to participate</p>

A child rights-based approach

■ Many of the examples of good practice included in the compendium clearly advance a child rights-based approach both with regard to systemic reform and individual case management. Such measures are also relevant for strengthening support for children in transition to adulthood. For example, it is easier for unaccompanied children to claim their rights when there is a clear entitlement to equitable treatment and care including aftercare supports in law and policy. For example, it is easier for unaccompanied children to claim their rights when there is a clear entitlement in law and policy to equitable treatment and care, including support after leaving care.

■ Unaccompanied young migrants and refugees are faced with a wide range of personal and institutional challenges and have a right to develop their abilities to become autonomous, independent young adults. A comprehensive support structure based on a sound legal framework is needed to enable them to acquire the necessary skills for this. Furthermore, depending on how the young person develops, achieving this goal may necessitate continued support beyond the age of 18.

■ As underlined in *Recommendation CM/Rec(2019)4*, Council of Europe Member States are encouraged to improve the legal framework for young refugees in transition to adulthood and should provide them with the support and protection they require, without discrimination and with due consideration of any special protection or other needs. Furthermore, the roles and responsibilities of those supporting children and young people should be clear, well-coordinated and adequately resourced, and should involve both statutory agencies and partners in civil society

■ In the area of individual case management, many of the examples of good practice in the compendium clearly illustrate an approach focused on the rights of the child. Children and youngsters are recognised and treated as people with rights, not simply as beneficiaries of the services provided. Children are given child-friendly information that enables them to participate meaningfully in the decisions that will shape their future.

This approach is both empowering and leads to more sustainable outcomes because the views of the child have been given due weight and consideration. Care-planning tools focus on the individual circumstances of the child and place their best interests at the centre of decision making. Targeted integration promotes inclusion and non-discrimination. The development of the child is secured through access to education, social welfare benefits and vocational opportunities that lead to increased independence.

■ As explained in the guidelines in *Recommendation CM/Rec(2019)4*, ensuring the meaningful participation of young refugees entails actively supporting them to become culturally, politically and socially engaged and also consulting and involving them directly when designing policies and projects that affect them. In their recent report *#Part of Europe*,¹⁰⁰ Voicify identifies obstacles and barriers to the full, effective, constructive and inclusive political participation of 'Young Refugees, Exiled, Migrants, Asylum Seekers and the Undocumented' and provides concrete policy recommendations for relevant authorities, institutions and civil society that address these obstacles.

The key role of guardians and other support

■ As highlighted in *Recommendation CM/Rec(2019)11*, guardians have an important role to play in supporting and guiding children in their transition to adulthood, including through individualised life projects. Systems and good practice in providing guidance and tools as well as regular training and coaching for guardians help to strengthen their skills and their capacity to support children and young people.

■ There are also considerable benefits when a young person is accompanied in their transition by a mentor. In some of the programmes, the mentors are peers who are able to share useful information and to provide guidance which is informed by their own recent experience of navigating the transition to adulthood as unaccompanied young migrants. In other programmes, the mentor is a volunteer who acts as a bridge to the local community, facilitating the child's integration and inclusion. Both models have proved to be successful in helping mentees to develop the confidence, the skills and the networks they need during this crucial phase of their life.

Multidisciplinary, child-centred and child-friendly processes and procedures

■ In order to successfully meet the needs and fulfil the rights of unaccompanied children in their transition to adulthood, several of the examples of good practice in the compendium take a multidisciplinary approach that involves professionals from a range of disciplines. To ensure a comprehensive, tailored response to the needs and wishes of the child, their guardians often refer them to and coordinate support from the specialised services they require. These interventions are most effective when they are child-centred and carried out in a child-friendly manner, including by providing child-friendly information. As explained in *Recommendation CM/Rec(2019)4*: "In order to plan and facilitate the transition of young refugees to adulthood, member States should, when necessary, foster **comprehensive interdisciplinary co-operation** between institutions in areas such as child protection, youth, health, education, social protection or welfare, migration, justice and gender equality, including between national, local and regional authorities, as appropriate. Information sharing between these institutions should improve the co-ordination of services and young people's access to the services they need." In a similar vein, the Recommendation stresses the importance of taking account of the specific needs and situation of each unaccompanied child based on an "individualised, multidisciplinary and participatory approach"¹⁰¹.

Planning for transition and ensuring continuity

■ *Recommendation CM/Rec(2007)9 on life projects for unaccompanied migrant minors* calls on Member States to take steps to implement life projects in their policy, law and practice. Several of the examples included in the compendium take a life-project approach to care planning which fosters continuity for young people during the transition period. These examples highlight the importance of continuing to provide accommodation, psycho-social counselling, legal aid and medical care during the transition phase. Extending such services beyond the age of 18 ensures that young people do not simply fall out of the system and end up homeless and at risk of exploitation, abuse or trafficking. Planning for the transition also means seeking to resolve relevant legal issues for the young person in a timely manner, ideally before they reach 18, and ensuring continued support if legal

100. See <https://bit.ly/3y8fg3H> page 36ff.

101. Recommendation CM/Rec(2007)9.

procedures are still ongoing afterwards. As stated in the guidelines in *Recommendation CM/Rec(2019)4*, member states should provide timely, clear and transparent information about any changes in or consequences for their rights and responsibilities that result from reaching the age of 18, and, when necessary, should provide young refugees in transition to adulthood with access to free legal advice on their immigration status and their access to rights. A combination of proper preparation for the transition and follow-up support creates stability and a safe pathway for the young person

A holistic approach to ensuring fulfilment of rights and access to services

Finally, the compendium showcases several initiatives that take a holistic approach to addressing the needs and rights of children in their transition to adulthood. This is not only because unaccompanied children are entitled to all their rights; it is also essential because of the interdependence of children's rights and the impact that one right may have on others. For example, safe and appropriate housing will contribute to better outcomes in other areas such as health. The provision of a variety of housing options allows the authorities to meet the specific needs of young people in transition which are appropriate to their age and level of personal development. 'Supported independent living' solutions should be offered to young people who are approaching the age of 18 and to young adults because such arrangements promote both integration and greater autonomy.¹⁰² Strengthening non-formal education, which is often better suited to the circumstances and needs of young people who are leaving guardianship, can provide them with the skills and knowledge required for social integration and entry into the labour market.

Recommendation CM/Rec(2019)4 also provides comprehensive guidelines on taking a holistic approach to safeguarding the rights and opportunities of those in transition to adulthood. It underlines that access to "education, accommodation, employment and health care, including access to psycho-social support, are not only rights but also serve to facilitate social inclusion of young people and help reduce their risk of exposure to violence, exploitation and abuse, including gender-based violence and discrimination"¹⁰³.

Access to child-friendly information, free quality legal assistance and the right to participate

Insecurity about their future can severely impact the well-being of a child approaching adulthood.¹⁰⁴ The six national reports included in the compendium illustrate how legal pathways differ from one country to another. Providing easily accessible information and assistance, including free high-quality legal assistance¹⁰⁵, can enable young refugees to better understand and claim their rights. Other examples in the compendium underline how, depending on the individual young person's needs and circumstances, they may also benefit from other support such as interpreters or intercultural mediators, and free legal aid, particularly if they are in need of psycho-social support or are navigating complex legal procedures in their transition to adulthood.

3.2. Concluding remarks and way forward

The transition from childhood to adulthood can be challenging for anyone, but for unaccompanied and separated, this process can be particularly complex. The youngsters face numerous challenges in their journey to adulthood, including navigating complex legal systems, finding employment and housing, and adapting to new cultures. While some factors can help facilitate a smooth transition, others can create significant barriers.

Several factors can **hinder** the transition of unaccompanied migrant children to adulthood, including:

- ▶ **Legal barriers:** the complex and time-consuming procedures for obtaining necessary documents, combined with bureaucratic obstacles.
- ▶ **Limited timeframe:** the window of time available, typically due to their age upon arrival (16-17 years), is very narrow, making it challenging for unaccompanied migrant children to equip themselves with the essential tools for autonomy and social inclusion.

102. This was also one of the suggestions made by the participants during the study visit to Greece held on 14-16 September 2022 as part of the multilateral project "Building Futures, Sharing Good Practices: Migrant Children's Transition to Adulthood – UACFutures".

103. Recommendation CM/Rec(2019)4 *Supporting Young Refugees In Transition To Adulthood*, April 2019, p. 7.

104. Ibid. p. 18-21 / p. 68-70

105. See more in KIND and Child Circle, *Advancing Protection for Unaccompanied Children for Unaccompanied Children in Europe by Strengthening Legal Assistance*, https://supportkind.org/wp-content/uploads/2021/01/Child-Circle-_KIND-Report-FINAL.pdf

- ▶ **Lack of information:** the scarcity of information and guidance regarding regulatory, educational, and labour insertion possibilities and paths.
- ▶ **Employment challenges:** difficulty in obtaining a regular employment contract.
- ▶ **Discrimination and racism:** forms of discrimination and racism, including limited access to the labour and housing market, present additional hurdles in the pathways to autonomy and social inclusion, affecting the personal well-being of unaccompanied children and newcomers.
- ▶ **Trauma:** traumatic experiences in the country of origin or during the journey can be difficult to overcome, complicating the path of social inclusion.

■ Several factors can **facilitate** the unaccompanied migrant children’s transition to adulthood, including:

- ▶ **Legislation:** some EU countries have adopted advanced regulatory frameworks that aim to facilitate a smooth transition to adulthood.
- ▶ **Reception:** the success of social inclusion, transition, and recovery from traumas and difficulties largely depends on the reception experience, which is strongly influenced by the local context.
- ▶ **Relationships:** both formal and informal relationships with adults and peers are essential in supporting the pathways of children and young adults. Educators in reception facilities and guardians can play a central role.
- ▶ **Education:** Access to education and vocational training is a crucial stage in the inclusion pathway that unaccompanied children should invest in.
- ▶ **Housing and accommodation:** transitional solutions, such as accommodation in family contexts or supervised and supported semi-autonomy, can facilitate the achievement of housing autonomy.

“Protection needs do not end on a child’s 18th birthday”¹⁰⁶

■ The Project “Building Futures, Sharing Good Practices: Migrant Children’s Transition to Adulthood – UACFutures” created space for genuine dialogue and exchange of good practices for effectively supporting unaccompanied migrant children in their transition to adulthood. The mapping of challenges, gaps and good practices along with related insights shed light on the steps forward needed for a more supportive, inclusive, and smooth transition.

■ Effectively supporting unaccompanied migrant children during their transition to adulthood is crucial in order to ensure respect of their fundamental rights, to prevent social exclusion, to build inclusive and resilient societies, and promote peaceful coexistence

■ Unaccompanied migrant children and young people offer resources, motivation and ambition and it is important to support them reach their full potential. By empowering them and strengthening their autonomy, they become active participants in society, get opportunities to develop themselves, and contribute positively to the development of their new communities.

106. Page 27, https://picum.org/wp-content/uploads/2019/09/2019_Guidance_childrens_rights_in_return_policies.pdf

APPENDIX I – KEY COUNCIL OF EUROPE REFERENCE DOCUMENTS

Committee of Ministers

- ▶ Recommendation CM/Rec(2022)17 on protecting the rights of migrant, refugee and asylum-seeking women and girls
- ▶ Recommendation CM/Rec(2019)11 on effective guardianship for unaccompanied and separated children in the context of migration
- ▶ Recommendation CM/Rec(2019)4 on supporting young refugees in transition to adulthood
- ▶ Recommendation CM/Rec(2016)7 on young people's access to rights
- ▶ Recommendation CM/Rec(2012)13 on ensuring quality education
- ▶ Recommendation CM/Rec(2011)13 on mobility, migration and access to health care
- ▶ Recommendation CM/Rec(2011)2 on validating migrants' skills
- ▶ Guidelines on child-friendly health care, 21 September 2011
- ▶ Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, adopted by the Committee of Ministers of the Council of Europe on 17 November 2010 and explanatory memorandum
- ▶ Guidelines on human rights protection in the context of accelerated asylum procedures, adopted by the Committee of Ministers on 1 July 2009
- ▶ Recommendation CM/Rec(2008)10 on improving access of migrants and persons of immigrant background to employment
- ▶ Recommendation CM/Rec(2008)4 on strengthening the integration of children of migrants and of immigrant background
- ▶ Recommendation CM/Rec(2007)9 on Life Projects for Unaccompanied Migrant Minors and Explanatory memorandum to the Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors

Parliamentary Assembly

Recommendations

- ▶ Recommendation 2190 (2020) – Effective Guardianship for Unaccompanied and Separated Migrant Children
- ▶ Recommendation 2056 (2014) – The alternatives to immigration detention of children
- ▶ Recommendation 1985 (2011) – Undocumented migrant children in an irregular situation: a real cause for concern
- ▶ Recommendation 1939(2010) – Children without parental care: urgent need for action
- ▶ Recommendation 1703 (2005) – Protection and assistance for separated children seeking asylum
- ▶ Recommendation 1652 (2004) – Education of refugees and internally displaced persons
- ▶ Recommendation 1596 (2003) – Situation of young migrants in Europe
- ▶ Recommendation 1093 (1989) – Education of migrant's children

Resolutions

- ▶ Resolution 2449 (2022) – Protection and alternative care for unaccompanied and separated migrant and refugee children
- ▶ Resolution 2354 (2020) – Effective Guardianship for Unaccompanied and Separated Migrant Children

- ▶ [Resolution 2324 \(2020\)](#) – Missing Refugee and Migrant Children in Europe
- ▶ [Resolution 2295 \(2019\)](#) – Stop Violence Against, and Exploitation of, Migrant Children
- ▶ [Resolution 2220 \(2018\)](#) – Integration, Empowerment and Protection of Migrant Children Through Compulsory Education
- ▶ [Resolution 2243 \(2018\)](#) – Family Reunification of Refugees and Migrants in Council of Europe Member States
- ▶ [Resolution 2195 \(2017\)](#) – Child-Friend Age Assessment for Unaccompanied Migrant Children
- ▶ [Resolution 2176 \(2017\)](#) – Integration of Refugees in Times of Critical Pressure: Learning from Recent Experience and Examples of Best Practice
- ▶ [Resolution 2159 \(2017\)](#) – Protecting refugee women and girls from gender-based violence
- ▶ [Resolution 2136 \(2016\)](#) – Harmonising the protection of unaccompanied minors in Europe
- ▶ [Resolution 2139 \(2016\)](#) – Ensuring access to health care for all children in Europe
- ▶ [Resolution 2097 \(2016\)](#) – Access to school and education for all children
- ▶ [Resolution 1996 \(2014\)](#) – Migrant Children: What Rights at 18?
- ▶ [Resolution 2020 \(2014\)](#) – The alternatives to immigration detention of children
- ▶ [Resolution 1946 \(2013\)](#) – Equal access to health care
- ▶ [Resolution 1810 \(2011\)](#) – Unaccompanied Children in Europe: Issues of Arrival, Stay and Return

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- ▶ [Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe \(2021 – 2025\)](#) adopted by the Committee of Ministers in May 2021
- ▶ [Handbook on Family Reunification for Refugee and Migrant Children – Standards and Promising Practices, 2020](#)
- ▶ [Promoting child-friendly approaches in the area of migration—Standards, guidance and current practices, December 2019](#)

Documents, Publications, MultiMedia, reports, etc.

- ▶ [Report on the Consultative Meeting on Supporting Young Refugees in Transition to Adulthood through Youth Work and Youth Policy \(DDP-YD/ETD \(2020\) 124\), 2020](#)
- ▶ [Report on Taking Young Refugees and Asylum Seekers Seriously: Knowledge, Policies and Youth Work Practices – European Reflection and Discussion Workshop \(DDP-YD/ETD \(2020\) 59\), 2020](#)
- ▶ [Age assessment for children in migration – A guide for policy makers, 2019](#)
- ▶ [Your rights in the age assessment procedure - Information for children in migration \(2019\)](#)
- ▶ [We are children, hear us out! Children speak out about age assessment \(2019\)](#) Report on consultations with unaccompanied children on the topic of age assessment
- ▶ [How to convey child-friendly information to children in migration – A handbook for frontline professionals, 18 December 2018](#)
- ▶ [Child-friendly information for children in migration: What do children think? \(2018\)](#)
- ▶ [STEP-by-STEP together: Support, Tips, Examples and Possibilities for youth work with young refugees, 2018](#)
- ▶ [Age assesment: Council of Europe member states’ policies, procedures and practices respectful of children’s rights in the context of migration \(2017\)](#)
- ▶ [Report of the Group of Experts on Guidelines for Supporting Young Refugees in Transition to Adulthood \(DDCP-YD/ETD \(2017\) 190\), 2017](#)

- ▶ [Education pack, Ideas, resources, methods and activities for informal intercultural education with young people and adults\(Revised in 2016\)](#)
- ▶ [Handbook for legal practitioners \(2nd edition\), Protecting Migrants under the European Convention on Human Rights and the European Social Charter, 2016](#)
- ▶ [Children's rights and social services \(2016\)](#)
- ▶ [Young people's access to rights through youth information and counselling, Toolkit on how to inform young people about their rights \(2015\)](#)
- ▶ [T-kits](#)
- ▶ [Report on the Regional Seminar to Develop Inter-Sectorial Cooperation in Assisting Refugees and Asylum-Seekers in Transition to Adulthood on "What Rights and Realities at 18?" \(DDCP-YD \(2016\) 150\), 2015](#)
- ▶ [Securing children's rights: a Guide for professionals working with children in alternative care \(2014\)](#)
- ▶ [Council of Europe and UNHCR, *Unaccompanied and Separated Asylum-seeking and Refugee Children Turning Eighteen: What to Celebrate?*, March 2014.](#)
- ▶ [Life Projects for unaccompanied migrant minors, *A handbook for frontline professionals* \(2010\)](#)
- ▶ [Brochure: Children and young people in care: Discover your rights! \(2009\)](#)
- ▶ [Leaflet: Children and young people in care: Discover your rights! \(2009\)](#)
- ▶ [Manual for facilitators in non-formal education, \(2009\)](#)
- ▶ [Rights of children at risk and in care \(2006\)](#)

APPENDIX II – FURTHER READING LIST

- ▶ European Migration Network (EMN), EMN Inform, *Transition of unaccompanied minors to adulthood*, November 2022.
- ▶ European Union Agency for Fundamental Rights (FRA), *Integration of young refugees in the EU: good practices and challenges*, 2019.
- ▶ European Commission, Directorate-General for Education, Youth, Sport and Culture, *The contribution of youth work in the context of migration and refugee matters : a practical toolbox for youth workers and recommendations for policymakers : results of the expert group set up under the European Union work plan for youth for 2016-2018*, Publications Office, 2019.
- ▶ European Migration Network, *Children in Migration: Report on the state of implementation in 2020 of the European Commission communication on the protection of children in migration 2017*, 2022.
- ▶ EMN, *Approaches to Unaccompanied Minors Following Status Determination*, 2018.
- ▶ OXFAM, *Teach us for what is coming: The transition into adulthood of foreign unaccompanied minors in Europe: case studies from France, Greece, Ireland, Italy, and the Netherlands*, 2021
- ▶ ISMU Foundation (2019), *At a Crossroad. Unaccompanied and Separated Children in their Transition to Adulthood in Italy*. UNICEF, UNHCR e IOM, Roma.
- ▶ Platform for International Cooperation on Undocumented Migrants (PICUM), *Turning 18 and undocumented: Supporting children in their transition into adulthood*, 2022
- ▶ SOS Children's Villages International and CELCIS, Centre for Excellence for Looked After Children in Scotland, University of Strathclyde, *Prepare for Leaving Care, Practice Guidance*, 2017.
- ▶ UN General Assembly, *Guidelines for the Alternative Care of Children* resolution adopted by the General Assembly, 24 February 2010, A/RES/64/142
- ▶ VYRE, *VYRE publishes the report on study session on Unaccompanied Minor Refugees*, 2016

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