



# UNHCR

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

## Operational Guidance Note: Best Interests Assessments For Children being Resettled with Only One Parent

*This Operational Guidance Note provides guidance for resettlement staff and other protection staff in fulfilling the requirement for a Best Interests Assessment (BIA) in the situation of refugee children being considered for resettlement with just one parent without sole custody and whose other parent cannot be reached. This requirement was introduced in the **Field Handbook for the Implementation of UNHCR BID Guidelines**, and incorporated in the **UNHCR Resettlement Handbook** (Chapter 5.2.2.1).*

### **A) Background**

*Best Interests Assessments are essential elements of UNHCR's general child protection work that can be initiated by any protection staff member including resettlement staff. Depending on the operation, the BIA may also be conducted by partner or community service staff engaged in child protection issues. There are required core components for any BIA, but the amount of information to be collected depends on the individual case.*

*In the resettlement context a **BIA must be included with the resettlement submission** for children considered for resettlement **with only one parent** who does not have sole custody and the other parent cannot be reached, and for **married child spouses** who are considered for resettlement together with a parent/caretaker.*

**A BIA is not required for children being considered for resettlement with only one parent if:**

- *the resettling parent has legal documentation granting sole custody, or*
- *proof of the death of the absent parent is available, and there is no person with a custody arrangement over the child other than the parent resettling with the child, or*
- *the parent not resettling provides informed written consent for the resettlement of the child.*

**A formal BID is required for children being considered for resettlement with only one parent if:**

- *the parent not resettling is contacted and **refuses to give consent** for the resettlement of the child, or*
- *there are indications that the **child might be at risk within the family** being considered for resettlement.*

### **B) Instructions for Conducting and Documenting the BIA**

*The required steps for a BIA are explained in this note. Operations are encouraged to use the attached **Best Interests Assessment Form: Resettlement of a Child with Only One Parent**, which has been adapted to guide staff through the basic steps for the BIA, and to provide a written record. Attaching the **completed BIA form to the Resettlement Registration Form (RRF)** ensures that all available information about absent parent is provided to the Resettlement State.*

*Operations that opt not to use this BIA form must ensure that the BIA process and findings are adequately documented in the file, and that all required components are entered into Section 7 of the RRF. This must include all available information about the absent parent and the history of separation, tracing details, the child's views, and the Best Interests Assessment findings.*

### **C) Scenarios- Resettlement of Children with only one Parent**

*This note includes suggested steps for action in various scenarios.*

#### **Attachments:**

- *BIA Form: Resettlement of a Child with Only One Parent*
- *Standard Written Consent for Resettlement Form*
- *Sample BIA summary for Section 7 of the RRF*

## Operational Guidance Note: Best Interests Assessments For Children being Resettled with Only One Parent

### A) BACKGROUND

#### I When is a BIA required in the context of resettlement? Why?

1. A Best Interests Assessment (BIA) is an essential element of case management and general child protection work. Depending on the circumstances, either a Best Interests Assessment (BIA) or a Best Interests Determination (BID) is required in order to ensure the optimal implementation of the best interests principle in actions affecting individual children. A BIA may also be the initial basis for a formal BID required when durable solutions including resettlement are considered for an unaccompanied or separated child, and the custody of a child is not resolved.
2. The 2011 *Field Handbook for the Implementation of UNHCR BID Guidelines* (hereafter the *UNHCR BID Handbook*)<sup>1</sup> states that BIAs are required in situations relevant to resettlement, complementing guidance provided in the 2008 *Guidelines on Determining the Best Interests of the Child*.<sup>2</sup>

Specifically, in the resettlement context, a **BIA** *must* be included with the submission:

- i. when a child is considered for resettlement **with only one parent** who does not have sole custody and the other parent cannot be reached;
- ii. for **married child spouses** who are considered for resettlement together with a parent/caretaker.<sup>3</sup>

**A BIA is not required for children being considered for resettlement with only one parent if:**

- the resettling parent has legal documentation granting sole custody, or
- proof of the death of the absent parent is available, and there is no person with a custody arrangement over the child other than the parent resettling with the child, or
- the parent not resettling provides informed written consent for the resettlement of the child.

**A formal BID is required for children being considered for resettlement with one parent if:**

- the parent not resettling is contacted and **refuses to give consent** for the resettlement of the child, or
- there are indications that the **child might be at risk within the family** being considered for resettlement.

3. The requirement to conduct a BIA when a child is considered for resettlement with just one parent is based on the UNHCR's Executive Committee *Conclusion on Children at Risk No. 107* (LVIII), which recommends that States, UNHCR and other relevant agencies and partners undertake measure to address specific risk factors including:

(...) recognize UNHCR's role in the determination of the best interests of the child which should inform resettlement decisions including in situations where only one parent is being resettled and custody disputes remain unresolved due to the unavailability or inaccessibility of competent authorities, or due to the inability to obtain official documents from the country of origin as this could jeopardize the safety of the refugee or his/her relatives.<sup>4</sup>

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<sup>1</sup> UNHCR, *Field Handbook for the Implementation of UNHCR BID Guidelines*, 2011, Sections 2.4.1 and 4.5 <http://www.unhcr.org/refworld/docid/4dda4cb02.html>. The child protection guidance on the requirement for a BIA was incorporated into the 2011 revision of the *UNHCR Resettlement Handbook*, [www.unhcr.org/resettlementhandbook](http://www.unhcr.org/resettlementhandbook)

<sup>2</sup> UNHCR, *UNHCR Guidelines on Determining the Best Interests of the Child*, May 2008, <http://www.unhcr.org/refworld/docid/48480c342.html>

<sup>3</sup> Detailed guidance on assessing married refugee children for resettlement is provided in UNHCR's *Resettlement Assessment Tool: Married Children*, June 2011, (Internal) <http://swigea56.hcrnet.ch/refworld/docid/4dc7a79f2.html>

<sup>4</sup> UNHCR, *Conclusion on Children at Risk*, 5 October 2007, No. 107 (LVIII) - 2007, para. (b)(x)(viii),

4. Conducting a BIA when the parent who is not resettling cannot be reached **ensures that the child's right to have a relationship with the absent parent is taken into consideration** before implementing this durable solution. Article 9 of the *Convention on the Rights of the Child* (CRC) "requires that a child shall not be separated from his or her parents against their will, except when [such separation] is necessary for the best interests of the child". The CRC also states that any child who is separated from one or both parents is entitled to "maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests".<sup>5</sup>
5. The BIA process also provides resettlement States with all available documentation on the history of separation from the other parent, and a summary of the tracing efforts (if applicable). This transfer of information facilitates future tracing.
6. **This Operational Guidance Note** provides guidance for resettlement staff and other protection staff in fulfilling the requirement for a BIA in the situation of refugee children being considered for resettlement with only one parent without sole custody and whose other parent cannot be reached.

## II Proof of Death

7. A BIA is not required if adequate proof is available of the death of the absent parent. If a death certificate or other form of documentation is not available (such as *proGres* records in the case of death in the country of asylum) an attestation signed in front of UNHCR or partner staff may be sufficient. Only those who saw the body after death can make such an attestation. Those wishing to sign an attestation must receive careful counselling both about the difficulties for future family reunification if the absent parent is alive and is located, and about the sanctions related to making a fraudulent statement.

## III Legal custody or written consent from the parent not resettling

8. Ideally, the parent resettling with the child should have legal sole custody. If there are competent national authorities able and willing to make a legal determination of custody, then this may be pursued. (Country of asylum laws on custody issues may have an impact on exit procedures.) However, the speed and efficiency of local courts must be weighed against the protection risks and best interests of the child being considered for resettlement.
9. UNHCR does not have the authority to legally award custody, and has a responsibility to ensure due diligence in ensuring family unity. In the absence of a legal determination of custody UNHCR seeks to ensure that there is agreement within the family. If the parent not resettling with the child can be reached or is traced, his/her **informed written consent** for the resettlement of his/her child with the other parent is an acceptable alternative to legal sole custody and no BIA is required. (A standard written consent form is attached.) The parent who travels with the child should be advised to initiate procedures to acquire full custody rights upon arrival in the resettlement country.
10. Caution must be exercised in relation to contacting absent parents in the country of origin to ensure that family members are not placed at risk, and that UNHCR's policy on confidentiality and international principles on data protection are not violated.
11. There are circumstances where it is not appropriate or safe to contact the other biological parent to request them to sign a consent form, even if they are in the country of asylum. For example, if the child was born as a result of rape.

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<http://www.unhcr.org/refworld/docid/471897232.html>

<sup>5</sup> UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, <http://www.unhcr.org/refworld/docid/3ae6b38f0.html>

12. **In the circumstances where the parent not resettling with the child cannot be reached safely, a Best Interests Assessment must be conducted.** If there are no signs of abuse or mistreatment that necessitate the involvement of child protection specialists, this BIA can be conducted by resettlement staff. Guidance from child protection staff should be sought as required.
13. If the parent not resettling with the child **refuses to sign the consent form**, and the local authorities are unwilling or unable to make a legal determination of custody, then UNHCR must undertake a full BID to determine if resettlement together with only one parent is in the best interests of the child.

#### IV Who conducts the Best Interests Assessment?

14. Ensuring the protection of children of concern is a core responsibility of all UNHCR protection staff, including resettlement staff. A BIA does not require the strict procedural safeguards of a BID and can be conducted by resettlement staff. Interviewing children does require sensitivity and adherence to a child-focused approach, and ideally, resettlement staff involved would have expertise in child development and protection in order to interview children at risk.<sup>6</sup> At a minimum, resettlement staff conducting BIAs should be familiar with child protection issues, and child-friendly interview techniques.<sup>7</sup>
15. Interviewers must be sensitive to any signs of abuse, mistreatment, serious conflict within the family, or other **factors that might necessitate referral to child protection staff**. If the parent and child are being considered for resettlement without the other parent because of domestic violence, or other protection risks emanating from within the family, then a full BID is essential.
16. Information for a BIA can be gathered over a period of time through home visits and interviews with the child and relevant persons. The BIA in the instance of a child being resettled with only one parent begins with reviewing registration information, and the collection of family details. Operations using *proGres* effectively to update bio data information as it changes over time, and to track all interactions with persons of concern, will be able to consult family registration details, birth records providing information on parentage, and records of any family separation occurring in displacement.

#### V Tracing

17. The **particular circumstances of the family must be taken into account in cases where resettlement with only one parent is being considered**. All available documentation that would confirm status and location of the absent parent (e.g. death certificate, documentation relating to divorce or custody arrangements, *proGres* and other registration records, etc.) and anecdotal information from interviews, home visits, neighbours, schools, or community members must be gathered and reviewed.
18. The reasons for the separation and the extent to which the absent parent has exercised his/her parental rights<sup>8</sup> must be discussed with the resettling parent and documented early in the BIA process. **Tracing is not required if the identity of the other parent is not known, is known to be deceased, or has never been in the child's life or exercised his/her parental rights.**
19. Discuss with the child if he/she wishes to pursue a tracing request for the absent parent, and in case of very young children, discuss this with the parent who is with the child. Staff must also assess whether tracing is deemed to be in the best interests of the child, particularly if domestic violence triggered the separation, and whether tracing can be done safely.

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<sup>6</sup> The UNHCR BID Handbook provides guidance on communicating with children, including child-friendly interview techniques.

<sup>7</sup> In particular, staff should be familiar with the UNHCR BID Handbook, and the child protection principles articulated in UNHCR's *A Framework for the Protection of Children*, 2012, <http://www.unhcr.org/refworld/docid/4fe875682.html>

<sup>8</sup> UNHCR, *UNHCR Guidelines on Determining the Best Interests of the Child*, May 2008, pp. 42-43 <http://www.unhcr.org/refworld/docid/48480c342.html>

20. When the whereabouts of the other parent who previously exercised parental rights is unknown, UNHCR must make all reasonable efforts to facilitate tracing through the review of bio-data records including *proGres*, and through collaboration with the Central Tracing Agency of the International Committee of the Red Cross (ICRC) and its national counterparts, the International Organization for Migration (IOM) or relevant NGOs.
21. Caution must be exercised in relation to the country of origin for tracing purposes to ensure that family members are not placed at risk, and that UNHCR's policy on confidentiality and international principles on data protection are not violated.
22. Any information about the possible location of the absent parent must be reviewed carefully for accuracy. If the identity is confirmed, the accompanying parent must be interviewed before the absent parent is contacted to clarify their wishes and ensure confidentiality. If a reunion is not desired, the absent parent should be requested to sign a consent form for the resettlement of their child.
23. How long to wait for possible tracing results before proceeding with the resettlement of a child with only one parent depends on the circumstances of each individual case. The need for due diligence in tracing efforts should be weighed against the protections risks facing the family. Resettlement can proceed immediately if there are compelling resettlement needs. In general, resettlement processing can continue in parallel to the tracing process at the discretion of the office, and can proceed if tracing efforts have produced no results after several months.
24. All information about tracing efforts or any information on the absent parent's identity and whereabouts must be recorded in the BIA. **Tracing should continue in the resettlement country, until all possible tracing avenues have been exhausted.**

## VI What must be addressed in the Best Interests Assessment?

25. Each case must be examined on its own merits to ensure that the child understands the resettlement process and its implication on his/her relationship with the other parent, and that the best interests of the child have been taken into account before resettlement.
  - i. The child must receive age-appropriate information on longer term implications of resettlement with only one parent and be given an objective assessment of possible future family reunification in country of resettlement with the absent parent should he/she be found.
  - ii. The extent of the previous established relationship with the "missing" parent prior to separation must be explored, including an assessment of whether it would constitute or imply an issue of joint custody.
  - iii. The wishes of the child to pursue a relationship with his/her other parent (now or in the future) must be explored, keeping in mind that the child may not always realize the implications of losing the identity and cultural ties to their missing parent's lineage when young.
  - iv. The child's age and maturity levels must be considered in the process.
26. The steps outlined in Section B, (which include reviewing documentation, interviewing the child and the resettling parent, tracing, and assessing all information), must be completed during the BIA process for children being resettled with only one parent, while the other parent is absent, unreachable or unknown. Resettlement States must be provided with documentation on the child's protection situation and a summary of all applicable tracing efforts as part of the BIA.

## B) Instructions for Conducting and Documenting the BIA

Operations are encouraged to use the attached **Best Interests Assessment Form: Resettlement of a Child with One Parent**, which has been adapted to guide staff through the basic steps for the BIA, and to provide a written record. The completed *Best Interests Assessment Form: Resettlement of Child with One Parent* can be attached to the RRF to ensure that all available information about absent parent is provided to the Resettlement State, and as confirmation of UNHCR decision that resettlement with one parent is in the best interests of the child.

Operations that opt not to use this BIA form must ensure that the BIA process and findings are adequately documented in the file, and that all required components are entered into Section 7 of the RRF. This must include all available information about the absent parent and the history of separation, tracing details, the child's views, and the Best Interests Assessment findings.

### Review Documentation

- i. Collect and record all **documentation** available that would confirm status and location of the absent parent (e.g. death certificate, documentation relating to divorce or custody arrangements etc.).
  - o Review operation's *proGres* records.
  - o Consult Protection, Child and Community Service colleagues and partners as applicable.
  - o Check if the missing parent is registered in *proGres* in the country of asylum, or neighbouring countries. If yes, indicate or acquire information on the last contact with UNHCR.
  - o If feasible and appropriate, request staff or partners who usually conduct home visits to confirm that the missing parent is not there. Document the visit.
  - o Update *proGres* with all available information.
  - o Operations may develop a *proGres* generated BIA form to import the biodata.

### BIA Form: Generate the BIODATA from *proGres* or complete it manually

### Review History of Separation- based on documentation, and interview with the resettling parent and separate interview with the child

- i. Explain the consequences of deliberately providing fraudulent information.
- ii. Explore and document the reasons for the separation and in particular if domestic violence could have triggered the separation.
- iii. Explore and document to what extent the absent parent has exercised his/her parental rights.
  - o Collect information regarding the family structure and the history of the missing parent and what role this parent had in the family and with the child.
  - o Record any further details regarding whereabouts of the missing parent or any information received about that parent. Include details on last contact the present biological parent had with the missing biological parent, and last contact the child had with the missing biological parent (could be different).
- iv. If the child was of a sufficient development age and maturity at the time of separation from the absent parent, ask the child about the relationship and last contact with the absent parent. Discuss whether he/she wishes to pursue a tracing request for the absent parent. In case of very young children, this should be discussed with the parent who is with the child.
- v. Document the views of the child on being resettled with the biological parent, and the wishes of the child to pursue a relationship with the missing parent in the future.

### BIA Form: Complete relevant section of I. History of Separation and Tracing Section

### Tracing- assess and document based on documentation and interview with parent and child

- i. Assess whether tracing is deemed to be in the best interests of the child, and whether tracing can be done safely.



- ii. All information about tracing efforts or any information on the identity and whereabouts of the absent parent must be recorded. Staff must exercise due diligence in the tracing efforts, but the suitable time to wait for tracing results depends on circumstances of the case.
  - o Document tracing efforts conducted (ICRC, Red Cross messages, any informal tracing, e.g. phone calls, emails, contacts with people who knew the missing parent, etc.) noting when they were undertaken.
  - o If no tracing efforts have been initiated, explain why not.
  - o If the missing parent is a national of the Country of Asylum, very thorough and detailed information needs to be provided as to why this parent cannot be located (exactly what the PRA or the child or anyone else has done to locate the person, as this has further legal implications). Any legal issues need to be described, e.g. access to nationality, custody, divorce, etc.

#### **BIA Form: Complete I. Tracing section**

**Verification Interviews-** if deemed appropriate, gather and record information from another individual (neighbour, extended family member, community leader, etc.) that can verify the situation of the absent parent. All efforts must be taken to ensure discretion, and retain confidentiality.

- i. The information compiled regarding the absent parent is reviewed with the person being interviewed and any additional information is collected.
  - o Explain the consequences of deliberately providing fraudulent information.

#### **BIA Form: Complete I. Verification Interview section**

#### **Resettlement Counselling**

- i. The child must receive age-appropriate information on longer term implications of resettlement with only one parent and be given an objective assessment of possible future family reunification in country of resettlement with the absent parent should the parent be found.
- ii. Explore and document the child's views on being resettled with the one biological parent, and the wishes of the child to pursue a relationship with the absent parent in the future.

#### **BIA Form: Complete II. Resettlement counselling section**

#### **Summary and Assessment**

- i. All available results from the documentation, tracing efforts and interviews must be assessed to determine if resettlement together with one parent is in the best interests of the child.
  - o Draft a short case summary regarding the family separation and the assessment of the best interests of the child.
  - o **The officer accountable for resettlement activities must review and approve the BIA prior to submitting the case for resettlement.**

#### **BIA Form: Complete III Summary and Recommendations**

## C) Scenarios- Resettlement of Children with only one Parent

**1) Child is being considered for resettlement with one biological parent who does not have sole custody of the child. Either the other biological parent's identity is unknown, or the identity is known, but the absent parent has never exercised parental rights.**

- Review all available details recorded on *proGres* and available documentation regarding the other parent.
- Interview the child about the child's relationship with his/her parents and current situation, to confirm that the other parent is unknown, or has never been involved in the child's life.
- If deemed necessary, conduct a verification interview with other family members, neighbours or others known to the family to confirm the information provided by the parent and child and gather additional information.
- If this is confirmed that the other parent is unknown, or has never been involved in the child's life, tracing is not required.
- Assess whether resettlement together with one parent is in the best interests of the child.
- Complete a BIA form or insert the findings of the assessment in Section 7 of the RRF and attach supporting documentation.

**2) Child is being considered for resettlement with one biological parent who does not have sole custody of the child. The other parent is known, and has exercised parental rights but CANNOT be reached.**

- Review all available details recorded on *proGres* and all legal documentation confirming status and location of the absent parent (e.g. death certificate, documentation relating to divorce or custody arrangements etc.).
- Interview parent (and if appropriate, other family members, friends or neighbours) to explore and document reasons for the separation, and the extent to which the absent parent has exercised his/her parental rights.
- Discuss with the child if he/she wishes to pursue a tracing request for the absent parent, and in case of very young children, this should be discussed with the parent who is with the child. Staff must also assess whether tracing is deemed to be in the best interests of the child, and that tracing can be done safely.
- If tracing is in the child's best interests, due diligence to locate the absent parent is required. Record all information about tracing efforts or any information on the absent parent's identity and whereabouts.
- Assess the circumstances of the case to determine how long to wait for tracing, remembering that resettlement processing can proceed concurrently. If tracing produces no results after several months, interview and counsel the child. The child's views on the possible separation from the absent parent must be taken into account. Provide the child age-appropriate information on longer term implications of resettlement with just one parent and an objective assessment of possible future family reunification in country of resettlement with the absent parent should he/she be found.
- Assess whether resettlement together with one parent is in the best interests of the child.
- Complete a BIA form, compiling results from the documentation, tracing efforts and interviews, or insert the findings of the assessment in Section 7 of the RRF. Attach supporting documentation.

**3) Child is being considered for resettlement with one biological parent who does not have sole custody of the child. The other parent is a national of the country of origin (may also be a refugee) and CAN be reached safely.**

- Explore and document the child's views on being resettled with the one biological parent, and the wishes of the child to pursue a relationship with the absent parent in the future. Provide age-appropriate counselling on the longer-term implications of resettlement with only one parent.



- If there are competent national authorities able and willing to make a legal determination of custody, then this may be pursued. (Country of asylum laws regarding custody issues may have an impact on exit proceedings.) However, the speed and efficiency of local courts must be weighed against the protection risks and best interests of the child being considered for resettlement.
- If seeking legal custody is not feasible, request the other parent to provide informed written consent to the resettlement of the child. **If consent is given, no BIA is required. Attach the consent form to the RRF.**
- **If he/she refuses to sign the consent form, a formal BID** must be undertaken to determine if resettlement together with one parent is in the best interests of the child.
- The parent who travels with the child should be advised to initiate procedures to acquire full custody rights upon arrival in the resettlement country.

**4) Child is being considered for resettlement with one biological parent who does not have sole custody of the child. The other parent is a national of the country of asylum or a foreigner (not a refugee) and CAN be reached.**

- A legal assessment of the ability of the other parent to accord status and nationality rights on the child is required as part of the initial resettlement assessment. If the parentage does not accord any nationality rights, follow the steps in number 3 above.

**5) Child is being considered for resettlement with one biological parent who does not have sole custody of the child. During the process of interviewing the parent or the child, concerns arise about possible abuse, neglect, or other risks to the child within the family being considered for resettlement.**

- Refer the case to child protection staff. Child protection staff may conduct either a BIA or BID, or take other action to ensure the protection of the child.



## Best Interests Assessment (BIA) Form: Resettlement of Child with Only One Parent

### BIODATA on child and parents (populated by *proGres*)

Name of the child		RST File/ <i>proGres</i> Registration #
Date of birth		Name of the PRA on the RST case (if different from parent)
Sex <input type="checkbox"/> Female <input type="checkbox"/> Male		
Place and Country of Birth		Nationality      Ethnicity Religion
Name of the biological father	Absent <input type="checkbox"/>	Country of Asylum
Name of the biological mother	Absent <input type="checkbox"/>	Siblings on RST case
Current address & contact details of the child		

## I. History of Separation and Tracing Details

Information from interviews and files	
Date of child's arrival to country of asylum:	
Did the accompanying parent arrive with the child?	<input type="checkbox"/> YES <input type="checkbox"/> NO (if no, explain)
List of documentation available to confirm status and location of the absent parent (e.g. death, divorce or custody documents, etc.):	
Were parental/custody rights exercised by the absent parent?	<input type="checkbox"/> NEVER <input type="checkbox"/> SOMETIMES <input type="checkbox"/> YES until Details:
Reasons for separation from absent parent:	
Date/Place of child's last physical contact with the absent parent:	
Date and means of last contact (e.g. telephone, letter, ICRC message)	
Last known location and contact details	

**This BIA form is adapted from the sample form in the *Field Handbook for the Implementation of UNHCR BID Guidelines* for use, as appropriate, with children of concern considered for resettlement with one parent. See the attached Operational Guidance Note for instructions on conducting the BIA and on completing this form.**

**A BIA is NOT required for children being considered for resettlement with one parent if:**

- the resettling parent has legal documentation granting sole custody, or
- proof of the death of the absent parent is available, and there is no person with a custody arrangement over the child other than the parent resettling with the child, or
- the parent not resettling provides informed written consent for the resettlement of the child.

**A formal Best Interests Determination (BID) is required if:**

- the parent not resettling is contacted and refuses to give consent for the resettlement of the child, or
- there are indications that the **child might be at risk within the family** being considered for resettlement.

Consult the *Field Handbook for the Implementation of UNHCR BID Guidelines* for other situations requiring a BIA or a BID.

## Tracing efforts and results

Record all Check sources of information consulted:

a) UNHCR databases  b) Partners  c) Child's school  d) Neighbours  e) ICRC

Information about tracing efforts, and any additional information on identity or whereabouts:

If tracing is NOT initiated, explain why not?

## If appropriate- verify or gather additional information on whereabouts/situation of absent parent

Name of person providing additional (or verifying) information:

Person's relationship to the child and absent parent:

Information Provided:

## II Resettlement Counselling

### Interview with the child and parent

Child has received age-appropriate counselling on the longer-term implications of resettlement with just one parent, including possible future family reunification in country of resettlement with the absent parent if found.

YES  NO (if no, explain)

Child's views on resettlement, and other relevant information from the child,:

## III Summary and Recommendations

### Case Summary

### Recommendation

- Resettlement with the one parent on case is in the best interests of the child
- Resettlement is not in the best interests of the child at this time. Specify reasons below.
- Further assessment is needed. Specify reasons below.

Specify reasons:

### Authorization

BIA conducted by (name and title)	Dates of interviews/home visit(s)
Signature	Email Address/Telephone
BIA reviewed by Accountable Officer (name, title)	
Signature of reviewing officer	Place and date of review

**Authorization:** The BIA must be reviewed by the **officer accountable for resettlement** activities prior to submitting the case for resettlement. The Accountable Officer will request support from child protection staff as required.

**Submission:** Operations are encouraged to use this form to record the BIA findings, and to attach the form to the RRF to provide all available information to the Resettlement State, and to confirm that resettlement with one parent is in the best interests of the child. Operations that opt not to use this BIA form must ensure that the BIA process and findings are documented, and that all details are included in Section 7 of the RRF. See the attached Operational Guidance Note for instructions.



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

## RESETTLEMENT CONSENT FORM FOR NON-ACCOMPANYING PARENT

To whom it may concern,

I, \_\_\_\_\_, national of \_\_\_\_\_, born on \_\_\_\_\_  
(name) (country of nationality) (date of birth)

in \_\_\_\_\_ registered \_\_\_\_\_,  
(place of birth) (National Registration number or UNHCR Registration number)

hereby declare that I am the biological \_\_\_\_\_ of \_\_\_\_\_, born  
(mother or father) (child's name)

on \_\_\_\_\_ in \_\_\_\_\_ registered \_\_\_\_\_ and \_\_\_\_\_.  
(date of birth) (place of birth) (UNHCR Registration number) (UNHCR Resettlement case number)

known hereafter as 'the child.'

I am aware that this declaration is made in the context of a UNHCR submission for third country resettlement, which means that the child might leave \_\_\_\_\_ to reside permanently elsewhere. I hereby declare that I freely consent to the child being resettled in the care of:

\_\_\_\_\_ of \_\_\_\_\_,  
(Name) (Resettlement case number) (date and place of birth)

The implications of my decision have been explained to me in a language that I understand and I confirm that my decision is made with full awareness of the consequences and that it is made of my own free volition. I have understood this statement fully and have asked for, and received to my satisfaction, an explanation regarding any parts or implications of this statement which were unclear to me. I understand that I could still remain in touch with my child.

I hereby confirm that I received counselling on custody and that this statement has been translated to me by

\_\_\_\_\_ on \_\_\_\_/\_\_\_\_/\_\_\_\_.  
(translator name) (date)

Signed: \_\_\_\_\_ (Non- accompanying Parent)

Print name: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

I hereby confirm that I fully explained the consequences, and that non-accompanying parent has signed this form freely and willingly in front of me.

Signed: \_\_\_\_\_ (UNHCR staff or person designated by UNHCR)

Print name: \_\_\_\_\_

Title: \_\_\_\_\_

Date (day/month/year): \_\_\_\_/\_\_\_\_/\_\_\_\_

## Sample BIA Summary for Section 7 of the RRF in lieu of attaching the BIA Form

Operations are encouraged to use the **Best Interests Assessment Form: Resettlement of a Child with One Parent**, which has been adapted to guide staff through the basic steps for the BIA, and to provide a written record. The completed *Best Interests Assessment Form: Resettlement of Child with One Parent* can be attached to the RRF to ensure that all available information about absent parent is provided to the Resettlement State, and as confirmation of UNHCR decision that resettlement with only one parent is in the best interests of the child.

Operations that opt not to use this BIA form must ensure that the BIA process and findings are adequately documented in the file, and that all required components are entered into Section 7 of the RRF. This must include all available information about the absent parent and the history of separation, tracing details, the child's views, and the Best Interests Assessment findings.

**The paragraphs below provide a sample format for the BIA findings to be entered into Section 7 of the RRF. This example deals with a parent missing in the Country of Origin. Note that case-specific details should be added to replace the bracketed text.**

*“The child’s missing father, (name of parent) was a (profession) who disappeared in the (country of origin) on (date of disappearance) during (circumstances of disappearance). The child arrived with the PRA, her mother, in the country of asylum. UNHCR checked the UNHCR registration database, proGres, for all known and available bio-data concerning the missing parent, (name of parent), in (country of asylum), in case he had arrived in the country. A search of the database found no records for an individual matching the missing parent’s description. Tracing has been initiated by the refugee by contacting the International Committee of the Red Cross (ICRC) on (date), calling the last known telephone number (number) and asking friends and family if they have seen him. When these tracing efforts were unsuccessful in (date), the PRA did not make any further attempts.*

*The missing parent lived together with his wife, the PRA, in the country of origin and played an important role in the child’s life. The PRA’s child was six years old when she last saw her father the day before his disappearance. The child has memories of her father and would wish to have contact with him, if he appeared. (Name of child) has confirmed his/her wish to be resettled with her biological parent, knowing that resettlement can mean long-term separation. The child has only lived with her father and mother, and has no other family members. UNHCR informed the PRA of the consequences of providing false information on her resettlement case. UNHCR has assessed, therefore, that it is in the best interests of the child to be resettled with her present biological parent.”*