



ENHANCING THE PROTECTION OF CHILDREN AND PROMOTING CHILD-FOCUSED PLEDGES AND GOOD PRACTICES TO ADVANCE THE OBJECTIVES OF THE GLOBAL COMPACT ON REFUGEES

Why this Guidance?

To help stakeholders ensure that pledges/contributions and good practices in support of the implementation of the Global Compact on Refugees (GCR) put children at the centre of all relevant considerations in line with the GCR objective to be child-centred.

Why is a Child-Centred Approach important in implementing the GCR?

Children make up 52% of all 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.

Key Considerations for Pledges and Good Practices

Laws, Policies 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 UN Convention on the Rights of the Child (UNCRC), the Sustainable Development Goals (SDGs), and the GCR.

Protection: Children are among the most vulnerable people in refugee situations, particularly in protracted settings, and are at significant risk of major 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.

Strong, well-funded national and community-based child protection systems that are equipped to prevent and respond to the specific needs of refugee children are essential to minimise risks to children, ensure a timely and adequate response to the immediate needs of girls and boys, and promote recovery and solutions for all children affected by displacement.

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, get quick access to 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.

Recognize Distinct Needs and Vulnerability: Refugee children have specific needs that are distinct from those of adults and require child-centred responses. Additionally, children themselves are not a uniform group. Their individual experiences of displacement and the threats that they will encounter are influenced by: their gender identity; age; membership in a particular social, ethnic or religious group; separation from their families and communities; or disability. A child-centred approach enables national and international actors to identify important distinctions and respond appropriately.

Accountability and Funding: Child protection is proven to be life-saving. Yet child protection funding between 2008 and 2018 remained at 0.5% of total humanitarian funding globally.¹ In refugee settings, funding for child protection varies dramatically – for instance in the Syria refugee response countries, the percentage of requested funds received varied from 107% in Lebanon to only 22% in Egypt.² Pledges which include funding and programming structures that promote standalone and mainstreamed child protection services and accountability to children would make an enormous difference to refugee children, their protection, survival and chance to thrive. Additional funding is required to support refugee responses, including child-sensitive programming in an equitable manner, particularly in underfunded protracted refugee situations.

Access to services: Despite being among the most vulnerable, refugee children are also at risk of 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 and healthcare, including psychosocial support and sexual and reproductive healthcare; legal representation; child-friendly asylum procedures; and documentation, to name a few. For this purpose, the collection of data disaggregated by sex, age, and disability is crucial.

Empowerment and Meaningful Child and Youth Participation: Children are not solely a vulnerable group. Children are key stakeholders and agents for change both for themselves and the wider community. Meaningful participation of girls and boys in decisions that affect them is a right set out by the UNCRC and is an integral part of the GCR's programme of action (para 75). Children and youth should be engaged in identifying needs, participating in designing, implementing, monitoring, and evaluating programmes. Pledges and good practices should include a focus on consultations with boys and girls in all their diversity and explicitly outline how children will actively participate.

Child-Centred Solutions and the Nexus Approach: 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. As 80% of refugees are in displacement situations for at least 5 years, with 1 in 5 living in displacement for 20 years or more, child-centred strategies for dealing with protracted crises is key. This includes ensuring access to quality child protection support, inclusive and quality education and learning, and livelihoods.

Checklist for Pledges/Good Practices to Ensure a Child-centred Approach

Achieving any **one** of the following will ensure your pledge/good practice is child-centred:

- ✓ The pledge/good practice was informed by consultation with affected children either directly or indirectly through civil society support, and the Minimum Standards for Child Protection.
- ✓ The pledge/good practice acknowledges and addresses the needs and capacities of girls and boys taking into consideration age, gender identity, and diversity.
- ✓ The pledge/good practice actively promotes adherence to national and international law and frameworks including; national legislation, the Convention on the Rights of the Child, GCR, and the SDGs.
- ✓ The pledge/good practice directly supports the strengthening of existing national child protection systems realizing better outcomes for all children affected by displacement.
- ✓ The pledge/good practice promotes the safety, dignity, and recovery, of all children affected by displacement, access to justice, and quality services including health and education.
- ✓ The pledge/good practice if not directly targeting children or child protection systems, has been informed by an analysis of children, age, gender, and diversity in the target area.



“CHILDREN MAKE UP 52% OF ALL REFUGEES.”

¹ UN-OCHA's Financial Tracking Service (FTS) 2010-2018

² https://www.nolostgeneration.org/sites/default/files/webform/contribute_a_resource_to_nlg/12491/nlg-q4-2018-funding-update.docx



EXAMPLES OF CHILD-FOCUSED PLEDGES

The following list provides examples of child-focussed pledges which reflect the commitments included in the Refugee Compact. These can be stand-alone pledges or incorporated into a pledge to ensure the necessary focus on children. The below examples can be made more specific with inclusion of: a geographic focus; a focus on particular refugee situation; a time frame; and specific actions to be taken over different time frames. Pledges could be made collectively by a diverse group of stakeholders.

Outcome of the GCR	Examples of Child-focused Pledges
<p>1 Refugee children, including children who are stateless, are included in relevant laws policies, services and programmes and participate in decisions that affect them.</p>	<ul style="list-style-type: none"> ▶ National laws and policies are strengthened or adapted to ensure that refugees and refugee children are included in National Development Plans, urban planning, and disaster risk reduction planning. ▶ Programmes that promote the meaningful participation of children are in place which ensure children are properly informed, and involved in shaping services and designing, implementing, monitoring, and evaluating programmes. ▶ Child rights laws ensure non-discriminatory access of refugee and asylum-seeking children to all child rights irrespective of immigration status.
<p>2 The best interests of the child will be a primary consideration in all matters concerning refugee children, whether they are accompanied or unaccompanied.</p>	<ul style="list-style-type: none"> ▶ 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 are established and enacted. ▶ Child-friendly and timely asylum and registration processes are in place for all children, including unaccompanied children. ▶ Appropriate support for refugee children is in place for unaccompanied refugee children, including the provision of dedicated guardians/ representatives. ▶ Dedicated budget is in place to strengthen/ establish robust, multi-disciplinary and participatory procedures to assess and determine the best interests of the child, including capacity development of staff involved in these procedures. ▶ In accordance with their age and maturity, children are supported to participate in the best interest procedures and their views are given due consideration.
<p>3 Appropriate, integrated and well-funded child protection and care services are in place for all at-risk refugee children, starting from the time of arrival.</p>	<ul style="list-style-type: none"> ▶ All humanitarian and development plans include a standalone child protection component and child protection is mainstreamed throughout all plans. ▶ Adequate and sustained financial and non-financial resources are in place for protection programming in preparedness, emergency and protracted and recovery situations. ▶ Multi-year funding is increased for child protection services for refugees and funding better meets the protection needs of children in refugee situations. ▶ Well-resourced, child-sensitive procedures for the identification of children, including unaccompanied and separated children and children with disabilities, and referral mechanisms to relevant child-sensitive support services, including appropriate care arrangements, are in place. ▶ Adequate and skilled child protection workforce is in place and case management capacities are enhanced and fully funded. Capacity is built of social welfare, justice, police and border sectors on refugee child protection and best interests procedures. ▶ Appropriate alternative care options for refugee children, in accordance with the UN Guidelines for the Alternative Care of Children, are established and resourced. ▶ Procedures for Cross-border cooperation on child protection that ensure a continuum of care for children are in place and funded. Such procedures include child protection safeguards and data protection to avoid potential exposure of children to harm.

Outcome of the GCR

Examples of Child-focused Pledges

<p>4 The immigration detention of children is replaced by non-custodial alternative care solutions.</p>	<ul style="list-style-type: none">▶ National plans to end child immigration detention are adopted and starting to be implemented.▶ Non-custodial and community-based alternatives to detention, particularly for children are established and funded.
<p>5 Refugee children have access to key services 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">▶ Education in emergencies is supported including the strengthening of national education systems and the provision of early development learning, primary, secondary, tertiary and vocational education, for all children taking into consideration age, gender and diversity.▶ Child protection support and expertise is mainstreamed in education systems to respond to the specific needs of refugee children.▶ Refugee children access adequately resourced, comprehensive and non-discriminatory quality health services that respond to their distinct needs, including access to regular immunisation programmes, psycho-social support and sexual and reproductive health care.▶ Programmes are established and funded to support refugee children and their families to access civil documentation such as birth registration or identity documentation.▶ Non-discriminatory access to child-sensitive legal assistance and justice for refugee children and their families is provided and a dedicated budget for supporting access to free legal advice and representation for refugee children is created (if one does not already exist). A year-on-year increase in the number of cases supported is ensured.
<p>6 Procedures for keeping families together are enhanced.</p>	<ul style="list-style-type: none">▶ Effective procedures and clear referral pathways for family reunification, including accelerated procedures for children are invested in and facilitated.▶ Policies that broaden the definition of family where it is in the child's best interests to do so are enacted.▶ Cooperation between relevant actors across borders for family reunification based on a child's best interests is established and/or strengthened.
<p>7 Comprehensive, protective and sustainable solutions for refugee children are in keeping with their best interests.</p>	<ul style="list-style-type: none">▶ Child-sensitive and child rights-compliant procedures and minimum standards, including cooperation initiatives, are in place for identifying and implementing durable and sustainable solutions for children, including provisions for returns and/or (re)integration with assessments and monitoring procedures.▶ Child-sensitive solutions in line with the child's best interests are expanded and procedures for determination of the child's best interests are formalised in law, policy and practice.▶ Resettlement programmes are established 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. Appropriate child-focussed support is in place upon arrival in the country of resettlement.▶ Access by refugee girls and boys to resettlement and complementary pathway options that offer protection to children are expanded 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.

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