

**CALL FOR EXPRESSION OF INTEREST [TO BE ISSUED BY UNHCR]**

<b>CALL FOR EXPRESSION OF INTEREST No.</b>	
Project title and Identification:	Project Location:
Operationalizing family reunion within Europe	Italy
Brief Background of the Project:	
<p>Throughout the years, and despite a recent decrease, the number of unaccompanied and separated children (UASC) arrivals to Italy has been constantly increasing. The year 2016 recorded an unprecedented increase of irregular sea arrivals, with 25,846 UASC disembarked (almost doubling the total figure of the previous year), whereas 2017 marked a drastic reduction, with 15,779 UASC arrived by sea according to official data. The reduction has been confirmed throughout 2018, with 3,338 UASC disembarked by October 15<sup>th</sup><sup>1</sup>.</p> <p>Among them, many UASC move onwards trying to reach other destinations. According to the monitoring report published by the Ministry of Labour<sup>2</sup>, as of 30 June 2018 2018, the population of UASC in Italy was 13,151, registering a decrease of 26.4% compared to the same period in 2017 and an increase of 7,4% compared to 2016. In 2018 the number of asylum claims by unaccompanied children is registering an apparent decreasing trend – conversely to previous years - with 2,857 applications submitted by 30 June, compared to the 9,782 claims registered by the end of 2017.</p> <p>Despite the <i>Law No. 47/2017</i> progressive provisions on the protection of UASC, implementation remains limited, especially in terms of ensuring adequate reception, integration and timely transfer and age assessment, and the Italian reception system for children remains highly disharmonised. Furthermore, the new child reception system as envisaged by the legislative decree 142/2015 – and the standards prescribed therein - remain far from being implemented. In several instances UASC are hosted in adult and emergency facilities as well.</p> <p>The Convention on the rights of the child is the main legal instrument on the protection of children. It embodies four general legal principles, including the best interests of the child<sup>3</sup>. In order to assure full respect of this principle, the Committee for the Rights of the child reasserted that “the family is the fundamental unit of society and the natural environment for the growth and well-being of its members, particularly children” (...) and “Preventing family separation and preserving family unity are important components of the child protection system”<sup>4</sup>.</p> <p>In the EU context, when families, are separated among different countries, the Dublin system is called to assure that the best interest of the child and, in this context, the principle of family unity is fully respected.</p>	

<sup>1</sup> [http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto\\_statistico\\_giornaliero\\_19-10-2018.pdf](http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto_statistico_giornaliero_19-10-2018.pdf)

<sup>2</sup> [http://www.lavoro.gov.it/documenti-e-norme/studi-e-statistiche/Documents/Report%20di%20monitoraggio%20I%20semestre%202018%20-%20I%20Minori%20Stranieri%20Non%20Accompagnati%20\(MSNA\)%20in%20Italia/Report-di-monitoraggio-MSNA-30062018.pdf.pdf](http://www.lavoro.gov.it/documenti-e-norme/studi-e-statistiche/Documents/Report%20di%20monitoraggio%20I%20semestre%202018%20-%20I%20Minori%20Stranieri%20Non%20Accompagnati%20(MSNA)%20in%20Italia/Report-di-monitoraggio-MSNA-30062018.pdf.pdf)

<sup>3</sup> Reference made also to Safe and Sound, UNHCR/UNICEF, October 2014, <http://www.refworld.org/docid/5423da264.html>

<sup>4</sup> UN Committee for the rights of the Child, General Comment n. 14, <http://www.refworld.org/docid/51a84b5e4.html>

Actually, the Dublin-family reunion scheme is far from meeting needs and expectations of UASC and their actual implementation remains limited and lengthy.

Experience and previous surveys show that that the persisting gap in the implementation of the Dublin regulation create uncertainty among children, who in any case are often reluctant to await for the long legal procedures and often resort to alternative irregular avenues. The Italian Ministry of labour reported 4,677 UASC had absconded by June 30<sup>th</sup>, 2018. Main nationalities include Tunisian, Eritrean and Afghan national<sup>5</sup>. Irregular onward movements prolong children exposure to risk of harm, abuses and violence and impair their reintegration into the regular protection system, which they abandoned, once their project fails.

UNHCR emphasises that unaccompanied children are extremely vulnerable, deprived of care and protection by their parents or previous caregiver. Children may struggle to understand the nature and purpose of processes in which they are involved, how to apply and what potential and actual outcomes of procedures mean for them. In order to ensure that children can effectively exercise their right to be heard and access the asylum procedure promptly, Member States should ensure that they receive information about options available in a way that is appropriate to their age, allowing them to express their views on those same options in line with their age and maturity.

The findings of UNHCR's Study<sup>6</sup> have shown that *the procedural guarantees for children as established in Article 6 of the Dublin Regulation are not effectively applied in practice across the Member States surveyed. Guidance and adequate training on conducting BIAs generally appear to be lacking. At the same time, the lack of a standardized approach in areas such as age assessment, representation and family tracing create significant delays in family reunion procedures concerning children, with inconsistent approaches across the Member States. Cooperation between Member States appears to be limited in places, with little or no coordination existing in particular between the actors involved in BIA procedures in the different Member States.*

All these factors highlight that there is the persistent need to harmonise further and thus find its solution in the context of the Common European Asylum system. Notwithstanding it, there is also margin for improving and facilitating the domestic implementation of the Dublin regulation provisions.

#### Goal/Objective, Expected Outcome and Main Activities:

##### **Goals and expected outcome:**

##### Objectives

With due observance of best interest and family unity principle, the overall aim of the project is supporting the family reunion system in Italy through targeted capacity development of key institutional actors and evidence-based advocacy.

<sup>5</sup> Monitoring report, available at [http://www.lavoro.gov.it/documenti-e-norme/studi-e-statistiche/Documents/Report%20di%20monitoraggio%20I%20semestre%202018%20-%20I%20Minori%20Stranieri%20Non%20Accompagnati%20\(MSNA\)%20in%20Italia/Report-di-monitoraggio-MSNA-30062018.pdf.pdf](http://www.lavoro.gov.it/documenti-e-norme/studi-e-statistiche/Documents/Report%20di%20monitoraggio%20I%20semestre%202018%20-%20I%20Minori%20Stranieri%20Non%20Accompagnati%20(MSNA)%20in%20Italia/Report-di-monitoraggio-MSNA-30062018.pdf.pdf)

<sup>6</sup> UN High Commissioner for Refugees (UNHCR), Left in Limbo: UNHCR Study on the Implementation of the Dublin III Regulation, August 2017, available at: <https://www.refworld.org/docid/59d5dcb64.html> [accessed 22 November 2018]

This goal is pursued through legal support and operationalization of transfers for selected individual cases, the identification and promotion of good practices and implementation gaps; and the enhancement of the competences and skills of practitioners, relevant stakeholders and institutions.

In particular the following are the main areas of intervention:

- Contribute to strengthen respect of the best interests principle in the context of durable solutions and family reunion
- Facilitating family reunion through an efficient implementation of the Dublin regulations
- Facilitating referral and cross border transfer following Dublin regulations through an efficient national and cross border networking with relevant stakeholders and institutions
- Legal counselling, support and case management of emblematic/precedent-setting cases
- Monitoring cases throughout the family reunion procedures
- Identification and promotion of best practices
- Capacity development of key institutional stakeholders and actors involved in family reunion
- Institutional liaising and advocacy on the main identified gaps, in close collaboration with UNHCR and institutional partners
- Support UNHCR's advocacy with regard to CEAS reform and domestic efficient implementation of the Dublin regulation through the collection and systematization of evidence based information

Main activities:

**1) Capacity development**

- Organising and undertaking capacity development initiative with relevant stakeholders – including reception operators, legal and voluntary guardians and social workers - and institutions on durable solutions, primarily through family reunion, with references to Best Interest Procedures and international protection IP

**2) Case management**

- Develop clear in-take criteria based on lesson learnt and good-practices in order to optimise resources and speed-up procedures
- Follow up active cases bringing them to a successful transfer to the destination MS;
- Identify strategic cases, with relevant family members and relatives in the 32 “Dublin countries” and whose best interests entail cross border transfer, and which can set precedent
- Identify the most appropriate legal procedure/s available
- Follow up the entire procedures assuring a proper child rights approach with particular regard to respect of the BI and family unity principles
- Monitoring cases upon and after transfer
- Monitoring the legal status and situation of Dublin returnees cases in Italy

**3) Coordination, networking and institutional liaison**

- Promoting and participating in meetings with the main local actors, as appropriate and upon necessary consultation and agreement with the competent authorities;

<ul style="list-style-type: none"> <li>- Promoting and supporting the use of protocols and coordination mechanisms</li> <li>- Liaise with relevant stakeholders (including IOM for family tracing related activities) and institutions (including Dublin Units, Diplomatic representations, IIOO of PS HQ at provincial level, Prefectures, Guardians, Juvenile Courts, etc.)</li> </ul> <p><b>4) Counselling and information provision:</b></p> <ul style="list-style-type: none"> <li>- Provide legal and procedural support to practitioners and professionals dealing with Dublin cases</li> <li>- Produce child-friendly information materials on Dublin procedures</li> </ul> <p><b>5) identification and promotion of good practices and SOPs</b></p> <ul style="list-style-type: none"> <li>- Develop criteria based on which identifying and selecting good practices, paying attention to key criteria such as sustainability, cost-efficiency, replicability.</li> <li>- Identify and select good practices, which facilitate a timely and efficient implementation of the Dublin regulations taking into consideration the domestic and European context</li> <li>- identify and promote an efficient and complete implementation of the Dublin regulations – including a better use of the humanitarian and sovereignty clauses and other available legal schemes</li> <li>- Suggest SOPs on family reunion procedures in close collaboration with UNHCR and operational and institutional partners</li> </ul> <p><b>6) Supporting advocacy</b></p> <ul style="list-style-type: none"> <li>- Collect evidence-based information</li> <li>- Identify gaps and challenges in the Dublin system</li> <li>- Propose practical and legal/legislative solutions (including litigation strategies, infraction procedures, and others as relevant), building also upon previous surveys - outcome, conclusions and recommendations - including <i>Protecting children on the move</i><sup>7</sup> and <i>Left in limbo</i><sup>8</sup>.</li> </ul>	
<b>Intended Population of Concern:</b>	
UASC asylum-seekers	
<b>Project Period [estimated start and end dates of project]:</b>	
1 <sup>st</sup> March 2019 – 31 <sup>st</sup> December 2019	
<b>Submission Deadline:</b>	<b>Date Decision Results to be Communicated to Applicants:</b>
10/01/2019	14/02/2019
<b>Request for Enquiries Deadline:</b>	<b>Date Replies to Enquiries are published:</b>
04/01/2019	08/01/2019
<b>Selection Criteria</b>	

<sup>7</sup> <http://www.refworld.org/pdfid/522852c34.pdf>

<sup>8</sup> <http://www.refworld.org/docid/59d5dcb64.html>

<i>Choose relevant criteria</i>	Criteria Description	Assigned (optional)	Weighting
	<b>Project Goal and Envisaged Outcomes:</b> The concept note submitted is coherent and replies well in how the proposed project will achieve its expected outcome, fully taking into consideration the call for proposals, and showing an understanding of the operational environment and risks.	20%	
	<b>Sector expertise and local experience:</b> the required specific skills, sector specialists, knowledge and human resources are available and committed to the project. The organization has a solid experience in the field and is knowledgeable of the operational context and risks, and of its own capacity and strengths.	25%	
	<b>Project management:</b> ability to deliver project objectives, accountability mechanisms and sound financial management, taking into account the audit results of the previous UNHCR-funded projects, past performance and the external audit of partners' financial statements, where applicable.	25%	
	<b>Contribution of resources:</b> evidenced and documented contribution of resources to the Project in cash or in-kind (e.g. human resources, supplies and/or equipment) by the partner that are presently available (or potentially mobilized by the partner) in order to supplement UNHCR resources.	5%	
	<b>Cost effectiveness:</b> level of direct costs and administrative costs imposed on the Project in relation to project deliverables.	15%	
	<b>Experience working with UNHCR:</b> global and/or local partnerships including knowledge of UNHCR policies, practices and programmes, including an understanding of and ability to work within UNHCR's funding limitations and associated inherent risks. Partners that have three consecutive qualified audit opinions for UNHCR-funded projects may not be considered.	10%	

Issuing UNHCR Office

Contact Address

Signature, Head of Office

Full name and title, Head of Office

Name of UNHCR Office

Date

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UNHCR Regional Office for Southern Europe

14/12/2018