



CDDH-MIG(2018)06

22/10/2018

**STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)**

**DRAFTING GROUP ON MIGRATION AND HUMAN RIGHTS
(CDDH-MIG)**

Refugee and migrant children in a non-custodial environment:
Reception condition standards

Legal Standards, Guidelines, Resolutions, Recommendations, Reports etc.

Brief bibliography¹

I. Council of Europe

[European Convention on Human Rights.](#)

[European Social Charter \(Revised\), 1996.](#)

[European Convention on the Legal Status of Migrant Workers, 1997.](#)

Committee of Ministers

[Recommendation CM/Rec\(2011\)13 of the Committee of Ministers to member states on mobility, migration and access to health care, 16 November 2011.](#)

[Council of Europe Recommendation on children's rights and social services friendly to children and families, 16 November 2011.](#)

[Guidelines on child-friendly health care, 21 September 2011.](#)

[Recommendation CM/Rec\(2008\)4 of the Committee of Ministers to member states on strengthening the integration of children of migrants and of immigrant background, 20 February 2008.](#)

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

[Recommendation R \(1994\) 5 on Guidelines to Inspire Practices of the Member States of the Council of Europe concerning the Arrival of Asylum-Seekers at European Airports.](#)

Parliamentary Assembly

[Integration, empowerment and protection of migrant children through compulsory education, 6 April 2018.](#)

[Resolution 2195 \(2017\) Child-friendly age assessment for unaccompanied migrant children, 24 November 2017.](#)

[Recommendation 2020 \(2014\) and Recommendation 2056 \(2016\) The alternatives to immigration detention of children, 3 October 2014.](#)

[Resolution 2136 \(2016\) Harmonising the protection of unaccompanied minors in Europe, 13 October 2016.](#)

¹ The bibliography is clearly non-exhaustive and indicative at this point in time

Recommendation 1985 (2011) Undocumented migrant children in an irregular situation: a real cause for concern, 7 October 2011.

Resolution 1810 (2011) Unaccompanied children in Europe: issues of arrival, stay and return, 15 April 2011.

Recommendation 1596 (2003) Situation of young migrants in Europe, 31 January 2003.

Special Representative of the Secretary General on migration and refugees

Despite challenges in managing mixed migration Spain should guarantee effective access to asylum also in Melilla and Ceuta, 6 September 2018.

First report on the activities of the Secretary General's Special Representative on Migration and Refugees by Ambassador Tomáš Boček, presented to the Secretary General and the Committee of Ministers, 1 February 2016 to 31 January 2018.

SRSG on migration and refugees: fact-finding mission to Spain, 2018.

Thematic Report on migrant and refugee children prepared by the Special Representative of the Secretary General on migration and refugees, 10 March 2017.

Commissioner for Human Rights

Letter of Dunja MIJATOVIĆ, The Commissioner calls on Bosnia and Herzegovina to improve assistance to asylum-seekers and migrants, 9 May 2018 (published 15 May 2018).

Statement of Dunja MIJATOVIĆ, Greece: immediate action needed to protect human rights of migrants, 29 June 2018 (report upcoming).

Letter of Nils MUIŽNIEKS, Malta urged to improve the protection and integration of migrants, 14 December 2017 (published 1 February 2018).

Report by Nils MUIŽNIEKS, Sweden should enhance protection of asylum seekers and persons with disabilities, 16 February 2017.

Fighting school segregation in Europe through inclusive education, position paper, September 2017.

Realising the right to family reunification of refugees in Europe, Issue Paper, Commissioner for Human Rights of the Council of Europe, June 2017.

Report by Nils MUIŽNIEKS, Switzerland should reinforce its human rights protection framework and better respond to the needs of vulnerable migrants Commissioner (17 October 2017).

Report by Nils MUIŽNIEKS, Slovenia should pursue its efforts to protect vulnerable people, 11 July 2017.

Memorandum on asylum and migration in the United Kingdom, 22 March 2016.

Time for Europe to get migrant integration right, issue paper, May 2016.

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe following his visit to Croatia from 25 to 29 April 2016.](#)

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe, following his visit to Cyprus from 27 to 11 December 2015.](#)

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe following his visit to Bulgaria from 9 to 11 February 2015.](#)

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe following his visit to Germany on 24th April and from 4 to 8 May 2015.](#)

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe following his visit to France from 22 to 26 September 2014.](#)

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe, following his visit to the Netherlands from 20-23 May 2014.](#)

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe, following his visit to Denmark from 19 to 21 November 2013.](#)

[Report by Nils MUIŽNIEKS, Commissioner for Human Rights of the Council of Europe, following his visit to Austria from 4 to 6 June 2012.](#)

[Commissioner for Human Rights, Positions on the Rights of Minor Migrants in an Irregular Situation \(CommDH/PositionPaper\(2010\)6\).](#)

[Commissioner for Human Rights, Positions on the Rights of Migrants in an Irregular Situation \(CommDH/PositionPaper\(2010\)5\).](#)

Council of Europe/ European Union

[STEP-by-STEP together: Support, Tips, Examples and Possibilities for youth work with young refugees, 2018.](#)

Council of Europe/ UNHCR

[Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? UNHCR / Council of Europe field research on European State practice regarding transition to adulthood of unaccompanied and separated asylum-seeking and refugee children, March 2014.](#)

II. European Union

[Charter of Fundamental Rights of the European Union \(2016/C 202/02\)](#)

[Regulation \(EU\) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC.](#)

[Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection \(recast\).](#)

[Regulation \(EU\) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person \(recast\).](#)

[Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA.](#)

[Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.](#)

[Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.](#)

[Quality 4 Children Standards for Out-of-Home Child Care in Europe, June 2007.](#)

European Commission

[Communication from the Commission to the European Parliament and the Council, The protection of children in migration \(COM\(2017\) 211 final\).](#)

[10th European Forum on the rights of the child, 29-30 November 2016, The protection of children in migration, General background paper.](#)

[Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection \(recast\), 13 July 2016.](#)

[Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A European Agenda on Migration \(COM\(2015\) 240 final\).](#)

[Communication from the Commission to the European Parliament and the Council, Action Plan on Unaccompanied Minors \(2010 - 2014\) \(COM\(2010\)213 final\).](#)

Council of the European Union

[Council Conclusions on the promotion and protection of the rights of the child, Foreign Affairs Council, 3 April 2017.](#)

[Council Resolution on unaccompanied minors who are nationals of third countries, 26 June 1997.](#)

European Union Agency for Fundamental Rights (FRA)

[Migration to the EU: five persistent challenges, February 2018.](#)

[Fundamental Rights Report 2017, May 2017.](#)

[Key migration issues: one year on from initial reporting, October 2016.](#)

[Guardianship for children deprived of parental care- A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking, June 2014.](#)

[Separated, asylum-seeking children in European Union Member States, December 2010.](#)

III. United Nations

[New York Declaration for Refugees and Migrants, Resolution adopted by the General Assembly on 19 September 2016.](#)

[Guidelines for the Alternative Care of Children, Resolution adopted by the General Assembly, 24 February 2010.](#)

[International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, General Assembly resolution 45/158 of 18 December 1990.](#)

[Convention on the Rights of the Child, 2 November 1989.](#)

[Convention relating to the Status of Refugees, 1951.](#)

United Nations Committee on the Rights of the Child

[General Comment no. 6 on the treatment of unaccompanied minors and separated children outside their country of origin, 2005.](#)

[Joint general comment No. 4 \(2017\) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 \(2017\) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, November 2017.](#)

[Joint general comment No. 3 \(2017\) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 \(2017\) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration, November 2017.](#)

UNHCR

[Safe & Sound: what States can do to ensure respect for the best interests of unaccompanied and separated children in Europe, October 2014.](#)

[Discussion Paper on Recommended Reception Standards for Asylum-Seekers in the Context of the Harmonisation of Refugee and Asylum Policies of the European Union, 2000.](#)

[UNHCR Guidelines on Protection and Care of Refugee Children, 1994.](#)

UNICEF

[Children's rights in return policy and practice in Europe- A discussion paper on the return of unaccompanied and separated children to institutional reception or family, 2015.](#)

Council of Europe/ UNHCR

[Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? UNHCR / Council of Europe field research on European State practice regarding transition to adulthood of unaccompanied and separated asylum-seeking and refugee children, March 2014.](#)

UNHCR/ UNICEF/ Save the Children

[Statement of Good Practice, 4th Revised Edition, 2009.](#)

IV. Other Entities

European Asylum Support Office (EASO)

[EASO Practical guide on age assessment \(Second edition\), 2018.](#)

[EASO Guidance on reception conditions: Operational standards and indicators, September 2016.](#)

[Working group on reception conditions for unaccompanied children: standards and indicators.](#)

FRONTEX

[VEGA Handbook: Children at airports, Children At Risk On The Move- Guidelines For Border Guards, 2015.](#)

International Juvenile Justice Observatory

[Children on the move, family tracing and needs assessment - Guidelines for better cooperation between professionals dealing with unaccompanied foreign children in Europe, April 2014.](#)

International Committee of the Red Cross (ICRC)

[Inter-agency Guiding Principles on unaccompanied and separated children, January 2004.](#)

European Council on Refugees and Exiles (ECRE)

[No Longer Alone: Advancing Reception Standards for Unaccompanied Children \(NLA\).](#)

CONNECT

[CONNECT Project Report- Identification, Reception & Protection of Unaccompanied Children, 2014.](#)

European Network of Guardianship Institutions (ENGI)

[Reception and Living in Families: Overview of family-based reception for unaccompanied minors in the EU Member States, 2015.](#)

European Migration Network (EMN)

[Policies on Reception, Return and Integration arrangements for, and numbers of, Unaccompanied Minors- an EU comparative study, 2010.](#)