

Fundamentals of child protection

1. Children should be among the first to receive protection and assistance.
2. States should promote the creation of a non-discriminatory child protection system.
3. The international community should support States in meeting their obligations in a spirit of partnership.
4. The views of children should be given due weight and both children and adults should be informed of children's rights and options.
5. The best interests principle is a primary consideration in all actions concerning children.
6. Due consideration should be given to family and family support structures for the protection of children.
7. Assure to the maximum extent possible each child's survival and development, supported by zero tolerance for all forms of violence against children.
8. Active promotion of gender equality is essential.
9. Resource allocation should prioritize children's needs.
10. All interventions should follow a rights-based approach, as defined by relevant international law, with the Convention on the Rights of the Child providing a legal and normative framework for the protection of children.
11. States should refrain from detaining children.
12. Age, gender and diversity mainstreaming and targeted action should form a two-pronged approach to ensure equality in protection.
13. All relevant actors should work together to identify risks, undertake participatory analysis and document and share information respecting the rules of confidentiality.



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The full text of the
ExCom Conclusion on Children at Risk No. 107 (LVIII) - 2007
can be found at: <http://www.unhcr.org>



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Summary of UNHCR's Executive Committee Conclusion on Children at Risk No. 107 (LVIII) – 2007

The Conclusion on Children at Risk, adopted by UNHCR's Executive Committee (ExCom) in October 2007, provides operational guidance for States, UNHCR and other relevant agencies and partners on the protection of children affected by **displacement and statelessness** at heightened risk. Recognizing their increased vulnerability, the Conclusion outlines the main aspects of a comprehensive child protection system.

Identification of children at risk

Wider environmental and individual risk factors, particularly when combined, can put children in situations of heightened risk. ExCom calls on States, UNHCR and other relevant agencies and partners to put in place modalities for early and continuous identification of children at heightened risk.



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Prevention, response and solutions

The Conclusion recommends the following measures to address specific risk factors and to prevent and respond to situations of heightened risk:

Best Interests Determination

- Within the framework of child protection systems of States, utilize appropriate procedures for the determination of the child's best interests involving decision makers with relevant areas of expertise and facilitating adequate child participation.

Capacity building

- Develop capacities and competencies on child protection issues through training of government officials, UNHCR staff and implementing and operational partners.
- Strengthen or promote the establishment of child protection committees, with equal and meaningful participation of girls and boys.

Access to resources

- Mobilize financial and other necessary resources.
- Address, on a priority basis, the concerns of children in protracted refugee situations.
- Support host countries to enhance education, health care and the provision of other basic services.

Non-discriminatory enjoyment of rights

- Make all efforts to ensure integrated nutrition, child-friendly health interventions and access to adequate food.
- Establish and provide access to appropriate psychological support and training programmes as required to better prepare children for social reintegration.
- Give high priority to enabling children with disabilities to access adequate services.
- Encourage the inclusion of all children in education programmes in safe learning environments, designate child-friendly spaces, promote access to post-primary education and support recreational and cultural activities.

Registration and Refugee Status Determination

- Develop child and gender-sensitive national asylum procedures.
- Provide asylum-seeking and refugee children with individual documentation evidencing their status.
- Register births and provide children with birth or other appropriate certificates.
- Ensure that age assessments are only carried out if a child's age is in doubt and that they are done with due respect for human dignity.



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Unaccompanied and separated children

- Put in place procedures to prevent the separation of children and their families, and facilitate tracing and family reunification for those who are separated.
- Promote the provision and monitoring of alternative care and accommodation arrangements for unaccompanied and separated children.

Security

- Promote the implementation of protection monitoring mechanisms and incorporate the needs and rights of children into early warning mechanisms, assessments and strategies.
- Make all efforts to provide a secure environment.
- Establish confidential and accessible child and gender-friendly complaints and referral systems, and inform children about their availability, so as to encourage reporting.

- Facilitate access to remedies for child victims of crimes and ensure that decisions on whether a child should be separated from abusive or negligent parents or caretakers are made based on a determination of the child's best interests.
- Establish and/or implement codes of conduct, including stipulating zero tolerance for child exploitation and abuse, for all humanitarian staff.
- Take appropriate measures to prevent the unlawful recruitment or use of children by armed forces or groups and work towards the unconditional release of those who are recruited.
- Take effective and appropriate measures to prevent and eliminate traditional practices that are harmful to children.

Integration and resettlement

- In the context of resettlement and local integration, facilitate the integration of refugee children by addressing their specific needs.
- Use targeted action to facilitate the integration of internally displaced children in places of settlement.
- Enhance the use of resettlement as a protection and durable solutions tool for children at risk.
- Take a flexible approach to family unity during the resettlement process and recognize UNHCR's role in the determination of the best interests of the child.
- Facilitate the naturalization of refugee children in accordance with national laws and regulations.
- Safeguard the right of every child to acquire a nationality, in particular where the child would otherwise be stateless.

Return

- Inform children about the conditions in places of return, allow them to participate in decision making on their return and support reintegration and participation in communities to which they are returning.
- Ensure that unaccompanied or separated children are not returned prior to the identification of adequate reception and care arrangements.