



**Meeting the rights and
protection needs of
refugee children:**

*An independent evaluation
of the impact of UNHCR's
activities*

Executive summary:
Full report available at <www.unhcr.org>

Evaluation and Policy Analysis Unit

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Introduction

This document provides an Executive Summary of an independent evaluation of the impact of UNHCR's activities in meeting the rights and protection needs of refugee children. The year-long evaluation was undertaken by Valid International, a UK-based consultancy company, and was commissioned by UNHCR's Evaluation and Policy Analysis Unit. The evaluation process was guided by a Steering Committee, consisting of UNHCR staff members who represented a wide cross section of UNHCR sectors and departments. The initial findings of the evaluation were discussed at workshops with the steering committee in June and September 2001, presented to the UNHCR Executive Committee in October 2001 and, from November 2001, a full draft was widely shared with HCR staff and key stakeholders.

The methods used in the course of this evaluation project included field missions, focus groups and a confidential field questionnaire. Extensive interviews were held with more than 60 UNHCR staff members in Geneva. The evaluation team also met all four of the organization's Senior Regional Advisors on Refugee Children.

Interviews with key external stakeholders during field missions and at headquarters included donor and host governments, child protection experts, UNICEF and other UN partners, international and local civil society organizations, and refugee representatives.

Field missions were conducted between March and July 2001 and covered nine field operations: Bosnia and Herzegovina, Côte d'Ivoire, Federal Republic of Yugoslavia (including Kosovo), Guinea, Liberia, Pakistan, Sierra Leone, and Tanzania. Each field mission included focus groups with refugee children, adolescents and adults. In convening these groups, special efforts were made to ensure the inclusion of separated children as well as those with family members, and both in-school and out-of-school children. A special field mission was taken to observe a training seminar of the Separated Children in Europe Programme (SCEP).

This Executive Summary does not include the footnotes incorporated in the full version of the report which is available from the Evaluation and Policy Analysis Unit and which can also be accessed on the UNHCR website.

Executive Summary

Refugee children, especially adolescents, are acutely at risk of being influenced by violence due to the role of conflict in their lives and dearth of positive development opportunities. This underscores the importance – to all host communities and the international community – of ensuring the protection needs of refugee children.

UNHCR's policies and guidelines on refugee children are strong and we found some good examples of work with refugee children. However, children, half of the Office's population of concern, are often overlooked and considered 'on-the-sidelines' of core protection and assistance work.

UNHCR has taken a number of important steps towards meeting the rights and protection needs of refugee children. The Office's 1994 Guidelines remain highly regarded. The establishment of specialist postings at headquarters and regionally, strategic partnerships with Save the Children Norway and Sweden for community services and with the Norwegian Refugee Council for education, and recent training and capacity-building initiatives have all improved the degree to which the protection needs of refugee children are met. In 1997 the Office adopted a constructive follow-up strategy to the 'Machel Study' - the 1996 UN Study on the Impact of Armed Conflict on Children. This strategy emphasizes performance objectives on priority child protection issues -- adolescents, sexual exploitation, education, prevention and monitoring of military recruitment, and separated children.

These specific efforts of the Office towards meeting the protection needs of refugee children are of high quality, but organizational issues impede implementation. Throughout our interviews, field missions, focus groups and questionnaire, we found this to be due to three principal factors:

- Limited accountability;
- The dilemma of 'mainstreaming'; and,
- Gaps in understanding and 'operationalizing' the protection of refugee children.

Accountability

Improving accountability is fundamental to UNHCR's protection of refugee children. We stress accountability because in the absence of a firm commitment to improve accountability, recommendations on refugee children, or any other group, will not have the required impact.

The evaluation team was disheartened to note that earlier evaluations, including those looking at children's issues, have also found accountability to be a key concern, but that their recommendations have not been followed up. In particular, we found

the recommendations of the 1997 children's evaluation and the 1999 compliance review of UNHCR's policy priorities still relevant.

For many years, the Office has designated refugee children and women as 'policy priorities', but such priorities have become mechanical rather than conveying genuine priorities of the organization. Some staff view the 'policy priorities' as priorities of donors, contributing to the sense that they are not 'organizational priorities'.

We found accountability to be an underlying theme to organizational issues obstructing the implementation of stated policy. For example, the Department of International Protection and Division of Operational Support are responsible for policy and standards-setting but Regional Bureaux and field managers are responsible for implementation, resulting in gaps between theory and practice. Sectors compete for visibility rather than work together towards common, core protection objectives.

One problem for many staff is that there are simply too many priorities. There is consistent clarity that refugee women, children and the environment are policy priorities, but multiple issues or categories of refugees are noted as priorities in various documents and communications of the Office. Of more than ten different internal constraints to policy implementation cited in the evaluation's questionnaire, competing priorities was ranked second behind funding/budget cuts. Field staff are overburdened as to where to focus their attention. The result is 'management à la carte'.

There are frequently inadequate resources and support to ensure that child protection obligations are fulfilled. Indeed, many staff noted a sense of paradox that an evaluation regarding the protection of refugee children was undertaken at the same time that posts specific to children were under threat. Budget cuts were reported to disproportionately impact children. In the words of one questionnaire respondent, "budget reductions are seriously threatening the few programmes targeting refugee children."

The dilemma of mainstreaming

Unresolved tensions remain in the Office's long-running efforts to 'mainstream' the protection of refugee children, women and other groups at particular risk. Work to meet the specific protection needs of refugee children remains all too often outside the core activities of field operations.

Tension and confusion remain between the need for special projects for refugee children and the view, or presumption, that their needs are met through the traditional sectors. We found the view that traditional sectors cover the needs of refugee children unsupported by situation analysis. While the survival rights of many refugee children will be met through traditional sectoral interventions, such as shelter and health, their full protection needs require specific tailoring or supplements to programmes. Gender and age analysis must cut across all sectors and issues. Most importantly, community services and education are inadequately supported, both financially and with human resources, and yet are amongst the most important sectors to meet the protection needs of refugee children.

We also consistently found confusion about the respective roles of general versus specialist staff with regard to work with refugee children. Where there has been progress in addressing the protection needs of refugee children, it is on the specialist side of this equation through the creation of specialist posts and recent training initiatives. In other words, mainstreaming has a long way to go.

To some extent, the expectations of mainstreaming are too high. The vast majority of UNHCR's staff should not be expected to be, nor need to be, child specialists. On the other hand, the work of every staff member should reflect the fact that half of the population of concern, and in many instances the portion of that population most at-risk, are children. Staff members should be expected to know the key protection risks faced by children, to address those needs within their areas of work, including management and leadership, and to proactively seek the role of specialists. Refugee children have particular needs and protection risks that depend on appropriate and effective specialist staff roles within the Office.

Partnership and collaboration are also essential to solving the dilemma of mainstreaming. UNHCR's specialist partnerships with Save the Children Alliance and the Norwegian Refugee Council have already been noted. More generally, UNHCR operations require more proactive engagement of the full range of partners: with UNICEF most importantly regarding the UN family, a wide range of government agencies, local and national NGOs and refugees themselves.

We are concerned that recent strategies of the Office with regard to refugee children may have unintentionally 'stalled' mainstreaming. For example, the four-year Action for the Rights of the Child (ARC) training initiative has produced high quality resource materials, but the sheer volume of ARC materials was found overwhelming and intimidating by generalist staff. Training has not reached generalist staff – Field Officers, Programme Officers or Heads of Office – nor the frontline national staff most engaged with refugee children.

Another element contributing to the sense that mainstreaming has stalled may be the Office's follow-up strategy to the Machel Study. The strategy may have distracted attention from the Office's more holistic mandate for refugee children. For example, many of our field missions found that the five Machel follow-up issues were understood to be the only protection issues for refugee children. In some cases, special reporting on the Machel follow-up strategy has contributed to the sense that work with refugee children falls outside the Office's core activities and regular resources.

Understanding and operationalizing child protection

Throughout our field missions and interviews, we found confusion about what child protection meant or what the policy priority on refugee children entailed. We found four main elements behind the confusion about what child protection should mean for UNHCR:

- Limited understanding of child rights as the framework for child protection,
- A lack of situation analysis,
- Insufficient recognition of the social aspects of protection, and,

- Insufficient integration with community services and their work with community networks.

The role of child rights in the protection of refugee children is inherent to the Office's protection work. UNHCR explicitly recognizes the 1989 UN Convention on the Rights of the Child (CRC) as providing the normative framework for its work with refugee children. International protection is recognized as actions to defend and promote the rights of citizens outside their country who can no longer benefit from the protection of their government. Thus, child protection within the mandate of UNHCR is defending and promoting the rights of refugee children.

The CRC covers all children and adolescents less than 18 years of age, without discrimination, thus extending in every way to refugee children. Thus the rights of refugee children include, *inter alia*, survival issues of health and nutrition as well as education, identity, family unity, and protection from exploitation and abuse of any form, including military recruitment.

Other elements behind the confusion about what the protection of refugee children should entail derive from the lack of situation analysis in programme planning and response. The current programme cycle of Country Operations Plans and Annual Protection Reports seems to be used as a matter of obligation rather than as a tool to analyze the situation and needs of refugees. The result is that child protection issues are 'invisible' from the first stage of the programme cycle and depend on great effort to be 'added' later.

Situation analysis is different to needs assessment in that it analyzes risks, opportunities and potential resources. The situation of refugee children, within a given context, is considered against their rights. Opportunities and resources – socio-cultural practices, community leaders, and political openings – are incorporated into the analysis. It should be noted that improved situation analysis was also among the strongest recommendations of the 1997 children's evaluation.

Finally, effectively meeting the protection needs of refugee children requires social protection, as it complements and sustains the legal and physical approaches more traditional to UNHCR's protection work. While international protection is essential when government protection is unavailable, at a more every-day level, communities provide protection through social systems and hierarchies. This underscores that protection is a social as well as a legal and physical concern.

The protection function in UNHCR must work more effectively with social systems and networks in order to achieve its child protection obligations and objectives. Particularly in our field missions, we found child protection to work best where there was active collaboration between community services and protection staff, complemented by pro-active support, mobilization and use of community networks. The Office's community services and education functions are thus pivotal to 'operationalizing' the protection of refugee children.

In summary, where the protection needs of refugee children have been effectively 'operationalized', it has been due to the following factors:

- The leadership and support of senior management and those with budgetary control to refugee children as a core priority of the Office,

- The degree to which protection staff include social as well as legal and physical aspects of protection and seek to integrate their work with community services and education,
- The extent to which community services staff mobilize and work respectfully with community-based social systems and networks, and,
- Strategic partnerships, especially collaboration with UNICEF and key NGOs.

Key recommendations

We put forward 43 recommendations in the full version of this report. This present document provides a summary of those recommendations which are aimed at facilitating senior management follow-up to the evaluation.

Indeed, questions of how the evaluation would be followed up overlaid our discussions throughout the evaluation process. In particular, external stakeholders were concerned that we found limited follow-up to the 1997 Children's Evaluation. Many commented that among previous evaluations, follow-up to the evaluation of the Kosovo operation was the most effective because of donor pressure and the adoption of a specific management follow-up plan of action. This review of key recommendations aims to facilitate a management plan of action to improve child protection. In particular, we highlight our recommendation to undertake a pilot mainstreaming exercise as a key step that will provide further insights towards effective mainstreaming and accountability for the protection of refugee children.

In view of the 'back to basics' approach needed to emphasize the holistic nature of the 1994 Guidelines and Convention on the Rights of the Child, reporting on activities relating to refugee children under the rubric of 'follow-up to the Machel Study' is unhelpful. The performance objectives of the Machel follow up strategy should be incorporated into UNHCR's mainstream planning and reporting procedures and manuals.

Regarding specific child protection issues, as a priority:

- Statistics and data collection on refugee age should be disaggregated to under 5; 5 to 9 years; 10 to 14 years; and 15 to 18 years in order to improve the extent to which the protection needs of adolescents are addressed by the Office;
- Education budgets and programming approaches should be broadened to include non-formal opportunities for all adolescents, with special consideration for youth clubs and expanded curriculum links to sexual and reproductive health issues and life skills;
- Specialist staff, in particular Senior Regional Advisors for Refugee Children, should concentrate on improving cross-border and sub-regional policy harmonization, partner collaboration and exchange of programme experience, with an emphasis on separated children and education.

The High Commissioner and senior management should make a clear statement that the protection needs of refugee children are a core activity and organizational priority of the Office. On the whole, the practice of designating issues as policy priorities should be reconsidered as it has gained little meaning or effect in practice.

Accountability for child protection should be clarified at all levels. The Assistant High Commissioner has overall implementation responsibility for child protection, with the Bureaux responsible at regional level and Country Representatives having overall responsibility at field level. Specialist staff are responsible for technical support but not implementation.

Towards improving the operationalization of protection, the Department of International Protection should convene a specific session on social protection as part of the current Global Consultation process. As a starting point for the session, a discussion paper should be commissioned exploring how the UNHCR protection function can better seize the potential of community services and education as tools of protection. The staff and representatives of refugee youth from at least two operations should participate in order to focus on practical ways in which protection, community services and community groups have effectively addressed key protection issues in their field of operation.

At headquarters, a number of actions are needed.

- The steering committee from this evaluation should continue as an inter-departmental working group on refugee children. The working group should emphasize steps to improve policy compliance and mainstreaming by facilitating technical assistance, training and the roles of specialist staff between sectors, divisions, the Bureaux and field operations.
- As a matter of urgency, senior management should develop and issue a more consolidated and integrated UNHCR Manual. Building from the 'mainstreaming' document drafted in 2000 by the Division of Operational Support, the manual should have short descriptions of each sector and their related standards and guidelines. Key child protection indicators should be incorporated throughout. General sections of the Manual should incorporate key points on situation analysis and community mobilization.
- DIP and the Senior Coordinator for Refugee Children need to develop a one-page reference document on key protection issues for refugee children, emphasizing a holistic view of the Office's mandate.
- The field inspections of the Inspector General should specifically include follow-up to this evaluation and their results should be shared, at minimum in a verbal briefing, with EPAU, DIP, the Senior Coordinator for Refugee Children and the Regional Advisors.

The Office should commit to continuing all specialist posts and should make a small expansion of such resources. In particular, one additional Senior Regional Advisor for Refugee Children should be added for Asia and the Pacific and there should consistently be separate specialist staff for refugee children and refugee women/gender equity. This would also include having separate, as two posts, the Legal Advisors in DIP for women and children.

Towards improving accountability and mainstreaming at the field level, under the leadership of the Assistant High Commissioner, with the facilitation of the Senior Coordinator for Refugee Children, a series of one-day working sessions should be taken with each Bureau during 2002. Each session should include a two-hour orientation on leadership and management responsibilities for the protection of refugee children. The remainder of each session should be devoted to preparing a workplan and timetable for:

- A pilot mainstreaming exercise for each Bureau to be undertaken over the 2002 to 2004 programme cycles. The pilot mainstreaming exercise will emphasize situation analysis of child protection issues, partnership and community network opportunities, and their incorporation into country programmes and management systems.
- Training on key child protection issues for all regional and country management staff. In the short-term, training sessions should be minimum half-day sessions organized in conjunction with other regional and sub-regional meetings. Towards the long-term, child protection concerns should be better integrated into the Senior and Middle Management Learning Programmes.

Towards the in-depth child protection training needs of protection and community services staff and partners, DIP and DOS should jointly undertake a concerted effort to reach all protection and community services staff with targeted training based on the ARC situation analysis and community mobilization resource packs, especially national staff. Such training goes beyond the current plans and capacity of the new Protection Learning Programme. The Senior Regional Advisors and field-based protection and community services staff need access to consultant budgets or need to use their training budgets to run local trainings. ARC-experienced trainers should be based regionally for one to two years to help fulfill training needs.

Other key steps to improve field level mainstreaming, accountability and the operationalization of protection:

- The annual COP process should require demonstrated child protection situation analysis and programme planning with all partners, including UNICEF and refugee networks. Towards making UNHCR's partnerships more strategic, proactive and transparent, heads of field operations should be required to hold annual review and planning meetings with UNICEF and other key partners as part of the project cycle.
- Include a sub-clause in agreements with partners on compliance with the 1993 policy and 1994 Guidelines. Relevant policies should be listed in sub-agreements and distributed as part of concluding and signing partner agreements.
- To improve situation analysis, protection and community services should jointly convene focus group discussions with refugee children, most specifically with adolescents, as part of regular protection monitoring. The results and follow up of such focus groups should be required reporting through Annual Protection Reports.
- A focus group with both girls and boys should be undertaken as part of every emergency assessment to identify child specific priority protection needs. Such

focus groups should be stressed as part of the WEM emergency training programme.

- As a first step in addressing the staffing shortfalls behind meeting the protection needs of refugee children, through the 2002-2003 programme and budget cycle, every field operation should be assured a minimum of one community services staff member at a professional level.