

CONCEPT NOTE

Roundtable on Reception and Care Arrangements for Asylum-Seeking Children 10-11 October 2018 Bangkok, Thailand

Introduction and background information

UNHCR launched in 2014 its Global Strategy Beyond Detention, a 5-year initiative to make ‘the detention of asylum-seekers an exceptional rather than routine practice’¹. The Global Strategy focuses on achieving three main goals, ending the detention of children, promoting alternatives to detention and ensuring that conditions of detention meet international standards (when detention is lawful and unavoidable), and encourages working in close partnerships with all relevant stakeholders at country level. Under the umbrella of the Global Strategy, UNHCR engaged in 2016 in the project ‘Global Technical assistance and capacity building programme to prevent the detention of children and to protect children and other asylum-seekers in detention project’ (the EIDHR project), funded by the European Union. It aims at protecting and promoting children’s rights, including children in situation of vulnerability or at risk (unaccompanied children and asylum-seeking children in families) in particular through awareness raising and training on appropriate reception arrangements.

Putting people, including children, in detention is a routine practice in a number of countries around the world. The detention of children has a serious and lasting impact on their well-being, health, safety and compromises their cognitive development, even during short periods of confinement. In his recent report the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment underlined that “the deprivation of liberty of migrant children based solely on their own or their parents’ migration status is never in the best interests of the child, exceeds the requirement of necessity, is grossly disproportionate and, even in case of short-term detention, may amount to cruel, inhuman or degrading treatment”².

¹ UNHCR, *Beyond Detention. A global strategy to support governments to end the detention of asylum-seekers and refugees*, p. 5.

² Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, A/HRC/37/50, 26 February 2018, par. 28.

UNHCR acknowledges that detention is never in the best interests of children and they should not be detained³ for immigration-related purposes, irrespective of their legal/migratory status or that of their parents. Appropriate care arrangements and community-based programmes need to be in place to ensure adequate reception of children and their families.

In the past, UNHCR has organised two global roundtables in 2011 and 2015 on alternatives to detention and reception arrangements. These events brought together experts from civil society, states and other stakeholders from around the world and provided opportunities for exchanges between governments and non-state actors on promotion and implementation of alternatives to detention and management of reception systems for asylum-seekers and migrants. The roundtables aimed at sharing good practice as well as practical tools for states and other stakeholders looking to develop or strengthen reception system and alternatives to detention. UNHCR continues in implementing this good practice.

The aim of this event is to share good examples and practices on care arrangements for children, both unaccompanied, separated or in families, and create a platform for the exchange of best practices between governments and other stakeholders.

Objectives

The main objectives of this roundtable are to:

- Facilitate the exchange of good practices and draw lessons from policymakers and practitioners on care arrangements for children (separated and accompanied).
- Encourage States to adopt policies on appropriate care arrangements for unaccompanied and separated children and children in families.
- Inform about community-based and family care arrangements for children.
- Inform about tools to assist in ending the detention of children, such as vulnerability screening and assessments, and case management and resolution processes.
- Sensitise participants on key challenges and opportunities for the implementation of care arrangements for children.
- Build a network of stakeholders working in the field of care arrangements for children.

Issues and topics to be tackled

The roundtable focuses on children's rights and care arrangements for their appropriate reception. It allows for presenting good practices and experience on care arrangements for children: international law, policy and standards on non-detention of children, community-based care and family care as well as the screening for vulnerability and risk.

The roundtable is divided into three main blocks:

- Day 1, sessions 1, 2 and 3, with the main focus on the main policy and legal aspects related to the non-detention of children, child's rights and care arrangements for

³ UNHCR, *UNHCR's position regarding the detention of refugee and migrant children in the migration context*, 2017.

children and children in families. Session 2 tackles the recent trends in international law and policy related to care arrangements for children and child's rights and the non-detention of children. It is also important to present the regional developments related to the protection of children, the non-detention of children and care arrangements for children which is the main aim for Session 3 on the regional developments and trends.

- Day 1, session 4 focuses on various tools assisting in screening and identification of persons in the situation of vulnerability or risk.
- Day 2 (sessions 1, 2 and 3) presents different arrangements for children such as community-based and family care (elaborating on a guardianship system and foster care). These panel sessions provide practical information about different types of arrangements for children and families and include various visual materials.

Participants

- Authorities working on asylum-related issues for example Ministry of Labour and Social Policy and Ministry of Interior, agencies responsible for migration, reception of asylum-seekers.
- Authorities and agencies responsible for the protection of child's rights such as Child's Ombudsman, National Child Protection institutions etc.
- Partner organisations providing social and psychological assistance, implementing projects and actions related to care arrangements for asylum-seeking children and families, supporting foster care system, taking care of UASC, but also engaging in policy development, advocacy interventions, and campaigning on the listed topics.
- Academics researching in the field of detention of children, care arrangements for children, psychological and social assistance for children and vulnerable asylum-seekers.
- UNHCR staff working in the field of protection, the protection of children and community-based protection.
- International organisations (IGO and INGOs) such as the EU, UNICEF, OHCHR, IDC.