

The Global Compact on Refugees

The time for action for children uprooted is now

Around the world, nearly 50 million children have migrated across borders or been forcibly displaced- and this is a conservative estimate. More than half of these girls and boys fled violence and insecurity -28 million in total. Including 10 million refugee children, 1 million asylum-seeking children, an estimated 17 million girls and boys who have been internally displaced due to conflict and violence.

The number of child refugees under UNHCR's mandate has more than doubled in just 10 years. As the risk and frequency of disasters also increased sharply, millions more have been uprooted by natural disasters or because of climate change. Today, over half a billion children live in extremely high flood-risk zones and nearly 160 million children live in high or extremely high drought-risk zones.

The Convention on the Rights of the Child protects all children in a state, no matter where they come from, who they are or what caused their displacement. A child is a child – whether stateless, undocumented, seeking asylum, refugee or migrant. Every child has the same right to be protected, to keep learning and to receive the care and services she needs to reach her full potential.

By adopting the New York Declaration on Refugees and Migrants at the United Nations in 2016, world leaders acknowledged children's vulnerabilities and specific needs, and committed to fully protect their rights, regardless of status.

In situations of forced displacement, children are not just another vulnerable group - they make up more than half of the world's refugees today. Protracted displacement, on average, lasts an entire childhood. With 1 in 2 refugees being a child, the Global Compact for Refugees is essentially for and about children. The Programme of Action must reflect this reality and pay specific attention to the youngest and most at risk.

Solutions exist. National, regional and local governments around the world are already working with partners to welcome, empower and protect refugee children. The UNICEF reports '*Beyond Borders: how to make the global compacts on migration and refugees work for uprooted children*' and '*Education Uprooted*' highlight some of the most inspiring good practices from around the world. These lessons and examples can be replicated in different contexts and need to be reflected in the Global Refugee Compact.

Building on UNICEF's [Agenda for Action for Children Uprooted](#) and the solutions that exist, host governments and communities, UNHCR and other partners need to prioritize the following actions to translate the New York Declaration into practice for every child uprooted:

1. Investing in strong national child protection systems to protect refugee children from violence, abuse and exploitation.

The Global Compact for Refugees presents an opportunity for Member States to provide appropriate and integrated child protection care and services for all refugee children, starting at the onset of a crisis until a durable solution is found for every child.

As soon as a child is identified, local child protection services must be involved and should remain in the lead when it comes to service provision and decision-making for refugee children. Mechanisms for intersectoral coordination must also be in place.

As suggested, the Programme of Action should establish an **asylum capacity support** - with dedicated child protection capacities - to ensure that specific consideration is given to children when processing asylum claims, including through access to guardians, legal representation, safe accommodation, and health and mental health services. Any standby arrangements or expert pools must also include sufficient numbers of trained child protection actors.

Strengthening and investing in inclusive and well-resourced national child protection systems contributes to preparedness efforts, addresses children’s immediate protection needs and enhances access to durable solutions. The Programme of Action should include measures to:

- provide frontline workers (including law enforcement, child protection and asylum authorities) with the skills, resources and training they need to identify and screen vulnerable children and assess their needs in a gender- and age-sensitive manner
- ensure timely referrals and access to guardians in the case of unaccompanied and separated children and provide accessible legal aid and assistance
- implement safeguards and minimum child protection standards for reception, accommodation, care and protection
- establish or strengthen robust, multi-disciplinary and impartial best interests’ determination (BID) and assessment procedures to inform all decisions affecting a child
- undertake necessary steps to trace families and reunite children when in their best interests

Cross-border cooperation and regional partnerships between countries of origin, transit and destination must be strengthened. This entails that the Programme of Action should include measures to:

- develop procedures for the handover of guardianship across jurisdictions in the case of unaccompanied and separated children;
- strengthen cooperation on family tracing to inform decisions on durable solutions for children;
- recommend the establishment of a reliable and integrated international family tracing and reunification system
- set up joint case management systems
- establish common standards for child-friendly reception practices, including for critical procedures such as age assessments
- develop agreed standards on child-rights compliant returns and reintegration.

Any return decision concerning a child, including for children with their families, should be based on the outcome of an impartial and documented Best Interests Determination process.

This requires the **establishment of robust, documented, multi-disciplinary and impartial best interests’ determination (BID) and assessment procedures** to inform decisions affecting children. Such procedures must be child-focused and undertaken by trained professionals that are able to communicate in a child-sensitive manner to ensure the child’s informed and meaningful participation.

Returns should always be safe, assisted and voluntary, respect the non-refoulement principle with due consideration for child-specific forms of persecution (including in the case of transit countries), and be accompanied by an individual plan for the child, post-return monitoring and child-specific reintegration support.

2. Political commitment to move towards ending the practice of detaining children because of their migration status.

The Global Compact needs to build on and translate into practice the commitment that Member States made in the New York Declaration to progressively work towards ending the detention of children for immigration control purposes.

With the support of United Nations agencies and civil society organizations, governments need to invest in and implement alternatives to detention that respect children's rights, are enacted in their best interests, carried out by competent child protection actors, and allow children to remain with their family members or guardians while their immigration status is resolved. Such alternatives could include engagement-based models, open and community-based reception and care centers for families and children, regular reporting requirements, guarantors or bailees. Reliable evidence and data on children in detention are crucial to ending this practice.

- As a concrete measure, the Programme of Action could suggest that Member States develop **national action plans with time-bound milestones** to phase out immigration detention of children in law, policy and practice.

3. Registering the birth of all refugee children, provide reunification mechanisms to keep families together and give children legal status.

Too many children uprooted spend their whole childhoods in limbo. Children should have **safe, swift and effective access to quick and efficient asylum procedures, stable and predictable status determination procedures, and durable solutions in their best interests.**

Solutions should effectively prioritize children based on their vulnerabilities. Screening for vulnerability to statelessness should take place during reception, and linkages between civil registration authorities and health facilities could be strengthened. The Programme of Action needs to include measures to

- review and broaden vulnerability criteria used to determine children's eligibility to resettlement and complementary pathways, including for children in families. These criteria should, among others, account for factors such as gender, disability, GBV, mental health, domestic violence, single-headed households, statelessness, exposure to trafficking and exposure to deprivation of liberty.
- guide States to extend their existing birth registration services to include all refugee children and provide all children with appropriate legal documentation
- suggest measures to provide multiple avenues for granting children residence status and prevent childhood statelessness.

For resettlement to work for children, **global resettlement pledges must be increased** through a cooperation framework for responsibility sharing that allows for a quick, predictable, equitable, flexible and adequate response to large movements of children and families. Best Interests Determination processes and the principle of family unity should be at the core of resettlement programmes, as well as support available to children and families upon arrival.

- The Programme of Action should establish and mainstream procedures for resettlement to prioritize and respond immediately to urgent and emergency protection needs of children.

The Programme of Action should **expand safe pathways for families to seek refuge together and lift legal and practical obstacles to family reunification**. Concrete measures include broadening the definition of family, expanding family reunification rights for persons under subsidiary protection, and addressing legal and practical obstacles such as income thresholds, documentation requirements or tight deadlines. In humanitarian situations, applications involving children should be streamlined and prioritized. Additional financial and human resources should be allocated to provide for accelerated procedures and to develop guidance and training for personnel involved such applications.

Further **complementary pathways that would particularly benefit children** and should be expanded include student visas, private sponsorship programmes, and humanitarian admission programmes and visas.

4. Comprehensive care and access to services that keep refugee children learning and stay healthy

To develop and flourish, children of all ages need access to quality services, safe accommodation, adequate nutrition, livelihoods, and work opportunities for their families. The Programme of Action should include concrete measures to:

- provide all refugee children with effective and prompt access to protection, housing, nutrition, water and sanitation, education (including early childhood development and vocational training), healthcare (including preventive and psychosocial care) and legal aid
- establish firewalls between service providers and asylum, immigration and law enforcement authorities to allow all children to benefit from public services without discrimination and fear of detection or deportation

All refugee children also need to have access as soon as safely possible to quality and inclusive education and other informal and non-formal learning opportunities. Learning opportunities must be age-specific, including early childhood development, certified and accredited by the host country. The Programme of Action should provide concrete measures to support host countries to

- remove regulatory, administrative, financial, social and cultural barriers preventing refugee children from learning (including gender- and age-specific factors such as protection concerns)
- strengthen and invest in national education systems to better include refugee children
- expand school facilities and promote the use of technological innovations
- strengthen capacity building of teachers (including teachers from refugee communities) to respond to children's psychosocial support needs and to interact with a diverse student population
- improve planning and preparedness of host communities to provide access to education when refugees arrive

Additional long-term financing from the Education Commission, Education Cannot Wait and the Global Partnership for Education will be crucial to implement such measures.

5. Addressing the causes that uproot children from their homes.

Child-focused efforts should be made towards peace-building and reconciliation, early warning and prevention, enhancing resilience, and support for durable solutions. Specific drivers that push children to flee and seek asylum, including child-specific forms of persecution, should be addressed.

The Programme of Action should also include measures to support governments, families and communities to identify ways to prepare for and respond to the effects of climate change and environmental degradation and disasters. Statelessness as both a cause and a consequence of forced displacement with profound and negative impact on a children’s lives should be prevented and addressed. The Programme of Action should include measure that support states to

- review laws and practices that deny children nationality on discriminatory grounds
- remove gender discrimination from nationality laws
- encourage States to accede to the UN Statelessness Conventions.

6. Protect refugee children from discrimination and xenophobia

Refugee children often face discrimination, exclusion and xenophobia – during their journeys and in their new surroundings. Recognizing the importance and benefits of integration, some governments have enacted laws that promote the inclusion of refugees and non-discriminatory access to services. Others are supporting collective efforts by local authorities, community leaders, religious organizations, NGOs and the private sector to welcome refugees with a range of support services targeted to their specific needs.

Social inclusion starts with children and at the local level. The Programme of Action should pay specific attention to children and young people when considering whole-of-society approaches. It should also recognize the importance of including host communities and local actors as equal partners in programmes addressed at refugee communities, creating avenues for regular interaction with the newly arrived to promote reciprocal inclusion. It is important to develop the capacity of communities to provide solutions for refugees, including by directing more resources to local and regional authorities.

Underlying these asks is the urgent need to address **data and evidence gaps on children on the move** to ensure that policies and investments are evidence-based. Too often, data is not disaggregated by age or gender and blind to the experiences of boys and girls. Concerted efforts to **collect, analyze and use accurate, timely and child-focused data** are key to implement the Programme of Action and track results for children.

The proposed **monitoring and evaluation approach for the CRRF should be expanded to include a mechanism that can assess progress in achieving the Programme of Action**, in addition to the broader outcomes of the CRRF.

To bring the Programme of Action to life, **predictable, multi-year and flexible funding** will be essential, as well as leveraging existing development funding mechanisms.

This is the moment for States to ensure that the provisions of the New York Declaration for Refugees and Migrants and the Convention on the Rights of the Child are fully realized for all children, especially those most at risk through no fault of their own.