



## A PRACTICAL GUIDE: PROTECTING AND SUPPORTING CHILDREN THROUGH THE GLOBAL COMPACT ON REFUGEES

### Why this guide?

A key objective of the Global Compact on Refugees (GCR) is for its implementation to be child-centred. This guide outlines how that can be achieved in practice.

### Why is a child-centred approach important in implementing the GCR?

Children make up almost half of the world's refugees and experience displacement in a different way from the rest of their communities. Yet responses to complex crises often fail to have a specific or sufficient focus on children.

A child-centred approach is essential for the protection and empowerment of each and every child and to ensure the fulfilment of their rights and their potential.

Children are also not a homogeneous group. Identifying and responding to the different and intersecting discrimination faced by different groups of children based on their gender, disability and other forms of diversity is essential to a child-focused approach.

**“ CHILDREN MAKE UP ALMOST HALF OF ALL REFUGEES. ”**



### What does the Global Compact on Refugees say about children?

A child-centred approach applies to the whole Global Compact on Refugees (GCR). The GCR calls on States and relevant stakeholders to: “contribute resources and expertise towards policies and programmes that take into account the specific vulnerabilities and protection needs of unaccompanied and separated children, survivors of sexual and gender-based violence, sexual exploitation and abuse, and harmful practices, and other children at risk”. It calls to contribute resources and expertise to:

- ▶ Ensure the best interests of the child;
- ▶ Invest in child protection systems and cross-border cooperation to provide a continuum of protection for the child;
- ▶ Build the skills of key staff and authorities so they can act in a way that is sensitive to the needs of children;
- ▶ Provide appropriate care arrangements that guarantee child rights;
- ▶ Establish reception and transit areas sensitive to age, gender, disability, and other specific needs;
- ▶ Ensure access to key services for children including healthcare, primary, secondary and tertiary education, safe and nutritious food, civil and birth registration and documentation;
- ▶ Establish alternatives to detention for children;
- ▶ End all forms of sexual and gender-based violence, trafficking in persons, sexual exploitation and abuse, and harmful practices;
- ▶ Promote complementary pathways for children and families to access international protection while keeping families together;
- ▶ Support family tracing and clear referral pathways for reunification;
- ▶ Promote gender equality, combating discrimination and xenophobia and;
- ▶ Promote the meaningful participation of all people concerned, including children and young people.

## Achieving a child-centred approach - 6 key considerations and a planning checklist

### 1. Empower children and young people to participate and be at the centre of solutions:

Children are key stakeholders and agents for change both for themselves and their community. Meaningful participation of children in decisions that affect them is a right set out by the UN Convention on the Rights of the Child (UNCRC) and is an integral part of the GCR's programme of action (para 75). Children and youth should be engaged in identifying needs for, designing, implementing, monitoring, and evaluating programmes. Plans should include consultations with diverse groups of children and putting in place mechanisms for their active participation.

- Are you consulting and do your plans include ongoing consultations with affected children either directly, or indirectly through civil society support, in line with international standards for the meaningful participation of children, such as the Minimum Standards for Child Protection in Emergencies?
- Do plans include mechanisms for safe and meaningful child and youth participation?

### 2. Meet the needs of all children in their diversity:

Refugee children have specific needs that are distinct from those of adults and require child-centred responses. Children themselves are not a uniform group. Individual experiences of displacement and the threats that children encounter are influenced by their: gender; gender identity; age; membership in a particular social, ethnic or religious group; separation from their families and communities; and disability. A child-centred approach must reflect this diversity and respond appropriately, including through tailored responses and policies and dedicated funding.

- Have plans acknowledged the needs and capacities of diverse groups of children - considering age, gender, gender identity, and diversity - and identified how to address these?
- If the planned work is not directly targeting children, has it nonetheless been informed by an analysis of children, age, gender, and diversity in the target area?

### 3. Adhere with international legislation and frameworks:

A child-centred approach should be grounded in national legislation, international law, and global frameworks that advance the rights and protection of children including the UNCRC, Human Rights and Refugee law, the Sustainable Development Goals (SDGs), and the GCR.

- Does the planned work adhere with national and international law, including the Convention on the Rights of the Child, Human Rights and Refugee law and frameworks including the GCR and the SDGs?

**4. Make child protection a reality:** Children are among the most vulnerable people in refugee situations, particularly in protracted settings. They face significant protection risks, including: physical and sexual violence and other forms of gender-based violence; neglect; abuse; separation; trafficking; exploitation; child labour and child recruitment; and psycho-

social trauma. Child protection is proven to be life-saving yet it is too often inaccessible and insufficiently funded. Refugee children need access to strong, well-funded national and community-based child protection systems to minimise risks and help them now and in the future.

- Will these plans help strengthen existing national and community-based child protection systems?
- Will access to these child protection systems be ensured for refugee children?
- Is adequate funding allocated to this?
- Have plans fully taken into account the specific vulnerabilities that children face, including gender-based violence, exploitation, violence and abuse?

### 5. Ensure children's access to services:

Refugee children are among the most vulnerable children. Yet they can face discrimination in accessing essential services and in participating and thriving in the communities where they are. It is therefore critical to invest in and promote measures that ensure access for all children, without discrimination, to appropriate key services. These include: child protection services and best interests procedures; quality education; healthcare, including psychosocial support and sexual and reproductive healthcare; legal representation; child-friendly asylum procedures; and documentation, to name a few. For this purpose, it is crucial to collect data disaggregated by sex, age, and disability.

- Does the planned work support children's access to quality early learning and development and primary, secondary and tertiary education?
- Does it support children's access to healthcare, including psychosocial support without discrimination?
- Does it promote children's access to documentation, justice and child-friendly asylum procedures?
- Are plans in place to collect disaggregated data?

### 6. Ensure sustainable solutions for children:

Protecting children does not just mean responding to immediate life-saving needs. Protection means safeguarding children's futures and their capacity to lead their community's long-term recovery, whether that be in a host country, country of origin or third country. This means investing in and increasing access to child-sensitive durable solutions, including resettlement, complimentary pathways, return and local integration as well as ensuring that children are made aware of available solutions and meaningfully consulted on decisions about their future.

- Does the planned work support the safety, dignity, and recovery, of all children affected by displacement?
- Does it enhance procedures for keeping families together?
- Does it promote access to Best Interest Determination procedures to determine long term solutions, which take into account children's views?
- Does it promote resettlement and complementary pathway options that offer protection to children and (re)integration plans that are child-focused?

## EXAMPLES OF ACTIONS IN LINE WITH THE CHILD-FOCUSED COMMITMENTS OF THE GLOBAL COMPACT ON REFUGEES



### What the GCR aims for

### Example child-focused actions

<p><b>1</b> Refugee children, including children who are stateless, <b>are included</b> in relevant laws policies, services and programmes and <b>participate</b> in decisions that affect them.</p>	<ul style="list-style-type: none"> <li>▶ Strengthen or adapt national laws and policies to ensure that refugees and refugee children are included in National Development Plans, urban planning and disaster risk reduction planning.</li> <li>▶ Establish programmes that promote the meaningful participation of children, ensuring children are properly informed and involved in shaping services and designing, implementing, monitoring, and evaluating programmes.</li> <li>▶ Ensure that child rights laws guarantee non-discriminatory access of refugee and asylum-seeking children to all child rights irrespective of immigration status.</li> </ul>
<p><b>2</b> The <b>best interests of the child</b> will be a primary consideration in all matters concerning refugee children, whether they are accompanied or unaccompanied.</p>	<ul style="list-style-type: none"> <li>▶ Establish and enact national laws, regulations, policies and procedures (local, regional or national) that explicitly state that the best interests of all children should be a primary consideration in all actions and decisions, irrespective of the immigration status of the child or their family.</li> <li>▶ Put in place child-friendly and timely asylum and registration processes for all children, including unaccompanied children.</li> <li>▶ Establish appropriate support for unaccompanied refugee children, including the provision of dedicated guardians/ representatives.</li> <li>▶ Allocate dedicated budget to strengthen and/or establish, multi-disciplinary and participatory procedures to assess and determine the best interests of the child, including capacity development of staff involved in these procedures.</li> <li>▶ Support children to participate in the best interest procedures and give due consideration to their views in accordance with their age and maturity.</li> </ul>
<p><b>3</b> Appropriate, integrated and well-funded <b>child protection and care services</b> are in place for all at-risk refugee children, starting from the time of arrival.</p>	<ul style="list-style-type: none"> <li>▶ Include a standalone child protection component in all humanitarian and development plans and mainstream child protection throughout all plans.</li> <li>▶ Put in place adequate and sustained financial and non-financial resources for protection programming in preparedness, emergency and protracted and recovery situations.</li> <li>▶ Increase multi-year funding for child protection services for refugees and ensure funding better meets the protection needs of children in refugee situations.</li> <li>▶ Establish well-resourced, child-sensitive procedures for the identification of children, including unaccompanied and separated children and children with disabilities. Establish or strengthen referral mechanisms to relevant child-sensitive support services, including appropriate care arrangements.</li> <li>▶ Ensure that adequate and skilled child protection workforce is in place and enhance and fully fund case management capacities.</li> <li>▶ Build the capacity of social welfare, justice, police and border sectors on refugee child protection and best interests procedures.</li> <li>▶ Establish and adequately resource appropriate alternative care options for refugee children, in accordance with the UN Guidelines for the Alternative Care of Children.</li> <li>▶ Put in place and fund procedures for cross-border cooperation on child protection that ensure a continuum of care for children. Such procedures should include child protection safeguards and data protection to avoid potential exposure of children to harm.</li> </ul>

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## Example child-focused actions

<p><b>4</b> The <b>immigration detention</b> of children is replaced by non-custodial alternative care solutions.</p>	<ul style="list-style-type: none"><li>▶ Adopt and implement national plans to end child immigration detention.</li><li>▶ Establish and fund non-custodial and community-based alternatives to detention, particularly for children.</li></ul>
<p><b>5</b> Refugee children have <b>access to key services</b> that are child-sensitive. These include child protection, health, psychosocial services, education, shelter, welfare services, justice and civil registration.</p>	<ul style="list-style-type: none"><li>▶ Support education in emergencies and strengthen national education systems and the provision of and access to: early learning and development; and primary, secondary, tertiary and vocational education for all children, taking into consideration age, gender and diversity.</li><li>▶ Mainstream child protection support and expertise in education systems to respond to the specific needs of refugee children.</li><li>▶ Ensure that refugee children access adequately resourced, comprehensive and non-discriminatory quality health services that respond to their distinct needs, including regular immunisation programmes, psycho-social support and sexual and reproductive health care.</li><li>▶ Establish and fund programmes to support refugee children and their families to access civil documentation such as birth registration or identity documentation.</li><li>▶ Provide non-discriminatory access to child-sensitive legal assistance and justice for refugee children and their families and create a dedicated budget for supporting access to free legal advice and representation for refugee children (if one does not already exist). Ensure year-on-year increase in the number of cases supported.</li></ul>
<p><b>6</b> Procedures for <b>keeping families together</b> are enhanced.</p>	<ul style="list-style-type: none"><li>▶ Put in place and invest in effective procedures and clear referral pathways for family reunification, including accelerated procedures for children.</li><li>▶ Enact policies that broaden the definition of family where it is in the child's best interests to do so.</li><li>▶ Establish and/or strengthen cooperation between relevant actors across borders for family reunification based on a child's best interests.</li></ul>
<p><b>7</b> <b>Comprehensive, protective and sustainable solutions</b> for refugee children are in keeping with their best interests.</p>	<ul style="list-style-type: none"><li>▶ Establish child-sensitive and child rights-compliant procedures and minimum standards, including cooperation initiatives, for identifying and implementing durable and sustainable solutions for children, including provisions for returns and/or (re)integration with assessments and monitoring procedures.</li><li>▶ Expand child-sensitive solutions in line with the child's best interests and formalise procedures for determination of the child's best interests in law, policy and practice.</li><li>▶ Establish resettlement programmes which include procedures to respond to urgent and emergency international protection needs of children, effective emergency transit facilities or other arrangements for emergency processing of resettlement for women and children at risk. Put in place appropriate child-focused support upon arrival in the country of resettlement.</li><li>▶ Expand access by refugee girls and boys to resettlement and complementary pathway options that offer protection to children and include: opportunities for family reunification; educational opportunities for refugee children and youth in third countries; humanitarian visas; humanitarian admission programmes; and community sponsorship programmes.</li></ul>

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