UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES
EVALUATION AND POLICY ANALYSIS UNIT

Meeting the rights and protection needs of refugee children

An independent evaluation of the impact of UNHCR's activities

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Evaluation and Policy Analysis Unit

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Summary of findings and recommendations

Refugee children, especially adolescents, are acutely at risk of being influenced by violence due to the role of conflict in their lives and dearth of positive development opportunities. This underscores the importance – to all host communities and the international community – of ensuring the protection needs of refugee children.[1]

UNHCR's policies and guidelines on refugee children[2] are strong and we found some good examples of work with refugee children. However, children, half of the Office's population of concern[3], are often overlooked and considered 'on-the-sidelines' of core protection and assistance work.

UNHCR has taken a number of important steps towards meeting the rights and protection needs of refugee children. The Office's 1994 Guidelines remain highly regarded. The establishment of specialist postings at headquarters and regionally,[4] strategic partnerships with Save the Children Norway and Sweden for community services and with the Norwegian Refugee Council for education, and recent training and capacity building initiatives[5] have all improved the degree to which the protection needs of refugee children are met. In 1997 the Office adopted a constructive follow up strategy to the 'Machel Study' - the 1996 UN Study on the Impact of Armed Conflict on Children.[6] This strategy emphasizes performance objectives on priority child protection issues -- adolescents, sexual exploitation, education, prevention and monitoring of military recruitment, and separated children.

These specific efforts of the Office towards meeting the protection needs of refugee children are of high quality, but organizational issues impede implementation. Throughout our interviews, field missions, focus groups and questionnaire, we found this to be due to three principal factors:

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[1] Following UNHCR policy and the 1989 UN Convention on the Rights of the Child, the phrase 'refugee children' is inclusive of all children under 18 years of age of concern to the Office.

[2] "Policy on Refugee Children", 1993, E/SCP/82, and "Refugee Children: Guidelines on Protection and Care", 1994. Hereinafter referred to as the 1993 Policy and 1994 Guidelines.

[3] 2000 statistics report that 47% of the Office's population of concern is under 18 years. (Cfr. 26 June 2001, UNHCR Population Data Unit, "Refugee population under the age of 18, end-2000.") Regional percentages range from 56% for Africa and 23% in Europe in 2000. Over time, the proportion of refugees under 18 years has consistently averaged near 50%.

[4] We recognize that 'specialist staff' in UNHCR has particular meaning, notably non-rotation, but we use the term to define staff with particular technical expertise and roles. Specialist staff as regards refugee children in UNHCR are: the Senior Coordinator for Refugee Children, the Legal Advisor on Refugee Women and Children in the Department of International Protection and the four Senior Regional Advisors for Refugee Children.

[5] Namely, the Action for the Rights of the Child (ARC) training initiative and the Separated Children in Europe Programme (SCEP).

[6] "UN Study on the impact of armed conflict on children", UN Document A/51/306, as prepared by the then Expert of the Secretary General, Graça Machel. UNHCR's follow up strategy to the Machel Study was adopted by the Executive Committee (Conclusion No. 84 following standing committee report EC/47/SC/CRP.19 of 9 April 1997) and issued as a directive of the High Commissioner in IOM/40/FOM/47/97, "The Machel Study on the Impact of Armed Conflict on Children", 15 July 1997.

- Limited accountability;
- The dilemma of 'mainstreaming'; and,
- Gaps in understanding and 'operationalizing' the protection of refugee children.

Accountability

Improving accountability is fundamental to UNHCR's protection of refugee children. We stress accountability because in the absence of a firm commitment to improve accountability, recommendations on refugee children, or any other group, will not have the required impact.

The evaluation team was disheartened to note that earlier evaluations, including those looking at children's issues, have also found accountability to be a key concern, but that their recommendations have not been followed up. In particular, we found the recommendations of the 1997 children's evaluation and the 1999 compliance review of UNHCR's policy priorities still relevant.[7]

For many years, the Office has designated refugee children and women as 'policy priorities', but such priorities have become mechanical rather than conveying genuine priorities of the organization. Some staff view the 'policy priorities' as priorities of donors, contributing to the sense that they are not fully 'organizational priorities'.

We found accountability to be an underlying theme to organizational issues obstructing the implementation of stated policy. For example, the Department of International Protection and Division of Operational Support are responsible for policy and standards setting but Regional Bureaux and field managers are responsible for implementation, resulting in gaps between theory and practice. Sectors compete for visibility rather than work together to common, core protection objectives.

One problem for many staff is that there are simply too many priorities. There is consistent clarity that refugee women, children and the environment are policy priorities, but multiple issues or categories of refugees are noted as priorities in various documents and communications of the Office.[8] Of more than ten different internal constraints to policy implementation cited in the evaluation's questionnaire, competing priorities was ranked second behind funding/budget cuts. Field staff are overburdened as to where to focus their attention. The result is 'management à la carte'.

There are frequently inadequate resources and support to ensure that child protection obligations are fulfilled. Indeed, many staff noted a sense of paradox that an evaluation regarding the protection of refugee children was undertaken at the same time that posts specific to children were under threat. Budget cuts were reported to disproportionately

[7] 1997 IES, "Evaluation of UNHCR's efforts to meet the protection needs of refugee children", henceforth referred to as the 1997 children's evaluation, and 1999 EPAU, "A survey of compliance with UNHCR's policies on refugee women, children and the environment", henceforth referred to as the 1999 compliance survey.

[8] The most recent programme instructions, IOM/93/FOM/95/2000, included: older refugees, staff safety and camp security in addition to children/adolescents, women/gender equality and the environment as priorities. Other documents have additionally included HIV/AIDs, the disabled, female or child headed households, and survivors of violence or torture amongst priorities.

impact children. In the words of one questionnaire respondent, "budget reductions are seriously threatening the few programmes targeting refugee children."

The dilemma of mainstreaming

Unresolved tensions remain in the Office's long-running efforts to 'mainstream' the protection of refugee children, women and other groups at particular risk. Work to meet the specific protection needs of refugee children remains all too often outside of the core activities of field operations.

Tension and confusion remain between the need for special projects for refugee children and the view, or presumption, that their needs are met through the traditional sectors. We found the view that traditional sectors cover the needs of refugee children unsupported by situation analysis. While the survival rights of many refugee children will be met through traditional sectoral interventions, such as shelter and health, their full protection needs require specific tailoring or supplements to programmes. Gender and age analysis must cut across all sectors and issues. Most importantly, community services and education are inadequately supported, both financially and with human resources, and yet are amongst the most important sectors to meet the protection needs of refugee children.

We also consistently found confusion about the respective roles of general versus specialist staff in regards to work with refugee children. Where there has been progress in addressing the protection needs of refugee children, it is on the specialist side of this equation through the creation of specialist posts and recent training initiatives. In other words, mainstreaming has a long way to go.

To some extent, the expectations of mainstreaming are too high. The vast majority of UNHCR's staff should not be expected to be, nor need to be, child specialists. On the other hand, the work of every staff member should reflect the fact that half of the population of concern, and in many instances the portion of that population most at-risk, are children. Staff members should be expected to know the key protection risks faced by children, to address those needs within their areas of work, including management and leadership, and to proactively seek the role of specialists. Refugee children have particular needs and protection risks that depend on appropriate and effective specialist staff roles within the Office.

Partnership and collaboration are also essential to solving the dilemma of mainstreaming. UNHCR's specialist partnerships with Save the Children Alliance and the Norwegian Refugee Council have already been noted. More generally, UNHCR operations require more proactive engagement of the full range of partners: with UNICEF most importantly regarding the UN family, a wide range of government agencies, local and national NGOs and refugees themselves.

We are concerned that recent strategies of the Office in regards to refugee children may have unintentionally 'stalled' mainstreaming. For example, the four-year Action for the Rights of the Child (ARC) training initiative has produced high quality resource materials, but the sheer volume of ARC materials was found overwhelming and intimidating by generalist staff. Training has not reached generalist staff – Field Officers, Programme Officers or Heads of Office – nor the frontline national staff most engaged with refugee children.

Another element contributing to the sense that mainstreaming has stalled may be the Office's follow up strategy to the Machel Study. The strategy may have distracted attention from the Office's more holistic mandate for refugee children. For example, many of our field missions found that the five Machel follow up issues were understood to be the only protection issues for refugee children. In some cases, special reporting on the Machel follow up strategy has contributed to the sense that work with refugee children falls outside of the Office's core activities and regular resources.

Understanding and 'operationalizing' child protection

Throughout our field missions and interviews, we found confusion about what child protection meant or what the policy priority on refugee children entailed. We found four main elements behind the confusion about what child protection should mean for UNHCR:

- Limited understanding of child rights as the framework for child protection;
- A lack of situation analysis;
- Insufficient recognition of the social aspects of protection; and,
- Insufficient integration with community services and their work with community networks.

The role of child rights in the protection of refugee children is inherent to the Office's protection work. UNHCR explicitly recognizes the 1989 UN Convention on the Rights of the Child (CRC) as providing the normative framework for its work with refugee children.[9] International protection is recognized as actions to defend and promote the rights of persons outside their country who can no longer benefit from the protection of their government. Thus, child protection within the mandate of UNHCR is defending and promoting the rights of refugee children.

The CRC covers all children and adolescents less than 18 years of age, without discrimination, thus extending in every way to refugee children. Thus the rights of refugee children include, *inter alia*, survival issues of health and nutrition as well as education, identity, family unity, and protection from exploitation and abuse of any form, including military recruitment.

Other elements behind the confusion about what the protection of refugee children should entail derive from the lack of situation analysis in programme planning and response. The current programme cycle of Country Operations Plans and Annual Protection Reports seems to be used as a matter of obligation rather than as a tool to analyze the situation and needs of refugees. The result is that child protection issues are 'invisible' from the first stage of the programme cycle and depend on great effort to be 'added' later.

Situation analysis is different than needs assessment in that it analyzes risks, opportunities and potential resources. The situation of refugee children, within a given context, is considered against their rights. Opportunities and resources – socio-cultural practices, community leaders, and political openings – are incorporated into the analysis. It should be noted that improved situation analysis was also amongst the strongest recommendations of the 1997 children's evaluation.

[9] UNHCR's Policy on Refugee Children, 1993, paragraph 17.

Finally, effectively meeting the protection needs of refugee children requires social protection, as it complements and sustains the legal and physical approaches more traditional to UNHCR's protection work. While international protection is essential when government protection is unavailable, at a more every-day level, communities provide protection through social systems and hierarchies. This underscores that protection is a social as well as legal and physical concern.

The protection function in UNHCR must work more effectively with social systems and networks in order to achieve its child protection obligations and objectives. Particularly in our field missions, we found child protection to work best where there was active collaboration between community services and protection staff, complemented by pro-active support, mobilization and use of community networks. The Office's community services and education functions are thus pivotal to 'operationalizing' the protection of refugee children.

In summary, where the protection needs of refugee children have been effectively 'operationalized', it has been due to the following factors:

- The leadership and support of senior management and those with budgetary control to refugee children as a core priority of the Office;
- The degree to which protection staff include social as well as legal and physical aspects of protection and seek to integrate their work with community services and education;
- The degree to which community services staff mobilize and work respectfully with community-based social systems and networks; and,
- Strategic partnerships, especially collaboration with UNICEF and key NGOs.

Recommendations

Recommendations are presented throughout this evaluation report. In this summary, we highlight some of the recommendations on accountability, mainstreaming and operationalizing the protection of refugee children. While this evaluation report addresses many issues specific to the protection of refugee children, we found that many issues regarding the protection of refugee children hinge on more general issues that affect UNHCR as a whole.

The High Commissioner and senior management should make a clear statement that the protection needs of refugee children are an organizational priority and core activity of the Office. On the whole, the practice of designating issues as 'policy priorities' should be reconsidered as it has gained little meaning in practice.

Under the leadership of the Assistant High Commissioner and with support from the Senior Coordinator for Refugee Children, each Bureau should develop a training and mainstreaming work plan, including:

- A training schedule to ensure that all field protection and community services officers, including national staff, have a copy of the Guidelines and receive at a minimum, ARC training on situation analysis and community mobilization; and,
- Select one country for a pilot mainstreaming exercise to be carried out throughout the 2002-2004 programme cycle. The pilot mainstreaming exercise will emphasize situation

analysis of child protection issues, partnership and community network opportunities, and their incorporation into country operations plans. (This pilot exercise is detailed in the concluding recommendations and Annex 1.)

As part of the Global Consultations process, the Department of International Protection should convene a specific session on social protection. While the theme scheduled for 2002 is to be devoted to gaps in protection standards for refugee women and children, the primary element missing in protection work with refugee children concerns social protection. As a starting point for the session, a discussion paper should be commissioned exploring how the UNHCR protection function can better seize the potential of community services and education as tools of protection. Staff and representatives of refugee youth from at least two operations should be brought to participate in order to focus on practical ways in which protection, community services and community groups have effectively addressed key protection issues.

Acknowledgements

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The evaluation team is especially grateful to the more than 400 refugee children and adolescents who participated in focus groups for the evaluation. Their trust and open expression of concerns and ideas is a compelling call to adults engaged in the work of refugee protection to listen and act. Their energy is a testament to the possibilities of a better future and durable solutions.

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Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
APRS	Annual Protection Reports (UNHCR)
ARC	Action for the Rights of the Child
BID	Best Interest Determination
CAR	Commission for Afghan Refugees
CASWANAME	Central Asia, South-West Asia, North Africa & Middle East (UNHCR)
CMS	Career Management System (UNHCR)
COPS	Country Operations Plans (UNHCR)
CRC	United Nations Convention on the Rights of the Child
CVT	Centre for Victims of Torture
DIP	Department of International Protection (UNHCR)
DOS	Division of Operational Support (UNHCR)
DRC	Danish Refugee Council
EPAU	Evaluation and Policy Analysis Unit (UNHCR)
HIV	Human Immuno-deficiency Virus
IATT	Inter-Agency Task Team, UNAIDS CCO
ICRC	International Committee of the Red Cross
INEE	Inter-Agency Network for Education in Emergencies
IRC	International Rescue Committee
JEN	Japanese Emergency Network
JPO	Junior Professional Officer
LCI	Liberian Children's Initiative
MOU	Memorandum of Understanding
NGO	Non-governmental Organization
NRC	Norwegian Refugee Council
OMS	Organizational Management System (UNHCR)
PARinAC	Partnership in Action (UNHCR)
PLA	Participatory Learning and Action
POP	People Oriented Planning (UNHCR)
PRA	Participatory Rapid Appraisal
RCCU	Refugee Children Coordination Unit (UNHCR)
RSD	Refugee Status Determination
SCEP	Separated Children in Europe Programme
SCF-US	Save the Children, US
SGBV	Sexual and Gender Based Violence
TRCS	Tanzanian Red Cross Society
UAMs	Unaccompanied Minors
UN	United Nations
UNAIDS	The Joint UN Programme on HIV/AIDS
UNAIDS CCO	UNAIDS Committee of Co-sponsoring Organizations
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNICEF	United Nations International Children's Emergency Fund
UNHCR	United Nations High Commissioner for Refugees

WEM	Workshop on Emergency Management (UNHCR)
WFP	World Food Programme
WHO	World Health Organization

1. Introduction

1. The underlying question asked of this evaluation was whether UNHCR is effectively meeting the protection needs of refugee children. Despite a high level of awareness that children are a 'policy priority', in practice, children and children's concerns are inconsistently addressed and often regarded as something 'extra' to core protection and assistance work.

2. As an indicator on whether prioritization for refugee children has increased, 42% of questionnaire respondents reported that children receive a high priority today compared to 27% reporting that children received high priority three to five years ago. Comments indicate that this sense of priority is more in the area of policy statement than action in the field. In the words of one respondent, "… the priority given to children's issues is frequently of the "lip service" variety".

3. In discussions during the evaluation, some staff felt that how adults view children in society is carried to the job. In this sense, the perception that children and children's needs are superseded by those of adults undermines the degree to which the protection needs of refugee children are taken seriously. The same perception was reflected in the experience of the evaluation team. We found staff hesitant as to why they should meet with a team evaluating the Office's work with children. The view was that we should meet with the Senior Coordinator for Refugee Children, community services staff and NGOs working specifically with children. However, when we emphasized that it was important to have the observations of all staff, across any current or previous postings, most had specific examples to convey about the Office's efforts with refugee children.

4. In a global evaluation, we sought to highlight institutional policy, strategies and progress. Any individual child protection issue, set of guidelines, training initiative or field operation would have warranted an in-depth evaluation in its own right but our thematic evaluation concentrated on organization-wide patterns, shortcomings and successes. Our field missions sought to spotlight examples of where the Office was and was not making progress in meeting the protection needs of refugee children.

5. It was difficult to define and measure 'impact' as proposed in the evaluation title. On the one hand, the fact that refugee children face inordinate protection violations and risks might lead to the conclusion that UNHCR's activities have limited impact. On the other hand, the refugee protection regime is dependent on host and donor governments such that the impact of UNHCR's efforts must be seen within a fair analysis. Indeed UNHCR staff work in some of the world's most excruciatingly difficult situations, dependent on political solutions and good-will.

6. From the perspective of measuring impact through management tools and systems, UNHCR has only recently begun to develop and include indicators in its annual programme cycle such that the impact of any activity has any basis of measure. While the establishment of indicators will be important towards establishing progress, the 1993 Policy

and 1994 Guidelines remain the most fundamental baseline of objectives and standards expected of the Office for the protection of refugee children.

7. Our evaluation looked specifically at the protection of refugee children, but we found that many of the shortcomings regarding child protection hinge on organizational and management issues that affect UNHCR as a whole. Throughout our interviews, field missions, focus groups and field questionnaire, we found three principal factors behind the shortcomings and obstacles to making a reality of UNHCR's policy and guidelines on refugee children:

- Limited accountability;
- The dilemma of 'mainstreaming'; and,
- Gaps in understanding and 'operationalizing' the protection of refugee children.

Organization of the evaluation report

8. Following this analysis, we have organized our evaluation report to start with findings regarding actions specific to refugee children, followed by chapters addressing organizational issues. Thus Chapter 2 reviews UNHCR's policy and guidelines on refugee children and some of the key actions and strategies undertaken by the Office in regards to child protection. Chapters 3 and 4 then discuss the organizational issues constraining implementation of the protection of refugee children and consider aspects of 'operationalizing' protection.

9. The evaluation's terms of reference (Annex 2) asked that we "assess the content, dissemination and implementation of UNHCR's policy and guidelines in relation to the rights and protection needs of refugee children". In considering the content of UNHCR's work with refugee children, we were asked to emphasize the five priority areas identified for the Office's follow up strategy to the Machel Study: adolescents, sexual exploitation, education, prevention and monitoring of military recruitment, and separated children. Our review of UNHCR's policy and guidelines on refugee children and progress on the five priority areas of the follow up strategy to the Machel Study are presented in Chapter 2.

10. In considering implementation, we were asked to examine a broad range of organizational issues, including: "compliance, monitoring and reporting, staffing, training, resource mobilization and allocation, organizational structure, internal communications, partnerships and inter-agency coordination". We found accountability and the dilemma of mainstreaming to be the principal factors behind how these organizational issues constrain the protection of refugee children. These issues are discussed in Chapter 3. This includes discussion of specialist posts, the recent Action for the Rights of the Child training initiative and partnership issues with UNICEF, NGOs and other key actors in the protection of refugee children.

11. Related to organizational structure and internal collaboration, we found gaps in efforts to 'operationalize' protection. Gaps concern both conceptual issues in the understanding of child protection and approaches to operationalizing protection. Throughout our field missions, we found a key gap to be the omission of social protection and community services in operationalizing the protection of refugee children. This analysis is presented in Chapter 4.

Evaluation background and methodologies

12. Methodologies used in the evaluation included field missions, focus groups and a confidential field questionnaire. Extensive semi-structured interviews were held with more than 60 staff members at headquarters and we were able to meet all four, current Senior Regional Advisors on Refugee Children.[10] Semi-structured interviews with key external stakeholders during field missions and at headquarter locations included donor and host governments, child protection experts, UNICEF and other UN family operational partners, international and local civil society organizations, and refugee representatives.

13. Field missions were conducted from March through July of 2001 and covered nine field operations: Bosnia and Herzegovina, Cote d'Ivoire, Federal Republic of Yugoslavia (including Kosovo), Guinea, Liberia, Pakistan, Sierra Leone, and Tanzania. In consultation with the evaluation's steering committee, field missions were selected to represent: geographic diversity; a range of operation situations including new refugee movements, longer term refugee camps or settlements, and repatriation or reintegration; and operations that featured particular projects or issues related to refugee children. A special field mission was taken to observe a training seminar of the Separated Children in Europe Programme (SCEP). Despite efforts at the onset of the evaluation and field mission scheduling, we were not able to coordinate any of our field missions with trainings under the Action for the Rights of the Child (ARC) project.

14. Each field mission included focus groups with refugee children and adolescents, resulting in 35 groups and more than 400 children (55% girls) across the nine field operations. The focus groups were mostly organized as groups of girls aged 12 to 15 and boys aged 14 to 17. A few focus groups were held as mixed gender groups. Additional focus groups were held with refugee adults. In working with staff and local organizations to convene the groups, criteria included that the children represent separated children as well as those with family members, and those in school and out-of-school.

15. A confidential questionnaire was extended to 62 field operations (Annex 3). In consultation with the evaluation's steering committee, countries for the questionnaire were selected to ensure: representation of each region; a cross-section of both large and small operations; both emergency, care and maintenance and reintegration/repatriation phases of operation; countries serving on the Executive Committee; and, those participating in special initiatives such as SCEP or ARC. The questionnaire was issued in English and French with responses sent directly to Valid International in order to ensure confidentiality. A strong cross-section of responses was received in terms of geography, gender and post level. Of 105 responses, only one sub-region had no responses (North Africa). Fifty-five per cent of the respondents were female and 53% were international staff. Twenty-seven per cent of the respondents held 'head of mission' level posts while 31% were in protection posts and 19% were in community services posts.

[10] We met with the Senior Regional Advisors on Refugee Children based in Abidjan, Ankara and Nairobi as well as the Senior Coordinator of the Separated Children in Europe Programme who is based in Brussels. During the time period of the evaluation, the Senior Regional Advisor post in Damascus was being recruited.

2. Reviewing UNHCR's key actions

16. In undertaking an evaluation on the impact of UNHCR's activities in meeting the rights and protection needs of refugee children, we first reviewed UNHCR's policies, guidelines, strategies and actions specific to refugee children. Clearly, the establishment of policy, guidelines and strategies are important first steps to meet the protection needs of refugee children. The adoption of the 1993 Policy and issuance of the 1994 Guidelines have established a highly regarded baseline of policy and standards. Appropriate staffing, training and other resources are then pivotal to effective implementation and ultimate impact at the field level. As such, the roles of specialist staff on refugee children, training initiatives and partnership issues are reviewed in Chapter 3 as part of our analysis of organizational issues in implementation. This chapter discusses the evaluation's findings as to the 'content'[11] of UNHCR's policy and guidelines on refugee children, including achievements and shortfalls under the framework of the Office's follow up strategy to the Machel Study -- adolescents, sexual exploitation, education, prevention and monitoring of military recruitment and separated children.[12]

History of UNHCR efforts to meet the protection needs of refugee children

17. Requested by the Executive Committee of UNHCR in 1987,[13] UNHCR first published "Guidelines on Refugee Children" in 1988. The adoption of the 1993 "Policy on Refugee Children" and issuance of the 1994 "Guidelines on the Protection and Care of Refugee Children" followed needs for revision, including the seminal international standards adopted by the 1989 UN Convention on the Rights of the Child. UNHCR's 1994 Guidelines are recognized internationally as an important source of standards and programme guidance on children affected by armed conflict. The development of the 1994 Guidelines drew on evaluations of the 1988 Guidelines and wide consultation with UNHCR field offices, Governments, UN agencies, NGOs and other experts.

18. The 1993 Policy and 1994 Guidelines benefited from the leadership provided by the first Senior Coordinator for Refugee Children, a post established by the Office in 1992.[14]

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[11] 'Content' is considered inclusive of the 1993 Policy, 1994 Guidelines, objectives under the follow up strategy to the Machel Study (EC/SC/CRP.19) and other guidelines and directives of the Office, including the regular guidance issued by the Department of International Protection on developments in international law and standards affecting refugee children. For example, upon the adoption of Optional Protocols to the UN Convention on the Rights of the Child, DIP issued "Recent Developments in International Human Rights Law regarding Refugee Women and Children", IOM/86/FOM/88/2000, 29 November 2000.

[12] IOM/40/FOM/47/97, "The Machel Study on the Impact of Armed Conflict on Children", op.cit. and the strategy adopted by the Executive Committee (EC/47/SC/CRP.19, op.cit.) use this order of the five priority issues, but use the phrase 'unaccompanied children' rather than 'separated children'. Since 1998, along with other inter-agency partners, UNHCR has adopted the phrase 'separated children' to more inclusively address issues of family separation. These issues are taken up further in section 2.3.v.

[13] EXCOM Conclusion No. 47 (XXXVIII) "Refugee Children".

[14] The establishment of the posts for the Senior Coordinator for Refugee Children and, later, Regional Advisors, follows the same actions taken in regards to meeting the protection needs of refugee women. The post of Senior

The work of the Senior Coordinator is complemented by the post of the Legal Advisor for Refugee Women and Children in the Department of International Protection, a post created in 1994. Drawing on the experience of deploying a Regional Coordinator for Children for the Great Lakes region in 1995, four Senior Regional Children's Advisor posts were created in 1997 as a further measure to support the Office in meeting its obligations and objectives on refugee children. Senior Regional Advisors on Refugee Children are now based in Abidjan, Ankara, Damascus and Nairobi.

19. Special funding has been essential to specific actions to improve the degree to which the protection needs of refugee children are met. The specialist posts for children were made possible initially with special funds from the governments of Norway and the United States. Similar contributions have also been crucial to other special initiatives highlighted below.

20. In 1993, An Emergency Standby Agreement was established between UNHCR and Save the Children Sweden. Save the Children Norway joined the agreement in 1996. The agreement aims to ensure the capability of UNHCR to provide professional community services inputs in emergency situations with a particular focus on women and children.

21. Starting in 1995 with funds from Save the Children Sweden and a series of discussions between UNHCR and Save the Children, a training initiative to improve implementation of the 1994 Guidelines was begun. In 1997, the Senior Coordinator for Refugee Children was able to raise necessary funds and administrative support to launch the Action for the Rights of the Child (ARC) training project as a partnership with Save the Children Alliance. In view of the fact that the Executive Committee had called for UNHCR "to develop training materials to improve the capacity and effectiveness of field personnel in identifying and addressing the protection and assistance needs of refugee children"[15] since 1989, ARC has been an important step towards future capacity building. Since 1999 the ARC partnership has expanded to include UNICEF and the Office of the High Commissioner for Human Rights.

22. Also in 1997, the Office adopted a special follow up strategy to the Machel Study. UNHCR's follow up strategy to the Machel Study adopted performance objectives and directed each field operation to address five priority issues concerning refugee children.

Assessing UNHCR's Policy and Guidelines on Refugee Children

23. As part of assessing content, we were asked to review "the extent to which UNHCR's policies and guidelines are clear, practical and relevant to the protection needs of refugee children". (See Annex 2.) We found policy and guidelines on refugee children to be of high quality and still of value in work towards meeting the protection needs of refugee children.

24. The 1993 Policy and 1994 Guidelines touch on all child protection issues highlighted in the course of our evaluation (specific child protection issues are discussed in the following section). Some issues, including asylum procedures, separated children and

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Coordinator for Refugee Women was first established in 1989 while the first Regional Advisor on Refugee Women was fielded in 1995.

[15] EXCOM Conclusion No. 59 (XL) "Refugee Children" adopted by the Executive Committee 40th session, 1989.

sexual violence, are addressed by additional guidelines of the Office. The new ARC resource materials further extend the guidance and best practice knowledge on key child protection issues. Most specifically, we found the 1994 guidelines highly practical in that each chapter includes checklists and cross references to legal standards and other resources.

25. Questionnaire respondents considered the various guidelines of the Office on refugee children to be very useful (56%) or fairly useful (37%). Questionnaire respondents cited some principles as particularly important: the best interests of the child, long-term perspective for children, and community based approaches. Guidelines were found to be used in the following ways, ordered by frequency of citation:

- The design of local priorities and programmes;
- Technical reference on individual cases;
- Training for UNHCR staff, partner agencies and governments;
- Advocacy and awareness raising for the rights of refugee children;
- Project appraisal and monitoring; and,
- Inter-agency coordination or collaboration between sectors.

26. Issues as to the clarity, practicality and relevance of the Office's guidelines on refugee children relate to the extent to which they are disseminated, implemented and the sheer volume of guidelines, rather than their content. Indeed, questionnaire respondents cited more than thirteen different sets of UNHCR guidelines that relate to refugee children's protection and care, in addition to the most basic reference of the Office, the 1994 Guidelines and 1993 Policy.[16]

27. In view of the volume of guidelines, the 1997 children's evaluation highlighted the need to develop a single set of programme guidelines for the Office, as well as to prepare a summary or checklist of the 1994 Guidelines for wide distribution in all relevant languages.[17] Neither of these proposals has been undertaken, although the office of the Senior Coordinator for Refugee Children contributed to a 'checklist' for the Division of Operational Support (DOS) on mainstreaming the policy priorities on women, children and the environment.[18]

28. In our field missions, staff consistently asked for checklists on key child protection issues. Yet, just as there are multiple guidelines, a number of checklists already exist. For example, the Europe Bureau developed checklists for the review and preparation

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[16] The 13 additional guidelines cited by questionnaire respondents were: 1) 1997 Guidelines on Policies/Procedures dealing with Unaccompanied Children seeking asylum, 2) ARC (Action for the Rights of Children), 3) Working with Unaccompanied Children: a Community Based Approach, 4) UNHCR Guidelines on Repatriation, 5) 1996 Memorandum of Understanding between UNHCR/UNICEF, 6) SCEP Statement of Good Practice by UNHCR and Save the Children, 7) 1991 Guidelines on the Protection of Refugee Women, 8) Guidelines on Prevention and Response to Sexual Violence Against Refugees, 9) 1993 Policy on Refugee Children: Guidelines on Protection and Care, 10) Protection of Refugees: A Field Guide for NGOs, 11) Executive Committee conclusions and report, 12) UNHCR Resettlement Handbook, and 13) Handbook for Emergencies. It should be noted that in a number of cases, questionnaire respondents did not list a guideline document by its official title but we have sought to do so here for ease of reference.

[17] 1997 children's evaluation, pp. 8 and 26.

[18] Division of Operational Support, May 2000, "Integrating policy priorities into UNHCR overall programmes and documentation including COPs ", internal document.

of Country Operations Plans (COPS) and Annual Protection Reports (APRS). (Chapter 3 further discusses the incorporation of child protection issues into COPS and APRS.) The Inspector General's Office developed a useful checklist to assist in their assessments of the implementation of policies and priorities in field operations. Other useful checklists include those in each chapter of the 1994 Guidelines, in each ARC resource pack, in the Emergency Handbook, and in People Oriented Planning.[19] The five priority areas of the Office's Machel Study follow up strategy form a checklist, as do the performance objectives adopted by the Office as part of this strategy.

29. Another aspect of the practicality of guidelines relates to the degree to which they are made available in relevant languages. For example, the 1994 Guidelines are consistently published in English and French by headquarters but other languages, with translation led by particular field office or partner efforts, are unclear and uncentralized. Some staff members have mentioned Spanish, Russian, Serbo-Croatian and Arabic translations.

30. Thus, while UNHCR's 1994 Guidelines would usefully be updated, the more urgent need is for consolidation and implementation.[20] In the words of one questionnaire respondent, "Committed implementation is the single most important aspect to protecting children's rights. It is more important than policy revision." It is primarily experts and specialists that identify areas where the 1994 Guidelines require updating while our field missions found those working at the frontlines with refugee children to have gravely insufficient access to the basic guidelines and policies of the Office. (We discuss dissemination further in Chapter 3.)

31. In a large bureaucracy where it is difficult for an individual to have a real impact, there is a strong temptation to focus on aspects that are within a department's control. In this sense, it would be easy for the revision of guidelines to become an end in itself, rather than a means of improving the quality of child protection work in the field. In the near term, emphasis needs to be given to increasing the direct relationship between specialist staff and the field, rather than the preparation of further guidelines at headquarters.

Recommendation

32. At the earliest in 2004, the 1994 Guidelines should be updated with special reference to including examples, both of good practice and where projects have not been successful, and specific points of clarification, as identified by field-based staff. Revising the Guidelines after 2004 would allow the Office to draw on:

- Implementation experience with the ARC resource materials;

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[19] UNHCR, June 2000, "Handbook for Emergencies", Second edition. People Oriented Planning (POP) is the Office's training and planning framework to ensure programmes reflect important gender and age differences within a refugee population. Cfr. UNHCR, December 1992, "People Oriented Planning: A Framework for People-Oriented Planning in Refugee Situations Taking Account of Women, Men and Children."

[20] It should be noted that the various guidelines relevant to refugee children, such as those listed in the above footnote and especially the new ARC resource materials, are considered 'updates' and expansion of the 1994 Guidelines.

- Feedback from review meetings with implementing and operational partners, (see Chapter 3);
- A current project by the Refugee Children's Coordination Unit (RCCU)[21] to document examples of good field practice;
- The Department of International Protection's (DIP) Global Consultation process; and,
- The forthcoming UN Special Session on Children.

The Machel Study follow-up strategy

33. Following the holistic approach of UNHCR's Policy and Guidelines on refugee children, there is, of course, a full range of issues to assess in regards to meeting the protection need of refugee children. This would include survival needs of, inter alia, health and nutrition, water and sanitation, as well as particular protection issues such as family separation, exploitation or abuse. We were asked to take the Office's 1997 follow up strategy to the Machel Study as a framework for our assessment.

34. However, before presenting our findings of progress and shortfalls on the five priority areas of the strategy -- adolescents, sexual exploitation, education, prevention and monitoring of military recruitment and separated children -- we find it important to note child protection issues excluded from this list and comment generally on the strategy. Indeed, the five priority areas for the strategy are some of the most critical protection issues for refugee children, but in some contexts, a different issue may be the most important. In fact, the top issue noted by the evaluation's questionnaire respondents was birth registration. The most important issues regarding refugee children were noted by questionnaire respondents to be:

Birth registration	37%
Education	16%
Protection from forced labor	14%
Family reunification	12%
Health care and psycho-social welfare	9%
Special needs	6%
Draft for military service	3%
Security	2%
Refugee Status Determination issues	1%

35. The above list was in response to an open question asking questionnaire respondents to list, in their own view, the most important policy points or issues for refugee children and adolescents.[22] In discussing these results with the evaluation's steering committee, there was particular agreement that birth registration was of fundamental importance, especially in view of increasing issues of statelessness, and should have been

[21] The office of the Senior Coordinator for Refugee Children is sometimes referred to as the Refugee Children Coordination Unit (RCCU).
[22] Using the phrase 'refugee children and adolescents' may have precluded some questionnaire respondents from identifying adolescents as a separate issue.

given greater attention in the Office's follow up strategy to the Machel Study. Later we discuss priority issues other than the five chosen for the Machel follow-up strategy.

36. We were somewhat surprised to find that staff infrequently expressed concerns on 'survival' issues for refugee children. This may be due to perceptions that survival issues were 'outside the scope' of an evaluation concerning protection needs. In contrast, the 1997 children's evaluation devoted a significant amount of attention to shortfalls in the areas of nutrition and food security. We note this as part of our observation that a weakness of the Office's follow up strategy to the Machel Study has been a diminished holistic approach to refugee children.

37. Indeed, 'survival' issues are inter-linked with more specific concerns. For example, inadequate nutrition impacts on school participation, sexual exploitation and early marriage. On the other hand, extra rations or other benefits have been a factor in phenomena described as the 'creation' of unaccompanied children. In Tanzania, during a series of ration cuts in recent years, unaccompanied children, as well as other individuals considered 'vulnerable', continued to receive a 100% ration. The recommendation of a joint assessment with the World Food Programme[23] was to change vulnerability criteria from individual to household level in order to emphasize that unaccompanied children should be given the same treatment as other children in their household.

38. We are concerned that narrow interpretations, of the five priority issues let alone others, applied globally hinder analysis of child protection risks in a given context and flexibility of response. In many instances, we found the list to be seen as the only protection issues for refugee children. For example, in our Sierra Leone mission, we found that child protection was understood by a number of staff and partners to only mean separated children and child soldiers.

39. Segregating specific child protection issues, such as the five priority areas of the Office's Machel follow up strategy or any other child protection issue, obstructs the fact that the most effective response addresses such issues in harmonization. Firstly, the issues themselves are inter-related. For example, one might be a causal factor to the other, such as separated children being at special risk of military recruitment or sexual exploitation. Secondly, the resources for response are likely to be the same for a number of specific child protection issues. Indeed, the most effective response resources for all issues are common: social systems and community networks. Thirdly, especially in cases of sexual violence, exploitation and children involved in armed conflict, approaches must avoid stigmatizing the child. While requiring careful attention, response to such child protection issues is most effective through education, community services, health and other support mechanisms, rather than as special activities.

40. Overall, we found UNHCR's follow up strategy to the Machel Study to usefully build on the momentum of the Study to mobilize attention and effort on children's needs. However, due in part to the volume of guidelines over-burdening field offices, we found the strategy inadequately linked to overall implementation of the 1994 Guidelines. In this sense, the Office's Machel follow up strategy misses the underlying message of the 1996 Machel Study. The Machel Study highlights effective programme response within a three-part

[23] October 2000, "Joint WFP/UNHCR Household Food Economy Assessment in Lugufu."

frame of psychosocial well-being, education and health and nutrition, but emphasizes that child protection issues and programme sectors need to be seen together.[24]

Recommendation

41. The performance objectives adopted as part of the Office's follow up strategy to the Machel Study should continue to be incorporated in the UNHCR Manual, emergency response, and full programme cycle of the Office. However, special reporting and activities under the Machel follow up rubric should be reoriented to system wide commitment to the protection needs of refugee children.

Adolescents

42. Despite the call of the Office's follow up strategy to the Machel Study, we found major gaps in protection attention, activities and resources for adolescents. In the words of one questionnaire respondent, "We believe the most neglected group from among the people of UNHCR concern is adolescents … (we) strongly recommend more attention to this group, which is the near future of any country". The neglect of adolescents is alarming in face of the vulnerability of adolescents to finding no alternative to lives of violence and conflict.

43. In the few examples where we found positive efforts with adolescents, the common feature was the success of youth clubs. In a pilot project in Tanzania, a youth club was effectively reaching their peers with HIV/AIDs and other important health and protection messages. In one province in Pakistan, refugee social animators had just begun to support youth social clubs to engage out-of-school children in positive developmental activities. In Liberia, youth social clubs played an important role in preventing military recruitment. While not a partner of UNHCR, in Bosnia and Herzegovina we met with a youth group that produces a journal and radio programme influencing local policy and reconciliation efforts. In one questionnaire response, youth clubs initiated in Ethiopia following ARC training were cited as an opportunity for the Office to improve and expand its work with refugee children.

44. All of these examples feature activities targeted towards youth, due to insufficient formal education opportunities. Indeed, while post-primary education is a global concern,[25] youth clubs provide an effective and flexible mechanism to support adolescents in activities and roles that contribute to their development and community. Further, such measures are very inexpensive; even $10,000 can support the material and other activity needs of a local NGO or other organization to support adolescents through youth clubs.

45. One of the most important first steps to improve UNHCR's efforts to meet the protection needs of refugee adolescents is to disaggregate data collection more purposefully than the Office's current 5 up to 18 year age group. In one of our field missions, staff relayed

[24] "UN Study on the impact of armed conflict on children", UN Doc A/51/306, paragraph 136.

[25] Article 28 of the Convention on the Rights of the Child provides the right to education for all children and obliges States to ensure that primary education be free, compulsory and available to all. The provisions for secondary education are less strong; States are obliged to encourage forms of secondary education accessible to all.

their frustration with the Office's system. After a thorough, individual screening exercise, staff found that they could not generate an age-based report to plan for education needs even though their data entry included individual age statistics. They reported that the Office's statistics system would only generate reports according to the age ranges of 'under 5' and 'under 18'. In this case, they resorted to going back through the registrations by hand. In other field missions and interviews, staff reported that 'bottlenecks' in the Office's population data system prevented them from targeting adolescents more effectively.

46. Adopting a division between 12 and 13 years was recommended by the 1997 children's evaluation[26] to improve monitoring and programming. Reasons given by headquarters for not implementing this recommendation focused on varying definitions of 'adolescents' and the time necessary for field offices and departments to change the format for global statistics.

47. Just as conceptions of childhood vary globally, adolescence is defined in varying ways as a combination of age, socio-cultural context and roles in the process of moving from childhood to adulthood. Adolescence is most often described as the 'second decade of life', from 10 to 19 years. Organizations such as WHO and UNICEF have recognized the extent to which definitions of adolescence (10-19), youth (15-24) and young people (10-24) overlap. Despite differences in ages, adolescence is recognized universally as a vulnerable and significant period in which young people develop identity and social meaning. For adolescents in contexts of displacement, such identity development and learning of roles and values is placed at great risk.

48. Fundamentally, the important differences between children and adolescents should be reflected in situation analysis and protection and assistance activities. Grouping children and adolescents into the 5 to 18 year category is clearly insufficient for education, reproductive health and protection programming purposes. Globally UNHCR would gain efficiencies if population data disaggregated adolescence into the cohorts used by other UN agencies and national demographic data sources. This would facilitate analysis to country of origin and host country provisions for children and planning for durable solutions.

49. Of note, UNICEF defines adolescents as 10 to 19 years. UNICEF acknowledges 18 years is the upper limit of the CRC, but accepts adolescents as up to age 19 because data is often given in cohorts of 10-14 years and 15-19 years. Allowing some data to go to 19 rather than 18 years is simply pragmatic in order to capture comparison between indicators, countries and across time. For example, literacy and reproductive health indicators for girls and women have been from age 15 for many years. Such cohorts have also been used by States in measuring goals from the World Summit for Children. For example, child labour is monitored according to children age 5 to 14 working inside or outside the home. UNAIDS use 15 years and older for prevalence data and many other indicators and have a new emphasis on developing tools and strategies specific for the 10-14 year age group.

50. We recommend UNHCR continue with 18 years as the upper limit for data on children but in some circumstances, using data up to 19 may simplify analysis and collaboration. Ideally, as refugee registration data is often individual, each field operation would adapt protection and programme analysis according to local conceptions of

[26] Page 97 of the 1997 children's evaluation. A May 1998 audit report stressed that this recommendation should be implemented so that UNHCR's planning would be "more realistic and purposive".

adolescence. This would allow field operations to adjust to specific programmatic and policy needs while at the same time, organizing data into global categories.

Recommendations

51. UNHCR should disaggregate analysis and data on refugee children into cohorts of: under 5 years of age, 5 to 9, 10 to 14 and 15 to 18 years. If a graduated introduction of further data disaggregation is necessary for the Office, we recommend at a minimum that cohorts of under 5, 5 to 9 and 10 to 18 be adopted.

52. Education approaches should be conceived more broadly to include non-formal activities for adolescents and a small budget reserved in each field operation to support youth clubs and other meaningful, organized activities.

Sexual exploitation

53. Although UNHCR's Machel follow-up priorities include sexual exploitation, the approach by country offices and the Office's reporting on this priority is often rather narrow in its interpretation, limiting this to work on sexual and gender-based violence. Sometimes this reporting has been further limited to projects where the work was focused predominantly on women rather than on those under 18 years old. In other words, we found strong work on 'sexual and gender based violence' (SGBV), but that work rarely extended to the full needs and rights of children and adolescents. In particular, there was insufficient attention to related issues of sexual exploitation and reproductive health for adolescents, including the urgent issue of HIV/AIDs. This section thus includes findings in the areas of SGBV programming and HIV/AIDs as well as sexual exploitation.

54. While sexual violence is a consistent protection risk and concern to refugee children, throughout our focus groups, children themselves identified sexual exploitation as an equal and occasionally more worrying problem. In one focus group in Tanzania, as part of discussions on ration cuts and the lack of opportunity for self-sufficiency, a girl stated, "I have no choice but to prostitute myself". One local NGO worker in West Africa stated, "not one of these men even needs to think about rape unless they are wicked. Any one can have any one of these girls for a little piece of food". In a number of focus groups with children themselves and other interviews in West Africa, aid workers and others with access to power and resources in the camps were identified as often responsible for the sexual exploitation of children.

55. We found attempts to address issues of sexual exploitation limited. Little analysis of the causes of sexual exploitation was evident, and where such analysis had taken place a sense of powerlessness seemed to prevent response. For example, although exploitation by national staff was reported to be common in West Africa, organizations seemed not to know how to respond. To provide a more positive example, in Tanzania some of the more complex issues were being tackled in constructive ways with positive outcomes. The programme addressed the risks of sexual exploitation in relation to child heads of household, separated children, unattended young girls, socio-cultural beliefs about the use of sex in healing HIV, and the impact of ration cuts.

56. Age and gender analysis is vital to effective programming on these issues. While much of our analysis in this section highlights the need to include very young children in

work on sexual violence, exploitation and health, we found important gender differences in our Pakistan mission. Amongst refugee 'street children' in urban areas, boys were more at risk due to cultural views and the types of environments in which they work on the street.

Sexual and gender based violence (SGBV)

57. We found some impressive work on SGBV undertaken by various offices in the West Africa region and in Tanzania. We found UNHCR's approach to SGBV programmes to incorporate high levels of community ownership, training, and education, balancing work with individuals with work with the community. In Tanzania there was a clear understanding that addressing sexual violence must incorporate far more than a reproductive health approach – that justice issues, physical security, psychosocial and economic issues must be tackled together. Staff working with the 'security package',[27] SGBV lawyers,[28] protection assistants, the community services teams, including refugees themselves, teachers and local justice structures work in harmonization to maximum effect. The pilot project for youth peer education teams on HIV and other nascent youth clubs are vital early steps to improving the reach of this work to those who need it most: out of school adolescents.

58. Despite the interesting work being done in this area, gaps remain in applying guidelines and best practice. For example, some of the stronger elements noted above of SGBV work in Tanzania are not reflected in the West Africa region. In one incidence in West Africa, a massive relocation exercise initiated some excellent child protection safeguards, including the deployment of child and gender specialists, but completely missed some of the basic physical security lessons outlined in UNHCR's guidelines on sexual violence.[29] One of UNHCR's implementing partners finally identified and rectified flaws in camp design.

> The Tanzania SGBV programme faces formidable challenges.
> Rape statistics in Tanzania refugee camps for the April – December 2000 reporting period:
> * Out of 139 reported rapes around Kibondo, 61% of the victims were children; 10% were under the age of 12.
> * In camps around Kasulu, 30 out of 41 reported rape victims were children. Twelve of the victims were between 3 and 9 years old. 33% of alleged perpetrators were minors.
> * In Lugufu camp, 40% of assailants in reported rape cases were aged 12 to 18.

[27] The 'security package' of UNHCR's Tanzania operation comprises arrangements between the Office and the Tanzanian government, including military and police, to provide security and prevent militarization of the refugee camps. The 'package', costing some $1.5 million per annum, includes an allowance for the approximately 275 police deployed to the camps and an allowance and support for a team of 'civilian police helpers', *sungusungu*, of whom 25% to 30% are women, recommended by community leaders in each camp.
[28] SGBV lawyers are local, women lawyers hired by the programme to work with protection staff specifically on SGBV cases.
[29] UNHCR, 1995, "Sexual Violence Against Refugees: Guidelines on Prevention and Response".

Hopefully, efforts such as the March 2001 inter-agency conference on SGBV programmes[30] will contribute towards the exchange of experience and application of best practice in new and future operations.

59. The biggest disappointment in relation to the SGBV work seen in West Africa is that UNHCR's implementing partners in many countries have not extended their programmes to reach children, although it is clear that they are an age group that is highly vulnerable to sexual violence.[31] Indeed the prevalence of sexual violence against adolescent girls in West Africa is alarming. We found the orientation of most humanitarian staff and programmes to be counterproductive: the emphasis was on the difficulties of getting 'survivors' to come forward rather than starting with a psychosocial approach that avoided stigmatization and built relationships where women, girls and boys could begin to feel comfortable to seek help. The emphasis of SGBV programmes in West Africa on voluntary/self referral and on income generation activities expounds the exclusion of children.

60. Towards future practice, we found a positive example of including children and adolescents in SGBV programming in our Kosovo mission. In partnership with UNHCR, the Women's Commission for Refugee Women and Children and IRC supported a project where adolescents themselves interviewed their peers and prepared a series of recommendations to protect women and girls from sexual violence.[32]

HIV/AIDS

61. In the context of UNHCR's efforts to follow up the Machel Study, it is important to note that HIV/AIDs was highlighted as a new, critical concern in the Machel Review report.[33] Although HIV/AIDS work was discussed by UNHCR in certain circumstances, it was more difficult to see concrete efforts in field operations. We found that the limited HIV/AIDS work with children that was taking place, was overly focused on the formal education system. Furthermore, there was little evidence that the methods employed (often health lectures for large groups of children) would truly equip children to protect themselves. In focus groups in Liberia for example, only the few children who were involved in formal education or in the social clubs were reached on this issue and they were not the children most at risk. Further, the children who had been involved in the work on HIV/AIDS spoke of a lack of available condoms and of their peers who 'understandably' weighed the risk of hunger against the risk of contracting HIV.

62. Work on HIV/AIDS needs to be better incorporated into activities undertaken with refugee children. Experience in other settings has demonstrated the value of 'peer-to-

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[30] The report of this conference offers important lessons and resources, including annexes of a 'step-by-step' guide for protection officers and guidelines for community-based response. UNHCR, March 2001, "Prevention and Response to Sexual and Gender-Based Violence in Refugee Settings: Inter-agency Lessons Learned Conference Proceedings".

[31] The same oversight in extending sexual violence programming to children was highlighted in an evaluation of the Kenya Victims of Violence programme. IES, March 1996, "A Review of UNHCR's Women Victims of Violence Project in Kenya."

[32] A project report, "Making the Choice for a Better Life", 2000, can be obtained through the Women's Commission for Refugee Women and Children.

[33] "The Machel Review, 1996-2000", presented at the September 2000 conference on children affected by armed conflict in Winnipeg, Canada.

peer', or 'child-to-child', activities in HIV prevention. Formal and informal education systems have the potential to become the centre of non-stigmatizing HIV/AIDS awareness, prevention and care for all children and their families. This would include life skills curricula that offer nutrition and other survival skills.

63. We saw very little of such potential being explored or implemented during our field missions. However, some offices and organizations are beginning to look at more innovative ways of dealing with HIV/AIDS in a variety of refugee contexts. In this regard, we emphasize the importance of partnership and collaboration rather than a need for UNHCR to develop expertise on HIV programming. We are pleased to note two important steps at inter-agency partnership. First, a HIV/AIDs advisor seconded to UNHCR from UNAIDS helped develop a guidance paper issued this year: "HIV/AIDS Education for Refugee Youth: The Window of Hope". It should be noted that "Window of Hope" emphasizes the age group of 5 to 14 years as crucial to prevention, an age group often younger than reached by formal education-based HIV curricula. Second, and of growing importance, is UNHCR's participation in the UNAIDS Inter-Agency Task Team (IATT) on Children Affected by Armed Conflict.[34] Along with inter-agency partnership, the benefits of the IATT to refugee children will only be achieved through strong collaboration within the Division of Operational Support on cross-cutting issues as it is primarily the Office's reproductive health technical staff that participate in the HIV/AIDs work.

Recommendations

64. Work on sexual violence and exploitation with refugee children must be addressed more comprehensively. As such, it should emphasize: a) attention and advocacy on all risk factors including vulnerabilities to exploitation, b) education with an emphasis on informal modalities, such as theatre, that reach out-of-school youth, c) reproductive health, including HIV/AIDS and other sexual health issues and with special attention to access for adolescents, and, d) victim support approaches that emphasize appropriate community support structures and justice procedures.

65. The abuse and exploitation of refugee children by staff, including government, partner and national staff, is a serious concern that should be raised formally by protection officers in their work and should be explicitly addressed in agreements with government and NGO partners.

Education

66. The UNHCR policy and guidelines on refugee children, and the Office's priorities following the Machel Study, highlight the importance of education as a multifaceted response to meeting the rights and protection needs of refugee children. Indeed, shortfalls in education are directly linked to more acute protection problems of military recruitment, sexual violence and exploitation. Further, education is consistently a key issue in durable solutions.

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[34] The Inter-Agency Task Team on Children Affected By Armed Conflict, a task force of the UNAIDS Committee of Cosponsoring Organizations (CCO), is convened by UNICEF and had their first meeting in August 2001. Although UNHCR is not a member of the UNAIDS CCO, their participation in the task force on children in armed conflict is vital to future progress on this issue.

67. Bosnia and Herzegovina exemplifies a positive reflection of education as a protection issue. Responding to the importance of access to education for minority return, a protection associate has been devoted to work on issues related to access to education and other services. During the team's mission, this associate had begun to build links with the High Representative's education team, UNICEF, the 'repatriation and return cells' of UNHCR, and local authorities.

68. Education has fortunately seen some improvement in recent years. For example, the education unit of UNHCR estimates that 44% of the 5 to 18-year age group of concern to the Office[35] had their primary education needs met in 2000 as compared to 36% in 1993. Although obstacles remain in respect to donor government and host country government support for education, UNHCR's work with the Inter-Agency Network for Education in Emergencies (INEE) has contributed to progress in securing recognition and funding for education as a fundamental element to humanitarian response and refugee protection. Under the framework of the 1999 standby agreement between UNHCR and the Danish Refugee Council (DRC) and Norwegian Refugee Council (NRC),[36] education specialists from NRC have also contributed to recent progress in education.

69. We found an increased level of attention to education, at least in the form of verbal discourse, throughout UNHCR. In each of our field missions, children, parents, NGO and UNHCR staff, particularly community services staff, saw education as a priority concern. We found especially positive work on education in Pakistan and Guinea, but in most of our field missions, education was weak or insufficient and the resources allocated to education programmes did not match the importance with which education was supposedly held. One staff member asked "why do we say education is important if it is always the first thing to be cut when resources are limited? Why is it always community services that has to fight the proposals to make those cuts?"

70. Other staff pointed to the very minimal staff resources in education as a measure of the lack of commitment by the Office. There are only three international staff in education and the NRC resources have only been deployed in five countries. In light of the greater education expertise of other partners and agencies, including NRC, UNHCR would perhaps only need to increase education staff at the regional level in order to cover quality issues and refugee education leadership. Education quantity issues however require more consistent inclusion in Country Operations Plans and budgets.

71. Even in the most successful programmes, there are large numbers of children out of school who are therefore less likely to be reached by any number of interventions – health messages, recreation, psychosocial support, special feeding programmes and the role of education in social protection. Yet these are the very children who are likely to be most in need of the protections offered through such work.

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[35] As noted in the section on adolescents, education statistics have to be calculated based on the age group 5 up to 18 years because UNHCR's statistics do not provide a further breakdown that might be more reflective of primary school age children. On the other hand, it should be noted that young adults 18 years and over can sometimes also be found in primary education projects.

[36] "Agreement between the Danish Refugee Council, the Norwegian Refugee Council, and the Office of the United Nations High Commissioner for Refugees", October 1999. This agreement, overseen by the Emergency Preparedness and Response Section, also provides UNHCR with standby capacity in telecommunications, field security, logistics, protection and community services.

72. Informal education has huge potential as a vehicle for protection and operational efficiencies for children and communities. Child-to-child methodologies have proven especially effective and efficient in promoting nutrition and community health messages.[37] They also have significant 'side' benefits in that they provide refugee adolescents with a positive activity and role within their community. This requires that education be more consistently considered in its broadest sense rather than traditional primary schooling.

73. Another area requiring expanded attention concerns the incorporation of nutrition and life skills into education curricula. Linking life skills with nutritional support is one method of providing additional social and physical protection for particularly vulnerable groups of children – child headed households, children affected by HIV/AIDS, orphans etc. – without further stigmatizing them within the community.

74. We found key shortcomings in education to be in the areas of emergency education and secondary education. Shortcomings in the area of emergency education are of particular concern in view of the performance objectives adopted as part of the Office's Machel follow up strategy. The strategy called for 'rapid education' to be included in all emergency budgets and response.[38] In the most recent example, emergency education for the new emergency in Afghanistan and the sub-region was budgeted at a token $30,000.[39] Amongst our field missions, Guinea was the most recent emergency visited; education funds were insufficient despite having a track record of being one of most positive elements of the operation.

75. Insufficient access to secondary schools comprises another element illustrating shortfalls in work with adolescent refugees. Although unfounded in written communications, we found an impression amongst staff that the Office's 2001 exercise reviewing core activities 'deprioritized' secondary education while retaining primary education commitments. (See Chapter 3 for more on the prioritization exercise and impact on refugee children.) Statistics on secondary education being compiled by the Office's education unit indicate that 3% of secondary education needs are met in refugee settings as compared to 18% in the same developing countries.[40] This is contrary to UNHCR's long-established standard that education be offered to refugees at least at the level of the host country population.

76. UNHCR has supported scholarships for around 100 beneficiaries through the Houphouet-Boigny Peace Prize scholarships since 1998, but clearly this does not even begin to meet demand. A more significant contribution to secondary education, in the long term, will be the new Refugee Education Trust, an organization devoted to raising funds for post-primary refugee education. The trust will primarily aim to support teacher incentives and learning materials.

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[37] The ARC Community Mobilization resource pack has a reading on child-to-child approaches by the Child-to-Child Trust and describes their resource materials.

[38] Op. Cit. EC/47/SC/CRP.19, page 9.

[39] Comments from field staff in the process of preparing this report indicate that education received better attention in the first contingency plans but somehow fell to $30,000 in later documents and planning. In the first contingency plans, education was budgeted in scenarios of $540,000 for estimated needs of 20,000 pupils, $2.75 million for 100,000 pupils or $5.5 million for 200,000 pupils.

[40] In the context of the global challenge facing secondary education and the dearth of positive development opportunities for refugee adolescents, it is important to acknowledge that only primary education, to be free and compulsory, is obligated by the CRC [Article 28] and UNHCR's 1994 Guidelines, Chapter 9.

77. To turn to the positive example of the education work in Guinea, by UNHCR's partner IRC, over the last decade, it is an excellent example of what formal refugee education could encompass, and shows the importance of including parental concerns and active community engagement. Sierra Leonean and Liberian teachers and parents started the formal education systems in the refugee camps on a voluntary basis. Once the schools were in place, UNHCR support was enlisted and the school enrolment rose to 75,000 children in 135 schools. Enrolment of girls improved dramatically during the course of school development. This progress was disrupted by the relocation of refugee populations following disturbances in the Guinea border areas in late 2000. After the relocation, one of the first initiatives undertaken by the communities was to clear land and erect temporary structures so that classes could be held. However, despite UNHCR's commitment to primary education, throughout the decade of education work in Guinea, IRC has often had to seek other funding due to insufficient provisions by UNHCR.

78. Our field mission to Pakistan also found positive progress in education. UNHCR staff in Pakistan were proud to highlight that education comprises 34% of the budget. We would, however, caution the use of the budget percentage as an indicator of success in education. The percentage of school-age children actually attending school, differentiated by gender and education level, is rather the most important indicator.

79. Yet, Pakistan has achieved notable progress in recent years with current estimates that 50% of the children in the refugee villages go to school. In view of the considerable socio-cultural constraints, progress is especially notable in the access of girls to education. For example, UNHCR's partner in Baluchistan province, SCF-US, has increased the number of girls in primary education from 1,869 in 1997 to 5,117 in 2001. The number of boys increased from 5,700 to 10,475 during the same period.

80. Through UNHCR's partnerships with WFP and others, incentives to increase school enrolment, especially for girls, are often school meals or other commodities. These have been considered important factors in education achievements. The Office's efforts to address the sustainability issues inherent to such tactics and to guard against unintended consequences should be acknowledged. For example, if the school provides a snack rather than a family's expectations of a meal, an idea that was developed to protect the nutritional status of children, can end up endangering it instead.

81. We were also concerned to find insufficient cross-border or sub-regional approaches to education. One of the specific issues concerns the language of learning for refugee children. While the orientation of education to repatriation is often the most appropriate, many refugee situations continue for many years and the Office inadequately adjusts when local integration or other solutions become the choice. For example, most refugees in West Africa are from Sierra Leone or Liberia, where the language within schools is usually English, but many of these refugees are currently in Guinea or Côte D'Ivoire, where the language of instruction is French. Presently, decisions about language in refugee schools are being made on an ad hoc basis, but such decisions have major implications in terms of durable solutions. This is an old debate, but regular regional consultation on language issues, teacher training and accreditation would provide a mechanism to respond and adjust as refugee situations evolve. Tanzania provides an example where cross border cooperation, including with UNICEF, has led to educational benefits for Burundian and Congolese refugee children.

Recommendations

82. In view that education is a right of refugee children and is vital to their protection, at a minimum, adequate resources for primary education and informal opportunities for all refugee children should consistently be provided in all UNHCR programmes and budgets. This includes continuing the objective of ensuring emergency education in all initial emergency response.

83. The above recommendation emphasizes quantity issues in education. Adequate resources should also include specialist staffing resources at the regional level to support improvements on quality issues in education, emphasizing: increasing girls education, enriching education approaches with life-skills, peace education and child-to-child elements, addressing teacher training and material needs, and cross-border curriculum and accreditation issues.

84. The office of the Senior Coordinator for Refugee Children should facilitate consultation with NGOs experienced in child-to-child methodologies and support their incorporation in field operations. As emphasized in the section on adolescents, youth clubs provide an efficient and effective venue to redress post-primary education shortfalls and broaden the approach of education to include important life skill, health and personal security issues.

Prevention/monitoring of military recruitment

85. As noted in UNHCR's follow up strategy, the prevention of military recruitment of children from refugee camps was a key issue highlighted in the 1996 Machel Study. The use of children to perpetuate violence and conflict poses one of the most acute protection risks in face of insufficient attention to refugee adolescents. As stressed by one questionnaire respondent, "The priority must be to prevent the manipulation of children by factions. This is more than just about protection of the individual child – it is about long-term protection of whole societies". Indeed interviews in our field missions in the Balkans emphasized that youth are at considerable risk of manipulation and of perpetuating ethnic conflict. In Kosovo, the project with the Women's Commission for Refugee Women in Children was found especially valuable in giving youth a voice in how to address problems of insecurity in the future.[41]

86. The threat of forced recruitment is compounded by the danger of voluntary recruitment of children in camps when there is a lack of educational, vocational, economic or recreational activities, leaving children vulnerable to the blandishments of irresponsible adults. The link between opportunities for children and adolescents and their vulnerability to recruitment was often not found reflected in programming. However, we did find a positive example linking child protection work with prevention in Liberia. Prevention work drew on a Child Welfare Committee and youth 'social' clubs. Upon a blatant recruitment effort by an armed opposition group, the Child Welfare Committee and the youth social clubs visited each household to warn families and youth about recruitment efforts. In turn, UNHCR raised recruitment violations and concerns with government partners.

[41] Women's Commission for Refugee Women and Children, "Making the Choice for a Better Life: Promoting the Protection and Capacity of Kosovo's Youth", January 2001.

Unfortunately, the positive experience in Liberia was not taken up by other field operations in the sub-region, who all face child recruitment challenges.

87. Underscoring the importance of linking programme elements, in our Guinea mission, a new NGO in the camps was planning a special project for former child soldiers when there were strong education and psychosocial projects and partners who could have been more efficiently and effectively oriented to improve support to such youth in the camps. This would be the preferable approach in view of the strong risk of stigmatizing and creating vulnerabilities for former child soldiers with targeted special projects.

88. Just as more harmonized work with partners would improve response to former child soldiers in the camps in Guinea, more harmonized cross-border programming is also needed. UNHCR staff in Sierra Leone were struggling with how best to address former child soldiers identified at reception points for repatriating refugees. At the time of our field mission, the former child soldiers were being referred to the national child soldier demobilization programme in Sierra Leone. In most cases, this seemed ill conceived as one of the first steps of the national programme is family reunification and most of the former child soldiers amongst this population had already found family members and were seeking a quiet approach to reintegration.

89. While the majority of UNHCR's work concerning child soldiers may be on prevention of recruitment from camp environments, it is also important that field operations apply international standards of best practice.[42] We found confusion and inconsistent application of best practice as regards to which children comprised those recruited. For example, in West Africa, programmes seeking to support child soldiers excluded those who were not considered combatants, especially girls. In one field mission, a fifteen-year-old girl described being abducted by an armed opposition group at 11 years of age and held for four years. National NGO staff stated that she was not an ex-combatant because she had not fought and that she had not been sexually abused or sexually active because "she only did work in the home". When we discussed the situation further, given the plethora of information on the incidence of rape of young girls, the staff conceded that the girl had not been given an opportunity beyond her initial interview to discuss such issues and that the interview had been held by male workers.

90. Despite consistent expressions of concern by UNHCR staff and partners and the examples cited here, we found work with child soldiers and prevention of recruitment absent in many camp situations amongst our field missions. In some circumstances, the issue was denied or questions of combatants were considered not to be an UNHCR area of responsibility.[43] We are not advocating that UNHCR develop specialist expertise on child soldiers. Rather, more pro-active partnering efforts by the Office would more effectively cover the situational and programming relationships between combatants and refugees.

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[42] The 1996 Machel Study, pages 10-14, amongst other resources including ARC, provides an important reference on best practice in programming for child soldiers.

[43] In an example of a lost opportunity towards mainstreaming, a DIP note regarding combatant issues in refugee contexts in Africa made no mention of considerations for child combatants or related child recruitment violations known to be a frequent concern. "Guidelines on the issue of combatants and former combatants, with particular reference to the situation in Angola, DRC and Namibia", UNHCR, undated, internal DIP document.

Recommendations

91. Specialist staff, notably the Senior Coordinator for Refugee Children and Senior Regional Advisors for Refugee Children, and protection officers of UNHCR need to be more familiar with international best practice in work with child soldiers. They should particularly look to the ARC resource pack on child soldiers, UNICEF colleagues and other resources to improve their ability to provide guidance and other linkages on these issues to field operations. Further, protection or community services staff should participate in inter-agency workshops taking place at field level on work with child soldiers in order to more effectively include populations of concern to UNHCR in relevant programmes.

92. Related to previous recommendations, youth clubs and peer studies by children and adolescents are extremely valuable and should be supported.

Unaccompanied and separated children

93. Throughout our field missions and the questionnaire responses, there was strong recognition of the importance of separated children as a priority group. Of the five priority concerns identified for the Office's Machel Study follow up strategy, the issue of separated children has perhaps seen the most progress. Particularly since high levels of attention to the issue during the Great Lakes and Balkans emergencies, efforts to meet the protection needs of separated children have more consistently been included in UNHCR's emergency response and global operations. Another positive aspect of the Office's work on separated children is demonstrated by the increased utilization of the stand-by agreement with Save the Children Norway and Sweden for community services officers who are especially effective in establishing appropriate systems for separated children in emergencies.

94. However, we found continuing gaps in policy knowledge and practice. In one of the most striking examples, our field mission to Bosnia and Herzegovina found the field operation struggling to re-orient the work of an orphanage the field office had built in 1995. UNHCR's own guidelines are clear regarding non-institutional approaches: "The creation of orphanages should be discouraged."[44] Fortunately, more recently, UNHCR's partnership with Norwegian People's Aid for the orphanage has succeeded in shifting the function of the orphanage into an interim center for foster family placements and young, un-wedded mothers and their infants.

95. On the other hand, UNHCR had some positive experiences in regards to separated children in the Balkans in the mid-1990s. The guidelines on evacuation,[45] supported jointly by UNHCR and UNICEF, remain a vital resource internationally and the joint statements issued by UNHCR, UNICEF and the International Committee of the Red Cross (ICRC) regarding evacuation and the adoption of unaccompanied children[46] were

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[44] 1994 Guidelines: "…institutional placements, such as orphanages, should be avoided as they generally cannot provide for children's developmental needs nor for their social and cultural integration into society. The creation of orphanages should be discouraged.", page 128.

[45] Everett M. Ressler, 1992, "Evacuation of Children from Conflict Areas: Considerations and Guidelines", Geneva: UNHCR and UNICEF.

[46] Internal guidelines issued by DIP on adoption have also been a highly important step by the Office regarding complex protection issues for refugee children. Cfr. IOM/59/95/FOM/62/95, 22 August 1995, "Adoption of Refugee Children".

highly effective in addressing these complex issues. Yet repeated efforts to promote and ensure the application of international standards have been necessary. During the Kosovo operation in 1999, it was necessary for the Department of International Protection and Division of Operational Support to remind field operations of policies and standards in regards to evacuation, the creation of institutions for separated children and the importance of birth registration.[47]

96. Throughout our evaluation, we found the most consistent gaps regarding work with separated children to concern the roles of different agencies, appropriate interim care arrangements and cross-border or sub-regional programme approaches. On issues of the roles of different agencies, for example, in our Tanzania field mission, both UNHCR and UNICEF staff expressed frustration with more than four years of shortfalls in family tracing work by the Tanzanian Red Cross Society (TRCS), working under partnership with ICRC. Significant local efforts had been made, including a series of local Memorandums of Understanding since 1997.[48] But shortfalls continued, as did frustration with ongoing shortfalls in the TRCS. Yet we found a lack of awareness that UNHCR also had leadership responsibilities in ensuring effective work with separated refugee children or that mandate, policy and practice require supplementary roles from UNHCR and UNICEF to those of ICRC. Furthermore, these issues have been insufficiently followed up at the regional and headquarters level.

97. We were disappointed to find guidance and clarification on the roles of different agencies absent in the forthcoming "Inter-agency Guiding Principles on Unaccompanied and Separated Children".[49] Nonetheless, these guidelines will provide an important extension of the guidance currently available through UNHCR's 1994 Guidelines, the 1996 UNHCR/UNICEF Priority Actions Handbook on Unaccompanied Children and other guidelines and reference materials, including those published by NGOs with specialist expertise in this field.

98. Under international humanitarian law, refugee law and child rights law, separated children enjoy special protection. The organizations mandated under this legal framework have overlapping mandates and responsibilities in regards to separated children. ICRC has a particular mandate for cross border tracing and reunification, but UNHCR also has a particular mandate for refugee children and UNICEF has a mandate to promote the care and protection of all children. Of particular note, ICRC, and many NGO partners, may only undertake technical roles regarding family tracing while UNHCR, UNICEF and government partners have broader responsibilities concerning care and long-term decision-making for separated children. Working in cooperation with governments is an essential obligation of this framework. Effective partnership is essential to ensure all separated

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[47] "Critical issues relating to women and children", April 1999, Memorandum to UNHCR Albania, Macedonia and Montenegro offices from Erika Feller, Acting Director, DIP, and Amelia Bonifacio, Director, DOS.

[48] "Guidelines for Tracing and Family Reunification in Tanzania", agreed between UNHCR, UNICEF, ICRC, Tanzanian Red Cross Society and community service NGOs, 15 October 1997. And comprising a revision of these 1997 Guidelines: "Memorandum of Understanding on Tracing and Reunification of Separated Burundian Refugee Minors in Western Tanzania between UNICEF, UNHCR, and ICRC", signed 25 September 1999. The next revision was March 2000: "Guidelines for Tracing and Family Reunification of Refugee UAMs in Tanzania: A Joint Programme of UNHCR, UNICEF, ICRC, TRCS, and community service NGOs."

[49] The forthcoming "Inter-Agency Guiding Principles on Unaccompanied and Separated Children" are to be issued as a joint publication by the International Committee of the Red Cross, UNHCR, UNICEF, International Rescue Committee, Save the Children Fund – UK, and World Vision.

children under 18 years are identified, provided appropriate care and have their best interest pursued through to durable solutions.

99. Returning to the example of Tanzania, this is important as one of the obstacles to the work with separated children include differing age criteria between the agencies. ICRC set an age limit of 16 years for Rwandan separated children and 15 years for Congolese separated children. UNHCR and UNICEF, and most other organizations and local partners, include all separated children less than 18 years in accordance with the CRC. This, and differing definitions concerning tracing for separated children who may currently be living with extended family members or neighbors, and therefore 'accompanied', are common issues of variance between agencies working with separated children. More positively in Tanzania, work with separated children was reported to have improved since UNICEF undertook lead responsibility for the Burundian caseload in late 1999 and a new agreement was signed by all agencies in 2001.[50]

100. Complementary roles are also vital to appropriate interim care of separated children, the second consistent gap we found in our field missions. Staff often expressed concern about work with foster families. In a positive finding in our Tanzania mission, UNICEF had supported a team of trainers to work with UNHCR community services teams and partners on issues with foster families.[51] Some early progress on policy and practice in this area has also begun in Rwanda, particularly by the NGO Concern Worldwide, but their experience has not been shared more broadly. Such exchange of programme experience is an especially important role of specialist staff such as the Senior Regional Advisors on Refugee Children.

101. As noted, the third consistent gap found in work with separated children concerns cross-border, sub-regional work with separated children. In some cases, shortcomings arose because of different partners leading family tracing work in different countries. But UNHCR needs to play a more active leadership role in setting policies and systems for cross-border and regional work. Expanding collaboration and support from UNICEF is also vital to the improvements needed in this area of work. There are some aspects of UNHCR field operation systems that seem to inhibit cross-border harmonization. In West Africa, some staff had made efforts to investigate how UNHCR registration systems could better harmonize with family tracing work but results and progress were slow. In other instances, field operations simply seemed to have a narrow conception of their 'area of work' rather than incorporating the broader dynamics of the population of concern.

Separated Children in Europe Programme

102. The Separated Children in Europe Programme (SCEP), launched by Save the Children Alliance and UNHCR in 1999,[52] provides an example of an effective, regional approach to ensure international protection of separated refugee and asylum-seeking

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[50] "Mode of Operation for Tracing and Family Reunification Activities in Tanzania Refugee Camps", UNHCR, ICRC and UNICEF, revision as of May 2001.

[51] Following a two week workshop, the foster family training has produced a manual: "The Training Manual For Refugee Social Workers In Training Of Foster Families At Refugee Camps", 2001, by A.S.T. Mchomvu and C.C. Njimba with the National Social Welfare Training Institute.

[52] International Save the Children Alliance and UNHCR, *Building Links Across Europe,* Programme Partnership agreement, December 1999.

children. Further, 'cross-border' exchange of experience has been extended to countries outside of the European Union through individual staff efforts with the Canada Bureau Office and through a recent conference[53] on separated refugee children in the United States.

SCEP has achieved a good deal in a short period of time:

The Statement of Good Practice, published jointly by Save the Children and UNHCR in 1999, covers principles and practice points based on the Convention on the Rights of the Child, Refugee Conventions and others. The Statement has been translated into fourteen European languages and has become an acknowledged reference document for European governments in their asylum processes as regards separated children. A network of NGOs across Europe, largely the initiative of Save the Children Alliance, support the efforts to build capacity and monitor the protection of separated children. This network has been instrumental in preparing 28 country analyses. Two summary reports have been produced: one for 17 Western European countries and one for 11 Central European and Baltic states. Lobbying the European Commission and Parliament to incorporate the rights of separated children during this important period of harmonization of European asylum policy has begun to see some success. In France, a judge cited the Statement in making an asylum decision. In Greece and Austria, the government has established reception centers for separated children. A training programme has been established to sensitize UNHCR, NGO and government staff to the rights of separated children. A number of local training events and four 'training of trainers' workshops have been held to date.

103. The founding of SCEP was driven by the war in the Balkans when thousands of children were taken outside the country without adequate records to ensure their family reunification. Growing concerns over insufficient capacity on the part of social agencies, child paedophile rings and an estimated 100,000 separated children, most smuggled or victims of trafficking, contributed to the need for comprehensive policy and follow up for separated children.

104. SCEP also provides an example towards effective 'mainstreaming' of refugee children's concerns. Through the Training of Trainers programme and a series of country visits by the programme coordinator, UNHCR is working to sensitize staff and improve work on separated children in 28 countries across Europe. This has been vital towards making a reality of UNHCR's 1997 "Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum." Refugee Law Trainers in Europe have been

[53] June 2001 conference in Washington DC: "Trans-Atlantic Workshop on Unaccompanied/Separated Children: Comparative Policies and Practices in North America and Europe", Georgetown University.

included in the Training of Trainers programme and the UNHCR SCEP programme coordinator has had the support of the head of the Bureau and other managers.

105. On the other hand, concerns over sustainability remain and the SCEP partnership with Save the Children Alliance underlines some of the difficulties that UNHCR experiences in partnerships.[54] (A later section takes up partnership issues further.) Funding is due to be phased out during the end of 2002. Sustainability is being undermined in that investments in training are being lost to staff cuts and it remains unclear if progress will continue without the coordination and impetus of the UNHCR and Save the Children Coordinator positions.

106. One difficulty in the partnership was that UNHCR had agreed to dedicate a staff member to the programme but did not fill the post for the first two years. Since the UNHCR staff member came into post in September 1999, relations have improved and UNHCR has been more dynamic. However, other difficulties in the partnership include an overall lack of transparency on the part of UNHCR and the sense that there is a need for UNHCR to have a dominant position in joint publications and activities. Save the Children Alliance was especially frustrated with the length of time required to have joint texts approved by the Office, resulting in one case with UNHCR's late withdrawal from an important, jointly commissioned publication.

Recommendations

107. A priority emphasis of the Senior Regional Advisors over the next two years should be the improvement of regional and sub-regional approaches to work with separated children; in particular the establishment of cross border tracing systems and facilitating consistent collaboration and understanding of roles between UNHCR, UNICEF, ICRC and relevant NGOs and government agencies.

108. The current project of the RCCU and the Lutheran Immigration and Refugee Service to document work on interim care and foster families should be linked with the similar project being conducted by Save the Children and widely disseminated to protection and community services staff at the field level. While the implementation of ARC will provide a vehicle of dissemination, it is vital that the lessons learned and guidance from these initiatives reach front-line staff more quickly.

109. UNHCR and Save the Children need to ensure that SCEP has a timeframe of two to three more years in order to: a) complete policy and advocacy work in harmonization with the European Union and Parliament, b) consolidate that work with training reaching national legal, judicial and social workers, and c) expanding the involvement of NGOs and key agencies to continue the sensitization work and monitor the implementation of policies for separated children and child asylum seekers.

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[54] See *Programme Review Report*, Save the Children and UNHCR, Separated Children in Europe Programme, January 2000. Other SCEP programme documents and reports can be accessed on the project's website: www.sce.gla.ac.uk.

Other priority issues

110. As addressed above, child protection issues other than the five priority themes of the Office's follow up strategy to the Machel Study may be more important in a given context or over time. This section spotlights a number of specific child protection issues consistently emphasized in our field missions and by questionnaire respondents:

- Birth registration;
- Durable solutions;
- Status determination;
- Trauma and psychosocial well-being;
- Child labour and abuse;
- Harmful traditional or socio-cultural practices; and,
- Detention.

111. As noted earlier in this chapter, birth registration was noted by 37% of the questionnaire respondents to be a missing issue of priority concern. Indeed, birth registration is a fundamental starting point towards ensuring a refugee child's right to identity and status and is in turn linked to a host of other protection issues. Shortfalls in birth registration are not a matter of insufficient guidance from the Office; the 1994 Guidelines provide a clear step-by-step process and describe various mechanisms.[55]

112. Amongst our field missions, Pakistan presented the most egregious example of shortfalls on birth registration. In a field operation of some 20 years and an estimate of more than two million refugees, the Office has never been able to persuade the government to register refugee births nor provided alternative forms of birth registration.[56] Hundreds of thousands of children have never seen their country of origin and have become a 'shadow' population. Constraints to birth registration have largely been on the side of the host government and local authorities but alternative measures through NGOs and health partners could have contributed a great deal to minimizing the problem.

113. Birth registration presents an issue of special note for expanding collaboration with UNICEF and host governments. As a host government should normally address birth registration, UNICEF's programme of cooperation with a host government may provide an important vehicle of support even if practical and financial inputs may still be required of UNHCR.

114. Insufficient consideration of durable solutions for refugee children is another fundamental concern throughout the Office. Although questions of education and separated children are frequently addressed in repatriation planning, we found the perspective of durable solutions to rarely feature in actions for refugee children at earlier stages. Taking a longer-term, child-welfare perspective is vital to the full development

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[55] 1994 Guidelines, page 105. The ARC International Legal Standards resource pack also expands on this guidance.

[56] The 2000 Annual Protection Report for Pakistan simply states that UNHCR will continue to study the feasibility of birth registration for refugees.

needs and rights of children and becomes particularly crucial in decision-making for separated children.

115. The fundamental principle of the best interest of the child guides all actions and decisions but may be confusing because of the complexity of factors to weigh in determining 'best interest'. For example, in our Tanzania mission, staff raised concern regarding the 'dilemma' of Congolese refugee foster families arriving with Burundian unaccompanied children, following earlier conflicts and patterns of displacement. An important principle of work with separated children cautions against placing unaccompanied children with host country foster families. However, in this situation, the best interest of the child was, in most cases, to leave the Burundian child with the Congolese family. Not only does the Congolese family retain the most comprehensive knowledge of the child's identity and original displacement circumstances, but also the relationship developed between the child and foster family is essential to their protection and best prospects for development. That does not preclude the potential of tracing prospects amongst the Burundian refugee population in Tanzania. The frequent complexity of best-interest considerations for refugee children underscores the need for quality protection and community services staff as well as ensuring that specialist staff, partners and experts are made available.

116. UNHCR's recent protection work on best interest determination (BID) for Sudanese unaccompanied children in Kakuma refugee camp provides important lessons for future work.[57] Choosing third-country resettlement as the durable solution for some of the unaccompanied children is rarely considered in the best interest of refugee children, but the cases of many of the Sudanese unaccompanied children had become protracted with no solution. In the context of global work with refugee separated children, this is also a rare example of a child-specific BID process.

117. Ironically, the BID process, which was established to make resettlement decisions, exposed weaknesses from the last decade of work with separated children in the sub-region. Simultaneous to the BID process, a multi-agency, mass-tracing effort was launched between camps and sub-regional countries for all Sudanese unaccompanied children. Of positive note, the mass tracing effort followed an inter-agency, regional meeting on unaccompanied children, active technical support from the Senior Regional Advisor on Refugee Children and the effective use of specialist consultants. This also underscored the role of BID processes for wider child protection work rather than simply being a tool for resettlement. The planned evaluation of the BID process by the Office's resettlement section has not yet begun but it will be essential for UNHCR to widely disseminate the lessons learned for future application.

118. The status determination of refugee children, especially separated refugee children, presents issues that staff felt received inadequate support and resources from the office. Status determination procedures generally were criticized by some staff as insufficient on child-specific protection issues. While an assessment of the Office's recent Refugee Status Determination (RSD) project and procedures were beyond the scope of this evaluation, we were able to make some observations as to the incorporation of child

[57] The story of some 5,000 unaccompanied boys arriving to Kakuma, Kenya, "the lost boys of Sudan" between 1992 and 1994 and the resettlement of many of them to the United States in 2000 and 2001 has received wide press attention. Our field missions did not include Kenya but we were able to meet with the Senior Regional Advisor for Refugee Children based in Nairobi, review her mission reports, consultant reports and other documents from partners to the Kakuma programme.

protection concerns during our mission to Pakistan. Some staff involved in the RSD project recognized the importance, as a tool of refugee protection and information gathering, of identifying protection risks through the interviews. The link between information gathering and protection work, on such issues as forced recruitment, child labour and trafficking, is indeed vital but this needs to be more systematic and proactive, including the involvement of community services and NGOs. RSD staff in Pakistan confirmed that unaccompanied minors were a priority for RSD interviews and that caseworkers were encouraged to look at child-specific protection issues within a family interview[58] but we were not able to extend our evaluation to review this in practice more globally.

119. A number of UNHCR staff expressed concern that issues of trauma and psychosocial support were inadequately addressed by the Office. Rather, we found elements of psychosocial approaches to often be present in community services programming. Where community services featured strong community mobilization and networks, the fundamental role of families, communities and culture as psychosocial support was an inherent part of the response to refugee children. We found the 'JEN' network in Serbia and the refugee community workers working with community services teams in Tanzania to be especially good examples of where psychosocial support was an integral element of community mobilization. (These networks are described in the section on partnerships in Chapter 3.)

120. Some of the viewpoint that trauma and psychosocial response is inadequate stems from assumptions that trauma-specific approaches are needed. On the whole, this is an area where the majority of staff, both national and international, needs better orientation. Indeed, the 1996 Machel Study itself emphasized that the trend of expanding 'trauma' programmes was often inappropriate in view of cultural and other factors for displaced and war-affected children. Such international best practice principles need more consistent application in UNHCR programmes.

121. As concerns resources for the application of international standards and best practice, this is an area where expanded collaboration with UNICEF and key NGOs would be especially beneficial. Ensuring appropriate psychosocial supports features amongst UNICEF's "core corporate commitments" in emergencies as further discussed in Chapter 3. In addition to expanding collaboration, the most effective and efficient way for UNHCR to improve its role on psychosocial support concerns is by ensuring the consistent presence of community services and education functions in field operations.

122. Amongst the nine field operations we visited as part of our field missions, only Guinea featured specific psychosocial programmes, both led by international NGO partners.[59] Fortunately, both of these programmes were very much geared to children and emphasized culturally appropriate support and healing processes. Unfortunately, UNHCR support for these programmes had recently been cut in recent budget cuts and the NGOs were struggling to raise alternative funding.

123. Child labour and abuse were consistently raised as issues of special concern throughout our field missions. While some child labour, abuse or exploitative practices may have existed before flight, the refugee experience often exacerbates poverty and the degree

[58] This guidance is in accordance with the 1994 Guidelines, Chapter 8.
[59] The NGOs were CVT, a division of the Center for Victims of Torture, and Enfants Refugiés du Monde.

to which families depend on the economic roles of their children. It is true that child work is not always abusive or exploitative and in fact can contribute positively to their learning and development. However, refugee circumstances create specific vulnerabilities to abuse and exploitation for children. This can range from an increase in domestic violence to exploitive labour to trafficking and links to issues of detention.

124. For example, in our Tanzania mission, field staff of UNHCR and UNICEF were investigating a number of cases where refugee children had been coercively recruited to work on large, distant tobacco farms in conditions of indentured servitude. Refugee youth are vulnerable to such recruitment because of the untenable combination of ration cuts and government restrictions in either subsistence farming or opportunities outside their camp. In a positive reflection of management support, it was a UNHCR head of sub-office who pushed staff and partners to improve the protection of separated children when the child labour cases were found, in part, to be related to cases of 'missing' unaccompanied children.

125. In our Pakistan mission, little support was being extended to the high proportion of refugee children among street children. While the policy has recently begun to change, UNHCR policy not to assist or protect the urban caseload has in effect ignored, or defined away, the plight of urban refugee children. Further, in our interviews, local human rights and government staff strongly advocated that UNHCR protection staff address the number of cases of refugee children in prison. Most refugee children in prisons were subject to arbitrary arrest or detention for minor infractions related to their undocumented status[60] and work on the street. Many of these refugee children were Afghans of ethnic minority and thus faced a host of discriminatory abuses. A number of NGOs – namely Save the Children and some very dynamic refugee and Pakistani local NGOs -- were working to advocate for street children and provide them with part-time informal schooling and other supports. These organizations provide an important network for UNHCR in reaching urban refugees. However, when UNHCR Pakistan has proposed adding financial support to work with urban refugees, this has regularly been the first victim of budget cuts as country plans have been finalized with headquarters.

126. Harmful traditional or socio-cultural practices, such as early marriage and circumcision rites, often present complex challenges to UNHCR staff working with refugees and have frequent overlaps to issues of exploitation and abuse. We did not encounter any specific projects in the course of our evaluation, but work on these issues may be more feasible than imagined. In focus groups where early marriage was reported to be a pattern, girls themselves all expressed the view that they wanted to wait until 18 and even 25 years to marry. This illustrates that there may be more opportunities to address such complex issues than imagined. One questionnaire respondent proposed that work by implementing partners and the Church in Kenya be documented as an example of good practice.

127. Sensitivity by UNHCR staff and programmes to socio-cultural issues generally requires careful work with national staff and partners. In fact, the multi-national and multi-cultural composition of UNHCR is a factor in how the Office's policies relate to one's personal experience and will require time and discussion by management in each office. In a positive example from our Pakistan mission, a comparative analysis of the Convention on

[60] Since 1997, Afghans in Pakistan were no longer considered *prima facie* refugees.

the Rights of the Child, Islamic law and local laws[61] proved to be very helpful to staff and partners working to promote girls education and other child protection goals in the face of numerous constraints.

128. Both child labour and abuse and harmful traditional practices are complex issues that require regular discussion between protection, community services and other staff with national staff, partners and refugee social animators.

129. Often related to child labour, the detention of refugee children and their interactions with the justice system are often overlooked issues. Refugee children working on the streets and with precarious status are especially vulnerable to arbitrary arrest, ill-treatment, violence, exploitation, trafficking and the influence of armed groups. They are often un-represented in the justice system. For example, while the SGBV programme in Tanzania is of very high quality, the representation and treatment of minor offenders remains an outstanding concern. While this is a concern with the justice system in a great many countries, the role of the UNHCR 'security package' in the case of Tanzania augments the Office's responsibilities.

130. The detention of refugee children by Australia, the United States of America and other western governments as part of asylum practice has been a particularly urgent issue for UNHCR advocacy and intervention. On the other hand, we found some of the most positive examples of UNHCR's recent work with refugee children to be on this topic. The 1997 "Guidelines on Policies and Procedures in dealing with Unaccompanied Children seeking Asylum" have been well-received and the Separated Children in Europe Programme has accomplished a good deal in mainstreaming such concerns in Europe. Similarly, UNHCR offices in Canada and the United States have included such concerns as priorities for their work.

Conclusion

131. All five priority issues of the Office's follow up strategy to the Machel Study and other child protection issues highlighted require increased attention and improvements in programming approaches. As a priority:

- Statistics and data collection should be disaggregated by under 5, 5 to 9 years, 10 to 14 years and 15 to 18 years in order to improve the degree to which the protection needs of adolescents are addressed by the Office;
- Education budgets and programming approaches should be broadened to include non-formal opportunities for all adolescents, with special consideration for youth clubs and expanded curriculum linkages to sexual and reproductive health and life skills; and,
- Specialist staff, in particular Senior Regional Advisors for Refugee Children, should concentrate on improving cross-border and sub-regional policy, programme and partner harmonization and exchange of programme experience with an emphasis on separated children issues and resources for education.

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[61] Save the Children Sweden, Peshawar, 1994, "The United Nations Convention on the Rights of the Child, Islamic Law and Pakistan Legislation: A Comparative Study", by Shaheen Sardar Ali and Baela Jamil, the latter a UNICEF staff member.

132. A 'back to basics' approach is needed to emphasize the holistic nature of the 1994 Guidelines and CRC. As such, the practice of reporting on activities relating to refugee children under the rubric of 'follow up to the Machel Study' is helpful. The performance objectives of the Office's follow up strategy to the Machel Study should be refined and incorporated as part of UNHCR's mainstream programme planning and reporting. The findings and recommendations of the 1996 Machel Study itself should continue to be regarded as international standards of best practice and guidance to UNHCR, but the Office's energies should be on concerted implementation of the 1994 Guidelines.

3. Obstacles to implementation

133. As stressed in the introduction, shortfalls in meeting the protection needs of refugee children stem more from organizational and management issues than the Office's policy or strategies specific to refugee children. We found organizational issues to hamper the efforts of many individuals to make a reality of the protection of refugee children. Implementation of any policy is made possible by dissemination, clear accountabilities and ensuring understanding and incorporation throughout the Office.

134. We were requested to assess implementation of UNHCR's policy and guidelines on refugee children within the context of "a broad range of organizational issues, including those of compliance, monitoring and reporting, staffing, training, resource mobilization and allocation, organizational structure, internal communications, partnerships and inter-agency coordination". (See Annex 2) We found these organizational issues to hinge on two larger categories:

- Accountability -- management issues, staffing and resource allocation, and tools for planning, monitoring and reporting; and,
- The dilemma of mainstreaming -- the role and balance between generalist and specialist staff and related components of training, partnership and collaboration.

135. This chapter starts with our findings on dissemination of the children's policy and guidelines, as a precursor to implementation.

Dissemination

136. Dissemination of policy and guidelines is the first step towards compliance and implementation. The evaluation team was requested to "assess the awareness and understanding of UNHCR policy at the senior management and headquarters levels, at the operational level and among partner organizations."[62] Overall, while awareness that children are a 'policy priority' is high, we found awareness of actual policy on refugee children more varied. We found the greatest shortfalls in the dissemination of policy to the field and amongst partners. Most specifically, national community services and protection staff, local partners and local governments were found to have the least access to the 1994 Guidelines.

Headquarters level

137. We found virtually all senior management staff at Headquarters level to have a good knowledge of the existence of the policy for children. It is difficult to estimate the

[62] Recall from Chapter 2 that 'policy' is considered inclusive of the 1993 Policy on Refugee Children and other guidelines of the Office relevant to refugee children.

extent to which this has improved, however, there is an overall impression that awareness is gradually increasing. Towards demonstrating understanding of the policy, some departments have taken important steps to incorporate the children's policy into their work since the 1997 children's evaluation:

- The Inspector General's Office introduced child protection points into an internal checklist used for field inspection visits;
- The Human Resources Department revised the indicators for competencies in the Career Management System (CMS) in relation to the policy priority on refugee children;
- The Europe Bureau, with the Senior Regional Children's Advisor, adopted a checklist to appraise Country Operation Plans (COPs) and Annual Protection Reports (APRs) in relation to child protection; and,
- Some of the new training programmes, especially the Protection Learning Programme, have incorporated child protection issues and are proving very useful in the field.

Operational level

138. Variations in awareness and understanding of the children's policy are starker at field level. One staff member observed simply: "Most staff members are not aware of the guidelines." While this was a frequent perception conveyed in our interviews, questionnaire results found only 24% reporting a weak awareness of UNHCR's policy on the part of their colleagues. Other staff members in interviews commented that awareness had increased by virtue of the constant statements from headquarters that children are a 'policy priority', but that understanding and implementation at field level remained quite poor.

139. Towards promoting awareness and understanding on child protection issues, shortfalls in dissemination of policy and guidelines at the operational level are frustrating to many at headquarters. For example, they query how thousands of copies of the 1994 Guidelines can be printed and yet staff in field operations don't have them.[63] Indeed, throughout our field mission interviews, we found most staff, at every level, to be unfamiliar with the Office's guidelines on refugee children. Yet in some cases, we found the 1994 Guidelines to be available on the shelves of either international protection or community services staff in the same office.

140. The Refugee Children Coordination Unit is not the only specialized unit at HQ level that aims to disseminate policy and guidelines: the Department of International Protection (DIP) and the refugee women/gender equity, environment, education, health and other technical functions are in the same position. Senior management, the Division of Operational Support and DIP all need to work on more coordinated, joint approaches to dissemination.

141. This is important in an organization that tends towards competition for time and resources for each specialist area. As portrayed in the previous chapter regarding the volume of guidelines, UNHCR field staff are overwhelmed with written communication. Indeed, the 1997 children's evaluation noted that the Office had more than 1,100 pages of

[63] The original publishing of the 1994 Guidelines included 5,000 English and 2,000 French for distribution to all field offices and major partners. Communications with headquarters report that an additional 5,000 were printed a few years later. In 2001, a further 3,000 copies were printed and distributed.

guidelines pertaining to refugee children. Since then, with the development of the ARC resource packs, SCEP materials and other new guidelines and reference booklets, that volume of guidance material has trebled.

142. A direct approach to dissemination is more powerful. The best opportunity within the UNHCR structure is likely to be through the Desk Officers and Senior Regional Advisors within the Bureaux. The Desk Officers work with all field offices on a regular basis and can take a holistic approach to dissemination of all policy priorities. However, in order for desk officers to play this more direct role, many need a more profound understanding of children's issues through tailored training. (These issues relate to the Office's objective to 'mainstream' the policy priorities and are discussed further later in this chapter.)

143. The impact of the direct, field-based approach to dissemination is borne out by the experience of Senior Regional Advisors who spend a great deal of time working with specific field operations. In the Commonwealth of Independent States, for example, questionnaires reflected a strong knowledge and commitment to children. This is felt to be due to pro-active support for the policy on children by management of the Europe Bureau and the role of the Senior Regional Advisor.

Partner agencies

144. The view from questionnaire respondents is that donor governments, UN agencies and implementing partners have a better knowledge of UNHCR policies for children than host governments and refugee populations. Seventy-two percent considered that implementing partners have a good or adequate understanding of UNHCR child protection policies, while this figure is 69% for other UN agencies and 65% for donor governments. In relation to refugee populations and host governments, the figures fall to only 36% and 35% respectively.

145. However, we have some doubts about the extent to which implementing partners are aware of UNHCR's policies and guidelines. Field visits consistently demonstrated that most implementing partners had not seen the 1994 Guidelines. This is especially the case amongst national NGO partners, who in turn expressed great appreciation at even learning about such guidelines through our visits. Most implementing partners considered they had a better grasp of UNHCR's administrative and financial expectations and procedures than their policies.

146. The 1997 children's evaluation proposed that compliance with the policy and guidelines should be an obligatory sub-clause in agreements with implementing partners and that all should be provided with at least one copy of the book. This has not happened and would be an inexpensive measure to pursue. As a further step, producing a one-page summary highlighting key protection points for refugee children would contribute to 'mainstreaming' children's needs in sectors which would be less likely to take the time to refer to the full 1994 Guidelines book. This would include registration, water and sanitation, health and nutrition, food aid, logistics and camp management partners.

147. As key partners in programmes for refugee children, much more work should be done in dissemination of UNHCR's policies and guidelines to host governments and refugee populations. Several questionnaire respondents mentioned that this investment is worth

making as their experience with ARC demonstrated progress on child protection issues where host governments and refugees were included in training events.

Recommendations

148. At operational level, much work is needed in dissemination. This requires several forms:

- ARC training is needed in a variety of formats for a wide range of UNHCR staff, refugee communities, government personnel and partner agencies;
- A sub-clause should be included in agreements with partners on compliance with the policy. Relevant policies should be listed in sub-agreements and distributed as part of concluding and signing partner agreements. DIP and the Senior Coordinator for Refugee Children should develop a one-page reference document on key protection issues for refugee children, emphasizing a holistic view of the Office's mandate;
- Desk officers and regional specialist staff should conduct short meetings to disseminate the policy and guidelines and debate their application throughout field operations. This should be done with UNHCR staff as well as host governments and other partners; and,
- Annual review meetings between all partners in a field operation should be required in the COP and APR process and should feature distribution and discussion on the guidelines and policy on children.

149. We recommend that a concerted effort and commitment of resources be made over the 2002-2003 period to disseminate the current Guidelines and ARC resource materials. A priority for dissemination of the 1994 Guidelines should be national community services and protection assistants and implementing partners including local authorities and NGOs. Representatives and chiefs of missions should be required to report on who received the guidelines through the 2002 – 2003 Annual Protection Reports.

150. With regard to the ARC resource packs, both in CD-ROM and printed format, each field operation should have access to a minimum of two full sets, in either English, French or Spanish as most relevant. The community services and protection officers should then be responsible for sharing individual resource packs amongst government and NGO partners.

Accountability

151. We found an overall lack of accountability within UNHCR to be a major barrier to implementation of policy and guidelines on refugee children. This was underlined throughout our questionnaire, interviews and discussions with the steering committee. In the words of one questionnaire respondent: "UNHCR does not need new policies, there should be monitoring and enforcement through inspection/technical support/protection audit. Managers should be familiar with the policy and headquarters should ensure implementation." The 1999 compliance survey concluded " … policy compliance is often a function of the staff's goodwill rather than established accountability".[64]

[64] 1999 Compliance Survey.

152. To unpack the issue further and identify possible ways forward, we address accountability according to precepts under which UNHCR has defined effective accountability:

- Definition of responsibilities and authority;
- Appropriate resources and support;.[65] and,
- We add management tools for planning, monitoring and reporting as they form the Office's management system through which accountability is to be upheld.

Definition of responsibilities and lines of authority

153. When asked 'who is responsible for making this [the policy priority on children] happen?', the response tends to be 'everyone!'. In other instances, the response tends to 'senior management'. This allows for diffusion in accountability.

154. We found difficulties in both individual and organizational accountability. As to individual accountability, many staff felt that while those in management roles are ultimately responsible for ensuring the implementation of policy, organizational culture permitted a lack of individual accountability. The examples given by some in headquarters concerned instances where they found that field staff had not implemented instructions or guidelines simply because they did not have time to read them or chose not to for other reasons. The 1999 Compliance Survey cited the example of non-accountability whereby the majority of field operations did not respond to the High Commissioner's 1997 directive[66] to prepare action plans on the Office's follow up strategy to the Machel Study. Offices simply felt that the directive did not apply to their operation.

155. On the other hand, others were concerned about the tendency for staff to turn to colleagues at headquarters for instruction rather than determining their own role and action. One member of the steering committee recounted an example from his experience as head of a field office. In this example, a field officer came to him with an urgent concern regarding a case of forced, early marriage. While the orientation of the field officer was to write to regional and headquarters staff for guidance, the steering committee member asked him first to consult guidelines and references at their disposal in the field office. Finding some ideas in the 1994 Guidelines and other resources, they were able to address the case in a much more timely manner.

156. A number of staff felt that improvements in individual accountability would require more serious sanctions and application of the Career Management System (CMS). Although the CMS is of extremely high quality and, since 1998, has included aspects of child protection in competencies for all posts, the extent to which the CMS has been incorporated into personnel appraisals remains unclear. On the positive side, 2000 compliance rates for personnel appraisals were reported to improve to 67% for field staff and 64% for headquarters staff. One limitation stems from the reported tendency whereby most staff are classified as 'good' or 'very good' in most competencies. This limits the capacity of the system to identify staff not complying with policy priorities and to set goals for learning and staff development.

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[65] "UNHCR Manual, Chapter 2 (Dec 2000), Section 1, General Information" para 1.4.2.
[66] IOM/40/FOM/47/1997, op.cit. (15 July 1997.)

157. The CMS should not be seen as a panacea to guarantee implementation. As a report on the SCEP observed, the impact of inclusion of SCEP in the CMS system depends on "how the issue is perceived and prioritized by the Country Representative."[67] This again demonstrates the role and power of management. Indeed, the degree to which senior management and country-level managers uphold policy priorities is a key factor in organizational accountability.

158. In terms of organizational accountability, we found the role the Inspector General's Office to be extremely important and well respected throughout the Office. Country representatives are advised of inspection several months beforehand and provided with a questionnaire that includes child protection issues. The results of inspection reports should be better utilized by senior management and pivotal staff such as the Senior Coordinator for Refugee Children.

159. Further to organizational accountability, we found the separation of policy and standard-setting from implementation to be a key factor, resulting in the gap between theory and practice. The parallel management structures between policy formulation and implementation hinder realization of any policy priority, including that on children. For example, the Department of International Protection (DIP) and Division of Operational Support (DOS) are responsible for policy development, guidelines and standards but have no line relationship to their implementation through the Bureaux and heads of field operations. This contributes to a lack of accountability where centrally developed policy neglects building ownership with field offices.

160. We were somewhat surprised to find this level of fragmentation and diffusion, as UNHCR management is otherwise very centralized. Such centralization should facilitate the consistent implementation of policy and approaches, but accountability is hampered by the lack of integration and collaboration between divisions and sectors. Sectors are left to compete for visibility rather than work together to common, core protection objectives.

161. For example, there is diffuse responsibility as to who reviews country Annual Protection Reports (APRS) for adequate implementation of policy and guidelines on children. APRs are reviewed by desk officers and legal advisors in each geographic Bureau as well as a parallel legal advice section in the Department of International Protection (DIP). But child-specific review is often expected to be the initiative of the office of the Senior Coordinator for Refugee Children, the Legal Advisor on Refugee Women and Children in DIP, and, in some cases, regional legal and children's advisors. All staff have a role; the question is to ensure that child protection concerns do not get overlooked in such diffusion.

162. Organizational accountability is also hampered by the frustration of Bureaux and country offices with competing priorities and the impossibility of meeting all demands. We noted early in this report that multiple and shifting issues and categories of refugees have been designated as 'priorities' through the Office's annual programme instructions to the field and other communications. Indeed questionnaire respondents reported competing priorities as the second most significant internal constraint to achieving child protection obligations and goals. Bureau and country managers make choices and select what they

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[67] Elliott, S. (2000) *Programme Review Report,* Separated Children in Europe Programme, UNHCR/Save the Children Alliance.

deem to be important in their region/country. In practice, this is decentralization by default. The term used by many in headquarters was "management à la carte".

> Questionnaire respondents ranked internal constraints to the achievement of the policy on refugee children as:
>
> 1. Funding and budget cuts;
> 2. Competing priorities; and,
> 3. Limited number of specialist staff or partners

163. Although that comprises a criticism from headquarters, field staff consistently complain of a constant barrage of reporting requests from headquarters, all of which are 'an urgent priority' and many of which are duplicative and uncoordinated. Regarding refugee children specifically, this would include the practice of requesting specific reporting on the Machel follow up strategy.

Appropriate resources and support

164. The question of appropriate resources and support towards fulfilling the Office's policy on refugee children concerns both financial and human resources. This has become especially sensitive with recent budget cuts.[68] One questionnaire respondent observed: "Policy statements from senior management suggest that children are the one top priority. Realities at field level indicate that funding constraints disproportionately affect children and other vulnerable groups."

165. Throughout our field missions and the questionnaire, staff reported that education, community services and other aspects of field work most important for refugee children were considered 'soft' and the first target of cuts. Some offered the defense that food assistance and other material supports reach children amongst all refugees and thus were the priorities to protect from budget cuts. Very few operations were found to undertake a more in-depth analysis or consultation with partners and refugees themselves as to how to approach prioritization in the funding crisis. In one positive example, the Tanzania operation made efforts in this regard, including a community services and education strategic planning meeting with all partners under the theme "let us strive to do more with less".[69]

166. Reacting to these views and observations from the field, the Director of DOS recently constituted a working group at headquarters to analyze the impact of 'Action 2'[70] budget cuts on UNHCR's field operations. Indeed, during the first months of 2001, there were worrying proposals that key posts for refugee children be cut and that 'children's

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[68] In late 2000, UNHCR field offices were instructed to 'freeze' 20% of their budgets.

[69] "Community Services and Education Strategic Planning Meeting, Year 2001", 6-9 February 2001, document of the Tanzania Refugee Programme.

[70] In February 2001, the new High Commissioner, initiated a series of reviews and 'Actions' to address: 1: defining UNHCR's core activities, 2: addressing immediate budget issues within projected income for 2001, and 3: addressing fund raising. Cfr. IOM/29/FOM/28/2001, 2 April 2001, "Update on Actions 1, 2, and 3" and UNHCR "Mid-Year Progress Report 2001".

activities' were not 'core activities'. While not prominent in the communications, the High Commissioner makes it clear that "the policy priorities … must remain as an integral part of every operation and activity".[71] The initial findings of this working group caution that it is too early draw conclusions on the impact of the cuts, including any disproportional impact on children, but report that a number of field offices found a particular negative impact on education and an overall trend to prioritize survival sectors over socially oriented sectors such as community services and education.[72] Although the detailed financial analysis required to determine any disproportional impact was beyond the scope of this evaluation, and awaits the further analysis of the DOS working group, it remains that we consistently found field staff expressing concern that the protection needs of refugee children were not prioritized in face of funding shortfalls.

167. Funding is clearly a factor in making a reality of the Office's policy on refugee children. Many donor governments have attempted to orient their funding towards this specific objective by 'earmarking' funding for children.[73] A pattern of unresolved frustration evolved in the 1990s whereby donor governments earmarked funds for children but then found those funds not accessed by field operations. When evaluations repeatedly point to insufficient progress in meeting the protection needs of refugee children,[74] it is understandable that donor governments wonder if their special funding makes a difference and what else they can do.

168. A few staff expressed the view that such earmarked funding contributes to the perception that the policy priorities are 'donor' priorities rather than genuine priorities of the Office. To the contrary, we found that pressure on the Office through dedicated funding has been instrumental in increasing the degree to which the Office's stated policy priority has been met.

169. On the other side, field operations complain that they cannot improve their work with refugee children, or other policy priorities, without increased funding. This raises the question of whether the need for additional funding demonstrates that the policy priority on refugee children was not adequately reflected in a country programme's original budget preparation, or whether planned work with refugee children was cut amidst various budget finalization processes.

170. In some cases, field operations were not aware of the availability of special funds. This was a problem with the more than $5,000,000 dedicated to 'at-risk children'[75] by the US Government in 1997. The funds supported the ARC training initiative, creation of

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[71] Ibid. Annex A, page 6.

[72] "Impact of Action 2 on UNHCR's Field Operations, Report by DOS Working Group", 14 September 2001, internal working document.

[73] 'Earmarked' funds have sometimes been designated as 'trust funds', but can also be a more simple aspect of a donors overall contribution(s) to the Office.

[74] In addition to this evaluation and the 1997 children's evaluation, Save the Children Alliance and the US State Department Bureau for Refugees conducted evaluations in 1991. The lack of progress has also been noted in Executive and Standing Committee reports: "Report of the Working Group on Refugee Women and Children, 29 June 1994, EC/SCP/85" (24th meeting of the Sub-Committee of the Whole on International Protection) and "Implementation of UNHCR's policy and guidelines on refugee children, 20 September 1995, EC/SC.2/78" (35th meeting of the Sub-Committee on Administrative and Financial Matters). and evaluations on the Office's policy on refugee women (Cfr. "Review of the Implementation and Impact of UNHCR's Policy on Refugee Women", December 1993.)

[75] Reporting on these funds later fell under the label of 'Machel follow up activities'.

the four new Senior Regional Advisors posts and set aside funds for field-determined needs for refugee children. Over time, the funds for field activities were rarely accessed and the Office re-negotiated that the funds could be allocated to a field operation's existing activities that addressed the needs of refugee children. The office of the Senior Coordinator for Refugee Children reports that through concentrated follow up with field operations, utilization of the funds improved. The approach of concentrated, pro-active work by specialists in headquarters with field operations has also been found successful for reproductive health and sexual violence; including the use of special funds to deploy specialists to help develop programmes and provide technical assistance.

171. The question of 'special funds' has shifted as UNHCR adopted a 'unified budget' policy in 2000 whereby all earmarked and other funds are combined towards country programme budgets. This means there is to be no 'additionality' to a field operation's budget and that it is all the more imperative to identify and prioritize child protection concerns from the outset.

172. While there is a drive to mainstream children's issues within programmes for the whole refugee population, it is difficult to determine within UNHCR's systems, the extent to which funds reach children's protection and assistance needs. Many were keen to point to the example of Pakistan, where 38% of the budget is allocated to health and 34% to education, both sectors that are largely targeted to children. On the other hand, critics queried if cuts in food aid and other sectors in 1995 resulted in apparent percentage increases for education and health while continuing to obscure whether resources were adequate to needs. Further, we found the most urgent protection issues for refugee children in Pakistan to concern urban refugees, especially the detention and sexual exploitation risks faced by refugee street children. The extremely limited resources for urban refugee children underscored insufficient analysis and budget adaptation over time to the most important protection issues.

173. Turning to appropriate human resources, financial shortfalls are not only affecting projects contributing to child protection, but evidenced in staff reductions in posts most relevant to children. Questionnaire respondents ranked 'limited specialist staff or partners' as the third most significant constraint to meeting child protection obligations. In part, this is because most posts working with children are the most junior in the Office. Throughout our field missions, we found the most crucial staff resources to refugee children to be in protection, community services and education. Amongst these functions, we present the demise of community services posts in Chapter 4. Sadly, where progress has been made through staff capacity building, such as through ARC and SCEP, those investments are undermined. For example, in one sub-region of the SCEP programme, two of five focal points trained by the programme are being cut.

174. More positively, the mobilization of appropriate staffing resources to meet the protection needs of refugee children has improved with the creation in 1997 of the four Senior Regional Advisor posts. Mobilizing the appropriate human resources to meet the protection needs of refugee children also depends on partnerships. As appropriate staffing overlaps with the dilemma of mainstreaming, these findings are discussed further later in this chapter.

175. Fundamentally, in the face of uncertain funding and staffing cuts, it is difficult for field staff to be accountable to protection obligations of the Office as they may not be able

to fulfill planned activities. Above all, it is difficult for UNHCR to be accountable to refugee children when financial and human resources are not prioritized to their needs.

Accountability and the management system for planning and reporting

176. All organizations require a management system through which accountability on policy implementation is upheld. As with most technical aspects of its work, UNHCR has invested a great deal of effort in the mechanisms for planning, monitoring and reporting. The current mechanisms are comprised in the Organizational Management System (OMS). The current planning tool is the Country Operations Plan (COP) and accompanying Annual Protection Report (APR). The COP covers goals, objectives, outputs and indicators per beneficiary group plus management issues, including training, and budget plans.

177. The current system was developed after a former management system, Delphi, was considered to be too bureaucratic. The fact that the system has changed a number of times, however, is a source of frustration to managers and some Bureau chiefs and field managers consider that the system remains too bureaucratic and inflexible. The result is that COPs and APRs are sometimes used as a matter of obligation in order to submit plans, budgets and reports, rather than as a tool or process to analyze the situation of refugees. The pattern seems to be one of repeating plans without adjusting to evolving needs, including the commonly cited difficulty of adjusting budgets once sector lines are set at the onset of a field operation.

178. We found a number of problems with the system from the perspective of child protection. First, throughout our field missions we found limited situation analysis, including child protection issues, prior to planning programmes. For that reason, children's issues are overlooked from the first stage of the programme cycle. (Situation analysis is discussed in more detail in Chapter 4.) All COPs include a brief analysis of the political and security situation related to refugees, but they very rarely include an analysis of child protection issues or even the five priority areas defined in the Office's follow up strategy to the Machel Study. The absence of children in the core planning process results in the current phenomena whereby child protection issues are dependent on 'being added later' to programming and budgets.

179. Child protection issues addressed in the APR may not necessarily be taken into account in the COP. Although there are increasing efforts to integrate the COP and APR process, frequently, the programme section prepares the COP while the protection section writes the APR. Despite internal guidelines on the planning process[76] that recommend a participatory process involving whole teams and partners, programme managers often write plans alone. Some experienced NGOs reported instances of designing projects and proposals according to the 1994 Guidelines only to have them dismissed by the UNHCR programme officer. This limits ownership and determination to achieve goals, including ownership and determination on the Office's policy priority on refugee children.

180. On the other hand, it was reported that some activities planned by the field, and their associated budgets, were cut without consultation by the Bureau. For example, in our field mission to Pakistan, field staff reported that 'the desk' at headquarters cut additions for

[76] *Effective Planning*, OMS Working Draft, September 1999.

work with urban refugees. (The importance of the new work with urban refugees was described in Chapter 2.) The first cut can also be at the level of the programme officer, regardless of the prioritization or analysis of other colleagues monitoring child protection. As noted above, we consistently found the view that budget cuts disproportionately impact the sectors most important to refugee children. In an example reported to be a common occurrence, in one field mission, the second tranche of funds for work with refugee children and adolescents was suddenly cut by half without prior notice or discussion with the implementing partner.

181. Although COPs now include indicators, we were unable to review a plan and subsequent progress because the introduction of indicators was new to the system. Performance objectives were adopted as part of the Office's 1997 follow up strategy to the Machel Study,[77] but we found extremely few staff to be aware or familiar with the performance objectives, even where they had some level of awareness of the five priority areas adopted by the strategy. When we showed programme officers the performance objectives during our field missions, they found them to be reasonable, suggesting that they would provide a useful basis of future work to incorporate indicators more consistently throughout the OMS.

182. The revision and development of indicators is part of the Refugee Children's Coordination Unit's plan for 2002. In the development of indicators, there should be a real intention to collect information in order to report on the effectiveness of the programme at the end of the year.

Recommendations

183. The High Commissioner and senior management should make clear and consistent statements that refugee children are an organizational priority, not a policy priority. Clarity on competing priorities should derive from situation analysis (presented later). Based on situation analysis, COPs should define what can and can not be achieved in a given year and Bureau managers should take final decisions on prioritization.

184. All representatives, chiefs of mission, deputy representatives and heads of Bureau should receive a minimum two hour orientation on leadership and management responsibilities concerning key protection issues for refugee children and adolescents. (See later for more on training.) The training sessions should be supported by DIP, the Senior Coordinator for Refugee Children and the Senior Regional Advisors.

185. Accountability for responsibility on child protection should be clarified at all levels. The Assistant High Commissioner has overall implementation responsibility for child protection with the Bureau responsible at regional level and Country Representatives having overall responsibility at field level. Specialist staff are responsible for technical support but not implementation.

186. Drawing from the child protection indicators already prepared by DIP, the Refugee Children Coordination Unit (RCCU) and the Europe Bureau, child protection indicators should be finalized and integrated into all COPs, the UNHCR Manual and shared with all partners. All Bureaux should review APRs and COPs for incorporation and

[77] EC/47/SC/CRP.19. op.cit.

progress on key child indicators. The RCCU and DIP Advisor should review a sampling of APRs and COPs to support overall monitoring of policy implementation.

187. Although it seems unlikely that DIP and DOS can be integrated at headquarters level, more progress could be made on integrating the policy, oversight and reporting procedures between protection and programme. Ideally, country programmes would produce only one report.

188. The Office of the Inspector General should work more closely with the Office of the Senior Coordinator for Refugee Children and Bureaux to bring child protection results of country inspections into organization-wide analysis of progress and shortfalls in child protection.

189. A working meeting should be held between the DOS Working Group on the Impact of Action 2 on UNHCR's Field Operations and key donors to discuss next steps in ensuring resources reach the protection needs of refugee children.

The dilemma of mainstreaming

190. The dilemma of mainstreaming is that it has been viewed as an end in itself. We found unresolved tension throughout the organization as to the degree that mainstreaming will mean that special attention to refugee children and specialist staff roles will no longer be needed. The expectations behind this view are unrealistic. Many of the protection concerns of refugee children can be addressed within general programmes, but some of their particular needs require special actions. All staff have a role in meeting child protection concerns, but the degree of direct responsibility for addressing child protection issues varies and specialist staff will always be needed to provide guidance, technical assistance and supplemental roles.

191. Yet the goal of mainstreaming is vital. It is imperative that a wide range of staff are familiar with key child protection issues. We found a vivid example in our field mission to Tanzania. At a refugee reception point, a Field Officer placed an unaccompanied girl with a child headed household. The situation of the child headed household worsened later when the unaccompanied girl was reunified with family members in another camp and took the ration card with her. It took weeks for the child headed household to get the attention and help of community services to get a ration card and other appropriate supports. The Field Officer in this example should not have been expected to be a specialist on separated children. However, he should have known that both the unaccompanied girl and child headed household required special protection attention and should have been able to refer the cases to protection and community services colleagues. Further, he should have known that registration and ration card procedures required special actions on separated children. Specialist staff or partners should have been engaged in reception point work to ensure systems were in place to identify and arrange appropriate care for separated children.

192. As illustrated in this example, most UNHCR staff have a myriad of roles and responsibilities and should not be expected to be child specialists. They should, however, have a basic knowledge of child protection issues, incorporate them in their work and proactively engage key sectors and specialists for guidance, technical assistance and complementary roles. To accomplish this, all UNHCR staff need a minimum level of training and capacity on child specific issues and the role of specialist staff needs

clarification and stronger management support. Recourse to specialists can include partners as well as UNHCR colleagues. As such, we found three factors to be central to solving the dilemma of mainstreaming:

- The role of specialist staff;
- Training and capacity building; and
- Partnerships and collaboration.

The role of specialist staff

193. Mainstreaming the needs of refugee children includes consistent and adequate fulfillment of the protection, community services and education functions. We found shortfalls in the degree to which these sectors are prioritized and fulfilled and improvements needed in the protection and community services functions are addressed in Chapter 4. The more pressing question regarding mainstreaming concerns the role of specialist staff.

194. Specialist staff play a pivotal role: providing guidance and technical assistance on a short-term basis to generalist staff and facilitating overall training and capacity building on child protection for the Office. The Office's specialist staff on refuge children are the Senior Coordinator for Refugee Children, the Legal Advisor on Refugee Women and Children in DIP and the Senior Regional Advisors on Refugee Children.[78] The overall role of the specialist functions is "to promote the strategic re-orientation of UNHCR's protection and programming activities on behalf of children and adolescents." The Senior Coordinator is to "promote organizational change in better integrating child and adolescent issues into all stages of UNHCR's programmes and policy planning, provide technical advice and enhance policy formulation." The role of the Senior Regional Advisors is to "help field operations with needs assessments and programme innovation and coordinate policies and programming at regional level."[79]

195. Our field missions and questionnaire revealed some worrying indications on the potential lack of effectiveness of these specialist positions. Among questionnaire respondents, most reported that they were unfamiliar with the roles or did not find them useful. Forty-eight percent of questionnaire respondents were 'not familiar' with the role of the Senior Coordinator for Refugee Children and 53% were 'not familiar' with the role of the DIP Legal Advisor on Refugee Women and Children.

196. When asked which specialist roles for refugee children were the most useful to their field operation, 37% of questionnaire respondents cited community services, (with an additional 11% citing 'social services'), 24% cited Regional Advisors and 20% of respondents listed protection. This underscores the need for specialist posts to emphasize a visible and available technical assistance and guidance role to the field. Indeed, contrary to the

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[78] Senior Regional Advisors have been in place in Abidjan, Ankara, and Nairobi since 1997 and 1998. Following a lengthy process, a fourth Senior Regional Advisor is finally being placed in Damascus for the CASWANAME region. Although the post was not originally created with the same intentions, the Senior Coordinator for the SCEP programme is also regarded as a Senior Regional Advisor.

[79] Job description quotes are from original post proposal and terms of reference documents, "Strengthening UNHCR's Response to Children and Adolescents: Establishment of Four Senior Regional Advisor Posts", June 1997 and most recently, "UNHCR Job Description, Senior Regional Adviser (Refugee Children), Damascus, Syria, August 2000".

questionnaire results concerning the role of specialists at headquarters, only 27% of questionnaire respondents from countries with Senior Regional Advisors[80] were 'not familiar' with the posts. Amongst the questionnaire responses from regions with Senior Regional Advisors, 63% reported this specialist role to be useful.

197. Although some staff remain unconvinced that specialist staff on refugee children, or women, are needed at the regional or field level, we found the creation of the Senior Regional Advisor posts to be one of the most important steps of the Office towards assuring appropriate capacity and staff resources in meeting the protection needs of refugee children. It has to be stressed that the specific protection concerns of refugee children and women are on a magnitude that require dedicated regional staff to both priorities. For example, the West and Central Africa regional office, a region covering more than 20 countries, requested the Senior Regional Advisor for Refugee Children to additionally cover the refugee women/gender equity functions and is still waiting for the women's post to be established.

198. Management, at Bureau and country level in particular, needs to more forcefully stress the role of the Senior Regional Advisors to be of a specialist nature as regards refugee children. Indeed the placement of the advisors under the Bureau and the degree of management support have been important factors in the level of effectiveness of the posts. Reflecting issues of management support, in our Tanzania field mission, one staff member expressed the view that the Senior Regional Advisor offered 'no added value' because that field operation had a community services officer of the same post level. To the contrary, we found a number of shortfalls in the work with separated children that could have been improved by utilizing the regional policy and programme exchange role of the Senior Regional Advisor.

199. A few staff in our interviews questioned the professional profile of the individual currently filling various specialist posts, but we found the posts themselves to be pivotal. Those field operations that had developed a direct working relationship with the Senior Regional Advisor, greatly appreciated their role and impact. The concerns regarding professional profile rather underscore the need for specialist qualifications to be emphasized more strongly in the recruitment and hiring processes. Such qualifications would include demonstrated knowledge of child protection legal principles and best practice in programme approaches. Strong situation analysis, training, communication and inter-agency collaboration skills are also essential.

200. In regards to direct working relationships between Senior Regional Advisors and field operations, the role of technical assistance emerges as the most important and useful. The role of specialist staff in providing technical assistance can also include arranging for outside experts and partners. For example, we found a number of examples in Tanzania where short-term technical assistance from sexual and gender-based violence specialists made vital contributions to protection and assistance issues in the field. A number of consultants have been deployed to provide training and project enhancements, such as protocols and 'how-to' manuals.

201. Returning to the specialist roles at headquarters, there has been unresolved tension between the demands of representing the Office externally on refugee children's

[80] We had questionnaire responses from 18 countries with current, 2001, regional advisors.

issues and ensuring the provision of guidance and support to programming in the field. The external representation demands have grown significantly in recent years with the increase in attention to children in armed conflict following the Machel Study and with preparations for the UN Special Session on Children. Certainly, the role of the specialist staff at headquarters in contributing to and following international standards and best practice, such as the recent work to develop inter-agency guidelines on separated children, is vital. The rights and protection needs of refugee children require vigilant advocacy in international fora.

202. However, the various communications, information and other externally oriented functions at headquarters often rely on the office of the Senior Coordinator for Refugee Children to prepare briefings and provide a myriad of information on refugee children. If knowledge and capacity on refugee children issues were more effectively mainstreamed, some of the proportional burden of this work could be reduced. In the meantime, specialist staff at headquarters have not been able to focus on facilitating technical assistance to the field as much as is needed.

203. As such, the first role of the Senior Coordinator for Refugee Children and Senior Regional Advisors is to provide specialist inputs to field operations as regards refugee children. Such specialist inputs must emphasize presence in the field and not simply written communications. The management of operations, namely representatives and chiefs of mission, should be held responsible for compliance and implementation. The Senior Coordinator and Senior Regional Advisors should play a technical assistance and catalyst role through:

- Updates and technical assistance on policy, guidelines and best practice;
- Internal links between sectors, departments and field operations to facilitate mainstreaming and the exchange of programme experience;
- External links to policy and working groups related to child protection, including the facilitation of inter-agency collaboration; and,
- Links to training, experts, consultants and other resources.

204. Another trend in regards to staffing resources, albeit not specialist staff, to meet the protection needs of refugee children has been the designation of focal points. The trend of appointing focal points has been utilized for all policy priorities of the Office, NGO relations and a myriad of issues and yet has been widely found to be ineffective. In a number of interviews, the comment was relayed that "to kill an initiative in UNHCR, appoint a focal point".

205. Most of our questionnaire respondents reported that their office has a focal point for refugee children, that position often being a national community services staff member. A more successful alternative was reported in a number of questionnaires: the regional office in Ankara, Turkey set up an inter-sectoral gender and children's committee to design local strategies and coordinate a mainstreamed approach to individual cases.

Recommendations

206. The Office should commit to continuing all specialist posts described above and should consider a small expansion of such resources. In particular, one additional Senior

Regional Advisor for Refugee Children should be added for Asia and the Pacific and there should consistently be separate specialist staff for refugee children and refugee women/gender equity, as noted in the case of the West and Central Africa region. This would also include having two separate Legal Advisors in DIP, one for women and one for children. We emphasize the need for a new Senior Regional Advisor for Refugee Children post in the Asia and Pacific region due to the proportion of operations and child protection issues there. Consideration should also be given to a similar position for the Great Lakes operations in Africa and the potential for the role of the Europe Senior Regional Advisor to change with the incorporation of the South-east Europe Operation.

207. With the active participation of the Bureau, the office of the Senior Coordinator for Refugee Children and the Senior Regional Advisors should establish an annual work-plan for field missions and country priorities for technical assistance and programme guidance.

208. Senior Regional Advisors and protection and community services officers in field operations should have access to a budget for the engagement of short-term consultants. Priority should be given to deploying short-term consultants and experts for specific programme development needs and to support local training needs.

209. UNHCR should reconsider the use of focal points and rather expand the model of Turkey with inter-sectoral committees that meet regularly to review refugee children concerns.

210. With the Department of International Protection, the Senior Coordinator for Refugee Children should establish an Expert Resource Group on refugee children. The expert resource group should be used to mobilize inter-agency collaboration and to provide advice when diverging or contrary views on child protection issues arise. Some members of the group may be available for short-term technical assistance needs in the field; in a form of stand-by resources complementary to the community services stand-by team. The Expert Resource Group would provide an important clearinghouse on resources, best practice and international standards in child protection. Members of the group should be senior experts in child protection who are available to provide on-the-spot guidance and technical assistance on child protection issues. The group should be voluntary, and comprise only five to ten members.

Training and capacity building

211. To effectively meet the Office's obligations to protect refugee children, a variety of training needs must be addressed. All staff need a minimum level of training on child protection issues and key sectors and specialists need a more consistent level of in-depth training.

212. Throughout our field missions, front-line field staff consistently identified training as a priority need to improve capacity to meet the protection needs of refugee children. However, we must note that expanded training does not necessarily require additional financial resources. For example, in consultations with headquarters, we learned that field training budgets overall are about 50% spent and that the status for six of the nine field operations we visited was at 0% expenditure, as of October, for the year 2001. These

budgets are new and usually very small, primarily about $5,000, but the ARC resource packs are user-friendly and fit well with the expense limits for such locally organized training.

213. We were concerned in our field missions to find that very few national staff have ever received any form of induction training. In turn, very few new community services or protection assistants had received any orientation in child protection issues. This matches concern that frontline field staff working closest with refugee children have had the least access to the Office's policy or programmatic guidelines. A new induction training programme, Induction and Orientation Toolkit, has just been developed, but how this will reach front-line national staff remains unclear. On the positive side, the Induction package incorporates aspects of the Action for the Rights of the Child (ARC) resource materials.

214. Towards general training needs, the most effective approach is to incorporate child protection issues into other training programmes. UNHCR has recently devoted considerable effort in developing a full complement of training programmes, incorporating 'learning' approaches with distance learning and other methodologies rather than traditional workshops. Five 'Learning Programmes' have recently been launched or are under development: Protection, Operations Management, Middle Management, Senior Management and Resource Management. The Protection Learning Programme features strong incorporation of key child protection issues but the other Learning Programmes are extremely weak on child protection issues and will hinder efforts to mainstream the role of all staff in meeting the protection needs of refugee children. More positively, the emergency team training programme, Workshop on Emergency Management (WEM), includes a number of child protection issues and the participation of standby team members from Save the Children Norway and Sweden.

215. With respect to the more in-depth training needs of key sectors, specialists and partners, the ARC training initiative launched in 1997 has resulted in a set of high quality resource packs. As stressed in Chapter 1, this is an important milestone in view that the Executive Committee had called for UNHCR "to develop training materials to improve the capacity and effectiveness of field personnel in identifying and addressing the protection and assistance needs of refugee children"[81] since 1989.

Action for the Rights of the Child (ARC)

216. While a full evaluation of the ARC initiative was beyond the scope of this evaluation, we were asked to assess the role of ARC towards progress in mainstreaming and capacity building of the Office and partners to meet the protection needs of refugee children and to review the current orientation of ARC's activities. The ARC initiative has suffered at times from confused objectives but has produced valuable resource packs that illustrate and extend the best practice guidance of the 1994 Guidelines.

217. One of the confused objectives of the ARC initiative has been its hope of being a mechanism for inter-agency collaboration and bringing people together to address child protection issues. Although a somewhat exclusive approach to the selection of partners characterized the early days of ARC, the current inclusive approach of ensuring that partners as well as UNHCR staff participate in the training events has been a highly positive step towards the partnership approach necessary to meet the protection needs of refugee

[81] EXCOM Conclusion No. 59, op.cit (Executive Committee 40th session, 1989, "Refugee Children".)

children. However, we found the actual implementation of ARC training insufficient, to the extent that it would have been clearer for ARC to focus on its training objectives.

218. The set of resource packs[82] that comprise ARC was just being finalized in late 2001, concurrent with the end of our evaluation. As such, it remains too early to assess the effectiveness of ARC towards capacity building and mainstreaming. As an early indicator, our questionnaire results point to a positive start. Of 105 respondents to the questionnaire, 27 reported that they had attended ARC training. Of those that attended, 78% reported that it was 'very useful' and this view was backed by positive comments: "ARC is an excellent tool to reach government, NGOs, refugee communities and children. It helps with the design of programmes and facilitates networking and capacity building."

219. On the other hand, there is significant variance in the views on ARC between generalist staff and those who have received ARC training. Although the ARC materials have been designed for generalists, in our field missions, we found the sheer volume, 14 modules and more than 1,000 pages, to be overwhelming, intimidating and a source of frustration to generalist staff. We grew concerned that ARC has contributed to the perception of some staff that work with refugee children is only for specialists and thus hindered mainstreaming.

ARC Resource Packs are grouped into "Foundations" and "Critical Issues", plus a Facilitator's Toolkit.

Foundations:	**Critical Issues:**
International Legal Standards	Separated Children
Child Development	Child Soldiers
Voluntary Repatriation	Education
Resettlement	Landmine Awareness
Working with Children	Sexual & Repro. Health
Situation Analysis	Disability
Community Mobilization	Abuse and Exploitation

220. The implementation of ARC will require different strategies to reach a variety of general audiences and to support the more in-depth, local training needs of those staff and partners working most directly with refugee children. In one case, we found that a country office had found out about the ARC programme and had selected parts of the resource packs to create a training workshop without waiting for ARC training-of-trainers to be available. This demonstrates that the materials are in fact user-friendly and adaptable to many training needs and requirements of the Office.

221. Wide dissemination of the ARC resource materials is thus extremely important. The September 2001 completion of a cd-rom with all of the ARC packs, 1993 Policy and 1994 Guidelines is an important step in this direction. Furthermore, UNICEF is in the midst of

[82] The ARC materials were originally termed 'training modules' but were changed to 'resource packs' to reflect their flexible and multi-purpose design. We have tried to use the phrase 'resource packs' in this evaluation accordingly. In a cross-check of ARC resource modules and identified priority issues, we note that a section on birth registration features in the International Legal Standards module.

producing French and Spanish translations of the ARC materials.[83] In this regard, the development of the ARC resource packs helps to redress the dearth of resources and references available in the field to support on-the-spot training of national staff and partners. This can help protection and community services staff address local training needs but a more concerted training implementation strategy for ARC is also vital.

222. We found the questions and concerns regarding ARC to be more a matter of implementation strategy and future orientation. Throughout our field missions, we found that the training-of-trainers approach seems to have stalled at a mid-professional level. The Senior Regional Advisors, key staff and partners included in the training-of-trainers found that they needed training themselves and had almost no time to conduct further trainings. The trainings have neither reached the generalist, management audience for mainstreaming objectives nor extended far enough to front-line field staff. Substantial needs for training on key child protection issues remain in both of these directions.

223. It remains the case that the ARC resource materials are highly valuable and the initiative should be supported in its next stages. Positively, the orientation of the future of ARC is to continue as a partnership with the steering committee comprising UNHCR, Save the Children Alliance, UNICEF and the Office of the High Commissioner for Human Rights. Indeed the high quality of the various resource packs stems from strong contributions through these steering committee partners. As ARC shifts from the phase of producing the resource packs to implementation, questions remain about the role of the steering committee, the role of the coordinator and redressing the absence of a more coherent strategy and workplan to implement training.

224. A few staff in our interviews criticized the plan to move coordination of the ARC initiative from UNHCR to Save the Children Alliance. Their view was that ARC was an important initiative for which UNHCR should retain leadership. Financial and organizational participation by UNHCR will indeed remain crucial to the full realization of ARC. However, in view of cost efficiencies and that the ARC materials are applicable to a range of child protection situations beyond the population of concern to UNHCR, the coordination move to Save the Children, with continued emphasis on inclusive partnership, may in fact serve the initiative well.

225. The experience of ARC as a partnership offers lessons to the Office towards effective training and capacity building. The training section at headquarters has observed that although UNHCR is developing ways of assessing competencies and training needs of staff members, this has not been extended to partner agencies and is a gap.[84] For training in the area of child protection, it would be helpful to develop a system through which field operations identify training needs, so that as ARC training is extended, the response targets local needs.

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[83] These are being funded through UNICEF regional offices in West Africa and through the Spanish Committee for UNICEF respectively.

[84] "Evaluation of UNHCR's Training Activities for Implementing Partners and Government Counterparts", F. Groot, September 2000, EPAU/2000/02, UNHCR.

Recommendations

226. Coupled with the recommendation on accountability that all country and Bureau senior managers receive a minimum two-hour training on key child protection issues, parallel training sessions should be conducted in each field operation. In the short-term, these sessions should be led by the country representative, with the support of protection and community services staff, and should highlight key child protection knowledge points expected of every staff member coupled with examples of the role of programme officers, field officers and other generalist staff. Towards the long-term, child protection concerns should be better integrated into the Senior and Middle Management Learning Programmes.

227. Towards the in-depth child protection training needs of protection and community services staff and partners, the Senior Regional Advisors and field-based protection and community services staff need either access to consultant budgets or need to use their training budgets to run local trainings. We recommend that ARC trainers be based regionally for one to two years, jointly supported by Save the Children Alliance and UNHCR, and UNICEF where possible. This recommendation could be linked with that of the evaluation of the community services standby team to deploy more than one community services officer in order to focus on training.

228. The ARC steering committee should convene a strategic planning session in early 2002 to address outstanding issues in the transfer of ARC coordination to Save the Children Alliance and clarify the objectives of the initiative. The session should prepare and adopt a work plan for the 2002 to 2004 period that details training plans and how they will be supported.

229. In considering the need for trainers, the above strategic planning session of the ARC steering committee needs to address the role of the staff coordinator and the implementation approach of training-of-trainers through Regional Advisors. The coordinator may need training skills him/herself in order to serve as the focal point for implementation of ARC training. Alternatively, the role of the coordinator could be to develop a pool of consultants skilled in ARC training. The role of the staff coordinator should focus on:

- Coordinating the deployment of ARC trainers and field requests;
- Linking and harmonizing ARC with similar training efforts including, *inter alia*, humanitarian principles and child rights training by UNICEF and other NGO training efforts; and,
- Facilitating the exchange of ideas for training activities between field operations and organizations. This may best be accomplished by creating a web site and/or newsletter.

Partnerships and collaboration

230. As previously stressed, partners carry out a great deal of UNHCR's field work. Indeed, questionnaire respondents ranked issues of partnership strongly amongst the constraints to implementing the policy on refugee children. Amongst external constraints, limitations of NGO partner capacities ranked second.

Questionnaire respondents ranked external constraints to policy implementation as:

1. Host country restrictions
2. Limitations of NGO partner capacities
3. New refugee influxes

231. This demonstrates UNHCR's dependence on partners and yet, at the same time, the Office acknowledges that its approach to partnership and collaboration require improvement. UNHCR has recently launched a task force to address the Office's work with partners. It will be especially important for this working group and senior management to help the Office overcome its orientation of 'going alone'. While UNHCR needs to retain a leadership role on refugee issues, in view that all response efforts have protection objectives, partnership and collaboration must become part of the everyday work ethic of the Office.

232. Improving partnership and collaboration will be essential to improving the degree to which UNHCR meets the protection needs of refugee children. We stress partnership and collaboration together as we find the varying understandings of the term partnership to confuse the issue. We found some to define partnership as a formal relationship while others use the term more loosely to include any working relationship, whether or not it involves funding.

233. What is essential is that transparency and respect are upheld in all joint, multi-party efforts to analyze, plan and implement responses to refugee needs. We stress transparency as a lack of transparency on the part of UNHCR was consistently noted as a main obstacle to partnership and collaboration by UN, civil society and other partners in our interviews. A frequently cited example concerned the lack of acknowledgement to UNHCR partners for work in a particular area in UNHCR reports and publications.

234. The approach of the Office has been more akin to contractors rather than partners. Some 40-45% of UNHCR's budget is channeled through implementing partners, including national and international NGOs, government and inter-government agencies.[85] Although there are selection criteria for NGO partners and a major partnership programme,[86] relations tend to become complacent. Many observed that partners tend to be engaged 'on the spot' without consideration of their programme approaches or consulting with others to identify the most appropriate partners. Part of the explanation for these trends is that there is a greater tendency to share expectations on administrative and budget procedures with partners than to discuss strategic direction, policies and lessons learned. Interviews with some NGOs reported that the High Commissioner has acknowledged a tone of arrogance by the Office in relationships with civil society partners. Again, overall, the problem is one of transparency.

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[85] Ibid.

[86] Following a series of regional consultations, the Partnership in Action (PARinAC) process was set in place in Oslo in June 1994 as an ongoing initiative for cooperation between UNHCR and NGOs. Since November 1999, PARinAC has been followed up with a 'Framework Agreement for Operational Partnership between UNHCR and NGOs'. Cfr. UNHCR, "Report on PARinAC and Plan of Action for 2000", February 2000. For more information, via links in the UNHCR website or directly, one can go to www.icva.ch/parinac/.

235. UNHCR needs to increase its efforts to collaborate within the UN system as well as with its more traditional NGO 'implementing partners' . Improving inter-agency collaboration of course behoves all agencies, but we would note that a number of staff reported that the UN Common Country Assessment process has helped to operationalize collaboration and change attitudes. The UN consolidated appeal process is increasingly a tool for coordination and ensuring a common humanitarian plan as well as resource mobilization. In a sense, UNHCR needs to let go of a certain degree of the control possible through the traditional optic of 'implementing partners' as approaches to partnership expand to a range of collaborative efforts for refugees.

236. Within the scope of this evaluation, we have reviewed the full range of partners most important to meeting the protection needs of refugee children. In this view, we take the broad definition of partners as including more informal collaboration. We underscore the need to view partnership as a network rather than the traditional optic of 'implementing' or 'operational' partners.[87] UNHCR needs all partners to meet the protection needs of refugee children. This requires:

- Working partnerships with UNICEF;
- Effective engagement of government;
- Strategic relations with both international and national NGOs; and,
- Proactively working with refugees themselves, including refugee children.

UNICEF

237. The relationship of refugee crises to a host of human rights and development issues in both countries of origin and host countries compels UNHCR to work closely with other components of the UN system. We found an unresolved tension in UNHCR between wanting to retain separate systems and independence and the need, especially in the context of funding shortfalls, to more pro-actively link activities with those of other UN agencies. For example, in view of the progress of the Common Country Assessment within the UN system, UNHCR would gain useful information from UNICEF's situation analyses and would contribute to child protection by ensuring that refugee children's concerns are incorporated in UNICEF's analyses and programmes of cooperation with host governments.

238. In view of our focus on meeting the protection needs of refugee children, our review of partnership issues with the UN family centres on UNICEF. Interviews with UNICEF staff found an overall sense that collaboration has been improving recently. Of particular note, they found the Senior Regional Advisors on Refugee Children helpful in mobilizing response to child protection issues and collaboration between offices.

239. However, we found field-level partnership with UNICEF to be often limited. In two of the nine field operations visited as part of our evaluation, collaboration and even communication between UNHCR and UNICEF was virtually absent. At the field level,

[87] 'Implementing partners' are those who receive UNHCR funding and have traditionally comprised international and local NGOs and local government agencies. 'Operational partners' of UNHCR are other actors contributing to work with a given refugee population and have traditionally comprised other UN agencies and NGOs with other or their own funding. We note that more recently, this terminology is beginning to change to emphasize 'operational partnership' in a general sense.

partnership depends on a work ethic of regular consultation and joint planning between the agencies.

240. Improving collaboration is, of course, dependent on both UNHCR and UNICEF. We found gaps in both agencies in regards to knowledge of each other's approaches and activities in child protection. In this context, we find it useful to highlight some evolution of UNICEF terminology and child protection work related to situations of displacement. Since 1986 UNICEF's work in emergencies expanded under the term, 'children in especially difficult circumstances'. Since the late 1990s, the phrase 'child protection' or 'children in need of special protection measures' has been adopted. Currently, 'child protection' in UNICEF encompasses a cross-cutting approach to the rights of children affected by, inter alia, violence, abuse, and exploitation.

241. The critique that UNICEF is 'unreliable' in emergencies is increasingly inaccurate. Of particular note, since a global consultation of UNICEF Representatives in 1998, UNICEF has launched a global capacity building exercise to ensure its response to the needs of children and women in 'unstable situations'. As part of this exercise, UNICEF regional offices have expanded their emergency staffing, including child protection officers. In 2000, UNICEF's Executive Board adopted a series of "core corporate commitments in emergencies",[88] including the re-establishment of basic education services, appropriate care and protection of separated children and psychosocial services. More recently, UNICEF has identified "protection of children from violence, abuse, exploitation, and discrimination" as one of five organizational priorities.[89] All of these commitments and actions will see UNICEF more consistently engaged in child protection work with populations that are also of concern to UNHCR.

242. The main mechanism of collaboration is the March 1996 Memorandum of Understanding (MOU) between UNHCR and UNICEF. The 1996 MOU is currently under discussion for revision. We found that specific areas of the MOU, such as on separated children, education and HIV and other health concerns, would be usefully updated. There may also be important outcomes to reflect from the 2002 UN Special Session on Children. Moreover, we find the need for more regular, formal review processes that include field consultations. Such consultations would address shortcomings in knowledge about developments in each agency's work, policies, priorities and capacities.

243. Tanzania provides an especially commendable example of collaboration. In Tanzania, partnership with UNICEF features active collaboration between the UNHCR protection assistant, community services assistant and UNICEF child protection staff in each field office.[90] Most significantly, in Tanzania, UNHCR and UNICEF have joint work plans for education and other child protection concerns such as separated children. These work plans detail collaboration to the level of cost sharing for education inputs and printing of materials.

244. It is important to note that the example of collaboration in Tanzania has been institutionalized since the 1994 emergency response phase. Reflecting its effectiveness, it has

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[88] UNICEF, May 2000, E/ICEF/2000/12, "UNICEF Core Corporate Commitments in Emergencies".
[89] UNICEF, October 2001, E/ICEF/2001/13, "Medium-term strategic plan for the period 2002-2005". The five organizational priorities are: girls' education, integrated early childhood development, immunization "plus", fighting HIV/AIDS, and improved protection of children from violence, exploitation, abuse and discrimination.
[90] The field offices are in Kigoma, Kasulu, Kibondo and Ngara.

survived multiple 'changes in personality' in both agencies over the years. The style of the collaboration is active, meaning that collaboration does not flow only from meetings but from a mindset of looking to the partnership to address a variety of issues in protecting refugee children.

245. Another example of collaboration to note is the Liberian Children's Initiative (LCI), undertaking jointly by UNHCR and UNICEF in 1997, with active support from a major donor, the U.S. Although the collaboration faced difficulties deriving primarily from being a headquarters-driven project, the initiative provides important experience for future approaches to addressing children's concerns in the key repatriation and reintegration phase of a refugee experience. Education was a large component of the initiative and found a good deal of success through an accelerated learning programme to help over-age children to catch up in school and PTAs (parent-teacher associations). A children's radio programme, "Children's World" by the NGO Talking Drum, also featured as an especially successful element of the initiative. A key lesson of the initiative was that a three-year rather than a one-year timeframe would be more appropriate to the complexities of phasing from relief to longer-term activities.

246. Improved collaboration with UNICEF would further present UNHCR with opportunities in relations with governments. UNICEF country programmes and UNHCR efforts within a host country both have opportunity through the UN Convention on the Rights of the Child (CRC). Constraints will likely continue in regards to host government policy, but the CRC provides a tool toward the obligations of governments regarding refugee children.

Government partners

247. As noted above, questionnaire respondents ranked host country government restrictions as the top constraint to implementing the Office's policy on refugee children. Throughout our field missions, we found restrictions on education, land use and work to be frequent obstacles. For example, in Tanzania, humanitarian agencies were struggling to meet refugee needs in face of three key constraints: limited land for refugee self-subsistence agriculture, restrictions on working outside of camps and insufficient funding for food rations. More specifically for refugee children, restrictions on providing education or access to local schools, lack of access to appropriate curricula and difficulties in getting teacher and student certificates recognized were found to be frequent constraints to meeting the right of refugee children to education.

248. Overall, we found UNHCR's partnerships with governments to insufficiently include education and social ministries as compared to immigration and interior ministries. As emphasized above, we found unfulfilled opportunities through collaboration with UNICEF towards improving the role of governments to refugee children.

249. Towards promoting best practice, the National Child Protection Committee in Guinea was among the best examples of partnership found by the evaluation team. This Committee brings together the Ministry of Social Welfare, UNHCR (with both protection and community services participating on the committee), and UNICEF. The most active NGOs, notably IRC (International Rescue Committee), participate in the Committee's meetings and work plan. Committee members have all received ARC training. Moreover, the committee has extensions to areas with refugee camps that include local authorities and

refugee leaders. These extensions have been especially instrumental in addressing the urgent protection situation of unaccompanied children in host country foster families.

250. In a similar example from our Pakistan mission, we would highlight as good practice the partnership in Northwest Frontier Province between UNHCR community services, Save the Children Sweden and the Commissionariate for Afghan Refugees'(CAR) Social Welfare Cell.[91] The Social Welfare Cell deploys social agents who, in turn, work with refugee social animators living in each refugee village.[92] UNHCR and Save the Children Sweden have invested a great deal in training and capacity building with the Social Welfare Cell and the refugee social animators. The Social Welfare Cell and refugee social animators have been instrumental to achievements in girls' education and other child protection challenges.

251. However, we would note that the request of the evaluation team to meet with the Pakistan Social Welfare Ministry facilitated, for the first time, this extension of the partnership in Northwest Frontier Province. Important areas of mutual work, such as the detention of refugee street children, were identified in our meeting as starting points for extending the partnership. UNHCR in Baluchistan has established very positive links with the Minister for Social Welfare in that province. The Ministers of both provinces were highly cognizant about the principle of non-discrimination of refugee children as enshrined in their obligations under the CRC.

NGOs and civil society

252. Strategic relations with NGOs and civil society comprise the next vital layer to effective partnerships. As noted above, we found a lack of transparency to be a key concern of NGOs and civil society organizations in their experience of partnership with the Office.

253. While outstanding work remains to improve UNHCR's partnerships with NGOs and civil society organizations, our evaluation focused on partnerships specific to the protection of refugee children. Indeed, UNHCR's partnerships with the Norwegian Refugee Committee for education and with Save the Children Sweden and Norway for community services stand-by teams are widely acknowledged as some of the most effective partnerships of the Office. A new partnership with the IRC to provide standby capacity on protection activities also promises to be an important improvement in UNHCR capacity through partnership. The partnership with IRC will concentrate on meeting protection needs on an emergency or interim basis in activities such as reception, registration, child protection and sexual violence.

254. Although these partnerships are vital steps in meeting the protection needs of refugee children, gaps remain. Save the Children Norway and Sweden aim to address child protection issues through the provision of emergency community services officers, but the extent of community service work sometimes hampers their ability to fully address child specific concerns.

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[91] The Office of the Commissioner for Afghan Refugees is the governmental body set up by Pakistan's Northwest Frontier Province to oversee and coordinate work with refugees in the province. The process and work of the Social Welfare Cell is also described in a case study of the ARC Community Mobilization resource pack.
[92] 'Refugee villages' is the more descriptive rubric used rather than camps.

255. Joint evaluations of the standby team have recommended that more than one team member be deployed in order to focus on child protection and training needs. This is in part because the team members are deployed for three-month periods. The challenge for Save the Children, in maintaining a roster of experienced staff that can be deployed for three months, with possible extension, at 72 hours notice, must certainly be acknowledged. Gaps in child protection work also arise because UNHCR often does not create and fill an ongoing community services post.

256. Because child protection issues are so critical in the emergency phase, it is vital to address these gaps. We found separated children and emergency education activities to be priorities for initial emergency work and, especially in larger scale emergencies, to require more focused attention than the emergency community services officer alone could provide. As such, the recommendation to deploy more than one standby team member is vital. The timeframe for covering child protection needs in the emergency phase also needs to be six months at minimum.

257. In addition to deploying standby team members, alternate and multiple mechanisms are needed to ensure child protection concerns are met. For example, in the recent emergency in Guinea in late 2000, the complementary roles of a 'child focal point' and community services contributed to quickly establishing effective coverage of child protection concerns. The 'child focal point' was funded through special resources of the Refugee Children Coordination Unit (RCCU) and it is hoped that such specialists would be available through the new protection capacity partnership with IRC. However, we also found some level of confusion of roles in Guinea pointing to the need for more coherent efforts between DIP, the RCCU, community services and the emergency section to ensure that child protection needs are addressed in every emergency and resources for specialist staff are used effectively.

258. Similar issues arise with standby agreement for education with the Norwegian Refugee Council (NRC). For example, in our Guinea and Sierra Leone missions, we found NRC emergency education specialists making vital contributions to the work with refugee children but concerns remained as to the short period of their deployment. In a positive example of accessing the standby agreement creatively, in our Pakistan mission, a NRC education specialist was effectively addressing interim needs in that education programme. Longer-term partners in education were doing effective work but quality and policy issues required UNHCR's leadership and short-term expertise. This was a strong example of using technical assistance to enhance a programme where otherwise the Office would not require an ongoing position.

259. Regarding the partnership with Save the Children Norway and Sweden in community services, it is important to note its impact on the efficiency of UNHCR's emergency response. For example, in the Great Lakes, the role of the community services standby-team members in UNHCR's emergency response in Tanzania in 1994 is noted as being pivotal to that operation's effectiveness, especially in putting in place a system for tracing, family reunification and avoiding institutional care of separated children, as compared to the early experience of the operation in Zaire a few months later.[93] In Zaire,

[93] Save the Children Sweden, "Protection of Children in Refugee Emergencies: the importance of Early Social Work intervention – The Rwanda Experience", 1995. A related case study on work with separated children in Zaire can be found in the ARC Situation Analysis resource pack.

humanitarian agencies struggled for years to meet the needs of thousands of unaccompanied children who had initially been placed in temporary feeding centres without procedures to maintain family links.

260. We found the JEN network[94] in Serbia to be an especially good example in working with national and local partners. The JEN network comprises teams of local social workers throughout Serbia linking private and governmental agencies and services. Home visiting allows the teams to identify families with special needs: those with disabilities, families headed by single mothers or grandparents and those most isolated or depressed.

261. We were impressed by the extent to which the JEN network helped families to integrate, access places in school, receive medical treatment, join youth clubs and participate in home-building programmes. The resettlement staff in the UNHCR office in Serbia gave the network high commendation in its work with cases of at-risk women and children. Our focus groups with adolescents often cited the work of JEN and UNICEF has recently joined to support the network.

> The JEN Network in Serbia
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> In the Federation of Yugoslavia (Serbia), 377,000 refugees and 180,000 displaced people comprise 10% of the population; 95% of these live in dispersed, private accommodation. The host community is beginning to view the refugees as a burden and they tend to come last for basic services. In April 2000 UNHCR requested that JEN establish mobile teams of psychologists and social workers to act as a bridge to public services. JEN established teams through local NGOs and the expertise of staff from the national social and health services. A total of 56 teams cover the whole country. Teams visit refugee and displaced families in their homes on a regular basis.
> Although this kind of programme would be more difficult to achieve in less developed countries, principally because there would be more limited services for ongoing referral, elements of the programme are transferable. For example, home visiting by local NGOs, with training in simple listening techniques and recognizing risks and signs of isolation, provides significant support to families and children.

262. The JEN network illustrates how local civil society organizations can be effectively engaged to help meet the protection needs of refugees, including children. Indeed, in our Pakistan mission, IRC was beginning to set up a similar network to reach at-risk refugee women and children dispersed in sheltered, urban environments.

263. Unfortunately, the evaluation found the JEN network inadequately appreciated by protection and management colleagues. The JEN network had half its funding cut in

[94] JEN is the Japanese Emergency Network, named for the Japanese NGO partner coordinating the national social service organizations comprising the network.

2001. This reflects a disproportionate affect of budget cuts and, overall, the network has been insufficiently incorporated as a core protection activity. This is unfortunate because refugees (and other displaced persons of concern to the office) are dispersed in urban environments and some staff complained of the difficulties in identifying and reaching the office's population of concern. The JEN network was found to be impressively successful at reaching the population of concern and would offer more effective protection linkages and efficiencies if better utilized by the office.

Refugees themselves as partners

264. Viewing refugees themselves as partners comprises one of the most vital layers of partnership in effectively meeting the protection needs of refugee children. In the next chapter, we discuss the role of social systems and networks as the frontline of protection for refugee children. As such, it is essential to bring refugees themselves into the framework of partners to UNHCR.

265. Indeed, throughout our field missions, we found teams of refugee social workers[95] to be central to child protection work. In Tanzania, refugee social animators were effectively incorporated into the work of the community services team in each camp. We described the work of refugee social animators and the Social Welfare Cell in Pakistan above. In Guinea, refugee social animators participate in local child protection committees and have been energetically mobilizing education and psychosocial support. This model of work should be incorporated more consistently by protection and community services work throughout UNHCR.

266. Unfortunately, outside of the refugee youth clubs in Liberia and HIV peer education pilot project in Tanzania cited in Chapter 2, we found very limited efforts or opportunities extended by the Office in regards to partnership with refugee children and adolescents. In almost all of our 35 focus groups, refugee children told us this was the first time 'anyone' had listened to them.

267. Including refugee adolescents amongst social animators in the model above would present significant opportunities to the Office in the areas of health and safety promotion and protection monitoring. Convening focus groups with refugee adolescents on at least an annual basis would provide an efficient tool to the Office in planning and monitoring the degree to which protection activities are having an impact and meeting needs. For example, in our Tanzania focus groups, refugee adolescents consistently noted that the SGBV programme made a positive impact on the situation of sexual violence and exploitation in the camps. Importantly, girls reported that they felt more secure due to the SGBV programme and boys, separately, expressed appreciation for its help to their sisters or other female relatives. Such focus group results may be more relevant to determining the impact of a programme than quantitative indicators such as the number of assaults reported.

268. While we were unable to observe them as part of our evaluation field missions, the Reach Out project and DIP's project of rights-awareness training with refugee

[95] The term 'social worker' does not necessarily carry the advanced degree associated with the role in the West. In many contexts, the term social animator or social agent is used instead.

populations[96] are important starts to better engage partners and refugees themselves in protection work. The Reach Out project was started by DIP but has become an international NGO-led effort to improve the protection knowledge and capacity of NGOs working with refugees. A number of staff also noted that UNHCR's Peace Education activities were assisting the organization to work more directly with refugees.

Recommendations

269. With the aim of making UNHCR's partnerships more strategic, proactive and transparent, heads of field operations should be required to hold annual review and planning meetings with UNICEF and other key partners as part of the project cycle. Such review meetings should focus on harmonizing efforts, including anticipated budget issues, specific to that field operation. Regional offices, including the Senior Regional Children's Advisors, should be involved so that sub-regional initiatives and opportunities are incorporated.

270. Through expansions of the standby teams with Save the Children Norway and Sweden, the Norwegian Refugee Committee, IRC and other mechanisms, every emergency response should include a child protection specialist with particular expertise on separated children and mobilizing emergency education activities. Discussion between the emergency offices of UNHCR and UNICEF should be a consistent component so as to ensure the most efficient use of capacities in child protection in the field.

271. The model of refugee social animators, including adolescents, should be documented and replicated through the ARC resources on community mobilization and community services function.

Conclusion

272. Shortfalls in meeting the protection needs of refugee children stem more from organizational and management issues than the Office's policy or strategies specific to refugee children. Dissemination of the children's policy and guidelines is a precursor to implementation. While senior staff have been widely reached with the key documents, most importantly the 1994 Guidelines, concerted efforts are needed to reach front-line field staff. National protection and community services staff in particular are mostly unfamiliar with the Office's basic policy and guidelines on refugee children.

273. The key organizational and management obstacles to realizing the Office's obligations on the protection of refugee children centre on accountability and the dilemma of mainstreaming. Accountability issues include clarity in lines of responsibility, appropriate staffing and resources and the management system for planning, monitoring and reporting on country operations.

274. The dilemma of mainstreaming centres on unresolved tension as to whether mainstreaming means that special attention or specialist staff on refugee children are necessary. The goal of mainstreaming the protection of refugee children throughout the

[96] "The rights of children and women: awareness training for adult refugees", A practical tool for UNHCR and NGOs, Draft UNHCR Guide, Department of International Protection. Information on the Reach Out project can be found at www.reachout.ch

Office remains vital. However, the Office needs to recognize that not all of the rights and protection needs of refugee children can be met through mainstream programmes. The role of specialist staff will always be necessary for policy and programme guidance, technical assistance and overall assurance of the application of international standards and best practice. Effective mainstreaming depends on training, partnership and collaboration.

4. Operationalizing protection

275. UNHCR has a long history of action-oriented protection work with the most recent terminology being 'operational' protection. For example, in the context of the Office's review of core activities in 2001,[97] field activities were categorized under legal protection, operational protection and material assistance. In the recent re-organization of the Department of International Protection (DIP) at headquarters, one of four sections has been devoted to "protection operations support".[98] However, towards 'operationalizing' the protection of refugee children, we found a significant level of confusion resulting in a need to:

- Demystify child protection – clarifying the relationship to child rights and expanding the conception of protection to social as well as legal and physical aspects; and,
- Address shortcomings in the role of community services in protection.

Demystifying child protection

276. Throughout our field missions and interviews, we found a significant level of confusion as to what child protection meant. We found three key elements to be behind this confusion:

- Uncertainty about the role of child rights and what child protection entails;
- Inadequate situation analysis; and,
- The omission of social protection, in addition to legal and physical protection, in the Office's conceptual and practical approach to protection.

What is child protection and how does it relate to child rights?

277. As a first step in addressing the confusion behind child protection and the role of child rights, it is useful to review some of the terminology and history of their use by UNHCR. Indeed, some of the uncertainty about the role of child rights reflects a historical tension within UNHCR about the relationship between human rights concerns and refugee issues.[99]

278. International protection of refugees is recognized as actions to defend and promote the rights of citizens outside their country; international protection arising because they can no longer benefit from the protection of their government. UNHCR's 1994 Note on

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[97] Ibid. footnote 65.

[98] "Re-organization of the Department of International Protection", 10 August 2001, IOM/68/FOM/65/2001/ Rev.1

[99] UNHCR, Division of International Protection, internal policy document, July 1997, "UNHCR and Human Rights". Also, Dennis McNamara, 14 November 1998, "A Human Rights Approach to the Protection of Refugee Children", a speech to the London School of Economics.

International Protection provides a particular examination of the meaning of international protection. It notes that the protection function encompasses all activities undertaken to secure for refugees the enjoyment of their rights. It highlights that "protection includes ensuring that the special needs of refugee women, particularly victims of violence, and of children, especially those separated from their families."[100] Just as non-refoulement is the most fundamental principle of the refugee protection regime, the principles of the best interest of the child and family unity[101] are pre-eminent for the protection of refugee children.

279. In practice, we often found protection to be narrowly defined as access to asylum and basic survival. A priority for the DIP's 'Global Consultations' and the new protection training programme should be to re-orient the understanding of protection to its full scope and improve linkages between legal, physical and social protection.

280. We found a need for UNHCR to approach protection not from a sectoral viewpoint, but from a planning and strategic view. Such a view would encompass a range of activities from remedial to environment building. Thus, protection is not a sector separate from community services or other sectors. Rather, all activities have protection objectives. In this sense, it would be useful to turn to the definition adopted by the Inter-Agency Standing Committee: "The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. international human rights instruments, international humanitarian law and refugee law)."[102]

281. Thus child protection for UNHCR is all actions to promote and defend the rights of refugee children. In fact, the UNHCR 1993 Policy on Refugee Children explicitly recognizes the 1989 UN Convention on the Rights of the Child (CRC) as providing the normative framework for its work with refugee children.[103] The CRC provides the most comprehensive guide and international standards on child protection, but we would note that the 1951 Convention relating to the Status of Refugees itself includes, inter alia, the right to education and family unity.

282. It is clear from refugee law and UNHCR policy documents that the Office has the lead responsibility to ensure refugee children enjoy their rights. This is not well-understood by most staff and should be re-emphasized by senior management. UNHCR must play a leadership and coordinating role in the protection of refugee children but may achieve this through collaboration and delegation to partners and specialists. Collaboration and delegation does not, however, remove the Office's leadership responsibilities.

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[100] "Note on International Protection", September 1994, UNHCR Executive Committee document to the UN General Assembly, A/AC.96/830, paragraph 12.

[101] The principle of the best interest of the child, CRC Article 3, is first and foremost. This is important to note because family reunification (CRC Articles 9,10 and 19), while a priority protection action, may, in some cases, not be in the best interest of the child.

[102] The Inter-Agency Standing Committee (IASC) comprises the heads of all UN agencies. The definition of protection was adopted as part of preparing the IASC Policy Paper on the Protection of Internally Displaced Persons, December 1999, and draws from the definition adopted by the ICRC.

[103] UNHCR, 1993, "Policy on Refugee Children", op.cit., paragraph 17.

Child Rights Highlights

* Every child has the right to life; States shall ensure to the maximum child survival and development. [Art. 6]
* Every child has the right to a name and nationality from birth. [Art. 7]
* Children shall not be separated from their parents, except for their well-being, and States shall facilitate family reunification. States shall protect children from physical or mental harm and neglect, including sexual abuse or exploitation, and shall provide appropriate alternative care. [Art. 9, 10, 11, 18 and 19]
* Primary education shall be free and compulsory. Education should prepare the child for life in a spirit of understanding, peace and tolerance. [Art. 28 and 29]
* States shall protect children from economic exploitation. All efforts shall be made to eliminate the abduction and trafficking of children. [Art. 32, 34, 35, 36 and 39]
* States are obliged to ensure child victims of armed conflict, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration. [Art. 39]
* States shall take all feasible measures to ensure that children do not participate in armed conflict and to protect the civilian population under their international humanitarian law obligations. [Art. 38 and OP]

283. The CRC covers all children and adolescents under 18 years and extends in every way to refugee children: States must ensure the rights "of each child within (its) jurisdiction without discrimination of any kind".[104] As discussed in Chapter 3, the CRC provides UNHCR with an important entrée to virtually every government as to their responsibilities to refugee children.[105]

284. The 1994 Guidelines help to demystify child rights by emphasizing their goal: ensuring children's survival and development. Ensuring child survival and development does not imply an extension of UNHCR's work to other applications of the term development. Child development is, most simply, the fulfillment of children's physical, emotional, intellectual and social development rights. Commendably, the 1994 Guidelines incorporate the holistic framework of the CRC in a practical way. Each topic -- whether education, separated children or health and nutrition -- starts with reference to the relevant articles of the CRC.

285. Some of the uncertainty surrounding child protection may be in part due to the global increase in attention to children affected by armed conflict, and related expansion in the number of actors involved. NGOs increasingly deploy child protection staff in

[104] CRC Article 2; Article 22 provides for special protection to refugee children or a child seeking refugee status.
[105] Only Somalia and the United States have not ratified the CRC. The USA has, however, signed the Convention.

humanitarian work. More recently, child protection advisors have been included in peacekeeping operations.

286. We found a number of UNHCR colleagues keen to understand 'the difference' between the work of a UNHCR protection officer and a UNICEF child protection officer. Rather than demarcate difference, we find it vital to emphasize collaboration. (Other points on collaboration with UNICEF were discussed in Chapter 3.) Put simply, we would describe UNICEF's approach to child protection as a merging of UNHCR protection and community services functions. Child protection is rooted in legal principles but involves actively working through social systems and practical measures, such as emergency education and family reunification.

Situation analysis

287. Fundamentally, confusions over child protection arise from inadequate situation analysis. Insufficient situation analysis was also prominent among the findings of the 1997 children's evaluation. Situation analysis is different to needs assessment – it analyzes the risks children face and potential resources available to respond, including socio-cultural resources and community leaders. The CRC provides the guide against which abuses and violations against children are assessed. Situation analysis requires organized fact-finding and sustained attention to the circumstances of refugee children. For example, we have noted from our Pakistan mission that risks such as sexual abuse are often hidden and need careful, sustained methodologies to uncover the truth. We consistently found local staff and most partners to feel that cultural barriers should not be readily accepted; that even such sensitive issues could be investigated, prevented and addressed if trust and process is built up with the community.

From the ARC Situation Analysis resource pack:

Situation analysis is the process of assessing a complex situation within its wider context, systematically gathering information, identifying the main problems and needs within a refugee population, identifying the principal resources contained within that population, and analyzing the information gathered in order to facilitate the process of planning in a systematic, strategic and integrated manner.

It differs from the narrower concept of needs assessment in that it has a broader scope, for example in its focus on the wider context and in identifying refugee capacities and resources as well as problems and needs.

A child-centred situation analysis includes: consideration of how aspects of the refugee situation will impact on their development; the socio-cultural background of the refugees and host society; an appraisal of refugee capacities and resources; both qualitative and quantitative information; an assessment of other potential resources and organizations, and, importantly, involves refugees. themselves, including children and adolescents.

288. Situation analysis leads to response based on urgency, political and other opportunities and resources, but all risks are identified and acknowledged. Priorities and possible solutions would be determined by and rooted in the refugee community. For example, if separated children or sexual violence were identified as the most urgent concerns, one could understand a delay in addressing child labour. UNHCR might not have the resources to address child labour or detention, for example, but would advocate for action by appropriate government and other actors and seek to monitor such risks for refugee children through relevant local organizations.

289. Regular situation analysis of child protection issues, with a view to monitoring and programme planning, could improve efforts to meet the protection needs of refugee children. Collaboration on situation analysis could also be an opportunity for expanding partnership and collaboration with UNICEF and other partners, including refugee adolescents. Indeed interesting insights have been gained through peer-level fact-finding by refugee adolescents and their creative discussion of strategies and solutions. Joint situation analyses is presented in the Memorandum of Understanding between UNHCR and UNICEF,[106] but this rarely appears to be done at country level. Collaboration on information gathering and situation analysis is just one area where the protection of refugee children could gain efficiencies and improvements through more proactive exchanges between agencies.

Social protection

290. The frontline of protection, especially for refugee children, is the social structure. Communities provide protection through social systems and hierarchies; underscoring that protection is a social as well as legal and physical concern. The 1994 Note on International Protection recognizes that refugees are often deprived "not only of the protection of a Government but also of the traditional protective structures of family, clan and community".[107]

291. Unfortunately, we found that the protection needs of children, as well as women, continue to be seen as extra activities 'on the sidelines' of core protection work. Observers of UNHCR consistently remark on the irony of this approach when women and children comprise 73%[108] of the Office's population of concern. In some instances, we found the Office's work with children, and women, labeled assistance, discounting central protection issues.

292. We find that many of the shortcomings in meeting the protection needs of refugee children arise from too narrow a conception of protection. Narrow concepts of protection, such as a focus on the legal status of the head-of-household and access to asylum, miss the breadth of risks faced by refugee children. Although UNHCR work in regards to physical protection, or personal security (most notably on sexual and gender based violence) has made significant progress in recent years, the social aspects of protection are inconsistently acknowledged, let alone applied by the Office. While social protection may

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[106] Memorandum of Understanding between UNHCR and UNICEF, March 1996, paragraph 21.
[107] A/AC.96/830, paragraph 9.
[108] Figure from 19 July 2001 Population Data Unit report, "Women, children and older refugees"; 47% being the proportion of children alone.

be a new term to many,.in practice, UNHCR still often takes a more narrow, legalistic approach to protection.

293. It is important to note that social systems are the frontline of protection for children in both negative and positive terms. Social systems are the primary providers of protection to children but they are also a potential source of violations. Understanding the social dynamics of a refugee population is therefore vital in regards to risks as well as resources. For example, community networks are the most appropriate way to support survivors of sexual violence, but elements of those networks may be the perpetrators of violence. In one of the few positive examples of social protection amongst our field missions, the protection and community services teams in Tanzania, working with refugee networks, identified gaps in child care practices as exposing young girls to sexual violence and exploitation. The analysis of social structure issues was in complement to other elements of the programme emphasizing more traditional legal and physical approaches, such as applying Tanzanian law and the collection of firewood.

294. UNHCR policy consistently emphasizes the importance of working through families and communities to ensure protection of refugee children, but little advantage is taken in the field of such social systems and networks, including by colleagues where such networks have been effectively engaged by community services. More proactive engagement of social systems in protection work represents opportunities and efficiencies for the Office. Through partnership and capacity building of such social systems, in contrast to individual casework approaches, the protection needs of many can be met and the sustainability of response and prevention is better assured. Fundamentally, the role of community services in working with refugee social systems and networks is essential to effective protection work.

Community services as a key to protection

295. Community services play a fundamental role in protection and yet the community services function in UNHCR is both over-burdened and under-utilized. In the field, a vast array of responsibilities are tasked to community services, and yet their most important role, working with community social systems, is insufficiently understood and utilized by protection, programme and other UNHCR colleagues. For example, we were concerned to find community services used as ad hoc support for shelter and livelihood projects in Bosnia and Herzegovina. This is a pragmatic approach to the flexible funds needed to support minority return, a valid and vital undertaking, but the social aspects of community services are a significant gap in Bosnia and Herzegovina. We found the lack of social support especially striking considering the vulnerability of female headed households, fragility of certain social groups in the sub-region and the investments made in 'trauma' programming in the early 1990s.

296. Community services needs to be re-valued by the Office. Recall from Chapter 3 that 48% of field questionnaire respondents cited community services, or 'social services', as the most useful role to their field operation in meeting the protection needs of refugee children. It will be important for these issues and sectoral relationships to be assessed by the current evaluation of the community services function commissioned by EPAU. While an assessment of the community services function is beyond the scope of our evaluation, the role of community services in the protection of refugee children was underscored throughout our evaluation.

297. The protection of refugee children is especially vulnerable to the degree of collaboration between protection and community services staff. A joint evaluation workshop of the Emergency Standby Agreement between UNHCR and Save the Children Sweden and Norway also found "a persistent lack of integration and collaboration between community services and protection at all levels."[109] In a positive example, in Tanzania, one sub-office specifically arranged the protection and community services offices together in order to enhance daily interaction. A few of our field mission interviews and questionnaires mentioned that joint protection and community services workshops started in 1995 were especially useful, but they have not been followed up and seem to have been discontinued.

298. Where we found UNHCR to be effectively meeting the protection needs of refugee children, a critical factor was the support and use of social networks within the refugee population. Such networks were consistently the work of community services and were most effective where they also had the active involvement of protection officers. While we found the most important role of community services to be the mobilization of such networks, this function is handicapped by:

- Limitations of the 'vulnerable groups' approach traditional to community services,[110]
- Questions about the new community development approach and limited attention to baseline community mobilization, and,
- Understaffing.

Problems with the 'vulnerable groups' approach

299. The sense of over-burden by community services staff stems in part from the use of the function to cover 'vulnerable groups'. A sense of irony has to be stressed in that vulnerable groups amount to 78% of the population of concern.[111] As stressed in the 1997 children's evaluation, the Office should reconsider the use of the term 'vulnerable groups': "vulnerable groups glosses over the different types of risks faced by groups within a population…. Lumping such differences together under a single heading obscures the various kinds of action required".[112]

300. The approach of categorizing 'vulnerable groups' also misses the common causes and common social resources available to response. Effectively mobilized community networks are the most efficient way to identify the causes and perpetrators, to respond to and to monitor the needs of all 'groups at particular risk'[113]: separated children, survivors of violence, abuse and exploitation, child soldiers, the disabled, the elderly and so on.

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[109] "Joint Self-Evaluation Workshop of the Standby Agreement between Save the Children S/N and UNHCR", October 1999, Save the Children Sweden and Norway and UNHCR.

[110] Community services used to be titled social services. (In fact, UNHCR human resources still categorizes community services posts as "social services".) Some staff emphasized that the 'vulnerable groups' approach was part of the old social services orientation but we found the terminology and approach of 'vulnerable groups' remaining throughout the Office.

[111] From 19 July 2001, Population Data Unit report, "Women, children and older refugees". The percentage can be higher; for example it is 91% in Angola. Moreover, the percentage may include the handicapped, child-headed-households or other overlapping categories of 'vulnerable groups'.

[112] 1997 children's evaluation, paragraph 125.

[113] 'Groups at particular risk' being preferable to 'vulnerable groups'.

301. The emphasis should be on situation analysis and the identification of those with particular protection risks. Those with such protection risks will indeed include many women, children and other priority groups but it is unhelpful to view community services as responsible for all 'vulnerable groups'.

302. Adding to the sense of irony and overburden, the needs of 'vulnerable groups' are still considered 'extra' budgetary and 'non-core' programming areas for the Office. For example, sexual violence and reproductive health programming are viewed as an 'additional' effort if 'extra funds' are available, rather than recognizing that sexual violence is highly prevalent in refugee situations and will be a significant protection concern of the majority of the refugee population. (Appropriate resource issues were further discussed in Chapter 3.) We are concerned that recent speeches by UNHCR have stressed that sexual violence would continue to require special funding, implying that such protection concerns are not a core protection concern of the Office.

Shifting to a community development approach.

303. Following from the view that 'vulnerable groups' comprises lists of categories, we found community services to still be hampered by the perception that the function is intended for individual casework, especially in situations with urban caseloads. In this sense, community services is still evolving from the social services approach.

304. The recent support of the Standing Committee to reorient the Office to a community development approach,[114] as proposed by the community services unit, will further progress in this evolution, but further work is required to identify the Office's appropriate role and strategies in community development. Our field missions found that understandings of 'community development' vary greatly. For example, in Pakistan, this ranges from the introduction of service fees to be paid by refugees for basic health services – sometimes termed 'refugee participation' – to some NGO partners having more sophisticated notions of community development.

305. We found the optic too heavy on refugee self-reliance rather than involving refugees as partners in a process to identify resources and opportunities towards both interim and durable solutions. Related to self-reliance, community services is often expected to mobilize the 'voluntary' work of refugees. Indeed we found a number of examples where refugees themselves initiated education and other activities, but some resources are needed in balance to the voluntary roles and tasks the community might fulfill. One must bear in mind that social roles and systems are often disrupted by armed conflict and displacement.

306. In clarifying the Office's role and strategies in community development, we found a fundamental need for all protection and assistance activities to start with an emphasis on community mobilization and more transparent partnerships. As described in Chapter 3, we underscore the need for partnership because community development for refugees, and their durable solutions, are dependent on the full range of UNHCR partners: host and donor governments, other UN agencies, local civil society organizations, international NGOs, and refugees themselves.

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[114] UNHCR's new policy on a community development approach was endorsed at the 20th meeting of the Standing Committee: "Reinforcing a Community Development Approach", EC/51/SC/CRP.16.

307. In other words, the emphasis of UNHCR's role should be on community mobilization while engaging partners to bring community development expertise. No one expects UNHCR staff to assume direct responsibility for each refugee child. The responsibility of UNHCR staff is to build the capacities of families and communities, in their period of risk and devastation due to displacement, to protect children and ensure their survival and development. The existence of refugee law and the CRC does not necessarily motivate communities and host country governments to take the necessary action for refugee children. That comes from the process of community mobilization.

Community mobilization as the first step

308. Regarding community mobilization, we found the ARC resource materials on community mobilization and POP framework to be of high quality. Both of these tools provide practical guidance building from situation analysis. The People-Oriented Analytical Framework comprises three steps: population profile and context analysis, activities analysis; and, resources analysis.[115] Importantly, population profile analysis stresses: community norms, social hierarchy, family structure and community mechanisms for protecting women and children.

309. The ARC resource pack on community mobilization defines community mobilization as: "a process whereby local groups are assisted in clarifying and expressing their needs and objectives and in taking collective action to attempt to meet them. It emphasizes the involvement of the people themselves in determining and meeting their own needs. It is closely linked with the concepts of participation and resilience."[116] We found limited knowledge on community mobilization throughout the Office. Adding to the above definition, we would stress that community mobilization is:

- A process whereby outsiders (UNHCR and other non-refugee staff) serve as catalysts to define and put into action the collective will of the community;
- Community members see collaborating to address a certain problem as in their own self-interest;
- The community identifies knowledge, skills and resources;
- The role of catalyst is that of capacity building through planning, assessment, training and improving access to resources;
- As an outside agency, one is a facilitator, not a manager or 'service deliverer'; and,
- Community mobilization can involve existing structures and/or new structures.

Community mobilization is not:

- Convincing people to address your concern;
- Getting people to work for free; and,
- A process with pre-determined outcomes.

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[115] "People Oriented Planning: A Framework for People-Oriented Planning in Refugee Situations Taking Account of Women, Men and Children." op.cit., page 3.
[116] The ARC Community Mobilization resource pack, op.cit., page 7.

310. Linked to confusions and varying definitions of community development, the Office's work in community mobilization would be strengthened by the experience of many partners in participatory methodologies. Such methodologies include: Participatory Rapid Appraisal (PRA), the Triple-A cycle, Participatory Learning and Action (PLA), community mapping, 'training for transformation' and 'appreciative inquiry'.[117] The ongoing effort to 'operationalize' protection, implement ARC, and examine the community services function would be improved by consulting with community development practitioners and experts on such methodologies.

Staffing shortfalls

311. Amongst our field missions, we found community services to perhaps be the least appreciated function of the Office. This is most visibly reflected in cuts in community services posts in recent years. We found operations in West Africa to recognize the pivotal value of community services but, at the time of our field mission, they were struggling to have postings approved by headquarters. Shortfalls in community services posts provide a negative measure of the Office's follow up strategy to the Machel Study in that increasing such posts was considered a vital step towards implementing the strategy.

312. Indeed, shortfalls in community services staff are fundamental to limitations in meeting the protection needs of refugee children. The 1997 children's evaluation recommended that: "current global programme needs easily justify doubling the number of community services posts. A ratio of one community services staff member for every 50,000 refugees would be a useful point of reference for staffing decisions."[118] In the Senior Management Committee meeting where the 1997 children's evaluation was discussed, it was noted that "refugee child-adolescent-women programming is being weakened by the discontinuation of field-based community services posts."[119] Rather than doubling, today there are 11% fewer community services posts than in 1997 globally and 50% fewer international posts. Today, there are 78 community services positions, covering less than half of UNHCR's operations, of which 12 are international posts. Only six of these, one at headquarters, are at the P4 level. Five JPOs, nine national officers and 52 general services staff comprise the remainder of the 78 community services personnel. If the proposed ratio of one community services staff member for every 50,000 refugees was implemented, the Office would have more than 400 community services staff members.

313. Community services at headquarters and other staff in interviews also acknowledge a significant need to strengthen the quality of community services officers. For example, a number of community services posts have been filled by national logistical and support staff with insufficient consideration of the skills and qualifications needed in community services. Core competencies for community services staff should emphasize analytical, networking, training and communication skills in working with refugee women and children of different cultures.

314. Recalling the discussion on appropriate staff in Chapter 3, these staffing shortfalls undermine the role of the Senior Regional Advisors to provide technical support

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[117] The ARC Situation Analysis and Facilitators Toolkit provide further information on some these methodologies and links to other resources and references.
[118] Ibid, paragraph 148.
[119] UNHCR, 12 February 1998, "Summary Record of SMC Meeting", internal document.

and child expertise to field operations. If a field operation lacks community services or engaged protection staff responsible to follow up and implement policy and good practice on the protection of refugee children, the contributions and value-added of the Senior Regional Advisor is hampered.

Child protection needs in emergencies: the role of community services and education

315. Because emergency response often sets the baseline of future protection and assistance activities, the emergency phase is perhaps the most critical to UNHCR's obligations in child protection. The inclusion of community services in emergencies, through UNHCR's standby team for community services with Save the Children Norway and Sweden, has been a particularly positive example of partnership and work on child protection. This partnership has been in place for almost a decade and has steadily proven the importance of community services in effective emergency response. For example, six emergency community services deployments took place in 1997 and rose to 14 in 2001. Unfortunately, the increased appreciation of community services in emergencies, and of the work and contributions of those deployed by Save the Children, has not translated into ongoing support for the role of community services within the Office. In fact, some expressed concern that the standby team is used to fill 'gaps' in community services postings rather than its intended role of ensuring emergency capacity.

316. In a positive reflection of improvements, the Workshop on Emergency Management (WEM) training programme has started to include standby team members. WEM training also includes some child protection issues but would improve through more concerted incorporation of the ARC resource packs on situation analysis and community mobilization.

317. Relating to problems with the 'vulnerable groups' approach, we found the orientation of child protection activity in the emergency phase to be based on categories of children rather than the causes of child protection risk and protection responses. Child protection in the emergency phase should be simplified to emphasize separated children and community-based psychosocial approaches. A community-based psychosocial approach means supporting social structures to monitor the protection needs of refugee children and initiate rehabilitative activities such as emergency education. For example, while sexual violence and military recruitment will likely be priority protection risks for refugee children in the emergency phase, psychosocial oriented activities provide the most appropriate context to identify such special needs and the best programming foundation to address these issues.

318. A community-based psychosocial approach is already contained in the Office's inter-agency guidelines on emergency education.[120] These guidelines emphasize that psychosocial activities and informally structured education form the base for future protection and assistance activities. Non-formal schooling and then formal schooling comprise the second and then third tier of the emergency education approach. Notably, the guidelines cover the needs of refugee children from pre-school age through adolescence. Recalling the positive examples of youth clubs, specialist education and community services

[120] UNHCR-UNICEF-UNESCO, 1998, "Rapid educational response in complex emergencies" and UNHCR, 1995, "Revised guidelines for educational assistance to refugees".

staff could usefully work to expand the use of child-to-child methodologies in emergency psychosocial and education activities.

Recommendations

319. DIP should convene a specific session on social protection as part of the current Global Consultation process. While the opening for this is the early 2002 thematic session on gaps in protection standards for refugee women and children, the role of social systems to protection work generally should be considered. A discussion paper should be commissioned exploring how the UNHCR protection function can better seize the potential of community services and education as tools of protection. The staff and representatives of refugee youth from at least two operations should be brought to participate in the session. Their presentations should focus on practical ways in which protection, community services and community groups have effectively addressed key protection issues in their field operation. For example, a field operation with extensive experience in sexual and gender-based violence could provide a useful model and basis for further application.

320. With active participation from DIP, the full Division of Operations Support (DOS) should emphasize community mobilization as a first step in implementing the new community development approach. Towards improving community mobilization in the field, a brief training and pilot effort with community mobilization should be incorporated into the strategic planning sessions planned over the 2002-2003 programme and budget cycle. Further, as a first step in addressing the staffing shortfalls through the 2002-2003 programme and budget cycle, every operation should be assured a minimum of one community services staff member at a professional level.

321. The ARC resource packs on situation analysis and community mobilization are especially good tools towards improving protection and community services work with refugee children and adolescents. DIP should undertake a concerted effort to reach all protection and community services staff with targeted training in this regards, especially national staff. Such training goes beyond the current plans and capacity of the new Protection Learning Programme.

322. To improve situation analysis and integration, protection and community services should jointly convene focus group discussions with refugee children, most specifically with adolescents, as part of regular protection monitoring. The results and follow up of such focus groups should be required reporting through Annual Protection Reports. In field operations without community services officers, as is the case in a great many operations, the protection officer should take responsibility for these consultations with the active participation of staff covering community services functions.

323. Towards fulfilling UNHCR's leadership role, protection and community services officers in the field should jointly convene monthly or quarterly child protection coordination meetings. In many operations, it may be most appropriate to convene such meetings jointly with UNICEF or other partners. Meetings should include UNICEF, implementing partners, other NGOs, local authorities and refugee representatives. Meetings should emphasize harmonization of activities, review policy guidance, training and capacity building needs and opportunities, and coordinate cross-border communications and activities. Senior Regional Children's Advisors should participate on a rotational basis to

ensure sub-regional policy implementation and follow-up on cross-border programme issues.

324. The approach to child protection in emergencies should emphasize separated children and emergency education activities. The Office should continue to aim to achieve the performance objective from the Machel follow up strategy that every emergency plan and budget should include these activities. The Senior Coordinator for Refugee Children, Senior Regional Advisors, community services and education staff should promote the Office's emergency education approach as this best articulates the role of community-based psychosocial activities to emergency child protection; including promotion through WEM.

325. A focus group with both girls and boys should be undertaken as part of every emergency assessment to identify child specific priority protection needs. Such focus groups should be stressed as part of the WEM emergency training programme.

Conclusion

326. Amongst our field missions, the most prominent factor in the positive examples of meeting the protection needs of refugee children was the degree of engagement by, and level of integration between, the protection and community services functions. At the level of the refugee child, protection and community services work is dependent on working with community-based social systems and networks who have daily interaction and knowledge of refugee children. As described earlier in Chapter 3, we found positive examples of working with such community- based networks in Guinea, Kosovo, Pakistan, Serbia and Tanzania.

327. Following from our finding that the omission of social protection in the current conception of protection is a key factor to shortcomings in meeting the protection needs of refugee children, consideration should be given to incorporating community services into the Department of International Protection. This would provide the necessary emphasis on social aspects of protection and role of community networks. Others have expressed the view that community services should be considered equal to protection and programme in field office management and organization. Most often, community services is under programme, undermining the links with protection to both assistance and social concerns. While changing institutional structure is not the answer to improving social protection, specific action is needed to make protection more holistic, i.e. including social as well as legal and physical protection, and improving the role of community services in protection.

5. Looking forward: review of key recommendations

328. The 'content' of UNHCR's policies and guidelines on refugee children is of high quality and remains relevant and practical to protection programming. Specific child protection issues, the five priority issues identified for the Office's follow-up strategy to the Machel Study and others highlighted in our evaluation, require expanded and improved action, but overall, a 'back to basics' approach is needed to emphasize the holistic nature of the 1994 Guidelines and Convention on the Rights of the Child.

329. A 'back to basics' approach is necessary to facilitate implementation of and compliance with the Office's policies and obligations to the protection of refugee children. Indeed, we found that reasons for shortcomings in meeting the rights and protection needs of refugee children centre on organizational management issues. The main obstacles for the Office to address are a lack of accountability and the dilemna of mainstreaming.

330. In instances where we found UNHCR to be effectively meeting the protection needs of refugee children, it has been due to the following factors:

- The leadership and support of senior management and those with budgetary control to refugee children as a core priority of the Office;
- The degree to which protection staff include social as well as legal and physical aspects of protection and seek to integrate their work with community services and education;
- The degree to which community services staff mobilize and work respectfully with community-based social systems and networks; and,
- Strategic partnerships, especially collaboration with UNICEF and key NGOs.

331. To incorporate the above factors throughout the Office, the confusion about what child protection means must be addressed. Fundamentally, the protection function needs to be oriented to: incorporating child rights as the framework for analysis; including social as well as legal and physical aspects of protection; and working with community services to mobilize community networks.

332. We have put forward 43 recommendations in this report. Although all recommendations aim to be practical steps to improve the degree to which UNHCR meets the rights and protection needs of refugee children, this final chapter provides a summary of recommendations aimed to facilitate senior management follow-up to the evaluation.

333. Indeed, questions of how the evaluation would be followed up overlaid our discussions throughout the evaluation process. In particular, external stakeholders were concerned that we found limited follow-up to the 1997 children's evaluation. Many commented that among previous evaluations, follow-up to the evaluation of the Kosovo operation was the most effective because of donor pressure and the adoption of a specific management follow-up plan of action. This review of key recommendations aims to facilitate a management plan of action to improve child protection. In particular, we

highlight our recommendation to undertake a pilot mainstreaming exercise as a key step that will provide further insights towards effective mainstreaming and accountability for the protection of refugee children.

334. In view of the 'back to basics' approach needed to emphasize the holistic nature of the 1994 Guidelines and Convention on the Rights of the Child, reporting on activities relating to refugee children under the rubric of 'follow up to the Machel Study' is unhelpful. The performance objectives of the Machel follow up strategy should be incorporated into UNHCR's mainstream planning and reporting procedures and manuals.

335. Regarding specific child protection issues, as a priority:

- Statistics and data collection on refugee age should be disaggregated to under 5, 5 to 9 years, 10 to 14 years and 15 to 18 years in order to improve the degree to which the protection needs of adolescents are addressed by the Office;
- Education budgets and programming approaches should be broadened to include non-formal opportunities for all adolescents, with special consideration for youth clubs and expanded curriculum linkages to sexual and reproductive health issues and life skills; and,
- Specialist staff, in particular Senior Regional Advisors for Refugee Children, should concentrate on improving cross-border and sub-regional policy harmonization, partner collaboration and exchange of programme experience, with an emphasis on separated children and education.

336. The High Commissioner and senior management should make a clear statement that the protection needs of refugee children are a core activity and organizational priority of the Office. On the whole, the practice of designating issues as policy priorities should be reconsidered as it has gained little meaning or effect in practice.

337. Accountability for child protection should be clarified at all levels. The Assistant High Commissioner has overall implementation responsibility for child protection with the Bureau responsible at regional level and Country Representatives having overall responsibility at field level. Specialist staff are responsible for technical support but not implementation.

338. Towards improving the operationalization of protection, the Department of International Protection should convene a specific session on social protection as part of the current Global Consultation process. As a starting point for the session, a discussion paper should be commissioned exploring how the UNHCR protection function can better seize the potential of community services and education as tools of protection. The staff and representatives of refugee youth from at least two operations should participate in order to focus on practical ways in which protection, community services and community groups have effectively addressed key protection issues in their field of operation.

339. At headquarters, a number of actions are needed:

- The steering committee from this evaluation should continue as an inter-departmental working group on refugee children. The working group should emphasize steps to improve policy compliance and mainstreaming by

facilitating technical assistance, training and the roles of specialist staff between sectors, divisions, the Bureaux and field operation;

- As a matter of urgency, senior management should develop and issue a more consolidated and integrated UNHCR Manual. Building from the 'mainstreaming' document drafted in 2000 by the Division of Operational Support, the Manual should have short descriptions of each sector and their related standards and guidelines. Key child protection indicators should be incorporated throughout. General sections of the Manual should incorporate key points on situation analysis and community mobilization;
- DIP and the Senior Coordinator for Refugee Children need to develop a one-page reference document on key protection issues for refugee children, emphasizing a holistic view of the Office's mandate; and,
- The field inspections of the Inspector General should specifically include follow up to this evaluation and their results should be shared, at minimum in a verbal briefing, with EPAU, DIP, the Senior Coordinator for Refugee Children and the Regional Advisors.

340. The Office should commit to continuing all specialist posts and should make a small expansion of such resources. In particular, one additional Senior Regional Advisor for Refugee Children should be added for Asia and the Pacific and there should consistently be separate specialist staff for refugee children and refugee women/gender equity. This would also include having separate, as two posts, the Legal Advisors in DIP for women and children.

341. Towards improving accountability and mainstreaming at the field level, under the leadership of the Assistant High Commissioner, with the facilitation of the Senior Coordinator for Refugee Children, a series of one-day working sessions should be taken with each Bureau during 2002. Each session should include a two-hour orientation on leadership and management responsibilities for the protection of refugee children. The remainder of each session should be devoted to prepare a workplan and timetable for:

- A pilot mainstreaming exercise for each Bureau to be undertaken over the 2002 to 2004 programme cycles. The pilot mainstreaming exercise will emphasize situation analysis of child protection issues, partnership and community network opportunities, and their incorporation into country programmes and management systems. An outline for the pilot mainstreaming exercise is provided as Annex 1; and,
- Training on key child protection issues for all regional and country management staff. In the short-term, training sessions should be minimum half-day sessions organized in conjunction with other regional and sub-regional meetings. Towards the long-term, child protection concerns should be better integrated into the Senior and Middle Management Learning Programmes.

342. Towards the in-depth child protection training needs of protection and community services staff and partners, DIP and DOS should jointly undertake a concerted effort to reach all protection and community services staff with targeted training based on the ARC situation analysis and community mobilization resource packs, especially national staff. Such training goes beyond the current plans and capacity of the new Protection

Learning Programme. The Senior Regional Advisors and field-based protection and community services staff need access to consultant budgets or need to use their training budgets to run local trainings. ARC-experienced trainers should be based regionally for one to two years to help fulfill training needs.

343. Other key steps to improve field level mainstreaming, accountability and the operationalization of protection:

- The annual COP process should require demonstrated child protection situation analysis and programme planning with all partners, including UNICEF and refugee networks. Towards making UNHCR's partnerships more strategic, proactive and transparent, heads of field operations should be required to hold annual review and planning meetings with UNICEF and other key partners as part of the project cycle;
- Include a sub-clause in agreements with partners on compliance with the 1993 policy and 1994 Guidelines. Relevant policies should be listed in sub-agreements and distributed as part of concluding and signing partner agreements;
- To improve situation analysis, protection and community services should jointly convene focus group discussions with refugee children, most specifically with adolescents, as part of regular protection monitoring. The results and follow up of such focus groups should be required reporting through Annual Protection Reports;
- A focus group with both girls and boys should be undertaken as part of every emergency assessment to identify child specific priority protection needs. Such focus groups should be stressed as part of the WEM emergency training programme; and
- As a first step in addressing the staffing shortfalls behind meeting the protection needs of refugee children, through the 2002-2003 programme and budget cycle, every field operation should be assured a minimum of one community services staff member at a professional level.

Annexes

Annex 1: Outline for pilot mainstreaming exercise

Annex 2: Terms of reference

Annex 3: Questionnaire

Annex 4 Lessons learned

Annex 1: Outline for pilot mainstreaming exercise

Under the leadership of the Assistant High Commissioner, each Bureau should undertake a pilot mainstreaming exercise with at least one field operation over the 2002 to 2004 programme cycles. Field operations are consistently aware that children are a policy priority of the Office, but express confusion and frustration as to 'how' to implement such policy. Improving the degree to which the protection needs of refugee children are met, either through mainstreaming or special actions, is unlikely to result from guidelines or written instructions. Throughout our field missions, we found committed staff but they need direct, technical assistance to review and adjust field operations. The lessons learned from the pilot exercise can then be incorporated into the annual management cycle and help to identify priorities for the ongoing work of specialist staff.

The exercise should cover the full programme cycle; thus priority setting and sector re-orienting should be fully reflected in 2003 Country Operations Plans. The field operations should be selected in consultation with the Inspector General and Programme Coordination and Operations Support Section, as the exercise would be most effective if harmonized with those field operations that will have inspection missions and those that will be participating in the new strategic planning exercises.

The number of field operations selected would be eight, with a minimum of six. Points of comparison should be sought, so that, for example, a field operation with access to a Senior Regional Advisor can be compared to one without and, similarly, operations can be compared with and without protection and community services posts:

- Two to three Africa field operations should be selected - one from West Africa and one from the Horn/East Africa in order to gain from the involvement of those regions' Senior Regional Children's Advisor. A third should be from South Africa or the Great Lakes with a view to comparing the needs and role of the Senior Regional Advisor;
- One to two Europe field operations should be selected - one should be within the CIS involving that sub-region's Senior Regional Advisor and a second from among those countries participating in the Separated Children in Europe Programme (SCEP);
- One field operation within CASWANAME with the involvement of the new Senior Regional Advisor;
- One field operation from the Americas; and,
- At least one field operation from Asia and the Pacific.

Implementation of the exercise should be done as a team including: the country representative, the senior protection officer, the community services officer, a programme or field officer, the relevant Senior Regional Advisor, a representative of the Bureau and representative of DIP Protection Operations Support Section. The Office of the Senior Coordinator for Refugee Children should provide overall support to the exercise. For those

field operations selected without a Senior Regional Children's Advisor, a staff member of the headquarters children's unit should participate on the team.

At the conclusion of the exercise, the Assistant High Commissioner should convene a meeting of all heads of Bureau and other senior staff to review the results and identify management actions required to improve implementation of the Office's policy on refugee children. The results should then be shared in a meeting with key donors so as to facilitate their efforts to support improved child protection most effectively.

Annex 2: Terms of reference

Independent evaluation of the impact of UNHCR's activities in meeting the rights and protection needs of refugee children:

Background

Meeting the rights and protection needs of refugee children and adolescents and other young people of concern to UNHCR (hereafter referred to as refugee children) has become an increasingly important priority for the organization over the past decade.

In 1994, UNHCR issued its Guidelines on the Protection and Care of Refugee Children, which set out operational and legal standards to be observed in the treatment of refugee children worldwide. The 1996 United Nations Study on the Impact of Armed Conflict on Children (the Machel Study) constituted another important landmark in relation to this issue. The following year, an internal evaluation was undertaken at the request of the High Commissioner, which identified a number of constraints that were impeding the implementation of UNHCR's policy and guidelines on refugee children.

As part of its follow-up strategy for the Machel Study, and on the basis of the previous evaluation's recommendations, UNHCR has continued with its efforts to ensure that children's and adolescents' concerns are mainstreamed in the organization's programmes and that relevant policy guidance is widely disseminated and implemented in the field. Considerable resources, both human and financial, have been mobilized to increase UNHCR's capacity in this domain, and a number of initiatives have been undertaken in order to develop effective partnerships with other actors. This new evaluation will provide an opportunity to assess the achievements made to date and to identify areas where UNHCR's performance and operational effectiveness could be further enhanced.

Terms of reference

Final terms of reference for this project will be agreed by UNHCR and the consultancy team or company that is awarded the contract. Provisional terms of reference are provided below.

To evaluate the impact of UNHCR's activities in relation to the rights and protection needs of refugee children, the review will use the five components of the follow-up process to the Machel study as a broad analytical framework. Those components are: separated children, education, sexual exploitation, adolescents, and the prevention / monitoring of military recruitment of children. The evaluation will also base its assessment on relevant international and regional legal instruments, including those pertaining to refugees, human rights and the rights of the child.

The evaluation will assess the content, dissemination and implementation of UNHCR's policy in relation to the rights and protection needs of refugee children. In that context, the

evaluation will examine a broad range of organizational issues, including those of compliance, monitoring and reporting, staffing, training, resource mobilization and allocation, organizational structure, internal communications, partnerships and inter-agency coordination.

More specifically, the evaluation will:

- assess the awareness and understanding of UNHCR policy at the senior management and headquarters levels, at the operational level and among partner organizations;
- assess the extent to which issues relating to the rights and protection needs of refugee children have been effectively prioritized at the country and regional levels;
- assess the extent to which UNHCR's policy in relation to the rights and protection needs of refugee children has been translated into concrete plans of action and programme activities at country and regional levels;
- identify specific achievements and examples of good practice in UNHCR's efforts to meet the rights and protection needs of refugee children, as well as the constraints and setbacks that the organization has experienced in this respect;
- assess the extent to which UNHCR's policies and guidelines are clear, practical and relevant to the protection needs of refugee children;.
- examine the extent to which UNHCR has established realistic objectives for itself in terms of meeting the rights and protection needs of refugee children;
- assess the tools employed by UNHCR to monitor the protection needs of refugee children, as well as the procedures employed to report from the field to headquarters, to provide feedback to the field, and to ensure compliance with UNHCR policy;
- assess the extent to which UNHCR has successfully communicated its policies and objectives to other agencies, the extent to which it keeps those agencies adequately informed, and the degree to which UNHCR has developed an effective understanding of other agencies' capabilities, working methods and areas of specialization;
- examine the extent to which UNHCR has been able to foster the establishment of inter-agency coordinating arrangements (including the UNHCR/UNICEF memorandum of understanding) that ensure effective coverage and prevent duplication in meeting the rights and protection needs of refugee children;
- examine the degree to which UNHCR personnel have been provided with the operational guidance and training required by the Action for the Rights of Children (ARC) initiative, the Separated Children in Europe programme and other related initiatives;
- assess the extent to which UNHCR has been able to build the capacity of governments, local NGOs and other organizations to meet the rights and protection needs of refugee children;
- review the extent to which ARC programme has proved effective as a means of capacity building and mainstreaming UNHCR policy on refugee children;

- review the current orientation of ARC's activities, including the strategies employed to ensure the long-term sustainability of this initiative;
- assess the extent to which UNHCR has been able to dedicate resources (human, material and financial) to activities relating to the rights and needs of refugee children; and determine to what extent such allocated resources met existing requirements;
- review the extent to which UNHCR has been able to identify and assign suitably experienced and skilled staff in key operations; and
- assess the extent to which UNHCR's policies, programmes and practices in relation to the protection of refugee children have been developed through effective monitoring, evaluation and the exchange of information and experience between different operations.

This evaluation is to be undertaken by a team of three or more independent consultants, under the direction of a designated team leader. The evaluation will be managed by UNHCR's Evaluation and Policy Analysis Unit (EPAU) and guided by a steering committee, consisting of representatives from EPAU, UNHCR's Division of Operational Support, Department of International Protection, Division of Communication and Information and Regional Bureaux. A parallel consultative process with external stakeholders will be established by EPAU to ensure that the views thereof are incorporated in the evaluation process.

The consultancy team selected for this project is expected to have a multidisciplinary, multinational and gender-balanced profile. It will have a proven understanding of refugee protection and/or child rights issues, and will have undertaken previous evaluations for international or non-governmental organizations. Familiarity with the work of UNHCR would be advantageous.

The evaluation is to be undertaken in a manner which is consistent with the EPAU mission statement (see below). A substantive period of research in Geneva (3-4 weeks) and travel to other agreed locations (minimum of three field locations; 2-3 weeks per location) is anticipated. A mutual agreement will be reached on the details of such missions.

The consultancy team is expected to make its own travel and accommodation arrangements but will be provided with logistical support by UNHCR in the field. An EPAU staff member will be assigned to manage and play an advisory role in the project. EPAU may also accompany the consultancy team on its missions to the field.

Work on the review is expected to commence within the first quarter of 2001 at the latest.

The style and format of the final report must conform to EPAU's specifications, details of which will be provided to the successful team. UNHCR will exercise no editorial control over the evaluation report but will format and copy edit the report prior to publication. The report will be credited to the consultancy team and placed in the public domain. UNHCR reserves the right to attach an annex to the report, commenting on its findings and recommendations.

Please note that individual consultants and consultancy teams without a legal identity or institutional affiliation cannot be considered for this contract, which will be issued on a corporate basis.

Evaluation and Policy Analysis Unit:

Mission Statement

The Evaluation and Policy Analysis Unit (EPAU) is committed to the systematic examination and assessment of UNHCR projects, programmes, practices and policies. EPAU also promotes rigorous research on issues related to the work of UNHCR, and encourages an active exchange of ideas and information between humanitarian practitioners, policymakers and the academic community. All of these activities are undertaken with the purpose of enhancing UNHCR's capacity to fulfill its mandate on behalf of refugees and other people of concern to the organization

The work of EPAU is guided by four fundamental principles:

Transparency: EPAU's activities will be undertaken in an open and transparent manner. Reports prepared and commissioned by the unit, as well as details of EPAU's work programme, will be placed in the public domain and actively disseminated to interested parties.

Independence: EPAU strives to provide an objective analysis of UNHCR's activities and performance. In accordance with this principle, the unit will make extensive use of independent consultants with proven expertise in the evaluation of refugee protection and humanitarian assistance activities.

Consultation: EPAU will function in a consultative and participatory manner, soliciting the involvement of key stakeholders within and outside of the organization. EPAU will make particular efforts to work in collaboration with partner organizations. The unit will also strive to ensure that beneficiary views are taken into account in the analysis and assessment of UNHCR's activities.

Relevance: The work of EPAU will be relevant to UNHCR's operational needs and performance. It will also place particular emphasis on the identification and dissemination of best practices. Every effort will be made to ensure that the unit's findings are incorporated into UNHCR's planning, programming and policymaking processes, thereby reinforcing the organization's ability to meet the needs of its beneficiaries.

Annex 3: Questionnaire

VALID INTERNATIONAL
UNHCR Children's Evaluation
QUESTIONNAIRE ON THE RIGHTS AND PROTECTION OF
REFUGEE CHILDREN AND ADOLESCENTS

Thank you for completing this questionnaire. Valid International has been contracted by UNHCR to undertake an independent evaluation of the impact of UNHCR's activities in meeting the rights and protection needs of refugee children and adolescents. The evaluation seeks to review child protection priorities, assess which UNHCR strategies and activities have been particularly useful in the domain of child rights and protection, and to identify where further action is required. ***All replies will be held confidential by Valid with no identifying details submitted to UNHCR.***

Please note the following:

1. We would be grateful if you could complete the questionnaire in *English or French* as we have limited capacity to process information in other languages.
2. Please ensure that your writing is *legible*. We would prefer responses to be typed, if possible.
3. Press 'Tab' to move from one reply to another. Click the mouse to insert a tick where appropriate. Please contact us if there are any problems.
4. Completed questionnaire should be sent by 30 June by email to:
   childeval@validinternational.org
   Or send a hard copy through the double envelope procedure as follows:
   1. Put your completed questionnaire in a blank envelope and close it;
   2. Put this in a second envelope and seal it; on this second envelope, note your name and office location;
   3. Send the double envelope through the UNHCR pouch to: Valid International Children's Evaluation, c/o Naoko Obi, EPAU, Incoming Mail Unit, 94 Rue Montbrillant, 1211 Geneva 20.

PLEASE COMPLETE THE FOLLOWING INFORMATION

Country office: Staff: National ☐ International ☐
Post title: Sex: M ☐ F ☐

Number of years with UNHCR

If you are willing to be contacted by the evaluation team, please note your email address and telephone contact:

1. List which UNHCR guidelines or other reference materials relative to refugee children and adolescents you have used in your work.

-
-
-

How useful are UNHCR guidelines relative to children and adolescents?

Very useful ☐ Fairly useful ☐ Not useful ☐ Never seen them ☐

How have you applied the guidelines in your work?

How could they be improved?

---

2. Have the roles and functions of specialist staff been useful?

Headquarters/regional	Yes	No	Not familiar with role
a) Senior Coordinator for Refugee Children/ Children's Unit	☐	☐	☐
b) Department of International Protection focal point on women and children?	☐	☐	☐
c) Regional Advisors on Refugee *Children?*	☐	☐	☐

Does *your office* have a focal point for children? ☐ ☐

Which post fulfils this role?

Which specialist role is the most useful to field operations?

---

3. Does your section have an action plan with specific points on children and adolescents?

Yes ☐ No ☐

If yes, please list the main points or activities:

_____

_____

Alternatively, we would be most grateful if you could attach a copy to this questionnaire.

_____

4. In your view, what priority is given to children's issues in UNHCR?

Children's issues today		Children's issues 3-5 years ago	
High priority	☐	High priority	☐
Medium priority	☐	Medium priority	☐
Low priority	☐	Low priority	☐
Not important	☐	Not important	☐

Other comments (optional)

---

5. Have you attended ARC training?
Yes ☐ No ☐

Relevance to your work		Usefulness as a tool to improve capacity of UNHCR and partners	
Highly relevant	☐	Extremely useful	☐
Moderately relevant	☐	Moderately useful	☐
Limited relevance	☐	Limited usefulness	☐
Not relevant	☐	Not useful	☐

If you have attended ARC training, did you do anything differently in your work after the ARC training?

Other comments relative to the ARC initiative (*optional*):

---

6. List three points of UNHCR's policies on refugee children which you feel are the most important:

-
-
-

Other comments (optional)

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7. In your view, are there issues relative to the rights and protection needs of refugee children that require new policy development? List 3:

-
-
-

Other comments (optional)

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8. Constraints and setbacks

Read all the following internal factors that constrain the achievement of child protection obligations and goals/ policy. Rank them by number starting with 1 – the most important constraint – followed by number 2 – the next most important constraint and so on. Each number (1,2,3,4,5,6,7,8) should only appear once in the grid. Repeat with external factors (numbering 1, 2,3,4,5)

INTERNAL FACTORS	RANK		EXTERNAL FACTORS	RANK
Limited number of specialist staff or partnerships			*Sudden new influx of refugees or renewed violence*	
Other/competing priorities			*Host country legal or other restrictions*	
Staff inexperience			*Limitations of NGO partner capacity to understand/enforce child protection policy*	
Funding/Budget cuts			*Limitations of inter-agency cooperation*	
Inadequate dissemination of guidelines/materials			*Other*	
Inadequate training for international staff/management				
Inadequate training or orientation for national staff				
Rapid staff changes (rotation, staff cuts, changing responsibilities)				
Level of post/authority of staff primarily responsible for refugee children/adolescents				
Other				

_____

9. Within your country programme, what do you see as the main opportunities to promote the rights and protection of refugee children?

10. In your view, do the following understand UNHCR's policies on refugee children and adolescents?

	Very good	Adequate	Weak	Not relevant
Host governments	☐	☐	☐	☐
Donor governments	☐	☐	☐	☐
Refugee populations	☐	☐	☐	☐
Implementing partners	☐	☐	☐	☐
UN family partners	☐	☐	☐	☐
UNHCR colleagues	☐	☐	☐	☐
Other partners ____	☐	☐	☐	☐

Other comments (optional):

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11. What are the best examples you have encountered of practice to promote the rights and protection needs of children and adolescents?

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12. Any other comments (optional):

Annex 4: Lessons learned

Note on lessons learned in the evaluation process and methodologies

Beth Verhey, Team Leader

Overall, we found the evaluation process to be consistently true to the four fundamental principles guiding the UNHCR Evaluation and Policy Analysis Unit's (EPAU) work: transparency, independence, consultation and relevance. As elaborated in this note, we would underscore that the steering committee, field missions and wide consultations ensured a learning process throughout the evaluation. Further, the employment of focus groups with refugee children ensured an element of participatory, beneficiary-based evaluation.

As an important overarching lesson, we found triangulating methodologies to be very effective and particularly important for such a global, thematic evaluation. Traditionally, desk reviews, semi-structured interviews and field missions leave evaluations open to the criticism that conclusions and recommendations are based on isolated situations and are too quickly generalized. Because our evaluation triangulated focus groups and a questionnaire as well as the above traditional methodologies, we found the consistency of our findings to be all the more striking and of meaningful depth.

Further, the evaluation results are especially strong because the evaluation included management and organizational system issues as they relate to the particular theme, the protection of refugee children. It will be important for EPAU to continue to stress the link to such organizational issues in thematic evaluations. Indeed we found organization issues to be a central obstacle to progress in meeting the protection needs of refugee children.

Another important overarching element concerned the principle of independence. Throughout the evaluation process, we found it important to emphasize a balance between being an 'independent' team of 'outside experts' and yet having the authority of being an 'internally' commissioned evaluation. Especially in our field missions and questionnaire, we found it important that UNHCR staff considered the team to be conducting an 'internal' evaluation while providing the confidentiality of being 'external' persons. Clarifying that the evaluation was internally commissioned facilitated the degree of transparency and candor with which the team was provided information. In turn, this was an important point of explanation with partners and external stakeholders for whom it was important that we had insight of an 'internal' view of the Office while being 'external' facilitated their confidence level in the team's objectivity. In some cases, this also addressed the 'defensiveness' of some staff and partners in that their specific project was not being evaluated, rather UNHCR's progress, strategies and activities in meeting the protection needs of refugee children were being evaluated. In future evaluations, it would be useful for EPAU to communicate the important balance between 'independence' and 'internal purview' as part of announcing the evaluation, especially to staff of selected field missions.

Key lessons on methodologies

Steering Committee

The steering committee established by EPAU for the evaluation provided a good representation of UNHCR departments and sectors. We found it to be a successful component to the evaluation in a variety of ways. Firstly, we would underscore the role of the steering committee to the learning process of the evaluation. The series of workshops with the steering committee ensured relevance, transparency and a consultative learning process for the evaluators, the participants, and by association for most, their individual departments or units. In effect, this provided a good example of 'mainstreaming' on both child protection and evaluation process for the Office. The series of steering committee workshops also provided a valuable baseline for follow up to the evaluation as many more 'eyes' than the 'evaluation department' will be 'owners' of the evaluation results. This was reflected in the proposal of the Senior Coordinator for Refugee Children to have the steering committee continue as an internal working group on the protection of refugee children.

The steering committee provided an important sounding board to the evaluation team, especially at the mid-point of the evaluation. We felt the mid-point workshop was highly valuable and would recommend it to future evaluations. Further, we would recommend such a workshop in place of providing interim written products, especially for such global, thematic evaluations. Keeping the evaluation process oriented to open discussion avoided any disproportionate focus on an individual field mission or issue.

The positive experience and impact of the steering committee workshops should be considered for expansion in future evaluations. Meaning, additional types of workshops might be useful to the learning process in an evaluation. For example, at headquarters, it might be useful to convene half-day workshops or discussion groups on particular issues or themes. For example, accountability was a repeatedly animated discussion in our steering committee workshops and issues such as the meaning of a policy priority and social protection would benefit from further, focused discussion. Such additional workshops should aim to include others outside of the steering committee or be convened with different sub-groups of staff and stakeholders.[121] In the field, some of our verbal de-briefing sessions were with staff groups and facilitated interesting discussion between sectors. Of course it should be recognized that building in further workshops requires more time and most evaluations have time constraints.

For future evaluations, we recommend two considerations:

- *Representation:* Particularly for the Bureaux, efforts should be made to have higher level representation on the steering committee. (We acknowledge that it may be the case that, because this was the children's evaluation and 'focal points' for women and children are often more junior staff, the level of representative might readily be higher.) Also, wider representation of management, protection, communications and resource management should be considered.

[121] In regards to workshops with other stakeholders, we should acknowledge that original evaluation plans to have workshops with key NGO groupings was not as successful as we hoped. This was largely due to the dispersion of the strongest, child-focused, operational NGOs. We had many good discussions with NGOs in the field and some useful group discussions, but at the global level, group discussions were less feasible. Whilst contact information and an openness to receiving reports and comments was widely circulated, relatively few inputs were received.

- *Size:* The inclusiveness of the steering committee meetings (where whole units/colleagues of some members and some other interested staff participated) was positive and contributed to transparency and the open tenor of the evaluation. Official steering committee membership totaled 14 plus EPAU with many meetings having a good 25 participants. This may need to be reconsidered where the steering committee serves a decision making purpose and where workshops may require care as to balance different viewpoints.

One point of caution regarding the steering committee concerns expectations. Many acknowledged that the terms of reference for our evaluation were ambitious. This was reflective of each steering committee member's input to developing the terms of reference juxtaposed against the challenge of managing and tailoring the focus of the evaluation. It will be important in future evaluations for EPAU to continue to have final authority in determining a reasonable and sound terms of reference, balancing the individual concerns and interests of various steering committee members.

Also concerning expectations, care needs to be taken as to the expectations of external stakeholders when they are consulted in the advance-tender stage of an evaluation. While such input is highly valuable (and vital in the actual evaluation process), we found that expectations were generated that later impinged on the time constraints, independence and actual final terms of reference of the evaluation team.

Field Missions

Undertaking representative field missions as part of the evaluation was essential. We felt on the whole that our field missions[122] balanced the necessary diversity of criteria: regional and cultural representation, large and small operations, a mix of operations ranging from emergency to durable solution, and situations ranging from longer-term, traditional camps to more fluid, sub-regional approaches.

One gap was that our field missions included more 'higher profile' operations than 'lower profile' ones. (Profile being both a geo-political and media consideration as well as profile within the Office.) We had proposed to include Sri Lanka as our Asia and Pacific field mission to further include issues of internal displacement but the steering committee felt strongly that we should include Pakistan.

As a methodology, we found multiple field missions to generate important consistency of findings as well as a sufficient range, both positive and negative, of examples to highlight. Many raise the concern of generalizing findings from limited field examples – especially in view that UNHCR have over 100 field operations in vastly diverse circumstances. Certainly the above points on criteria for field missions are vital. Yet we were struck by the consistency of issues between field missions. For example, we had some discussion amongst the team at the mid-point of the evaluation as to cautions on conclusions after only two field missions. However, we also noted that the first two missions were to some of the largest

[122] Our field missions were organized as four but included nine country operations. Tanzania and Pakistan were single country field missions. West Africa and the Balkans were sub-regional field missions including: Cote d'Ivoire, Guinea, Liberia, Sierra Leone, the former Republic of Yugoslavia (Serbia, Montenegro and Kosovo) and Bosnia and Herzegovina. Whilst originally envisaged to be adjoined to our Balkans mission, we added a separate 'fifth', short mission to observe a training activity of the Separated Children in Europe program in Rome.

UNHCR operations and those considered amongst the best performing. Early indications that a finding or pattern was not exceptional to a particular field mission were born out throughout the evaluation.

An important point for future evaluations concerns the contact point for planning field missions. While first and most rushed, our field mission to Tanzania was one of the best organized because we had direct contact with the Deputy Representative in the field for all advance planning. For the others, while the input and involvement of the Bureau is important, things proceeded best where there was direct communication between the team and the field rather than relays through various layers.

Level of contact point was also crucial. Our field missions were best where the heads of all offices (regional, capital and sub-offices) were included in the field mission plans. In the future, while an evaluation may be focusing on a particular issue, it is important for EPAU and headquarters to emphasize that there should be at least a 'briefing' meeting with the Representative and head of office at each location of the field mission. Ideally, there would be both a briefing and de-briefing interview with a member of the evaluation team, but this may not always be feasible due to time and logistical constraints.

Furthermore, we found field mission de-briefing meetings to be an important part of the learning process. Especially in a large evaluation where an individual field mission is meant to gain 'spotlights' and examples and will not result in a written product on that particular field operation. In respect of the field operation's time and in view of the opportunity of an independent team's visit, de-briefing sessions offered an opportunity for the team to highlight their observations and to gain feedback and clarifications. The field missions consistently expressed their appreciation for this arrangement.

While de-briefing meetings were found to be very useful, we also found it was wise not to produce individual field mission reports. In part, this was due to time constraints. This also was important to ensure that the evaluation remained global and thematic in scope rather than focusing too much on an individual field operation or issue/example that arose in that field mission.

EPAU support for the field missions was excellent. The field missions appreciated receiving the background documents in advance: terms of reference, evaluation proposal, and team member details. For the future, EPAU and the team should jointly prepare a short (one-page) background note for field staff and partners, as the above documentation was somewhat lengthy. We found it helpful to have a concise communication sent as the first step in mission planning with the field. This communication outlined: the objective of the evaluation, methodologies to be undertaken (explanations were especially needed on focus groups), type of schedule to be organized, and team member details. In terms of schedule, it was repeatedly important to convey to field operation staff that the evaluation needed to emphasize in-depth conversations with staff and partners rather than a 'donor tour' of school buildings, health units and camp sites.

The idea of having an EPAU staff member participate in a field mission(s) was handled professionally and thoughtfully. While the participation of EPAU in our first mission facilitated preparations, arrangements and understandings with the field, we jointly decided that such participation presented some constraints. Most interviews during a field mission need to take place independently so that staff members, partners and other stakeholders do not feel constrained in their commentary to the evaluators.

The same point of independence needs to be emphasized with field staff in planning the evaluation. In one of our missions, a staff member planned to accompany us throughout the evaluation and we had difficulty explaining the need for independence in speaking with colleagues (especially national staff) and partners. On the other hand, it should be acknowledged that in some cases the evaluation team will be 'seen as UNHCR' no matter how their independence and status is conveyed.

Focus Groups

Our methodology of focus groups with refugee children proved to be an effective way of ensuring a participatory, beneficiary-based evaluation. We recommend that such a methodology be taken up by UNHCR in the project cycle and protection monitoring functions as well as evaluations. Further, conducting focus groups would be an efficient methodology for self-evaluation as promoted by EPAU for the Office. Focus groups provide important qualitative information on needs, potential resources and the degree of impact of given activities; often the very aspects of impact that are un-addressed by quantitative indicators.

We used focus groups to help identify which protection issues were of priority concern to refugee children and which activities they were finding the most useful. Whereas we expected cultural and other constraints to limit the level of candor, we found refugee children forthright and keen to express their opinions. Whereas we were careful in each focus group to not raise expectations as to what would follow our discussion, the refugee children were understanding and simply grateful for what they reported to be 'the first time anyone had listened to them'.

While much has been written on focus group methodologies, our approach was fairly open in style as we sought to learn the main preoccupations and perspectives of children themselves. The main parameters to the organization of our focus groups were as follows:

- We sought to have 2 focus groups in each refugee camp or location visited: one girls group and one boys group. We sought to have the group size limited to 10 to 12 and to be mixed within the age range of 10-15 years for girls and 12-16 years for boys. These age ranges best capture the protection risks of sexual violence and exploitation, recruitment, etc. In a few instances, mixed gender groups were held.
- We sought to have each group mix representation between separated children and those displaced with their family, children both in and out of school, and other such factors. This was important to emphasize with those helping to organize the focus groups so that they avoided simply arranging a meeting with a particular school class or other such group.
- Focus group sessions averaged 2 hours. It should be noted that 1 hour may be useful in a very small group situation but usually is inadequate for the necessary level of comfort and depth of dialogue to a focus group.
- We sought to limit the adults involved to our 1 team member and an interpreter or facilitator who was known to the children. We depended on community services partners or child-focused NGOs to organize the groups and found this effective in all field missions.
- Focus group questions were largely open in style. We sought at the outset to introduce who we were, that we were analyzing the protection needs of refugee children and

wanted the viewpoints of children themselves. Discussions began by asking each participant to say a few words about their family and displacement situation. We consistently found children to be comfortable and candid in conveying such information and we found this to provide interesting examples and insights in to the social supports and vulnerabilities faced by children. We then asked children what they felt were the most important social protection issues facing themselves and other children. We found it helpful to use the phrase 'social protection' in order to orient the discussion towards issues such as the Machel Follow Up 5 priority issues rather than a focus on material needs. As individual issues were raised, commented on and discussed in the group, we later tried to ask which activities, if any, were the most helpful and which adults they felt they could trust to report problems. It was in this vein that some of the results were used in our report. For example, children's comments that the SGBV programming in Tanzania was having an impact, that the JEN network in Serbia provided the most reliable adults available to them and that sexual exploitation was a serious, un-addressed concern in West Africa.

Questionnaire

We found the employment of a questionnaire more valuable than expected. It should be acknowledged that it was also more work than anticipated! It provided a fairly efficient means of opening the evaluation to wide input throughout the Office, especially a variety of field operations and levels of staff. It provided a systematic way to gather an indication on points in the term of reference oriented to the level of awareness within the Office on the policy priority on refugee children and any sense of progress since previous evaluations.

In particular, we found it important to include open questions in the evaluation. Most questionnaire methodologies depend on closed questions but we found the responses to open questions to provide important depth of information. This also provided a confidential opportunity for staff to participate in the evaluation that would otherwise not have been possible. The data analysis work thus required more time from the evaluation team, but almost all respondents included extensive, insightful, very valuable comments through the open questions.

While we hoped for a higher response rate, the diversity of type of post, level and field of operation was strong. (We hoped for 300 responses and received 105. The 105 responses average 2 per field operation included in the questionnaire.) We would especially note the portion of head of office posts responding, 27%, rather than only protection and community services staff as some anticipated. This adds to the positive review of employing questionnaire methodologies. However, we would note that field staff have overwhelming demands on their time, including reports and various responses to headquarters inquiries.

The administrative arrangement, whereby the questionnaire was distributed by UNHCR headquarters to email administrators in the selected countries, is likely an important factor in the lower response rate. It is hoped that future information and communication technology developments will allow the ability to assure distribution to all individual staff, including national staff, within a selected field operation. On the other hand, we found the administrative system of allowing responses to be sent directly to Valid via email or sealed envelope through EPAU to work effectively and efficiently.

We do not feel that allowing for more time (one month was allowed) for response would have increased the number of responses. Most responses came in promptly and very few responses followed the 'reminder communications'.

Organizational Issues

Team Approach

The team approach to evaluation proved especially positive. It ensured the input of a variety of viewpoints and professional specialties and we encourage EPAU to continue with this criterion in future tenders.

Whilst diversity of viewpoints is important, we would note that we had a remarkable degree of agreement within the team. Throughout our discussions, we found consistent findings across different sources of input and our different specialties of management, child protection, humanitarian response, human rights and social policy and services. We feel this adds, with the triangulated methodologies, to the weight of our findings. If there were any divergence within the team to report it would perhaps be the degree to which to be 'provocative' in our report and recommendations.

It will unlikely be feasible for most teams to be as large as the Valid team for the children's evaluation – six members plus Valid management. Three to four team members may be as adequate in bringing in important diversity elements. A minimum of two team members per field mission is necessary to cover the variety of investigations. Yet we would note that three team members for most of our missions proved to be very useful, especially as one team member was often devoted to conducting the focus groups and thus less available for the range of staff and partner interviews and project visits.

Time required

Allowing for significant time in Geneva, at headquarters, was an important planning point by EPAU in preparing the terms of reference. Indeed we found that more time was necessary in Geneva than planned. Team members ended up devoting nearly six weeks of time in Geneva (combined time between 4 team members over 7 months). This allowed for thorough interviews covering the range of organizational issues as well as the important steering committee processes and other evaluation management needs.

Time was also extremely tight for the field missions. Two weeks was adequate for the single-country field missions but the sub-regional missions would have been more effective with three weeks time. In addition to allowing for logistical constraints, the soundness of each field mission depends on meeting with a full range of staff, partners and stakeholders as well as the convening of focus groups and de-briefing meetings.

We strived for a six-month timeframe for a global, comprehensive evaluation that required some 9 months. Six months was adequate for the basic evaluation process of: desk reviews, interviews, field missions, questionnaire administration, focus groups, steering committee and other workshops, and initial report preparation work. The additional three months (in overall time) of mostly the team leader's time was necessary to prepare a full draft report, to undertake wide stakeholder consultation on that draft, incorporate comments and prepare the final report.

Budget

As implied by the time requirements, the budget for the evaluation of roughly US $200,000 was sufficient for the basic evaluation work over 6 months, but insufficient for the wide consultative, learning process undertaken. An additional $25,000 to $35,000 would have more adequately covered the needs and process of this evaluation. Slight savings could have been gained by taking fewer field missions, but the breadth of missions was highly valuable to the quality of the evaluation. Equally, few savings would have been gained with a smaller team, as the overall number of team member days would have been similar.