

A Framework for the

Protection of Children

UNITED NATIONS HIGH
COMMISSIONER FOR REFUGEES

 **UNHCR**
The UN Refugee Agency



UNHCR

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UNHCR acknowledges the important contribution of over 300 refugee boys and girls of different ages, including children with disabilities in Kenya, Nepal, India, and Jordan, who shared their thoughts and ideas on protection risks and solutions in the development of this Framework.

The electronic version of this strategy is posted on the UNHCR website and hard copies can be obtained by contacting the Child Protection Unit in the Division of International Protection. All reasonable precautions have been taken by the United Nations High Commissioner for Refugees to verify the information contained in this publication. However, the published material is being distributed without warranty of any kind, either express or implied.

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The most important thing in our life is love because love gives birth to forgiveness, forgiveness gives birth to peace, peace gives birth to joy, and joy to kindness...

”

14 year old refugee

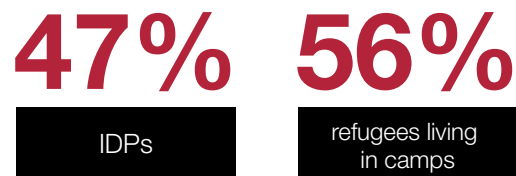
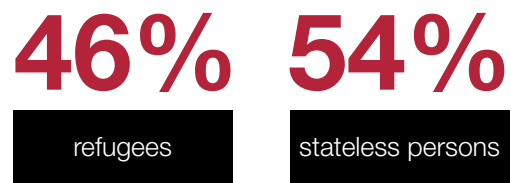
Introduction

Protecting Children: Central to UNHCR's mandate

Almost half of all forcibly displaced persons globally are children – over 12 million girls and boys¹. Many refugee children spend their entire childhood in displacement, uncertain about their future. Children² – whether refugees, internally displaced or stateless – are at greater risk than adults of abuse, neglect, violence, exploitation, trafficking or forced recruitment into armed groups. They may experience and witness disturbing events or be separated from their family. At the same time, family and other social support networks may be weakened and education may be disrupted. These experiences can have a profound effect on children – from infancy and childhood through to adolescence. During emergencies and in displacement, girls face particular gender-related protection risks.

Children are also highly resilient and find ways to cope and move forward in the face of hardship and suffering. They draw strength from their families and find joy in friendships. By learning in school, playing sports, and having the creative space to explore their talents and use some of their skills, children can be active members of their community. We need to work with children and empower them to advocate for their rights and their protection.

Children's rights are enshrined in international law, including in the United Nations Convention on the Rights of the Child (UNCRC),³ and are at the heart of UNHCR's protection mandate. Given the high proportion of children amongst displaced populations and the fact that girls and boys face unique protection risks, responding to their specific needs is a key priority for the Office. For UNHCR, this Protection Framework is an expression of a renewed commitment to the protection of children. UNHCR's commitment to protect children of its concern⁴ is not only a moral imperative, but will also contribute to ensuring a better future for children, their families and communities.



are children

All statistics from UNHCR's 2011
Global Trends Report

¹ Based on children as 47% of 25.9 million refugees and IDPs under UNHCR protection (UNHCR's Global Trends, 2011)

² Children are defined, in accordance with the UN Convention on the Rights of the Child (1990), as "every human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier"

³ UN Convention on the Rights of the Child, 1990

⁴ Includes all children of concern to UNHCR: asylum-seekers, refugees, internally displaced, returnees and children who are stateless or at risk of statelessness.



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UNHCR delivers protection to children of its concern by responding to their **specific needs and the risks they face**. This includes: protecting and advocating against all forms of discrimination; preventing and responding to **abuse, neglect, violence and exploitation**; ensuring immediate access to appropriate services; and ensuring **durable solutions** in the child's best interests.

A Framework for the Protection of Children

The Framework for the Protection of Children marks an evolution in UNHCR's policy and practice, recognizing both the centrality of children's protection to UNHCR's work and the growing body of practice and expertise in the child protection sector globally. The Framework broadens UNHCR's understanding of and engagement in protection of children. It articulates six goals that encapsulate UNHCR's commitment to protect and realize the rights of children of concern to the Office, and offers practical guidance on how to achieve them.

The six goals are:

- 1 Girls and boys are safe where they live, learn and play
- 2 Children's participation and capacity are integral to their protection
- 3 Girls and boys have access to child-friendly procedures
- 4 Girls and boys obtain legal documentation
- 5 Girls and boys with specific needs receive targeted support
- 6 Girls and boys achieve durable solutions in their best interests

The Framework applies a child protection systems approach that includes actions for duty bearers at all levels – family, community, national and international – to mitigate and respond to the protection risks children are facing. This recognizes that all actors contribute to the comprehensive protection of children. The Framework was developed by UNHCR, in consultation with States, partners, communities and children themselves: more than 300 refugee girls and boys of different ages and abilities in Kenya, Nepal, India and Jordan shared their thoughts and ideas on protection risks and solutions.

The Framework for the Protection of Children:

- recognizes children as rights-holders
- emphasizes children's capacity to participate in their own protection
- focuses on prevention and response to child abuse, neglect, violence and exploitation
- emphasizes the need for stronger partnerships

More specifically, the Framework:

- takes a broad rights-based approach focusing on ensuring protection for all children of concern rather than focusing more narrowly on specific categories of children
- sets out clear goals which create more predictability and consistency across operations
- sets benchmarks to strengthen performance measurement and monitoring and outlines UNHCR's institutional commitment to the protection of children
- emphasizes engagement with communities and national child protection systems through advocacy, collaboration, and support

The Framework builds on UNHCR's policy and guidelines on the protection of children and relevant Executive Committee conclusions by setting out a strategic protection Framework (see *Annex*).



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We will keep growing up here.... It is like seeing your own future destroyed in front of your eyes and you can't do anything...

”

Adolescent refugee girl



“

Forced displacement **exacerbates** children's **exposure** to neglect, exploitation and sexual and other forms of violence and abuse. Children are at **particular risk** and require **special attention** due to their dependence on adults to survive, their vulnerability to physical and psychological trauma, and their needs that must be met to ensure normal growth and development...

UNHCR's Age, Gender and Diversity Policy (2011)

The Protection of Children is also advanced by:

Two recent UNHCR strategic frameworks, namely UNHCR's Education Strategy (2012-16) and UNHCR's Action against Sexual and Gender Based Violence: An Updated Strategy (2011). **The Protection of Children is advanced by...**

...ensuring access to **QUALITY EDUCATION**

- UNHCR's Education Strategy (2012-16) reflects a renewed focus on refugee education as a core component of UNHCR's protection and comprehensive solutions mandate.
- It promotes the importance of schools as safe learning environments, recognizing that marginalized groups may need special attention to access safe learning environments.
- It emphasizes improving access to quality education for refugee children and maximizing the protective benefits of participation in school.
- It emphasizes the role of education in a child's development to build skills, capacity and resilience from early childhood through to adolescence and adulthood.
- It advocates for the integration of refugee children into national education systems.

...preventing and responding to **SEXUAL AND GENDER-BASED VIOLENCE**

- UNHCR's Action against Sexual and Gender Based Violence: An Updated Strategy (2011) recognizes the protection of children against SGBV as a key action area.
- It outlines actions for prevention, identification and response to SGBV against children, and actions for identification of child victims and children at risk.
- It recognizes the importance of working with service providers to ensure child-friendly procedures are in place and that staff are adequately trained.
- It draws attention to the importance of engaging men and boys as partners in combating SGBV.
- It emphasizes the importance of providing safe environments, including through camp planning and the strategic location of schools, clinics and sanitation facilities, as an important measure in reducing exposure of children to the risk of SGBV.
- It advocates for safe access to domestic fuel and natural resources given the protection risks associated with the collection of firewood, especially for women and girls.
- It acknowledges that displacement can increase the pressure on women and girls to engage in survival sex and stigmatize children of sex workers.

Strengthening Child Protection Systems

States are primarily responsible for the protection of children: they need to establish and implement child protection systems in accordance with their international obligations, ensuring non-discriminatory access to all children under their jurisdiction.

UNHCR is therefore committed to strengthening national child protection systems and services and advocating for access of refugee, displaced and stateless children to them. Only in contexts where the State is unable to fulfil its responsibilities toward children would UNHCR, together with partners, establish a parallel and temporary mechanism for protecting children of its concern.

The systems approach acknowledges and strengthens existing capacity within State child protection systems and community-based child protection mechanisms. It provides a basis for collaboration with State actors, UNICEF and other partners and a framework for holistic programming. A sound child protection system is framed within a rights-based approach and ensures non-discriminatory access to support for all children.



States should promote the establishment and implementation of **child protection systems**, in accordance with [their] international obligations and to which children under their jurisdiction should have **non-discriminatory access**

...UNHCR and partners [...] should supplement and strengthen the national child protection systems in areas where gaps exist and be delivered in a **spirit of partnership** by building on each actor's comparative advantages to reinforce the beneficial impact on the protection of children.

ExCom Conclusion No. 107, 2007

A system's approach to child protection, as endorsed by UNHCR's Executive Committee, is the foundation of UNHCR's Framework for the Protection of Children and reflects international best practice

UNHCR's new Framework for protecting children marks an institutional shift from mainly targeting categories of children at risk towards a systems approach to protecting children. A child protection system includes functions undertaken by a range of formal and informal actors to prevent, mitigate and respond to the risks faced by children. The system consists of six multi-sector components:

- **Legal and policy framework**
- **Coordination**
- **Prevention and response activities**
- **Knowledge and data**
- **Human and financial capacities**
- **Advocacy and awareness-raising**

The systems components operate at community, national and international levels. Nothing operates in isolation - all functions and actions are interrelated. The Framework, including the six goals for the Protection of Children, is structured around the systems components.

GOALS FOR CHILDREN

GOAL 1: Girls and boys are safe where they live, learn and play

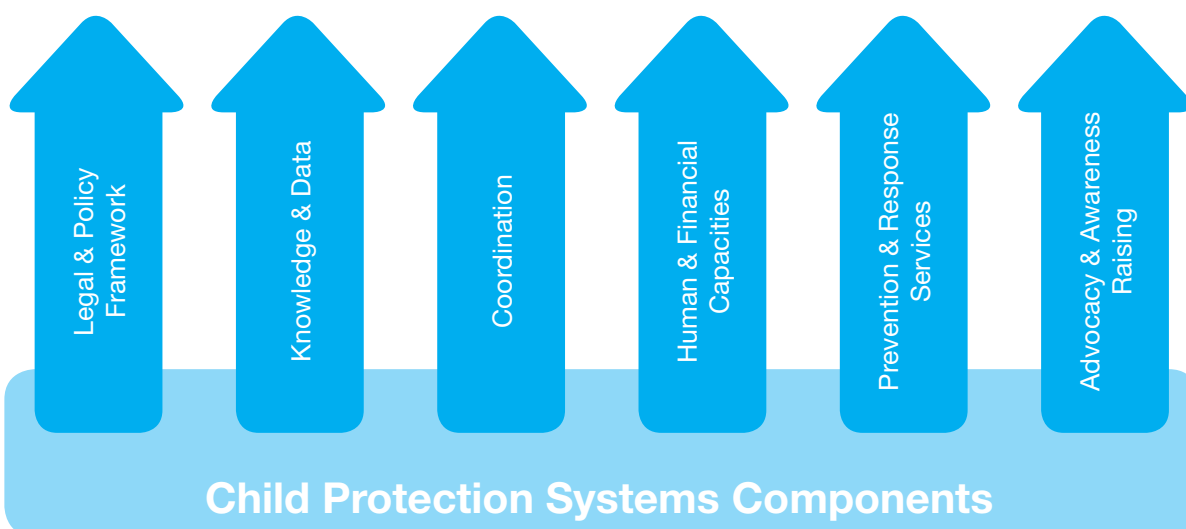
GOAL 2: Children's participation and capacity are integral to their protection

GOAL 3: Girls and boys have access to child-friendly procedures

GOAL 4: Girls and boys obtain legal documentation

GOAL 5: Girls and boys with specific needs receive targeted support

GOAL 6: Girls and boys achieve durable solutions in their best interests



Principles

- ✓ State Responsibility
- ✓ Urgency
- ✓ Non-discrimination
- ✓ Do No Harm
- ✓ Partnership
- ✓ Family & Community-Based Approach
- ✓ Child Participation
- ✓ Best Interests of the Child
- ✓ Age, Gender and Diversity
- ✓ Accountability



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“ It is like climbing the stairs- each and every step I face obstacles, but I have the goal before me and I will overcome the obstacles to my goal ”

Refugee boy

Guiding Principles & Approaches

State Responsibility

States are primarily responsible for the protection of all children and should promote the establishment and implementation of child protection systems, in accordance with their international obligations, ensuring access to all children under their jurisdiction. UNHCR seeks to strengthen these systems, advocate for non-discriminatory access, and, in contexts where the State is not able to fulfil this responsibility for children of concern to UNHCR, provide this function with the support of partners.



State parties shall respect and ensure the rights... to each child within their jurisdiction **without discrimination** of any kind, irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status...

Article 2, UN Convention on the Rights of the Child, 1990

Family and Community-Based Approach

Families and communities are central to the care and protection that children need. UNHCR seeks to understand, support and build upon existing community mechanisms that protect girls and boys. In instances where protection concerns originate from the family or community, UNHCR will act as an advocate for children to address harmful practices.

Urgency

Protection of children cannot wait. UNHCR, State actors and partners will prioritize the protection of children and provide immediate support to their well-being and development, with a view to ensuring durable solutions to their problems as soon as possible. Timely services, interventions, family tracing and decisions in children's best interests are essential. Children's right to quality education needs to be secured as soon as possible, in both emergency and protracted situations.

Child Participation

UNHCR and its partners will actively support the rights of all boys and girls to participate and express their views in all matters affecting them in accordance with their gender, age, maturity, and capacity. Different participatory methodologies will be applied for different ages (i.e. younger children, adolescents). Effective participation recognizes children and adolescents as rights-holders, it builds their capacity and resilience, and allows them to protect themselves and their peers.

Non-Discrimination

UNHCR and its partners will ensure non-discrimination in all policies, procedures and programmes and will support and advocate for the access of refugee, displaced and stateless children to national child protection systems, regardless of their age, gender, ethnicity, religion, nationality, or disability.

Best Interests of the Child

The best interests of the child are a primary consideration for UNHCR in all actions that directly or indirectly affect children. The best interests principle establishes that all girls and boys have the right to participate meaningfully in decisions that affect their lives, including in the identification of their best interests. UNHCR will continue to ensure necessary procedures for decisions regarding individual children at risk and their long-term care arrangements and solutions.



In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the **best interests of the child** shall be the **primary consideration...**

Article 3, UN Convention on the Rights of the Child, 1990

Do No Harm

UNHCR and partners will consider the child's family, culture and social situation and conduct actions, procedures and programmes in a manner that does not put the child at risk of harm. The participation of boys and girls in decisions that affect their lives will be planned and facilitated in a responsible and ethical manner with due regard to confidentiality.

Age, Gender and Diversity

UNHCR's Age, Gender and Diversity (AGD) approach ensures that all persons of concern, including boys and girls, children and adolescents, enjoy equal rights. It recognizes that children may be affected differently by protection risks as a result of their age, gender, disability and background. The AGD approach increases understanding as to how protection risks can affect girls and boys and infants, school age children and adolescents differently and equips staff with the tools to develop appropriate responses.



Partnership

The Framework will be implemented in partnership with States, communities and children, UNICEF and other child protection actors and agencies, including through the Global Protection Cluster and its Child Protection Area of Responsibility. This will involve active collaboration and coordination, joint assessments, programmes and advocacy. It will draw upon the complementarity of resources, knowledge and skills to enhance the protection of children, recognizing the contribution of all actors in building a comprehensive child protection system.



In child protection work, **UNICEF** has increasingly moved towards system strengthening...

Strengthening national child protection systems as a whole helps to **avoid the duplication** that often occurs with purely vertical programmes **developed in isolation** for **specific categories of children**.

UN Doc. E/ICEF/2008/5/Rev.1 para 23

Accountability

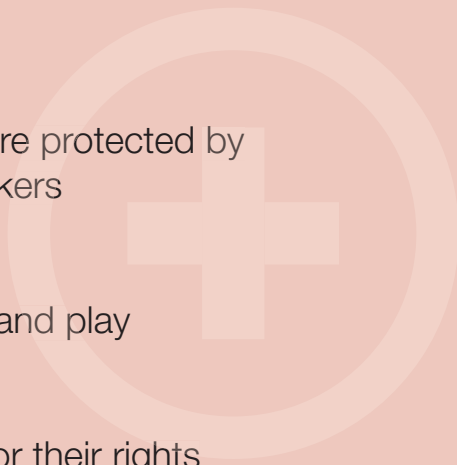
UNHCR and partners are ultimately accountable to the children and communities they work to protect. Participatory mechanisms, accessible to children and allowing them to provide feedback on UNHCR's and partners' services, are essential for accountability. UNHCR and partners will elicit feedback from children and their families and use this information to shape and improve interventions.



Goal **1** Girls and boys are safe where they live, learn and play

Outcomes for Children

- Children are safe in homes and in the community and are protected by their family, community, teachers and humanitarian workers
- Children are safe at school
- Children have safe spaces or areas to gather, socialize and play
- Children can report abuse and know where to get help
- Children perceive UNHCR and partners as advocates for their rights



Girls and boys are safeguarded from all forms of violence, abuse, neglect and exploitation. Children can live, learn, and play in a safe and secure environment and are protected by trusted adults. Measures are in place for the protection of boys and girls against sexual and gender-based violence and advocacy aims to prevent harmful practices. Boys and girls at risk are identified and referred to appropriate services. Children and families are aware of and are protected against environmental risks. In situations covered by the SCR 1612 mechanism, grave violations against children of concern to UNHCR are monitored and reported.

Some Suggested Actions for UNHCR and Partners

1.1 Legal & Policy Framework

Identify relevant national laws, as well as social norms and practices, and advocate for implementation in support of girls' and boys' physical and emotional security in all private and public spaces.

1.2 Knowledge & Data

Conduct assessments to identify protection risks in homes, schools and the community which consider children at particular risk, i.e. such as children with disabilities, and establish systems that collect data, disaggregated by age and sex, to monitor abuse, violence and neglect against children.

1.3 Coordination

Establish, support and participate in inter-agency child protection coordination mechanisms, including specialized taskforces such as the MRM and MARA⁵ country task forces where applicable.

1.4 Human & Financial Capacity

Promote codes of conduct and training for all staff, teachers, police and adults who are in contact with boys and girls and implement standard operating procedures to report and respond to misconduct. Ensure training of children and adolescents to make them aware of their rights and empowered to participate in their own protection.

1.5 Prevention & Response

Establish mechanisms which prevent and respond to children's protection risks, including referral pathways to child-sensitive health, psychosocial and care services.

1.6 Advocacy & Awareness

Increase awareness of the harm associated with some traditional practices and advocate, through community-based programmes, for standards that protect children. Teachers are made aware of the referral pathways.

Benchmarks

- | | |
|--|--|
| ✓ Standard Operating Procedures (e.g. prevention and response to SGBV) | ✓ Codes of conduct and staff training for teachers, police and community leaders |
| ✓ Child-sensitive SGBV strategy | ✓ Emergency appeals that include child protection |
| ✓ Community-based child protection mechanisms | ✓ Child-sensitive mine risk education |
| ✓ Child-friendly spaces | ✓ Awareness-raising and empowerment projects for children and adolescents |
| ✓ Monitoring and reporting on grave violations | ✓ Advocacy and remedial programmes dealing with female genital mutilation |
| ✓ Referral pathways to services | ✓ Child-friendly and confidential complaints mechanisms (including in schools) |
| ✓ Safe learning environment training | |

⁵ The Monitoring and Reporting Mechanism (MRM) was established in accordance with UN Security Council Resolution 1612 (2005), Resolution 1882 (2009), and Resolution 1998 (2011). The Monitoring Analysis and Reporting Arrangements (MARAs) were established in accordance with UN Security Council Resolution 1889 (2009) and Resolution 1960 (2010).



Goal **2** Children's participation & capacity are integral to their protection

Outcomes for Children

- Girls' and boys' feedback is sought and they are consulted regularly in a manner that allows them to discuss their needs and suggest solutions
- Boys and girls participate actively in decisions that affect their lives
- Children are actively engaged through activities and education that build their skills and capacities
- Children and adolescents contribute to their own protection and that of their peers
- Children and adolescents are increasingly able to find solutions and positive coping strategies which address their problems

Girls and boys participate meaningfully in their families, schools and communities. The views and perspectives of children and adolescents are actively solicited and valued. They participate in their own protection according to their age and abilities and on the basis of gender equality. Their participation is informed, voluntary and beneficial to them and facilitates broader realization of their rights. Play, sports and recreation are protective in themselves and support children's resilience and coping capacities.

Some Suggested Actions for UNHCR and Partners

2.1 Legal & Policy Framework

Seek opportunities for refugee, displaced and stateless children's views to be solicited and included in policy developments and legislative reform processes that affect them.

2.2 Knowledge & Data

Ensure children participate meaningfully and in an ethical way (i.e. safe, confidential, respectful) in assessments and monitoring activities undertaken by UNHCR and partners.

2.3 Coordination

Foster coordination and cooperation between various child groups/organizations (i.e. between sites, with host community) and encourage initiatives to engage children.

2.4 Human & Financial Capacity

Identify and build on the capacities of children to support themselves through life-skills and leadership training and programmes. Ensure children's and adolescents' participation in designing such programmes.

2.5 Prevention & Response

Support and develop child-to-child initiatives (i.e. mentor programmes).

2.6 Advocacy & Awareness

Advocate for children's participation in decisions that affect them, including at school, in their community and in their own families. Encourage child and adolescent participation in broader social forums.

Benchmarks

- ✓ Child-specific participatory assessments
- ✓ Child-friendly feedback and complaints mechanisms
- ✓ Clubs and committees for children and adolescents
- ✓ Life-skills training for adolescent girls and boys
- ✓ Sports and recreation initiatives which are inclusive and bearing in mind age, gender diversity and disability



Goal **3** Girls and boys have access to child-friendly procedures

Outcomes for Children

- Children understand the procedure and their options in the decision-making process, including the significance of any decision for their well-being
- Children can easily and urgently access protection assistance by being promptly referred to service providers who undertake appropriate interventions
- Girls and boys of all ages are treated with respect and dignity
- Children, including unaccompanied and separated children, can exercise their right to make an individual refugee claim
- Decisions regarding protection procedures and responses for children are based on an understanding of each child's individual circumstances and needs that is as accurate and complete as possible

Girls and boys have access to age and gender-sensitive protection procedures. There is age-sensitive information available about reception, registration, refugee or statelessness status determination and other procedures and services. Procedures and decisions relating to children are informed by their age, maturity, gender, language, social and ethnic background and take into account the individual experience of the child. Consultation takes place in a confidential environment where children feel safe and are able to express their views. Unaccompanied and separated children are engaged on the basis of informed consent. UNHCR and partners provide services and assistance in a manner which considers the specific needs of children and adolescents. An ethic of care and empathy, as opposed to an enforcement approach, governs all interactions with asylum-seeking children and their best interests are a primary consideration. Examiners may assume a greater burden of proof when handling children's asylum claims. Unaccompanied and separated children are not detained for reasons relating to seeking asylum or to their refugee, stateless or resident status. Age assessments are only conducted in cases where the child's age is in doubt and in a safe, child and gender sensitive manner with due respect for human dignity.

Some Suggested Actions for UNHCR and Partners

3.1 Legal & Policy Framework

Assess both national and UNHCR procedures from a child's perspective; adjust, or advocate for adjustment of, these processes and communication strategies as necessary.

3.2 Knowledge & Data

Systematically track, by age and gender, the prioritization of cases of children. Country of Origin information reflects children's experiences.

3.3 Coordination

Ensure referral pathways exist, are known by all staff who come in contact with children, and allow for prompt referral of children at risk; ensure that UNHCR office protocols exist for processing cases of children.

3.4 Human & Financial Capacity

Ensure that UNHCR, government and partner staff are trained to communicate with children and adolescents and consider how to apply procedures in a child-friendly manner.

3.5 Prevention & Response

Prioritize vulnerable children, especially those without parental care, in protection procedures (including asylum and statelessness determination) and assistance.

3.6 Advocacy & Awareness

Advocate with national authorities for children's specific needs to be reflected in asylum and nationality/ stateless procedures.

Benchmarks

- ✓ Training on communication with children and adolescents
- ✓ Child protection focal points present at registration and reception points
- ✓ Regular monitoring of the child-friendly nature of procedures
- ✓ Communication materials are child-friendly
- ✓ Interview rooms are child-friendly
- ✓ Guardian appointed for UASC in asylum procedures.
- ✓ Decisions communicated to children in a language and manner they understand



Goal **4** Girls and boys obtain legal documentation

Outcomes for Children

- Children are registered at birth
- Older children and adolescents can obtain birth certificates
- Children have access to all necessary documentation on a non-discriminatory basis
- Children access school and all essential services with or without documentation



Newborns are registered and issued official birth certificates by the authorities, and procedures are in place for late birth registration. Boys and girls have the necessary documentation related to nationality, travel, status (refugee, asylum-seeker, stateless), education, custody, property or other civil matters. Specific measures are in place with national authorities for replacing the documentation of refugee and displaced children affected by conflict or disaster. Children without documentation are nonetheless able to access education.

Some Suggested Actions for UNHCR and Partners

4.1 Legal & Policy Framework

Assess gaps in legal and administrative frameworks as well as procedural or practical obstacles that prevent children from accessing documentation.

4.2 Knowledge & Data

Collect data on the extent to which girls and boys have access to legal documentation, including birth registration.

4.3 Coordination

Engage administrative, judicial and security actors and health professionals (including birth attendants) in efforts to facilitate legal documentation for children.

4.4 Human & Financial Capacity

Train administrative, judicial and security actors and health professionals (including birth attendants) on birth registration procedures; ensure appropriate financial planning for issuance of individual documentation.

4.5 Prevention & Response

Establish and improve mechanisms for birth registration and issuance of birth certificates by authorities and ensure all refugee children are provided with identity cards and Convention travel documents as needed.

4.6 Advocacy & Awareness

Advocate for access to legal documentation, raise community awareness of birth registration procedures and the value of legal documentation, including in the prevention of child statelessness. Advocacy for recognition of education certificates by Country of Origin and Country of Asylum.

Benchmarks

- ✓ Accurate disaggregated data available on birth registration
- ✓ Birth registration procedures in place for newborns and late registration
- ✓ Partners assist boys and girls to obtain legal documents
- ✓ Obstacles to birth registration identified and addressed
- ✓ Refugee children receive refugee ID cards



Goal **5** Girls and boys with specific needs receive targeted support

Outcomes for Children

- Children at heightened risk or victims of violence, abuse, neglect and exploitation are identified and assisted, and their situation is monitored
- Children access family tracing and reunification services
- Unaccompanied children benefit from appropriate and safe alternative care arrangements
- Girls and boys who have experienced sexual violence access age-appropriate, confidential services
- Children access legal aid and appropriate counseling services

Girls and boys at heightened risk are identified early, from the onset of an emergency, and targeted interventions and assistance are provided based on their specific needs. This may include child survivors or children at risk of sexual and gender-based violence, unaccompanied or separated children, boys and girls associated with armed groups, children engaged in hazardous labor, children living with HIV-AIDS, children with disabilities and children living in particularly vulnerable households. UNHCR and partners undertake the effective and confidential management of cases, including for the determination of the best interests of the child. Children have access to family tracing services without delay and family reunification programmes and temporary care arrangements as needed. Case monitoring ensures continued follow-up through home visits and referrals for children and families to psycho-social services or community support groups and activities. Children in conflict with the law have access to legal assistance. Child-sensitive legal procedures are in place to deal with unresolved custody cases, legal guardianship and child victims of violence, including sexual and gender-based violence.

Some Suggested Actions for UNHCR and Partners

5.1 Legal & Policy Framework

Assess the national legal framework in relation to child protection, especially as it applies to unaccompanied and separated children, foster care, custody, child victims of violence, children in conflict with the law etc. Review national policies governing persons living with disabilities, internal displacement and health as to how they address the needs of children.

5.2 Knowledge & Data

Map the protection needs of children with specific needs in order to guide programme responses (such as children with disabilities, children formerly associated with armed groups, etc). Establish information systems which facilitate the identification, tracking and monitoring of all children at heightened risk.

5.3 Coordination

Work closely with national authorities, partners and communities to ensure children with specific needs are prioritized and access appropriate services through timely referrals.

5.4 Human & Financial Capacity

Build capacity of staff and partners to effectively work with children at risk, including case management and best interests procedures. In emergencies and complex situations, ensure the deployment of trained child protection staff.

5.5 Prevention & Response

Ensure that children who are victims of neglect, violence, exploitation or abuse have access to child-sensitive health, psychosocial, legal and care services.

5.6 Advocacy & Awareness

Ensure awareness among children about risks affecting them and their communities. Support community-based child protection groups to raise awareness on child protection, and identify and ensure referral of children at risk and child victims.

Benchmarks

- ✓ BIA/BID processes established
- ✓ Referral pathways to specialized service providers
- ✓ SGBV SOPs address child victims
- ✓ Family tracing and reunification services
- ✓ Legal aid partners trained on child protection
- ✓ Information management system for individual cases established
- ✓ Child protection monitoring mechanism in place



Goal **6** Girls and boys achieve durable solutions in their best interests

Outcomes for Children

- Girls, boys and adolescents have equal access to solutions in their best interests
- Children are aware of available solutions and are consulted in decisions about their future
- The views of boys and girls are given due weight in accordance with their age and level of maturity
- Stateless children acquire a nationality
- Children found not to be in need of international protection are appropriately referred to other agencies with their best interests in mind

Being able to access and to decide as to an appropriate durable solution, whether this is return, integration or resettlement, are priorities for girls and boys in all displacement contexts. For stateless children, this means ensuring every child's right to acquire a nationality. For some children, solutions can also take the form of formalized and/or permanent care arrangements in their best interests. In all cases, children at risk are prioritized for assistance and counseling to identify and implement solutions in their best interests, including opportunities to build life skills for the future.

Some Suggested Actions for UNHCR and Partners

6.1 Legal & Policy Framework

Ensure frameworks governing durable solutions for refugees and internally displaced persons address the specific needs of children (i.e. voluntary repatriation tripartite agreements, local integration and resettlement programmes, strategies for returning refugees and IDPs); ensure or advocate for nationality laws that prevent and reduce child statelessness; promote resettlement admission criteria and policies sensitive to the needs of children.

6.2 Knowledge & Data

Gather data and information on children by age and gender, and prioritize their needs in relation to solutions. Share information as appropriate and in full respect with confidentiality guidelines.

6.3 Coordination

Establish coordination mechanisms for repatriation, cross-border monitoring and resettlement to ensure adequate services continue to be made available to children at risk.

6.4 Human & Financial Capacity

Consider specific child protection staffing needs, especially for voluntary repatriation, refugee status determination operations and durable solutions (including resettlement to ensure that BIA/BID are conducted).

6.5 Prevention & Response

Prioritize and consult vulnerable children when identifying appropriate durable solutions, and ensure their specific needs are met.

6.6 Advocacy & Awareness

Ensure age-appropriate material is available regarding durable solutions.

Benchmarks

- ✓ Inter-agency SOPs for referrals (i.e. children with immediate protection needs)
- ✓ BIA/BID Guidance followed
- ✓ Sufficient BIA/BID staff
- ✓ Legal, administrative and policy frameworks governing durable solutions include specific considerations for children's needs
- ✓ Children at risk, including UASC, are promptly referred for resettlement consideration if in their best interests
- ✓ Impact of statelessness on children assessed



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“ I am always planning to study hard. To develop. To build and promote peace among people. To turn back, go back to my country and achieve my goals. To start to build the country and see development. To bring people together and make peace among them... ”

Refugee boy, 16 years old

The Way Forward

1. Work in Partnership

Partnerships are fundamental to a systems approach and recognize the important contribution of all actors in building a comprehensive child protection system. UNHCR will work closely with national authorities and will strengthen its operational collaboration with UNICEF in order to improve child protection systems. Together with child protection partners, UNHCR will contribute to strengthen child protection systems which identify, prevent and respond to the protection risks faced by children. In countries affected by conflict or disasters, UNHCR will coordinate its action and actively participate in field protection clusters and existing child protection coordination networks. A partnership approach will draw upon partners' expertise, experience, resources, knowledge and skills to enhance the protection of children in UNHCR operations.

2. Plan, Implement and Monitor

The Framework applies to all operational contexts and can be used immediately to design, or re-design, protection strategies to ensure the better protection of children. To monitor its use, UNHCR will initially guide the implementation of the Framework in 11 countries (Chad, Ethiopia, Egypt, India, Kenya, Mexico, Rwanda, Sudan, Thailand, Uganda, Yemen), with additional countries to follow in 2013. The six goals and systems approach will be used for a review of strategies and programming in these countries and will help with a comprehensive mapping of resources, partners, and opportunities to strengthen child protection systems. The Framework will also serve as a monitoring tool accompanied by a programmatic guidance note, including expected results, outputs and indicators for tracking progress.

3. Build Staff, Partner and Organizational Capacity

All staff contribute in some way to ensuring the protection of children of concern to UNHCR. Protection, community services, field and programme staff in particular need to be adequately trained to be able to identify and respond to risks faced by children, to communicate with children, to advocate for children's participation in decisions that affect them and to design strategies and programmes in coordination with child protection actors. Child protection needs to be mainstreamed into all sectors, including health and nutrition, livelihoods, water and sanitation and shelter to ensure the specific needs of children are considered in programme design and implementation. UNHCR is committed to organizational learning to ensure that all staff can apply state-of-the-art child protection approaches, tools and best-practices in their work.

Specifically, UNHCR, with partners, will:

- Undertake joint child protection participatory assessments
- Collaborate in the planning, design and implementation of programmes
- Undertake joint advocacy and fundraising activities to raise awareness of child protection concerns

UNHCR will:

- Help review 11 country programmes and guide the mapping and development of new child protection inclusive plans
- Issue guidance for Child Protection Programming to support the implementation of the Framework
- Support Country Offices through regular monitoring and evaluation
- Facilitate the deployment of child protection experts (through stand-by deployment schemes)

UNHCR will:

- Train staff on new developments in child protection (i.e. child protection self-learning module and e-learning for best interests procedure)
- Develop user-friendly tools for mainstreaming of child protection into all sectors
- Strengthen the evidence-base by having more data disaggregation and expanding child protection research, in collaboration with research institutes and organizations.

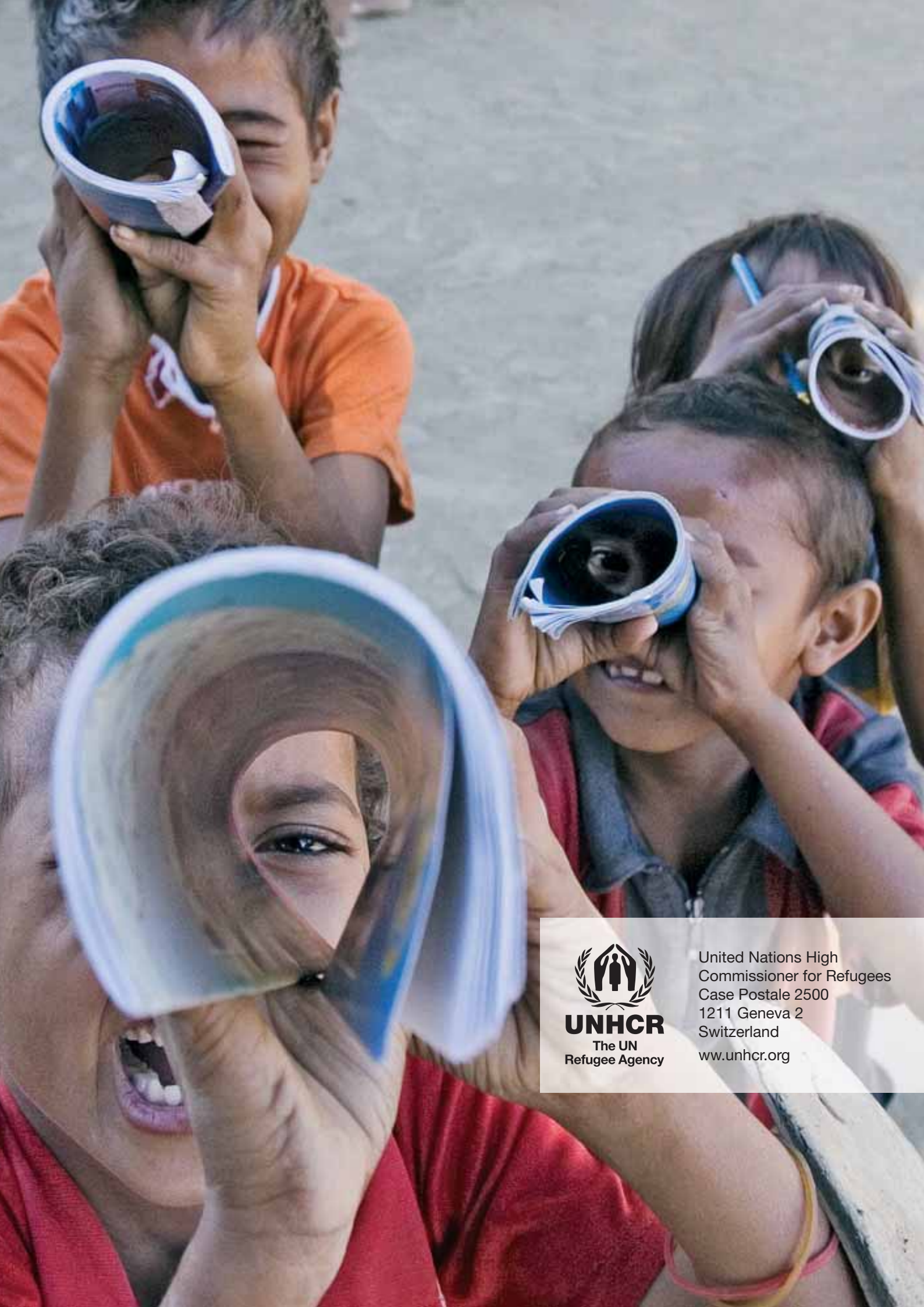
A Three Step Process for Developing Child Protection Programmes

Child Protection Systems Components	Step 1: Map & Analyse Map and analyse existing information and gather and verify data through assessments	Step 2: Prioritize, Plan & Implement Prioritize and plan, in coordination with partners, to more effectively invest human and financial resources and deliver programmes which protect children
Legal & Policy Framework	<ul style="list-style-type: none"> • What are the strengths & weaknesses of the legal and policy frameworks for children of concern to UNHCR at the State and community levels? 	Define and prioritize the complementary ways in which UNHCR and other actors (parliamentary committees, civil society, human rights actors) can contribute to strengthening legal and policy frameworks for protecting refugee, displaced and stateless children.
Knowledge & Data	<ul style="list-style-type: none"> • What risks do children face, when & where? • What data are collected on children, using which mechanisms? (e.g. MRM, MARA, GBV IMS) • Is data disaggregated by sex and age? • Are participatory assessments conducted with children to inform programming? • Are data on disabilities and other specific needs appropriate and confidential? 	Use data, assessments, and evaluations to review, prioritize and plan more effective programmes. Establish benchmarks and select relevant FOCUS indicators to measure child protection outcomes and track trends over time.
Coordination	<ul style="list-style-type: none"> • How are State actors and child protection non-governmental and community actors coordinating? • Do coordination mechanisms effectively consider the protection of children of concern to UNHCR? • Through its role in protection clusters, is UNHCR contributing to addressing gaps in responses for the protection of internally displaced children? 	Define a comprehensive protection strategy which articulates child protection objectives together with child protection partners. Contribute to strengthening coordination mechanisms, undertake joint planning and fundraising, and facilitate coordinated advocacy.
Human & Financial Capacities	<ul style="list-style-type: none"> • What is the State's human, financial and structural capacity to ensure the protection of all children on its territory? Are resources available to ensure the full integration of refugee, displaced and stateless children into child protection State systems? • What community capacities exist? • What is the capacity of children and adolescents to support their own protection? • What is UNHCR and partner's capacity to meet the protection needs of children? • Where are the gaps? 	Ensure appropriate budget allocations to child protection partners and, where necessary and appropriate, support fundraising for specific child protection activities. Review country strategies to ensure budget allocations are proportionate to demographic and protection needs. Develop the skills and knowledge of all actors in the child protection system, including children and community leaders. Ensure children are informed and understand their rights and have opportunities to be heard.
Prevention & Response Services	<ul style="list-style-type: none"> • What child protection services are in place and how do they respond to critical risks? • What protective State, non-State and community mechanisms and services exist? • What are the community's attitudes and behaviour regarding prevention and response services for children? • Where are the gaps? 	Plan services and programmes according to critical needs and available expertise. Identify capacity needs of State systems and partner with development actors to address them. Support community-level protection mechanisms, provide training and resources.
Advocacy & Awareness Raising	<ul style="list-style-type: none"> • What advocacy and awareness-raising initiatives are in place? • Is there an advocacy plan? What are the messages conveyed? • Who is the advocacy message targeted to and through which means? 	Design impact messaging and communication with communities to address immediate protection risks of children. In partnership with the community, develop and implement a long-term plan for advocacy and awareness raising to influence attitudes and practices to protect children. Ensure the participation of children to define the substance of advocacy and awareness-raising programmes.

Step 3: Monitor & Evaluate Monitor and evaluate to inform and improve programmes. Develop SMART indicators to measure performance	Indicators Select indicators, including from UNHCR's Results Based Framework (below), to measure performance against outcomes and goals	Child Protection Systems Components
Monitor changes in legislation, policy and practice related to child protection issues using international standards as a benchmark	<ul style="list-style-type: none"> • Extent that law and policy are consistent with international standards • Extent children of concern have non-discriminatory access to National social services • Extent migration policies contain protection safeguards • Extent State is a party to international legal instruments 	Legal & Policy Framework
Gather information on the effectiveness of CP interventions from a range of sources, including coordination bodies, formal evaluations, complaints mechanisms, case management and referral mechanisms, key informant interviews, participatory assessments, etc. Ensure children's views on gaps and services are collected and documented. Monitor and evaluate all sectors as to how they address the specific needs of children.	<ul style="list-style-type: none"> • Extent children of concern with specific needs are identified and assisted • Extent children are of concern safe from grave violations by armed groups 	Knowledge & Data
Use existing inter-agency child protection standards and UNHCR's Child Protection Framework as benchmarks for joint monitoring and evaluation.	<ul style="list-style-type: none"> • % of child adolescent specific focus groups conducted as part of participatory assessments • # of children's committees established and operational 	Coordination
Monitor and evaluate the correlation between allocated child protection funding and the attainment of protection and care standards for children. Document and monitor capacity development initiatives (# of workshops delivered, # of persons trained, hours of on the job coaching, specific technical or financial inputs, networking, etc.) and changes in the capacity to protect children. Allocate funds for monitoring and evaluation.	<ul style="list-style-type: none"> • # of training or capacity development sessions held • # of persons trained • average # of days from registration to first instance interview 	Human & Financial Capacities
Monitor and evaluate use and effectiveness of services and impact on children's well-being.	<ul style="list-style-type: none"> • # of reported incidents of SGBV per year • % of UASC for whom a best interest procedure has been initiated or completed • Extent children of concern have non-discriminatory access to social services 	Prevention & Response Services
Document advocacy and awareness raising efforts with specific actors and track changes in practice and behaviour.	<ul style="list-style-type: none"> • # of children in detention monitored by UNHCR or partners • % of children under 12 months old who have been issued with a birth certificate by the authorities. • Extent of community's efforts to address SGBV 	Advocacy & Awareness Raising

ANNEX: UNHCR Policy Framework for the Protection of Children

- Guidelines on Refugee Children (1988)
- Policy on Refugee Children (1993) www.unhcr.org/refworld/docid/3f9e6a534.html
- Refugee Children: Guidelines on Protection and Care (1994) www.unhcr.org/refworld/docid/3ae6b3470.html
- UNHCR Policy on Adoption (1995) www.unhcr.org/refworld/docid/42f9c3714.html
- UNHCR Policy on Harmful Traditional Practices (1997)
- UNHCR Agenda for Protection (2003) www.unhcr.org/refworld/docid/4714a1bf2.html
- Summary Note UNHCR's Strategy and Activities Concerning Refugee Children (2002) (The 5 Commitments to Children) www.unhcr.org/refworld/docid/3f9e55704.html
- EXCOM Conclusion on Women and Girls at Risk No. 105 (LVII) (2006) www.unhcr.org/refworld/docid/45339d922.html
- EXCOM Conclusion on Children at Risk No. 107 (LVIII) (2007) www.unhcr.org/refworld/docid/471897232.html
- UNHCR Accountability Framework for Age, Gender and Diversity Mainstreaming (2007) www.unhcr.org/refworld/docid/47a707950.html
- UNHCR Handbook for the Protection of Women and Girls (2008) www.unhcr.org/refworld/docid/47cfc2962.html
- Guidelines on International Protection No. 8: Child Asylum Claims under Articles 1(A)2 and 1 (F) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees (HCR/GIP/09/08) (2009). www.unhcr.org/refworld/docid/4b2f4f6d2.html
- UNHCR Guidelines on Determining the Best Interests of the Child (2008) www.unhcr.org/refworld/docid/48480c342.html and Field Handbook (2011) www.unhcr.org/refworld/docid/4e4a57d02.html
- Age, Gender and Diversity Policy: Working with People and Communities for Equality and Protection (2011) www.unhcr.org/refworld/docid/4def34f6887.html
- Action against Sexual and Gender-Based Violence: an updated Strategy (2011) www.unhcr.org/refworld/docid/4e01ffeb2.html
- UNHCR Education Strategy, 2012-2016 (2012) www.unhcr.org/refworld/docid/4f4cd9812.html



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