

CDDH comments on the Parliamentary Assembly Recommendation 2190(2020) – EFFECTIVE GUARDIANSHIP FOR UNACCOMPANIED AND SEPARATED MIGRANT CHILDREN

94th meeting – 15 – 18 June 2021 - CDDH(2021)R94

1. The Steering Committee for Human Rights (CDDH) takes note with interest of the Parliamentary Assembly's Resolution 2354 (2020) on unaccompanied and separated migrant children and it fully shares the invitation of the Parliamentary Assembly to the Committee of Ministers to enhance the implementation of the Recommendation CM/Rec(2019)11.
2. The CDDH underlines the importance to have effective guardianship systems in all Council of Europe member States, especially regarding unaccompanied and separated children. It notes that the Steering Committee for the Rights of the Child (CDENF), the Drafting Group on Migration and Human Rights (CDDH-MIG) and the Network of Focal Points on Migration could contribute significantly in reaching this goal.
3. As to its work on the issue, the CDDH recalls that it was mandated by the Committee of Ministers to draft a document on family-based care for unaccompanied and separated migrant children. It is foreseen to finalise it in 2021.

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Text of Recommendation 2190(2020)

EFFECTIVE GUARDIANSHIP FOR UNACCOMPANIED AND SEPARATED MIGRANT CHILDREN

Parliamentary Assembly

1. Referring to its Resolution 2354 (2020) on effective guardianship for unaccompanied and separated migrant children, the Parliamentary Assembly emphasises the importance of the creation of effective guardianship systems in all Council of Europe member States, with particular focus on unaccompanied and separated children, with the aim of ensuring their protection and providing them with assistance as soon as they arrive in Europe.
2. Welcoming the adoption by the Committee of Ministers of Recommendation CM/Rec(2019)11 on effective guardianship for unaccompanied and separated children in the context of migration, and with a view to its successful implementation, the Assembly recommends that the Committee of Ministers:
 - 2.1 include in the new Council of Europe action plan in the field of migration and human rights (currently under preparation) those activities which will facilitate its successful implementation;
 - 2.2 invite the Steering Committee for the Rights of the Child (CDENF) to promote European best practices in the guardianship of unaccompanied and separated migrant children and to study the possibility of setting up a mechanism for the quick and safe relocation of unaccompanied migrant children to countries with the most developed child protection systems, in accordance with their best interests;
 - 2.3 invite the Drafting Group on Migration and Human Rights (CDDH-MIG) to study the issue of foster care for unaccompanied and separated migrant children and explore the possibility of creating a European register of foster-care families with the aim of finding rapid solutions for the protection of unaccompanied and separated migrant children;
 - 2.4 invite the Network of Focal Points on Migration to explore the possibility of increasing dialogue on international and national multidisciplinary co-operation with a view to improving the protection of unaccompanied and separated children in the context of migration, including improving data collection and exchange on this group in Council of Europe member States.