Ensuring Protection & Durable Solutions for Unaccompanied & Separated Refugee Children

A Report Prepared by Lutheran Immigration and Refugee Service for the United Nations High Commissioner for Refugees
no small matter
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May 2007

Mission Statement
In response to God’s love in Christ, we welcome the stranger, bringing new hope and new life through ministries of service and justice.
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### Abbreviations

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<th>Abbreviation</th>
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<tbody>
<tr>
<td>AGDM</td>
<td>Age, Gender and Diversity Mainstreaming</td>
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<td>AHA</td>
<td>African Humanitarian Aid</td>
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<td>ARC</td>
<td>Action for the Rights of the Child</td>
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<td>AMI</td>
<td>International Medical Aid</td>
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<td>BID</td>
<td>Best Interests Determination</td>
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<td>CBO</td>
<td>Community-Based Organization</td>
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<td>CCF</td>
<td>Christian Children’s Fund</td>
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<td>CNR</td>
<td>Conseil National pour les Réfugiés</td>
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<td>COERR</td>
<td>Catholic Office of Emergency Relief and Refugees</td>
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<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<td>EVI</td>
<td>Extremely Vulnerable Individual</td>
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<td>ICRC</td>
<td>International Committee of the Red Cross</td>
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<td>IRC</td>
<td>International Rescue Committee</td>
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<td>IP</td>
<td>Implementing Partner</td>
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<td>ISS</td>
<td>International Social Services</td>
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<td>JRS</td>
<td>Jesuit Refugee Service</td>
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<td>KWO</td>
<td>Karen Women’s Organization</td>
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<td>LIRS</td>
<td>Lutheran Immigration and Refugee Service</td>
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<tr>
<td>NGO</td>
<td>Nongovernmental Organization</td>
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<td>SCEP</td>
<td>Separated Children in Europe Programme</td>
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<td>SOPs</td>
<td>Standard Operating Procedures</td>
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<td>UASC</td>
<td>Unaccompanied and Separated Children</td>
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<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<td>UNV</td>
<td>United Nations Volunteer</td>
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<td>USCCB</td>
<td>United States Conference of Catholic Bishops</td>
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<td>WVI</td>
<td>World Vision International</td>
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Finally, we acknowledge the financial support received from United Nations High Commissioner for Refugees and the agency’s commitment to undertake this study and appreciation for the ongoing efforts of United Nations High Commissioner for Refugees and implementing partners around the world to meet the needs of unaccompanied and separated children often in the face of enormous challenges.
Executive Summary

The United Nations High Commissioner for Refugees (UNHCR) and its partners have a long history of dedicated work to meet the needs of refugee children and of continuing to build on the experience and create ever improved approaches to meeting those needs. From the outset, the best interests principle has been fundamental to UNHCR’s work with unaccompanied and separated refugee children. This has involved the recognition that, in the absence of a parent or customary caregiver, each child requires individual assessment and planning, and that child’s wishes should be considered in all decisions regarding their immediate and long-term protection and care.

In May 2006 UNHCR provisionally released Guidelines on the Formal Determination of the Best Interests of the Child. These provide specific guidance to UNHCR and partner staff around the procedural safeguards and documentation needed when making any decision that has a fundamental impact on the life of an unaccompanied or separated child (e.g., making complex protection decisions, providing a durable solution, removing a child from parents). The Guidelines state these “higher procedural safeguards are necessary” to ensure the best interests of the child are upheld in these high impact decisions.1 The ability of UNHCR field offices to effectively implement these Guidelines, therefore, will depend in part on the extent to which current systems and resources already address child protection and best interests considerations and that field offices are able to identify when formal best interests determination procedures are required.

LIRS identified a number of “preconditions” that should be in place in order to implement the Guidelines as currently written:

- the actual identification of unaccompanied and separated children (UASC),
- documentation on UASC case history,
- tracing of family members,
- the appointment of guardians and
- the monitoring and review of care arrangements.

To assist UNHCR in establishing the extent to which these preconditions for conducting formal Best Interests Determinations are in place LIRS:

- developed a tool for mapping UASC practice in UNHCR field operations;
- used this tool to map policies, procedures and practice in two UNHCR field operations; and
- consulted with key experts on unaccompanied and separated children to confirm, clarify and expand upon the information obtained from the two mappings.

This report lays out six main findings that emerged from the mappings and expert interviews, and discusses their potential implications for the implementation of the Guidelines:

- there is a piecemeal approach to UASC programming,
- there is great value in interagency collaboration with child-focused agencies,
- there are identification and documentation bottlenecks,
- informal approaches to care arrangements and family tracing lead to inconsistent results,
- BIDs are used too narrowly, usually only in the context of resettlement, and
- there is a need for consistent and increased child welfare expertise.

Throughout the study we observed a high degree of concern for the needs of unaccompanied and separated children and many efforts to juggle these with competing demands for time and resources. While many of the BID preconditions do exist and country operations continue to make improvements despite budget and staffing limitations, a number of systemic problems and common gaps in programming for unaccompanied and separated children were identified in the mappings and confirmed in the expert interviews. In particular, many country operations will more than likely need to strengthen child welfare efforts on the front-end of the displacement cycle if they are to meaningfully “operationalize” the Guidelines.

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This report concludes with some suggestions aimed at strengthening unaccompanied and separated child systems, ensuring BID preconditions are in place and supporting implementation of the Guidelines. These include actions to: establish comprehensive strategies, ensure identification and documentation groundwork, recognize the need for targeted individualized casework and family tracing, change the current BID mindset, prioritize child welfare capacity, strengthen strategic partnerships with child-focused agencies, and develop practical case-based training materials.
Context

Displacement—being uprooted and exposed to insecurity—has a profound impact on children, and increases their vulnerability. Those who are separated from parents or customary caregivers as well as familiar home environments are even more vulnerable—being at higher risk for

- abuse, neglect and exploitation;
- recruitment into fighting forces;
- discrimination within households and communities;
- early marriage and forced domestic labor; and
- denial of basic needs and education.2

UNHCR has always acknowledged that refugee children who lack parental care require special protection. They share the vulnerabilities of other refugees and also have the additional vulnerabilities of children alone in the world. Since the Hungarian Revolt of 1956, UNHCR has worked with governmental and nongovernmental agencies to meet their individual needs. This began with technical support to the Austrian government around the development of emigration procedures for unaccompanied children3—and has evolved to include more comprehensive programming and policy development.

Initially, efforts were targeted at unaccompanied children (children who are separated from both parents/customary caregivers and other relatives). However, policy and programming has since expanded to all separated children (children who are separated from both parents/customary caregivers, but not necessary other relatives)—given growing awareness that children living with relatives may be just as vulnerable and in need of family tracing as unaccompanied children, even if far less visible.4

From the outset, the best interests principle has been fundamental to UNHCR’s work with UASC. This involved the recognition that, in the absence of a parent or customary caregiver, each child required individual assessment and planning—and (after consideration of various national laws and practices) that children’s wishes should be considered in all decisions regarding their fate.5 By the late 1970s and early 1980s (in the context of work in Southeast Asia), UNHCR issued procedural guidance and policy that further outlined the best interests principle in relation to durable solutions and suggested the establishment of review committees to assist in decision-making.6

Since then, the UN Convention on the Rights of the Child (1989), the UNHCR Refugee Children: Guidelines on Protection and Care (1994)7, and the Inter-Agency Guiding Principles on Separated and Unaccompanied Children have provided the basic framework used to determine the best interests of individual UASC—as well as guidance around each element of UASC programming from identification and registration of individual children to family reunification and durable solutions. These have been further elaborated on in a series of training modules, Action for the Rights of Child (2002), one of which focuses specifically on Separated Children.

However, despite these considerable efforts towards establishing guidance for those working in refugee situations and UNHCR’s recognition of UASC as one of its Five Global Priorities for Refugee Children, recent assessments and protection plans have highlighted gaps in understanding and “operationalizing” UASC protection and care at the field level.8 In particular, gaps have been found in identification, documentation

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4 Global Consultations on International Protection (Refugee Children), EC/GC/02/9, UNHCR, April 2002.
6 Ibid.
7 This followed the development of UNHCR Policy on Refugee Children, EC/SCP/82, 1993.
and tracing systems, best interest determinations, and care arrangement monitoring mechanisms. Refugee children themselves have highlighted the limited attention given to child-headed households.

Most recently, UNHCR has developed *Guidelines on the Formal Determination of the Best Interests of the Child* to provide specific guidance to UNHCR and partner staff around the procedural safeguards and documentation needed when making any decision that has a fundamental impact on a UASC’s life (e.g., making complex protection decision, considering a durable solution, removal from parents). These were released for field testing in May 2006 with particular focus on five protracted operations with large numbers of UASC.

A fundamental consideration in the *Guidelines* is the distinction between the proposed formal procedures and other processes or programs for unaccompanied and separated children at the field level. The ability of UNHCR field offices to effectively implement these Guidelines, therefore, will depend in part on the extent to which current systems and resources or “preconditions” are in place to address the protection needs and best interest considerations of unaccompanied and separated children outside these formal procedures. For example, in order to determine the most appropriate durable solution for a UASC, it is necessary to have access to specific information such as the results of family tracing efforts, the nature of the current care situation, and any special needs or vulnerabilities.

To assist UNHCR in establishing the extent to which preconditions for conducting formal BIDs are in place, this report examines how the protection of separated refugee children is “operationalized” throughout the displacement cycle in specific field locations, raises key findings and their implications for implementation of the recent Guidelines, and proposes recommendations for strengthening UASC protection and care.

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9 *Measuring Protection By Numbers 2005*, UNHCR, November 2006; *Findings of the Participatory Assessment with Children in Marratane Refugee Camp in Mozambique*, UNHCR, April 2006; *Update on Implementation of the Agenda for Protection*, UNHCR, March 2006.

10 *Findings of the Participatory Assessment with Children in Dukwai Refugee Camp in Botswana*, UNHCR, December 2005; *Findings of the Participatory Assessment with Children in Dzaloka Refugee Camp in Malawi*, UNHCR, November 2005.
Mapping and Consultation Processes

This report is the product of three phased processes:

1) the development of a tool for mapping UASC practice in UNHCR field operations (see Appendix D);
2) the use of this tool to map policies, procedures and practice in two UNHCR field operations (see Appendix A and B); and
3) consultation with key UASC experts (see Appendix C).

The tool used to map UASC practice in field operations was developed by LIRS child welfare professionals in consultation with UNHCR Headquarters. It consists of a series of questions related to the main protection and care processes outlined in the Inter-Agency Guiding Principles on Separated and Unaccompanied Children, and a draft flowchart developed by Save the Children UK and the IRC including sections on: Programmatic Structures, Identification, Temporary Care Arrangements, Guardianship, Refugee Status Determination, Tracing, Identification and Response to Specific Protection Concerns, Best Interest Determinations, Durable Solutions, Verification, Family Reunification, Post-Reunification Services, Case Closure and Program Analysis (Lessons Learned and Recommendations). Questions were designed to elicit concrete examples of policy, procedure and practice and to allow adaptation according to interviewee and refugee situation. Initial questions are often proceeded by a sequence of follow-up queries that guide further questioning regarding specific practices. This included requesting copies of SOPs, forms, assessments, plans, etc. where available. A supplemental series of questions was drafted for interviews with children as well.

Once the mapping tool was finalized, mapping visits were arranged for two field operations selected by UNHCR (Rwanda and Thailand). These country programs were chosen given their protracted refugee situations, their expressed interest, and their varied operating environments. Each field operation mapping took place over a three-week period and involved a LIRS child welfare specialist consulting with a range of individuals including: UNHCR staff in regional, branch and field offices; government partners, operational partners and implementing partners; and children themselves. Information from interviews was supplemented with observations of specific activities (e.g., coordination meetings, home visits) and review of available program documents.

Notes from each mapping exercise were compiled, incorporated into individual reports for each field operation, and shared with UNHCR Headquarters and the relevant field operation for feedback. Each report provides detailed descriptions of the individuals, agencies and processes involved either directly or indirectly with UASC; identification of accomplishments/promising practices and challenges/gaps; and a set of recommendations.

As a follow-up to the two mapping exercises, a consultant was engaged to interview key experts on the protection and care of UASC, including independent consultants and professionals from: UNHCR Headquarters and Regional Offices, CCF, ICRC, JRS, Save the Children Norway and Sweden, SCEP, USCCB, the Women’s Commission on Refugee Women and Children and WVI.

The questions for these interviews were based on the findings from the two mappings and aimed to confirm, clarify and expand upon information already obtained. In particular, key experts were asked to consider the issues that arose in the Rwanda and Thailand mappings and how these fit with their own experience; to offer recommendations for addressing identified challenges and replicating promising practices; and to reflect on the links between daily protection activities and BIDs.

Most interviews took between one and two hours. Responses were summarized, sorted according to topic and type of organization with which the expert was associated, and reviewed in conjunction with the findings from the two mappings. The following section describes the key findings and lessons learned that emerged from this process.

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11 All but one interview was completed in person and the remaining interview was conducted by telephone.
Key Findings and Lessons Learned

This section of the report draws together six main findings and lessons learned. Given the focus on two country operations—and that both of these operations involved protracted encampment situations—it is acknowledged that the preliminary findings drawn from the mapping may not necessarily apply to other country operations. As such, we used the expert interviews to test how representative the findings are relative to other operations, and incorporated responses into the analysis below. The six key findings include:

- there is a piecemeal approach to UASC programming,
- there are identification and documentation bottlenecks,
- informal approaches to care arrangements and family tracing have mixed results,
- BIDs are used too narrowly, usually only in the context of resettlement,
- there is a need for consistent and increased child welfare expertise, and
- there is great value in interagency collaboration with child-focused agencies.

Piecemeal Approach to UASC Programming

Programming for refugee UASC appears to occur in distinct “pieces” (e.g., BIDs, monitoring care), and UNHCR field operation structure is such that there does not appear to be a post that holds responsibility for oversight and coordination of the UASC “big picture”. In Rwanda, both Community Services and Protection officers were tasked with different aspects of UASC programming, and in Thailand, Resettlement officers were involved as well. Moreover, it was not uncommon for consultants to be brought in for short periods to address particular “pieces” given officer’s workloads.

The result of dealing with these various aspects individually appears to be a number of gaps in UASC protection and care, and delayed responses to specific UASC needs. For instance, there was little preparation for potential repatriation in Rwanda, including the development of cross-border links with child welfare agencies in DRC and Burundi, or provision for UASC left behind. In Thailand, there were no inter-camp, in-country or cross-border family tracing services. In addition, neither country operation had developed strategies to prevent family separation, address the guardianship issue, or undertake periodic reviews of care arrangements.

The piecemeal approach may also be a product of UASC responses being initiated with limited or no initial assessment of the situation of UASC. Although it is recognized that the UNHCR Rwanda staff interviewed during the mapping were not present during the primary Congolese influx in 1996 and that UNHCR Thailand has only been allowed to work in Thai-Burma border camps since 1999, this lack of situational analysis has meant that decisions are made and programs planned without a clear understanding of the extent of separation, causes of separation, existing responses to separation, or the community structures/practices and relevant national laws/bodies that could support responses. While there was reference to the provisional BID Guidelines, only a few of the UNHCR or IP staff interviewed in the mappings mentioned the Situational Analysis Module within the ARC Training or UNHCR’s Refugee Children: Guidelines on Care and Protection as references for their work while no one cited the Inter-Agency Guiding Principles.

On the whole, there was little reference made to UNHCR UASC guidance—which suggests that understanding of the key elements of UASC programming may require strengthening in some country operations. It may also reflect the fact that UASC programming, in addition to being split between various sections, is partially subsumed under EVI programming. In many country operations such as Thailand, this involves the regular distribution of non-food items, and given sizeable caseloads and limited resources, partners responsible for EVI programming often have little time for a more comprehensive approach to UASC protection and care.

The piecemeal approach is further reinforced by the lack of UASC program strategies, timeframes or SOPs within country operations, including plans for monitoring IPs and indicators to measure progress. The Rwanda program did not have any UASC-relevant objectives in their Country Plan 2007. Thailand had one related to improved monitoring and care of UASC, and identification of a lead agency for family tracing. It is hypothesized that this may be a consequence of mainstreaming an age perspective, resource constraints

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12 Part of UNHCR’s Age, Gender and Diversity Mainstreaming (AGDM) strategy.
and/or lack of explicit time-bound expectations related to UASC programming. However, it is also acknowledged that UNHCR it still at the initial stages of developing global indicators for UASC protection and care and that proGres and other databases used to track UASC are not yet functional enough to perform some of the disaggregated analysis needed for planning and evaluation.

Value of Interagency Collaboration with Child-Focused Agencies

Many of the promising practices identified during the mapping grew out of collaboration with other agencies, particularly child-focused agencies such as UNICEF and Save the Children. In Rwanda, capacity to identify and address specific protection needs was strengthened when Save the Children UK was brought in by UNHCR and UNICEF to address child recruitment issues in Congolese camps. This role evolved to include working with individual cases of UASC with special protection needs, and participating in interagency case consultations and referrals through the field-based Vulnerable Services Working Group. In Thailand, UNHCR utilized its standby agreement with Save the Children Norway to bring in a short-term child welfare specialist to support child protection in border camps. This deployment produced valuable analysis of UASC programming and prompted the ultimate expansion of protection and care activities. UNICEF Thailand furthered these efforts, supporting training for community social workers, funding the creation of Camp Child Protection Committees, and recruiting a consultant to examine alternative care options for UASC.

As illustrated in the mappings, UNICEF’s community-based “social” approach to child protection in many ways complements UNHCR’s more case-based “physical” and “legal” protection focus. Experts confirmed this, generally agreeing that UNICEF’s involvement brings added value—particularly around policy, advocacy and relations with government child welfare bodies. Where UNHCR and IPs do not have the resources to carry out certain aspects of UASC protection and care, supplemental funding from UNICEF has been especially valuable. However, UNICEF’s involvement with refugee children is the exception rather than the rule. Although the protection of refugee children as children falls within UNICEF’s mandate, experts mentioned that their engagement in refugee situations—and level of coordination with UNHCR—largely depends on the country context. (This is in large part due to the memorandum under which UNICEF operates within a given country.)

Perhaps the clearest consensus that emerged from the mappings and expert interviews was the importance of IP identification. In essence, the key to quality UASC programming is partnership with a qualified child protection NGO from the very beginning of the displacement cycle. These agencies provide the specialist skills upon which effective mainstreaming depends. For instance, the involvement of Save the Children in the Rwanda and Thailand operations enhanced the efforts of EVI programs through interagency training, community mobilization around child recruitment, identification of groups of UASC with special vulnerabilities, and child-focused casework. It also drew attention to children’s right to participation and child-friendly approaches to soliciting information from children.

Unfortunately, partnerships with UNICEF and other child-focused agencies—as well as ICRC—did not extend to the BID panels in the country operations involved in the mappings. In both countries, BID panels only included UNHCR Community Services, Protection and Resettlement officers. This has not necessarily been the case in others country operations, and experts agreed that the involvement of UNICEF, ICRC, governmental child welfare bodies and international and national child-focused NGOs could considerably strengthen the capacity of BID panels.

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13 It is recognized that in the context of its Follow-Up Strategy to the Graça Machel Study, UNHCR put forward specific goals for UASC protection and care during the phases of emergency response. The focus is on identification, documentation and arrangement of emergency care in the initial phase, and placement with foster families/group homes and countrywide/cross-border tracing in the second phase. This has been further developed in UNICEF’s Care Commitment to Children in Emergencies, which lays out a specific timetable for expected response.


15 The data management software UNHCR uses to for individual registration of all persons of concern.

16 This was also highlighted in the evaluation of the ARC training, A Motherless Child: Report of the Independent Evaluation of Action for the Rights of Children (ARC), CASA Consulting, March 2006 (Draft).


18 For example, the BID panel in Guinea consists of representative from UNHCR, IRC, Ministère des Affaires Sociales, Salou Guinée and UNICEF. In Ethiopia, the BID panel was drawn from UNHCR, Save the Children Sweden and ICMC Employees (as observers).

19 There was little agreement around the extent to which refugee communities should be involved decision-making.
Identification and Documentation Bottlenecks

The experts who were interviewed generally agreed that UASC identification and registration systems should be in place within weeks of an emergency refugee influx, and should be based on an initial assessment of the situation. However, in practice, as seen in many protracted refugee situations (e.g., in Rwanda, in Thailand, in Kenya, in Guinea), there is often a significant delay in systematic identification and registration—and subsequent documentation of family tracing and other special needs. In some cases, it has taken years for organized identification to start.

The reasons for such delays, as illustrated in the mappings in Rwanda and Thailand, are varied and range from difficulty gaining permission to work in camps, to assuming children cared for by extended family and community are not UASC, to lack of clarity about who is responsible for identification. In Rwanda and Thailand, thousands of refugees were granted prima facie refugee status. This meant that UASC were not identified at the onset of flight, but much later when a formal registration was carried out. It was also noted in Rwanda that refugee leaders are not necessarily coming forward to UNHCR to raise UASC needs, which often has meant that competing priorities are given preference.

In Thailand, the identification of UASC was further delayed by definitional challenges. In particular, the definition of a separated child referred to a “child under 18 years of age living in the camps who has no contact with, or has lost contact with, either biological parent for over six months”—which excluded a significant population of UASC. Once definitions reflected the Inter-Agency Guidelines, UASC numbers more than doubled.

Rwanda and Thailand were observed to have very different approaches to identification, which resulted in distinct patterns related to who was identified and who remained hidden. In Rwanda, identification appeared to depend on the household refugee registration process. This meant UASC in households that referred to the child as their own (which appeared to be relatively often) were not necessarily identified.20 It also meant that children who became UASC when parents passed away or abandoned them (typically child-headed households) were not being identified. Thailand’s approach, in contrast, relied on camp section leaders who appeared to have a good grasp of the coming and goings of their sections—including UASCs, who were regularly referred to the IP responsible for EVI services. In this situation, the gaps in identification were primarily observed to exist for UASC in boarding houses.

Once identified, the process of registration and documentation of UASC appears equally prone to delays. These delays, however, seem to be linked to sizeable caseloads (typically EVI programs hold responsibility for documentation of UASC) as well as staff capacity. Two forms were used to collect information from UASC in both Rwanda and Thailand—a shorter form with basic information and a longer form that included an assessment of special needs and vulnerabilities (the Inter-Agency UASC Registration Form in Rwanda). However, it appeared that the longer form had not been systematically completed in both country operations—which meant that information that could be used for family tracing and referral for other special services was, even if collected, not necessarily being recorded.

Given that subsequent UASC services cannot move forward without identification and documentation, the implications of delays are rather significant for individual children. In some cases, this has meant that basic needs of child-headed households have been overlooked; in other cases, that children’s memories have faded and, with them, their chances of family reunification. It has also meant that UASC may make it to adulthood without receiving any special attention.

Informal Approaches to Care Arrangements and Family Tracing

In both the Rwanda and Thailand country operations, the vast majority of UASC had been spontaneously taken in by familiar adults—relatives mainly, but also neighbors, family friends and acquaintances—and UNHCR and IP staff interviewed during the mappings recognized that they were rarely pulled into placement

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20 Registration activities are not necessarily designed to elicit the information necessary for UASC identification. In the Rwanda operation, UASC could be designated under three potential areas of the household registration form: Rel. avec HR1, Besoins spéciaux, or Remarques individuelles.
decisions. For example, staff in Rwanda reported that family and community are strong in Congolese culture and every UASC has someone to initially step in and foster him or her.

This reliance on informal family and community networks pertains to family tracing as well. In Thailand, for instance, there are no organized family tracing programs; however, there appear to be well-developed inter-camp, in-country, and cross-border mechanisms that refugees rely on to exchange information with family—and have used to trace the parents of UASC being considered for resettlement with extended family.

It is further noted that community networks have been responsible for identifying and responding to cases of abuse and exploitation that have come to the attention of UNHCR and IP staff. The examples given during the mapping involved teachers, members of women’s groups and camp leaders taking action. In two cases, women leaders agreed to care for children who needed to be removed from their carers.

Family-based care is considered to be the best way to meet the developmental needs of the children without parental care, and there is little doubt that the family and community networks in Rwanda and Thailand (as in other country operations) represent the most effective response resources for UASC. It is even more encouraging that some of the most promising practices identified during the mapping involved UNHCR and IPs tapping into and collaborating with such networks.

However, reliance on informal, often ad hoc mechanisms has meant that the protection needs of some UASC are overlooked—and that some areas of UNHCR and Inter-agency guidance are not necessarily followed. Child-headed households as well as carer training and support appear to be two main gap areas common to many operations. Others include: lack of explicit standards of care or foster parent criteria, no procedure for appointing a guardian for UASC, and the placement of children in boarding houses without considering alternative care options.

Reliance on informal mechanisms has also meant that UASC can go for years in a state of limbo without any assessment or documentation of their care situation, or sustained family tracing efforts. This can make it particularly difficult to sort out the child’s history when the time comes to conduct a BID—or to prevent abandonment by carers prior to repatriation or resettlement.

The mappings revealed a number of examples of quality casework by IP EVI staff in both Rwanda and Thailand, and it was obvious that staff were extremely committed to their work with UASC and well known within the camps. However, it was also observed that casework tended to focus on “psychosocial support” (informally visiting with the family, allowing children to discuss their difficulties and offering advice), rather than assessing current care or planning for the child’s future. The upshot of this model of casework is that all UASC are typically treated the same (e.g., a monthly home visit and a hygiene pack) and children requiring more or less attention are not necessarily differentiated. For example, while IP staff in some camps were fairly confident of their ability to identify high risk situations, others expressed concern that caseworkers were not sufficiently trained to do so.

The balance between formality and informality is not simple and experts also struggled with considering the extent to which UNHCR and IPs should be involved in placements, whether the guardian role should be held by (or separate from) the caregiver role, and how to ensure needed documentation without creating unmanageable bureaucracy. This will continue to be an area that will require further dialogue.

The Need for Consistent Child Welfare Expertise

On the whole, the mappings revealed little consistent child welfare expertise at field level. Staff from EVI programs rarely come from child welfare backgrounds—nor do the UNHCR field staff who are responsible for day-to-day oversight of EVI IPs. Child welfare expertise, when available, tends to come in waves—through short-term consultancies and deployments (in Thailand) or temporary contracts with child-focused NGOs (in Rwanda).

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21 It is recognized that one of the reasons that systematic family tracing has not been explored further relates to the potential security and other risks associated with tracing parents and other family members living in certain regions of Burma and outside of border camps in Thailand.

22 Gaps in addressing the protection needs of child-headed households were raised during participatory assessments with refugee children in Malawi and Mozambique as well as observed during the mapping of the Rwanda country operation. See Findings of the Participatory Assessment with Children in Marratane Refugee Camp in Mozambique, UNHCR, April 2006; and Findings of the Participatory Assessment with Children in Dedza Refugee Camp in Malawi, UNHCR, November 2005.

23 The exception is the Association Protection Officer at the UNHCR Regional Office in Bangkok who comes from a child welfare background. She is responsible for providing support with difficult cases and coordinating with the EVI IP on UASC issues at the national level. She also is a member of the BID panel.
This has meant that many of the child welfare tasks which are described within UNHCR and Inter-Agency UASC guidance are often undertaken by individuals with limited social work training who are often relying on common sense and past experience. While examples of quality casework were observed during the mappings (as mentioned above), distinct limitations to monitoring activities were also noted. In particular, staff responsible for home visits were not necessarily attuned to the specific protection risks associated with different types of care arrangements or able to recognize the significance of information that should be reported. They also struggled with the complexities of sorting out and documenting children’s histories.

Gaps in child welfare expertise among those involved in BIDs were observed as well. In particular, as mentioned above, those originally responsible for conducting BIDs in Thailand were recruited for their familiarity with the camps, many having worked for UNHCR as clerks during the 2005 registration exercise. They, like social workers in camps, tend to have limited experience interviewing children and documenting casework—and the BIDs reports which they have submitted have in many cases had to be redone.

Of particular concern are the gaps in child welfare expertise within BID panels—specifically in relation to understanding of permanency, child rights and child development. The Rwanda operation BID panel is staffed by UNHCR officers (none of whom come from a child welfare background), and the decision-making observed during the mapping in Thailand suggested that panel members may know well the full range of factors related to a child’s vulnerabilities as a refugee but may not necessarily be addressing the full range of vulnerabilities as a child and the factors fundamental to determining a child’s best interests (e.g., how a decision may impact on child’s development given her age).

It is worth noting as well that—despite many experts highlighting the value of ARC training (specifically the Separated Children module)—none the individuals interviewed during the mappings mentioned awareness of or having undergone ARC or other UASC-specific training. Reference was made to general protection and SGBV training (in Rwanda), and psychosocial, casework and BID training (in Thailand). UNHCR and IP staff, particularly in Rwanda, said it would be useful to have training focused around specific UASC issues such as causes of separation, identification of UASC and risks associated with separation.

It is important to recognize, however, that there are limits to what such trainings can accomplish and further the types of child welfare competencies that can realistically be expected of generalist staff. Although this issue, like the balance between formality and informality discussed above, will clearly require further dialogue, findings from the mappings suggest that those areas of UASC programming that are assessment-intensive (e.g., permanency) are particularly likely to be overlooked in the absence of child welfare specialists. The findings also point to a need to expand training to include more consistent opportunities for applied learning under the guidance of child welfare specialists (e.g., through observation, mentorship, coaching, case consultation).

**BIDs Solely Used in the Context of Resettlement**

In both Rwanda and Thailand, BIDs are only conducted in conjunction with the resettlement process, and experts confirmed that this was the case in other country operations as well.24 In country operations that are undergoing or have undergone major resettlement operations (e.g., Thailand, Ethiopia, Kenya), teams of staff are deployed or hired locally to conduct interviews and prepare recommendations for individual UASC, which are then submitted to BID panels for decisions. This often occurs many years after the initial emergency influx and children close to turning eighteen are often prioritized for BIDs so their cases can be processed while they are still technically children. For example, in Kakuma (Kenya), UASC from south Sudan typically waited at least seven years for a durable solution BID.

In smaller operations or those without large resettlement programs, UNHCR tends to conduct BIDs for exceptional UASC cases that come to their attention, often through referrals from IPs. There were no official statistics on the number of Congolese UASC who received BIDS in Rwanda, however, a current UNHCR officer remembered five Congolese UASC who received BIDs in the Rwanda operation and were subsequently resettled to a third country in recent years.

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24 It is recognized that BIDs have also been carried out relative to voluntary repatriation and local integration in a few country operations as well (e.g., Tanzania, Guinea).
Despite BIDs being seen as a resettlement exercise, it appears that, when undertaken, they have served to identify and sort out a host of individual protection and assistance needs. Experts referred to this as an expected part of the process as it currently stands, particularly given the lack of resources allocated to UASC monitoring.

In particular, those tasked with gathering information from multiple sources and preparing recommendations for BID panels—given the absence of some preconditions—have found themselves generating significant portions of the UASC service lifecycle (e.g., documentation, family tracing) in order to make recommendations about durable solutions. Delays have been noted as well because information collected during interviews was insufficient to support decisions and interviews needed to be redone.

Families who have taken in UASC—and have been referred for resettlement—have sometimes reacted to the delays associated with the BID process—by “dropping” the child from their case. This was just being identified as a concern within the Thailand operation at the time of the mapping, and experts confirmed that this has happened in other refugee situations as well. Some experts held that it was better that the child was dropped prior to resettlement than afterwards; others maintained that this could have been prevented had BIDS been conducted within the first two years of displacement. In particular, it is recognized that, without periodic reviews of care arrangements (not to mention a race against time) it can be incredibly difficult to sort out the reasons for “dropping” UASC.

Resettlement alone is a complex process and, as observed during the mappings, staffing is a major challenge. Add the human resource requirements of BIDs (i.e. the need for specialist staff) and it is not surprising that country operations are struggling to find ways of conducting BIDs—and having to make tough compromises when faced with limited budgets. In Thailand, this has meant that, despite an acknowledged need for child welfare specialists, generalist staff with relevant languages skills have been recruited to conduct BIDs.

When asked how the BID process could be simplified, some experts pointed to preparation that could be done on the front-end of the displacement cycle such as creating individual case files, integrating the gathering of information needed for the BID into the monitoring process, and ensuring the collection of quality information from the beginning. It was also noted from observation of the BID process in Thailand that a standard background document with information related to different options (e.g., security situations in different areas of the country of origin, services available in resettlement countries including tracing mechanisms) may also help to streamline the process.
Implications for Formal Best Interests Determinations

In UNHCR’s view, higher procedural safeguards are necessary in case of a cumulative presence of the following three conditions:

- The parents are absent, do not or are unable to exercise basic parental responsibilities.
- The decision has a fundamental impact on the future of the child.
- A complex balancing of factors and rights is required to determine the best interests of the child in the individual case.\(^{25}\)

As elaborated in the recently developed Guidelines on the Formal Determination of the Best Interests of the Child, an individual BID is required to identify durable solutions for all UASC\(^{26}\), and further, these BIDs should be conducted within two years from the moment a child has been identified.

The key findings that emerged from the mappings and expert interviews reveal a series of challenges that country operations will face if they are to meet these requirements. In particular, the findings point to six main implications for the implementation of the BID Guidelines by UNHCR country operations:

1. **The absence of comprehensive UASC strategies is likely to result in some BID preconditions not being implemented.**

   As highlighted in the mappings, country operations do not necessarily have comprehensive UASC strategies including situational analyses, objectives, activity timelines, indicators to measure progress, etc. This is understandable given competing priorities, resource limitations, division of UASC responsibilities amongst different sections, and UASC being subsumed under EVI programs. What this means for the implementation of the BID Guidelines, however, is that some preconditions such as family tracing may be overlooked or not given equal priority to other preconditions. In these instances, those responsible for BIDs will find themselves trying—ad hoc—to address these gaps on a case-by-case basis, or making durable solution recommendations without considering the full range of information outlined in the Guidelines.

2. **Delays in documentation will reduce the chances of meeting the two year target.**

   Once identified, UASC appear for the most part to be registered by UNHCR and its partners. This involves the collection of basic information about each UASC and is in itself a huge accomplishment. However, as observed in the mappings, registration is not necessarily followed up with full documentation (e.g., assessment of special needs, information for tracing), which is necessary for subsequent UASC services, particularly family tracing, to move forward. This in turn delays the BID process, which relies to a great extent on the results of family tracing efforts, and makes it particularly difficult for country operations to meet the two year target set out in the Guidelines.

3. **Dependence on informal approaches will mean that those responsible for BIDs find themselves starting from scratch rather than building on existing documentation.**

   Many of the promising practices identified during the mapping involved informal approaches to casework, tracing, protection, etc. These efforts have no doubt benefited many UASC and have helped children to feel that there is someone watching out for them. However, actions taken and decisions made during the course of these efforts are not necessarily documented in children’s files. The Guidelines assume that one of the steps of the BID process is the verification of existing documentation. If past decisions such as those related to placement are not documented, then those involved in BIDs end up spending additional time trying to sort out children’s histories.

4. **Seeing the BID solely as a resettlement tool will restrict the number of UASC who benefit from BIDs.**

   As highlighted in the mappings, BIDs are often paired with resettlement referrals and thus seen as an exercise to determine whether resettlement is in the best interest of a UASC. In many ways, this means that whether or not a UASC receives a BID is largely dependent on the size of the resettlement operation in the country.


\(^{26}\) The Guidelines also require BIDs to decide on temporary care arrangements for UASC in particularly complex situations and to decide on the separation of a child from his or her parents against their will.
In Thailand, where a large resettlement operation was underway, a team of clerks had been put in place to conduct BIDs for UASC attached to families being considered for resettlement. In Rwanda, where the resettlement operation was small, only exceptional cases had undergone BIDs. Given that the Guidelines require a BID for all UASC as early as possible within the displacement cycle—“operationalization” will necessarily mean major shift in how BIDs are planned for and implemented in order to build BID capacity in all refugee contexts, not just those with expansive resettlement processing.

5. **Reliance on generalist staff during BID processes will limit assessment of the full range of factors fundamental to a child’s best interests.**

Given resource constraints, country operations tend to rely on generalist staff to conduct BIDs. In some cases, this has meant that the information collected has not been sufficient to determine a child’s best interests. It has also meant that the full range factors described in the Guidelines are not necessarily being considered in durable solution recommendations. In particular, aspects of a child’s case that require higher levels assessment skills (e.g., permanency issues, developmental impact) may not be given as much weight as other factors better understood by generalists.

6. **Strategic partnerships with child-focused agencies will enhance BID decision-making as well as help to assure that the necessary preconditions are in place for BIDs.**

As outlined in the Guidelines, child welfare expertise is essential throughout the BID process—and is required of BID panel members as well as those conducting BIDs. Given that child welfare specialists are not always available in UNHCR country operations, partnerships with agencies which have such expertise will be crucial to Guideline implementation. This could include partnership with UNICEF and international NGOs, but country operations should also be encouraged to look to governmental child welfare bodies, university social work departments and national child welfare NGOs as well. Agencies with cross-border operations or linkages will be especially important for collecting background about countries of origin and organizing cross-border tracing and family reunification.
Recommendations

The following recommendations suggest specific actions aimed at strengthening UASC programming, ensuring BID preconditions are in place and supporting meaningful “operationalization” of the Guidelines on the Formal Determination of the Best Interests of the Child. They build on the six key findings and associated implications described above, and further offer ideas on how to design Guideline training to best support those who are responsible for putting policy in practice.

Establish A Comprehensive UASC Protection and Care Strategy

- Ensure an initial participatory situational analysis has been completed prior to initiating UASC programming. Preferably this would involve agencies with prior separated children in emergencies experience as well as UNHCR. UNICEF would be a particularly useful resource for analyzing national child welfare and protection legislations in the country of asylum and country of origin.
- Use the situational analysis to support interagency dialogue and coordination at the field (and even camp) level, including the establishment of lead agencies for key areas such as tracing, the development of an interagency strategy for prevention of separation, and the contextualization of training materials and forms.
- Develop and disseminate practical case studies or examples of successful UASC programming strategies in countries with different refugee situations and operating environments. These should include such elements as UNHCR and IP staffing configurations, responses to funding limitations, and objective and indicator development.
- Building on UNHCR’s Follow-Up to the Graça Machel Study and provisional Guidelines on the Formal Determination of the Best Interests of the Child, and UNICEF’s Core Commitments to Children in Emergencies, introduce a timeframe for specific elements of UASC programming to be in place.
- In line with the Agenda for Protection, Goal 6, Objective 2, continue to develop ways to measure country operations progress on UASC protection and care (and monitor BID preconditions). The mapping tool used in Rwanda and Thailand can be used as a resource in this effort, for example, by integrating questions related to specific preconditions into the Annual Protection Report format and Country Operations planning process.
- Consider introducing the mapping tool used in Rwanda and Thailand to other country operations. Given UASC are one of UNHCR’s Five Global Priorities for Refugee Children, this could be carried out in conjunction with the tenth Anniversary of the Graça Machel Study, similar to the review exercise undertaken in 2001–2002.
- Identify a position within each country operation that is responsible for UASC programming oversight and coordination—including the adaptation of UNHCR and interagency guidance to the country situation, and the development of SOPs.

Ensure Identification and Documentation Groundwork to Enable Effective Decision-making

- Building on information from the situational analysis, create strategies for identifying UASC involving both passive (UASC who come in contact with existing services and offices) and more proactive approaches (house-to-house visits, follow-up interviews verifying household relationships). This would include consultation with community regarding family relationship terminology, explanation of importance of UASC identification and registration, training of individuals providing mainstream services on identification and referral (household registration team, food distribution teams, teachers, health workers, religious leaders, boarding school headmasters, etc.), and inclusion of identification responsibilities in staff terms of reference.
- Ensure definitions and local terminology used for the identification of UASC are clear from the beginning of the displacement cycle and reflect Inter-Agency Guiding Principles on Unaccompanied and Separated Children.
- Support those responsible for the documentation of UASC to understand the full rationale behind the information being collected, how it fits within broader UASC programming and the importance of adapting documentation interviews to the child. This could include group training, but would particularly benefit from mentorship and observation of skilled interviewers.

27 While the Action for the Rights of the Child (2002) participatory analysis approach has been used by UNHCR field offices for other planning, it does not appear to be used for this purpose.
Advocate for increased staffing at the front-end of the displacement cycle to ensure that documentation has been undertaken before children’s memories fade and information is lost.

**Recognize the Need for Targeted Individualized Casework and Family Tracing**

- Develop community-based criteria for cases requiring more or less intensive monitoring, and adjust monitoring schedules/caseloads according to assessed risks.
- Involve communities in monitoring UASC. This could include training for health workers and teachers on identifying abuse and exploitation, linking UASC to recreational programs, encouraging women’s and youth groups to visit UASC, etc.
- Hold regular case consultation meetings with staff responsible for monitoring UASC. This would serve to build staff casework capacity as well as identify gaps in programming.
- Strengthen support for specific carers. This could include training on child development and behavioral management—or involvement in community-based income generating projects or carer support groups.
- Conduct periodic reviews to assess current care arrangements and address children’s future care.
- Ensure those responsible for monitoring UASC continue to gather information related to family tracing and share updated information with the lead tracing agency. This recognizes that children and carers may receive information about the whereabouts of parents or other family members after documentation.
- Organize regular in-service training for those responsible for monitoring UASC care. This should be tailored to specific casework responsibilities and followed up with opportunities to practice what was learned. Issues could include: rationale behind case documentation, care standards, making referrals, permanency, etc.

**Change BID Mindset—From Narrow Resettlement Exercise to Child Protection Process**

- Ensure BIDs are considered in initial interagency dialogue and UASC program planning.
- In conjunction with the dissemination of the *Guidelines on the Formal Determination of the Best Interests of the Child*, provide country operations (particularly Senior Managers) with a simple and clear description of why BIDs are needed. It will be important to emphasize the BID’s use as an individual child welfare planning and decision-making process that is part of UASC programming—rather than as a free-standing durable solution exercise.
- Lay out the practical programming implications of implementing BIDs as described in the Guidelines—for instance, the recruitment of supplemental staff at the beginning of the displacement cycle, rather than the usual “surge” once resettlement and repatriation efforts are underway.
- Integrate training materials for BIDs into existing training toolkits and programs rather than creating a stand-alone module. Start by incorporating BID materials into the *Action for the Rights of the Child* training.
- Consider multiple durable solutions from the beginning of the displacement cycle, taking into account prospects for long-term care should family reunification not be possible.
- Produce background documents for those involved in BIDs with information related to all durable solution options, including conditions in the country of origin, country of asylum and potential resettlement countries. This should include information around security, available services including tracing mechanisms, existence of specific immigrant/refugee communities, specific laws about the adoption of separated children, legal status, etc.

**Prioritize Child Welfare Capacity in Systems and Staffing**

- Ensure qualified child welfare professionals are included in UASC programming from the beginning of the displacement cycle. Carry out a cost analysis to identify the most cost efficient way to ensure consistent child welfare capacity (e.g., UNVs, IPs, secondments, use of deployment schemes).

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Investigate child welfare resources within the country of operations that can be utilized. This could include governmental child welfare bodies, national child welfare agencies, international NGOs as well as national universities and training institutes.\textsuperscript{30}

From the beginning of the displacement cycle, plan for the child welfare staffing needed to conduct BIDs. Examples of BID staffing from other country operations would be particularly useful in this regard.

Develop child welfare training strategy that accounts for changes in UNHCR and IP staffing, addresses changes in the refugee situation (new refugee influx, camp relocation, access to durable solutions).

**Strengthen Strategic Partnerships With Child-Focused Agencies**

- From the beginning of the displacement cycle, develop partnerships with child-focused agencies, specifically those that have previous experience with UASC programming and cross-border operations.
- Expand existing NGO standing agreements to address child welfare capacity needs.
- In line with the *Agenda for Protection*, Goal 6, Objective 2, strengthen in-country partnerships with UNICEF and Save the Children. Ideally this would include interagency situational analyses, UASC program planning, funding appeals, etc.
- Extend BID panel membership to include UNICEF, governmental child welfare bodies and/or national and international child-focused organizations.
- Ensure regional and headquarter support for interagency collaboration and identification of agencies with particular areas of expertise (e.g., tracing, prevention, care, casework).

**Develop Practical Case-Based Training Materials on Best Interest Determinations**

- Focus training material development on the creation of practical exercises and examples. This would include:
  - case studies (durable solutions, complex care situations, removal from parents) drawn from different operating environments and associated analysis;
  - examples of different quality BID reports and associated analysis;
  - sample BID SOPs;
  - BID panel decision simulations and associated analysis;
  - sample background documents related to different durable solution options;
  - BID interview scenarios with samples questions for child, carer, teacher, etc.; and
  - sample child file checklist.
- Complement practical exercises and examples with materials targeted at those charged with overseeing the BID process. This should include:
  - sample staffing configurations and timelines;
  - sample qualifications and terms of reference (for those involved in conducting BIDs and participating in BID panels);
  - examples of case prioritization in different operating environments and associated analysis;
  - examples of different BID panel configurations and associated “balance of interest” analysis; and
  - examples of activities that can be used to support those involved in the BID process.
- Consider undertaking a study of BID outcomes. In particular, it would be incredibly valuable for those whose role it is to predict outcomes (i.e., those responsible for BIDs) to learn from actual outcomes, and from the experiences of individual children (or adults) who have undergone BIDs to see how the decisions based on “best interest determinations” have met their needs.\textsuperscript{31}

\textsuperscript{30} These will be especially important resources for smaller operations with limited numbers of UASC.

\textsuperscript{31} Such a study could also draw from existing documents such as Geltman, Paul et al. *The “Lost Boys of Sudan”: Functional and Behavioral Health of Unaccompanied Refugee Minors Resettled in the United States, Archives of Pediatrics and Adolescent Health*, 159(6), 585-591, June 2005.
Appendices

Appendix A: An Assessment of Protection and Durable Solutions for Unaccompanied and Separated Refugee Children in Rwanda
Appendix B: An Assessment of Protection and Durable Solutions for Unaccompanied and Separated Refugee Children in Thailand
Appendix C: International Experts Questions
Appendix D: Mapping Tool, Guidance and Guiding Questions
Appendix E: Relevant Documents
Appendix F: Proposal
Appendix A: An Assessment of Protection and Durable Solutions for Unaccompanied and Separated Refugee Children in Rwanda, October 2006

The following report is a mapping of current practices through a series of meetings and interviews conducted by an independent child welfare expert between October 9 -31, 2006 with representatives of UNHCR, implementing partners, refugee leaders and refugee children. A copy of the mapping schedule is included at the end of the report.

Context

An estimated 45,000 refugees were hosted by Rwanda in 2006, including 40,000 camp-based Congolese refugees, 1,500 camp-based Burundian refugees, and 3,500 urban refugees originating from the Democratic Republic of Congo (DRC), Burundi, and ten other African countries. UNHCR also serves approximately 10,000 Rwandan returnees and 3,250 asylum seekers awaiting full refugee status determination (RSD).

The camp-based Congolese refugees are sheltered in three camps—Gihembe (North province), Nyabiheke (North province) and Kiziba (West province). They are primarily Kinyarwanda (Rwandan-speaking) Congolese from the North Kivu province of DRC and have been in the camps for up to a decade. Most fled their homes between 1996 and 2004 in response to fighting between a host of armed groups, targeted attacks on villages and human rights abuses including extensive recruitment of boys and girls into armed groups. Many were targets of anti-Rwandan sentiment and discrimination, and lacked customary rights to land and full recognition as Congolese citizens.

Since the adoption of the new DRC Constitution through a country-wide referendum in 2005 and the election and peaceful inauguration of President Joseph Kabila in 2006, some Congolese refugees are choosing to return home. However, large return movements of Congolese from Rwanda are not anticipated before 2008—as North Kivu continues to be insecure, forced recruitment of children persists, and ethnic and land issues remain unresolved. It is estimated that some 500,000 Congolese were newly displaced in 2006 and reports as of late 2006 indicate ongoing clashes in North Kivu between the Forces Armées de la République Démocratique du Congo (FARDC) and dissident brigades led by General Nkunda.

Although the Rwandan government issues refugee status cards to refugees and grants them full protection by the State, it does not allow for full, local integration—in large part due to land scarcity and associated socio-economic constraints. Resettlement is a possibility for the most vulnerable groups, but the numbers of cases are limited by receiving countries’ capacity to accept cases and HCR staff capacity to identify and process cases.

HCR plans to negotiate and sign a tripartite agreement on voluntary repatriation with DRC and Rwanda in 2007.

The small population of Burundian refugees is sheltered in Kigeme camp (South province) or live in and around Kigali. These refugees sought refuge in Rwanda during successive periods of insecurity in Burundi; some have been in camps since the early 1970s. A tripartite agreement between HCR, Rwanda and Burundi was signed in 2005, and many Burundian refugees have already returned. The governments of Rwanda and Burundi continue to work toward the return of the remaining refugees, and HCR is pursuing resettlement for a small minority.

Although refugees have the right to employment in Rwanda, many are unable to obtain jobs for which they are qualified as work permits are expensive and most jobs are reserved for persons who hold Rwandan nationality. Many refugees are involved in casual labor.

In addition to hosting the above refugee groups, Rwanda continues to receive Rwandan returnees—approximately 20,000 each year for the past couple of years. Although the political situation is relatively stable.

1 A Strategic Conflict Analysis for the Great Lakes Region, SIDA Division for Eastern and Western Africa, March 2004.
2 DRC: Children At War, Creating Hope for the Future, Human Rights Watch, 11 October 2006.
4 Supplementary Appeal: Protection and Assistance to IDPs in the Democratic Republic of the Congo, UNHCR, February 2007.
and the economy is growing, the ongoing return of Rwandan refugees is a major challenge—given land scarcity but also due to the backlog of cases to come before community tribunals in which survivors and witnesses are able to testify about the 1994 genocide.5

HCR is in the process of phasing out its operations in Rwanda and estimates closure in 2008.

This context creates enormous challenges for HCR staff charged with refugee protection and in particular the protection of unaccompanied and separated children (UASC); specifically: (1) the existence of several different types of refugee populations; (2) the influx of refuge over decades, (3) the extended length of stay of many refugees (10+ years); (4) the simultaneous efforts at returnee reintegration, voluntary repatriation and resettlement; (5) continuing threats to regional stability; and (6) the enduring impact of the 1994 genocide.

**Programmatic Structure**

**UNHCR**

HCR has six offices in Rwanda, a number of which opened in 1996 in response to the refugee influx from North Kivu:

<table>
<thead>
<tr>
<th>Office</th>
<th>Camps/Areas Served</th>
<th>Refugees Served</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kigali Branch Office</td>
<td>Kigali</td>
<td>3,500 urban refugees, primarily from DRC and Burundi but also from 10 additional African countries</td>
</tr>
<tr>
<td>Butare Field Office</td>
<td>Kigeme/Nyamure</td>
<td>1,500 Burundian refugees</td>
</tr>
<tr>
<td>Cyangugu Transit Center</td>
<td>Nyagatare (temporary arrangements)</td>
<td>Fluctuating number of refugees, primarily from DRC and Burundi</td>
</tr>
<tr>
<td>(Satellite Office/</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Processing Center)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Byumba Field Office</td>
<td>Gihembe (close to Byumba) Nyabiheke (isolated from surrounding communities)</td>
<td>17,000 Congolese refugees 5,000 Congolese refugees</td>
</tr>
<tr>
<td>Gisenyi Transit Center</td>
<td>Nkamira (temporary arrangements)</td>
<td>Fluctuating number of refugees, primarily from DRC and Burundi</td>
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<tr>
<td>(Satellite Office/</td>
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<tr>
<td>Processing Center)</td>
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<tr>
<td>Kibuye Field Office</td>
<td>Kiziba (isolated from surrounding communities)</td>
<td>18,000 Congolese refugees</td>
</tr>
</tbody>
</table>

There are five sections within the Kigali Branch office: Office of the Representative, Programme, Protection, Administration, and Security and Logistics; and each of the three field offices has a Head of Office, Field Officer, Community Services post and Protection post. Altogether HCR Rwanda has approximately 70 staff positions, although many are unfilled or in the process of being filled. It is not uncommon for staff to function in more than one role (e.g., Head of Office and Acting Field Protection Officer).

Community Services (CS) staff appear to be the most involved in UASC programming and issues. At both the Field and Branch office levels, they work with the Implementing Partners (IP) who are responsible for child protection. The CS Officer (who is part of the Programme Section) supervises all the CS staff, either directly or indirectly, and supports field staff's work with IPs and the refugee community. This position is also responsible for ensuring child protection structures are in place and that individual child protection cases are handled in consultation with the Senior Protection Officer.

The Protection Section includes a Senior Protection Officer, two Protection Officers and Resettlement Officer (an ICMC Deployee). They are responsible for resettlement, family reunification, tracing, repatriation and individual case intervention. Final authority on decisions related to child protection (program as well as individual case) rests with the Senior Protection Officer—who has access to child and family records/files and is able to interview those involved in a child’s case (e.g., child, family, teacher, IP staff, HCR).

CS and Protection staff have a wide range of educational backgrounds and experience. Most are at relatively advanced stages of their careers—having many years of UN and NGO experience, considerable knowledge about the UN system, and extensive training on the protection of vulnerable groups.

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5 UNHCR Rwanda Global Appeal 2006.
The CS Officer has worked with Jesuit Refugee Service and World Food Programme in the past and has received extensive training on Sexual and Gender Based Violence (SGBV). The two Protection Officers and Resettlement Officer have expertise on repatriation, family reunification/resettlement and resettlement respectively. The Senior Protection Officer worked closely on child protection issues while posted in Kakuma with UNHCR Kenya.

HCR plans to close the Byumba Field Office in 2007. Staff will be cut from thirteen to three, with the remaining three (Head of Office, Field Officer and Assistant Field Officer) being transferred to Kigali. The CS post will be eliminated, raising concerns amongst staff about the ability to continue service provision for the most vulnerable, including UASC.

**Government Partners**
HCR transferred all the responsibilities for refugee registration to the *Conseil National pour les Refugies* (CNR) created in 2004. However, the capacity of the CNR is limited. This has significantly slowed the registration process.

As a general rule, CNR staff have not had training in interviewing children.

One of HCR’s operational goals for 2007 is to reinforce the capacity of CNR, local authorities, governors, chiefs of districts, immigration staff and police on RSD, human rights, children’s rights and refugee law.

**Operating Partners**
UNICEF began partnering with UNHCR and Save the Children UK in 2005 to provide child protection programming focused on preventing recruitment of children in Gihembe and Kiziba camps.

ICRC receives requests for family tracing for UASC, particularly in cases where the parents are thought to be living in a non-camp setting outside of Rwanda or where the child has no idea of the parents’ whereabouts. HCR is in the process of working with ICRC to strengthen family tracing referral mechanisms so more UASC may benefit from formal tracing services.

**Implementing Partners**
HCR primarily works with two international NGOs to ensure assistance and protection for UASC: Jesuit Refugee Service (JRS) and Save the Children UK.

JRS is responsible for operating all education programs for refugee children in Rwanda, which takes up ninety percent of its HCR budget. The remaining ten percent of the budget is allocated for community services, specifically the Vulnerable Services (VS) Programme in Kiziba and Gihembe camps which includes: UASC, the elderly, persons with HIV/AIDS, women at risk, persons with disabilities, children at risk, child-headed households and orphans. JRS keeps a log of vulnerable refugees in selected camps, periodically monitoring their home situation and access to resources, and intervening on their behalf where necessary.

JRS VS staff are primarily Rwandan professionals (teachers, accountants, sociologists, political scientists) with 4-year degrees from universities in the Great Lakes Region. In both Kiziba and Gihembe, the VS Programme is overseen by a Catholic Sister who is responsible for coordinating home visits, identifying new cases and ensuring intervention where needed. During visits to the camp, it was clear that the Sisters are well known to and respected by the refugee community.

Funding for JRS VS has recently been reduced due to budgetary cutbacks.

Save the Children is funded to provide child rights and protection programming in Gihembe and Nyabiheke. They were initially brought into the camps by HCR and UNICEF in 2005 to reduce the likelihood of child recruitment through community education about the realities of rebel group participation. While continuing this, their role has evolved to other areas of child protection. They have an office in the camps where children can stop by and raise issues.

Sub-agreements with IPs are monitored by HCR Field Officers—who collaborate closely with IP Country Directors. CS staff work closely with JRS VS and Save the Children staff.
Program Development

While it is recognized that UASC are particularly vulnerable given their lack of parental support, no particular protection strategy or Standard Operating Procedures exist for UASC. Their protection is considered through more general refugee protection strategies and procedures.

No distinction is made between unaccompanied and separated children in program or assistance and JRS VS appears to have several potentially overlapping categories for the UASC within its program: UASC, child-headed households, and orphans.

HCR staff attend a number of protection trainings each year (SGBV, health, education), but none mentioned specific training on UASC policies and programming. When needed, they refer to Refugee Children: Guidelines on Protection and Care for HCR guidance on UASC policy and best practice—or rely on overall general protection training on vulnerable groups.

Identification Processes

As HCR has handed over refugee registration to the Rwandan government, the CNR is seen as technically responsible for screening cases for UASC. However, Rwandan immigration officials do not appear familiar with Interagency unaccompanied and separated child definitions—focusing instead on whether or not a child is alone. It is reported that it is very rare for a child to enter Rwanda “a hundred percent” alone. Usually they are accompanied by extended family, neighbors or other close community members. In such cases they are rarely perceived—or classified—as “separated.”

When HCR was responsible for registration, UASC were sometimes identified during the filling of the Formulaire D’Enregistrement as there are separate sections for the head of household and other family members. HCR acknowledges the challenges associated with ascertaining whether or not a child is unaccompanied or separated—as the person with whom the child is traveling might claim the child as their own for ease of registration, out of fear that the child would be separated from them, or to receive additional rations. It is only until much later that a child is identified as separated or unaccompanied—often through resettlement case interviews, medical intervention, or upon the death of the head of household.

From cases raised by Save the Children and in-camp discussions with children, it appears that there are a number of children who have become UASC while in camp—where parents have died or abandoned their children. During mapping interviews, several children mentioned that no one came to check on them after their parents died. One young head of household, when asked who he goes to when he needs help, said: “Me and my little brothers, if we have a problem, we sit down together, try and work it out amongst ourselves and try to avoid going to others out of embarrassment.” JRS VS also mentioned cases where children came to their office for assistance, but that staff didn’t necessarily realize they were newly separated or living in child-headed households.

Registration and Documentation Processes

Once identified, children are registered by UNHCR through the one page Unaccompanied Child Registration Form in the Refugee Camp or documented through the five-page Interagency Registration Form for Unaccompanied and Separated Children. The one-page form is kept by HCR or JRS and used to track UASC cases in camps—while the five-page form appears somehow attached to the UNHCR Best Interests Assessment Form and thus perceived by most staff as so long as to be difficult to complete for each UASC.

UASC do not have separate case files. All children are tied to an adult’s case, except for those in child-headed households where the eldest UASC is designated as the main case representative and young siblings are listed as family members.

The HCR registration database, proGres, uses the same fields for children as for adults. As the system is new, many fields are blank/data entry is incomplete, and not all sites are up-to-speed on proGres implementation. HCR staff is working on filling in the blanks and verifying the existing data in phases so as to be able to use proGres for individual case management and programme planning, monitoring and evaluation.
UASC lists can be generated in proGres by HCR staff with administrator access, but given that data entry and verification is still in process, the lists are not necessarily comprehensive or accurate. Staff reported difficulty in generating separate lists of unaccompanied and separated children as the sorting appears to be done according to care arrangement (child-headed households, children in foster families). At the time of the mapping, there were no reliable statistics on the total number of UASC, nor was it possible to disaggregate the data by age, gender or other factors.

**Refugee Status Determination Processes**

The CNR conduct individual RSD for new arrivals to Rwanda. During the 1996 influx, a blanket *prima facie* RSD was conducted for the entire group of Congolese arrivals.

For individual RSD, families are interviewed together at a CNR administrative office. The head of the household is usually the one interviewed, i.e. the spokesperson for the entire family. The UASC may be in the background with the rest of the family members.

Most incoming Congolese refugees do not have birth certificates and Rwandan immigration officials tend to register the age given by the family representative when determining the ages of applicants.

There are no special measures taken for interviewing children including UASC.

**Care Arrangement and Monitoring Processes**

No one interviewed throughout the mapping process could remember a time when a UASC crossed in Rwanda “a hundred percent” alone. It appears that UASC, if alone, attached themselves to other refugee families or were absorbed into the households of other refugee families before arriving in camps.

In the camps, most UASC live in kinship care-like arrangements or with unrelated foster families. In addition, as mentioned above, some children who become unaccompanied after arriving in camps through parental death and abandonment remain in child-headed households. In particular, there are cases where elder siblings in child-headed ask HCR to be designated “head of household” so they can receive their own tent and rations. HCR allows this in cases where in the best interests of the individual children involved as determined by a multifunctional team of staff.

There are cases as well where relatives come forward as foster parents and a rapid assessment is conducted to verify their relationship with the child before a placement is made. In cases where a child has several relatives in a camp, every effort is made to place the child with the closest relative or, if the child has special needs or vulnerabilities, to match the child’s needs with the capabilities of the foster parent. Very young children are only placed in households with females present, and young girls are not placed in households with single male relatives.

HCR relies heavily on input from UASC and their extended families. According to those interviewed, children are always consulted during the placement process and it is not uncommon for children themselves to seek out who they want to live with. If there is disagreement, HCR discusses the concern with family members, suggests alternatives, and works to find the best fit.

In general though, HCR and IP staff recognize that they are rarely pulled into placement decisions as the vast majority are made by families themselves and not brought to their attention. What appears to govern most care decisions is respect for Congolese cultural norms and recognition that it is customary for extended family and community members to take responsibility for children lacking parental care. HCR and IP staff report the family and community are very strong in Congolese culture and every UASC has someone to initially step in and foster him or her. When a certain family member is presented as the adult will take responsibility for a child, this decision tends to be given considerable weight.

HCR staff tend to be more wary of unrelated adults who come forward to foster, explaining that there have been cases of individuals volunteering to care for children in order to receive additional rations.
There is no agreement signed by the foster parent when a child is placed in his or her care and little or no documentation of the care arrangement unless the case is being submitted for resettlement. HCR staff agreed that they could be doing a better job of documenting care arrangement decisions.

Foster parents do not receive any specific training or regular material support, but do receive ongoing moral support from JRS VS staff.

There are no service plans in place for UASC. “Psychosocial support” provided through home visits entails informally visiting with the foster family, allowing children to talk about their difficulties and offering up possible solutions to problems—a “warm body model”. Many of the UASC interviewed during the mapping reported that they don’t have relationships with their neighbors, that they feel very isolated, and that they have no one to turn to in times of hardship. Some said that having the Sister from JRS, or the Save the Children staff or other JRS staff, visit them makes them feel that there is someone watching out for them and that it makes them feel better. Wherever possible, female JRS staff monitor female UASC.

There is no specific form or checklist used by JRS VS staff to document home visits. They ordinarily rely on speaking with the child and the head of the household (separately if possible), and observing the home environment. When asked how they know if there is a problem in the household, JRS VS staff explained that it is up to child to disclose that there is an issue. They also mentioned that they have been trained by medical staff and World Food Programme (WFP) to recognize signs of malnutrition.

The number, date, time and length of home visits for UASC are logged by JRS, but this information is not included in the child’s individual file nor is it recorded in HCR files. Child-headed households are monitored in the same way as other UASC.

If a serious material need is identified during a home visit, a VS staff may advocate for HCR to provide additional food or non-food items. Where abuse or exploitation is detected, HCR staff work with IP staff and community leaders to remove the child from the foster home, take the child for medical screening if needed, and find a new foster placement. The child or former foster parent may suggest a new caregiver, HCR may approach foster homes whom they work with regularly, or camps leaders may identify a respected woman leader in the community to take in the child. A new placement is normally found the same day.

In one camp, a teacher noticed that a girl in her class had stopped coming to school. The teacher went to speak with girl directly and learned that she was being forced to cook and clean for her foster household—and drop out of school. The teacher went to speak with HCR CS staff who subsequently related the case to the Head of Field Office. The staff went to the child’s home, confirmed what was going on, and had the girl take her things and go with them. They spoke with the refugee community leaders and the child was placed in the home of one of women leaders in the camp.

When asked how often a situation occurs that results in the removal of a child from a foster home, CS field staff report that they have had to remove children on an average of once every three months or so. The Field Office takes the most immediate action in these cases, and subsequently notifies CS and Protection staff in Kigali, and the local police should this be warranted. IP staff involve their supervisors.

Guardianship

UASC are not appointed a guardian, though this is not perceived as an obstacle to receiving services. The explanation given was that that the foster parents in effect act as the child’s parents with all the rights and responsibilities afforded to parents (i.e. de facto guardianship).

Response to Specific Protection Concerns

Other than the “psychosocial support” provided through home visits (as described above), services for UASC are identical to those for non-UASC. UASC as a group are not singled out for additional support.

Although there is no comprehensive child protection system in place, Save the Children has been working with HCR and community leaders in the camps on basic child protection training and toward developing
structures for reporting and responding to abuse and other rights violations—potentially by identifying focal persons in each quartier or block of the camp.\(^6\)

Save the Children has an office in the camps where children can stop by and raise issues. During a visit to one of their offices, there was a line of about twenty-five children and families waiting to speak with Save the Children. Given their camp presence and child-focus, Save the Children staff have taken the lead in vulnerable children’s cases—identifying cases for collective action, raising them through the Vulnerable Services Working Group (see below), and encouraging service linkages.

Children are also able to go to the JRS VS office with specific concerns or needs, and many also write letters to HCR to request assistance.

The Vulnerable Services Working Group—made up of HCR CS, JRS, Save the Children, and African Humanitarian Action (AHA)—meet bi-monthly to raise and review particular cases of concern (including UASC) in both the Byumba and Kibuye Field Offices. Participants are able to consult with their partner colleagues about best courses of action and to collectively develop actionable items in response.

*Physical Abuse.* HCR and IP staff remove the child from the home and notify local authorities if it is found that a parent/caregiver is causing harm to a child. In some instances, foster parents have been prosecuted by Rwandan authorities.

*Sexual Abuse.* Same as above. HCR staff recognize the particularly vulnerabilities of female UASC to sexual abuse, and camp-based SGBV prevention activities (e.g., “Sixteen Days”) are planned to ensure UASC participation/inclusion. During Save the Children training/community mobilization on child rights, child abuse and protection in the camps, a case was raised of a child who had been molested by local defense personnel when out of the camp looking for firewood. This case was followed up with the camp administrator.

*Child Labor.* If a child is in a foster home and being forced to work, HCR will investigate and decide whether or not to remove the child from the home. If the child is the head of household and responsible for younger siblings, HCR can do little to prevent the child from working but may educate him or her about the importance of attending school. HCR also reports that many young girls are employed as domestic helpers in Rwandan homes.\(^7\)

*Sexual Exploitation, including Child Prostitution.* HCR notifies local authorities of cases brought to their attention and acts to protect the child.

*Recruitment by Armed Forces or Groups.* When it came to the attention of HCR that rebel groups were recruiting children in camps, Save the Children was brought in to educate the refugee community about the dangers of child recruitment. HCR also established lists of children missing from camps to assist ICRC and UNICEF in conducting tracing activities in DRC.\(^8\)

*Child Trafficking.* Addressing child trafficking is not included in HCR’s programming in Rwanda. Staff expressed an interest in training on this issue.

*Harmful Traditional Practices (Early Marriage, FGM).* Early marriage occurs in the camps, but HCR and IPs find it a challenge to intervene in such cases. In some instances, female UASC as young as 15 years have entered marriages with older men in order to access material support. There was no formal assessment or program identified to address forced marriages.

*Deprivation of Food Rations or Other Basic Needs.* Although WFP states that monthly food rations meet existing standards, many refugees say that these rations (along with non-food items) are not enough. HCR is aware that children and their families often sell food rations in order to buy clothing, shoes, soap, and other non-food items—with the result being that they often go hungry at the end of the month. HCR discourages the selling of rations and, where children are identified as malnourished, refers them to the WFP supplemental feeding program.


\(^7\) See footnote 6.

IPs advocate with HCR, either directly or through the Vulnerable Services Working Group, in cases where a serious material need is identified. One particular case of a 17-year old caring for five younger siblings was raised by Save the Children to HCR and other partners during the mapping process.

School Drop Out. Although primary and secondary education is free for refugee children in the camps, school attendance rates are low, drop-out rates high, and schools have yet to be set up in Nyabiheke. Child-headed households are recognized to have particularly high drop-out rates as are girls. JRS mentioned cases where female UASC have dropped out of school due to lack of sanitary napkins, and staff have needed to assist.

A consultant has been brought in by HCR to look at girls’ access to education in the camps.

Both JRS and the American Refugee Committee organize sporting and cultural activities for children and youth in the camps. Both boys and girls attend these activities, and some events are specifically designed to increase girls’ participation.

Family Tracing and Reunification Processes

A case is referred for tracing within days of HCR staff identifying a child as unaccompanied or separated. As noted above, children are not always identified as UASC during initial registration or RSD or they may become unaccompanied after being in the camp for some time, so tracing may be held up by delays in identification. Many UASC, once identified, have some idea of the whereabouts of one or both of their parents (if they are not orphans). Typically HCR staff will first try to trace parents using the network of HCR Field Offices in Rwanda and other countries in the Great Lakes Region.

A couple of cases were recounted where UASC arrived in Rwanda and informed HCR of their parents’ whereabouts. HCR was able to quickly trace their parents with the information provided by the children.

A Congolese UASC entered Rwanda and told HCR staff that her mother was in a refugee camp in Burundi. The staff were able to get in touch with their HCR colleagues in Burundi and locate the mother. The Rwanda and Burundi HCR offices worked together for the child to join her mother in Burundi, which required extensive advocacy and coordination with the Rwandan and Burundian governments.

In another case, a Congolese child entered the Gisenyi transit center with a note describing where the parents were: in Gihembe camp, on x block, in x house. HCR staff contacted the Gihembe camp office, who sent staff out to verify the information given by the child. The parents were interviewed, asked about family relationships and their situation assessed—without knowing of the child seeking to join them. Staff in Gisenyi interviewed the child, also asking about family relationships and history of flight, and compared this with the information provided by the parents. After consultation with colleagues from other sections, the child was reunified with the parents.

As illustrated above, direct questioning is used to verify relationships. Given inconsistencies or other red flags, staff will ask additional questions and, if needed, seek consultation from Protection staff.

In cases where the parents are outside refugee camps or the UASC has limited or no information about his or her parents’ whereabouts, HCR contacts ICRC and makes a formal tracing request. This can take awhile, as it requires sending a formal referral to ICRC Kigali and having staff travel to the camp to interview the child to initiate tracing. ICRC uses a variety of tracing methods: mass tracing (through photos, print and radio) and case-by-case tracing (by actively following up on information provided by the child or others who are known to the child, by visiting the child’s former community). They have an established system for verifying relationships between the claiming adult and child, and for evaluating potential safety issues. ICRC stated that they would never reunify a child with a parent/relative who does not want to care for the child and vice versa; they ask each directly if they “want to be reunified with X”? ICRC reports approximately ten open tracing cases for UASC in Rwandan camps.

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9 See footnote 8.
10 See footnote 8.
HCR staff mentioned that they have also had a number of cases where families from abroad (often resettlement countries) inquire about a specific refugee child. Staff are very wary of these requests and immediately begin assessing the validity of the person’s claim. The child is asked about family relationships (a family tree)—without knowing about the request from abroad. Once the relationship has been verified, staff assess the child’s wishes and the family’s capacity to care for the child. They will notify the child that they have been approved for family reunification, typically abroad, and will brief that child on what to expect. If a child is against the reunification, HCR does not force the child to go. If the child is reluctant, this is seen as sign that reunification may not be in the child’s best interests and further questions are raised with the child and family.

One of the major challenges in such cases comes from the receiving countries requesting parental authorization in order for the child to reunify with the designated relative. For UASC who may not have contact with their parents, this is impossible and HCR has to provide additional documentation/explanation regarding the child’s situation.

Very few family reunifications involve repatriation, but those that do include a small material assistance package to support the reintegration process. No other post-reunification services (e.g., followup visits) were mentioned by HCR or IP staff.

**Durable Solutions and Best Interests Determination Processes**

Currently the only reason a Congolese UASC will receive a formal Best Interest Determination (BID) is in the context of resettlement processing. Both voluntary repatriation and local integration are not options at this time.

HCR staff recalled 5 cases (2 boys and 3 girls) of unaccompanied children who received formal BIDs; all were recommended for resettlement.

In order for a child to receive a BID, he or she must be referred to Resettlement staff in the field by one of the IPs. The specific guidelines related to resettlement are not shared directly with IPs to prevent fraud, but IP staff are reported to have a general idea of the categories eligible for resettlement: legal and physical protection, survivors of violence and trauma, medical needs, children and adolescents at risk, the elderly, those with lack of local integration possibility, women at risk and UASC.

Once it is decided that the case meets the resettlement criteria, a Resettlement Officer (supervised by the Senior Protection Officer) typically meets with the child and family (if he or she is being resettled with extended family), informally presents the case to other HCR staff and classifies the case according to urgency (emergency, urgent and normal). The BID forms are then completed and submitted to the BID panel (chaired by the Senior Protection Officer) for a decision. This process—from the collection of information from child and family (if applicable) to the submission to the BID panel—takes at least two weeks.

HCR staff involved in the BID process use the BID Report and BID Assessment Forms, and, when needed, reference the draft BID Guidelines developed in western Ethiopia.\(^{11}\)

The BID panel is chaired by the Senior Protection Office with representatives from HCR Protection, Programme and Community Services—meets at the Branch Office in Kigali for approximately 2 hours, reviews the child’s case and discusses whether or not resettlement is in the child’s best interests. This includes consideration of the child’s wishes or, if the child is preverbal, the caregiver’s opinions. If a child expresses that they do not wish to be resettled, the case would rarely move forward.

The decision reached by the BID panel is communicated to the HCR Field Office, who then notify the child and caregiver. If a “positive determination” is made for resettlement, the case (with BID report) is sent to the Nairobi Regional Office where it is reviewed and referred to a resettlement country. If the resettlement country determined to be the best fit for the case does not accept it, the Regional Office can resubmit to another resettlement country. Typically a case denied three times will be closed for resettlement.

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\(^{11}\) Best Interests Determination Guidelines in the Case of Sudanese Unaccompanied and Separated Children in the Refugee Camps in Western Ethiopia (draft), UNHCR-RTSS, November 2002.
The decision from the Regional Office is communicated to the Branch Office who contacts the Field Office who informs the child and family (if applicable) and gives them a brief overview of the next steps (further interviews, medical exams and cultural orientation). Children travel with a *laisser passer*. Their original case file is kept at the Branch Office, with copies sent to the Regional Office—who are thought to share them with the resettlement country. Children do not travel with their file.

No Burundian children have received formal BIDs; decisions regarding the best interests of repatriating UASCs are typically reached through informal processes.

**Case Closure**

A child’s HCR case is closed when he or she is repatriated or resettled. Should he or she return at a later date, the case can be reopened.

**Program Analysis**

*Accomplishments, Promising Practices*

*The Vulnerable Services Working Group.* The bi-monthly meeting of HCR CS, JRS, Save the Children and AHA allows consultation relative to particular cases of concern, supports interagency referral mechanisms and linkages, and facilitates collective responses to identified protection and assistance needs.

*Identification of and Partnerships with Implementing Partners.* As HCR staff look to implementing partners to carry out the bulk of the direct protection work, the Country Programme is only as good as their partners. HCR first identified JRS to provide services to UASC through the VS Programme, and, from observations during the mapping process, both HCR staff and the refugee community have positive working relationships with JRS. When specific child protection issues (missing children, recruitment in camps) were identified, HCR partnered with Save the Children UK to mobilize refugee communities around recruitment prevention. Save the Children’s role evolved through this partnership, and HCR staff feel that since Save the Children began having a physical presence in the camps, more attention has been given to child protection. Given the limited number of HCR staff and the overwhelming number of issues that come up in a day—HCR staff are pleased to have dedicated staff that focused only on child protection.

*Refugee Community Partnerships.* HCR field staff have consistently engaged with refugee leaders on child protection issues that have risen to their attention. This has included prevention of camp-wide risks to children (e.g., recruitment) as well as response to individual cases of abuse and exploitation.

*UN Partnerships.* HCR Rwanda coordinates closely with other HCR Branch and Field Offices throughout the Great Lakes Region, including HCR DRC, HCR Burundi, HCR Tanzania and HCR Uganda. This has resulted in successful family tracing and reunification (in some cases after intensive joint advocacy with multiple governments)—and is important in planning for and ensuring protection of children during voluntary repatriation efforts.

HCR has also partnered with UNICEF in recent years to address specific child protection concerns (missing children, recruitment in camps); funding from UNICEF has allowed the Save the Children UK to strengthen child protection programming in camps.

*Database Management.* The proGres system holds enormous potential for tracking UASC—trends as well as individual cases. This will facilitate a better understanding of the situations of UASC in different camps, support more systematic service provision (documentation, tracing, monitoring, planning, BID), and allow HCR staff to flag cases that require follow up.

*Challenges, Gaps*

*Funding.* Lack of funding is seen as the number one constraint to UASC assistance and protection—in particular funding for HCR and IP staff with child protection/UASC expertise. Almost all staff interviewed during the mapping noted the need for dedicated HCR child protection staff; others recommended carving out a larger portion of the IPs’ budget for services to vulnerable children. Only a small fraction of JRS’s
funding from UNHCR goes to VS programming and this is being reduced with the closure of the HCR Byumba Field Office. Save the Children’s funding from UNICEF ends at the end of 2006.

**Child Welfare/Protection Capacity.** In addition to acknowledging the need for staff with child protection expertise, all HCR staff interviewed mentioned the desire for specific child protection training. None of the staff interviewed during the mapping had had any recent UASC training and many of the staff reported limited child protection training. A few said that UASC issues were briefly touched on during general protection trainings they attended.

In particular, HCR and IP staff mentioned it would be useful to have training on: basic definitions (the difference between unaccompanied and separated children), causes of separation (how children become UASC), identification of UASC (how to detect “hidden” cases”), risks associated with separation (protection concerns for UASC), and an overview of UASC programming (ways to respond on behalf of UASC). NCR staff would benefit from training on interviewing children and, in particular, training that would support the identification of UASC during the RSD interviews.

It was also observed that no one (HCR or IP) made any reference to the Inter-Agency Guiding Principles on Unaccompanied and Separated Children—although HCR staff did mention Refugee Children: Guidelines on Protection and Care.

Although the BID panel included staff with extensive protection experience and expertise, none of the panel members were qualified child welfare personnel.

**Casework Documentation.** Paper and electronic documentation of individual UASC casework was restricted to registration information held by HCR, logs of home visits held by JRS (the number, date, time and length of home visits), and resettlement processing (BID Assessment and Report Forms). It is unclear whether the Interagency Registration Form for Unaccompanied and Separated Children has been completed for all UASC, and many UASC lack individual case files.

Much of the assistance and protection for UASC is done rather informally and not necessarily documented by HCR or IPs; for example: information gathered or actions taken through visits, placements made, office consultations, and decisions taken during Vulnerable Services Working Group meetings. When BIDs are conducted, Protection and Resettlement staff often need to start from scratch.

**Identification Mechanisms.** The primary mechanisms for identifying UASC—registration and RSD—do not appear to be particularly effective for identifying UASC cases, and children who were never identified as UASC at the beginning stages of the HCR response continue to be identified through resettlement case interviews, medical intervention, etc.

There are no mechanisms in place to systematically identify children who have become UASC or other new risk factors while in the camp—either through abandonment or the death of parents, and interviews with UASC suggest that those in child-headed households may be reluctant to make themselves known to HCR or IPs.

**Durable Solutions/BIDS.** BIDs are only conducted in the context of resettlement processing and no mention was made of steps taken in anticipation of potential repatriation efforts including: preventing separation during repatriation, responding to UASC abandoned or left behind by caregivers, ensuring referral to and follow up by agencies in DRC, and conducting BIDs.

**Recommendations for Strengthening Child Protection and Best Interest Practices**

1. Include UASC-related target objective(s) with associated indicators in Country Operation Plan 2008.

2. Utilize UNHCR’s deployment schemes to address the gap in child welfare/UASC capacity and ensure the staffing needed for BIDs for all UASC.

3. Plan regular field-based interagency trainings focused on UASC/child protection issues identified by HCR, IPs, NCR, the refugee community and UASC themselves. This could include such issues as

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12 Several copies of the *Inter-Agency Guiding Principles on Unaccompanied and Separated Children* were left in the Kigali Branch Office during the mapping, and the Senior Protection Officer planned to request additional copies for the field.
working with/interviewing children;
identification of UASC through community-based structures (schools, health clinics, youth groups);
risk identification related to different care situations (child headed households, girls in foster families);
identifying abuse and exploitation through home visits and community-based structures (schools, health clinics, youth groups);
child and adolescent development;
case documentation; and
best interests determination processes.

Make use of the ARC Modules, UNHCR UASC policy and guidance as well as other resource material.13

4. Expand community involvement in UASC programming (e.g., involve UASC in sporting and cultural activities, ask teachers to follow up children who drop out of school; engage teachers, health workers and women leaders in identifying new UASC cases).

5. Prepare for potential voluntary repatriation efforts to DRC. This would include:

- creating a separate file for each UASC;
- reviewing the situation of each UASC, verifying existing information and filling in gaps (documentation through Interagency registration form, care situation/relationship with caregiver, special needs, tracing result to date);
- gathering background information about situation in Kivu;
- implementing the BID guidelines to identify durable solutions for all UASC;
- building links with child protection agencies in DRC (UNICEF, ICRC, Save the Children); and
- developing an interagency cross-border strategy to ensure referral and follow up of returning UASC and prevent separation/other child rights violations. (This builds on 2004 cross border work with Save the Children UK and UNICEF, and could make use of the child protection toolkit developed by HCR, UNICEF and Save the Children during the Angola repatriation).

6. Expand BID panel to include member of Vulnerable Services Working Group, especially those with child welfare expertise. Consider inclusion of staff from UNICEF and the Ministry of Gender.

7. Continue to strengthen collaboration with UNICEF and ICRC, including potential involvement in interagency training, cross-border initiatives, BID panel, and funding of child protection initiatives.

Please find attached the following documents, referenced in the report:
A. Organizational Chart for UNHCR—Rwanda
B. One-Page UASC Form
C. Itinerary for Rwanda Study

---

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PROGRAMME CLERK
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ASST. COMM. SVCS. OFFICER
Valerio Iovine

COMM. SERVICES CLERK
Diane Umurungi

ASST. PROG./ENV. OFFICER
Serges Ngouanfo

LOGISTICS UNIT

LOGISTICS OFFICER
Dereje Zewde

LOGISTICS ASSISTANT
Ronnie Magoba

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Jerome Kayitare

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Vacant

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DATABASE MANAGER
Maarouf Issaka Toure

UNHCR
The UN Refugee Agency

Appendix A
Assessment of Unaccompanied and Separated Refugee Children in Rwanda
One-Page UASC Form

<table>
<thead>
<tr>
<th><strong>Unaccompanied child registration form in refugee camp.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fiche d’enregistrement pour enfant non accompagné au camp du réfugiés</strong></td>
</tr>
</tbody>
</table>

**N0 ref :**

**Child identity/Identité de l’enfant**

<table>
<thead>
<tr>
<th>Full name / Nom</th>
<th>Sex / sexe.</th>
</tr>
</thead>
<tbody>
<tr>
<td>________________________________</td>
<td></td>
</tr>
</tbody>
</table>

**Place and date of birth / lieu et date de naissance**

| ________________________________ |            |
| ________________________________ |            |

**State of health / état de santé**

| ________________________________ |            |
| ________________________________ |            |

**Adresse in the camp / adresse dans le camp**

| ________________________________ |            |
| ________________________________ |            |

**Date of arrival / date d’arrivée :**

| ________________________________ |            |
| ________________________________ |            |

**Family / famille**

**Mother’s name / nom de la mère, full name of father / nom du père**

| ________________________________ |            |
| ________________________________ |            |

**Alive / en vie**

**died / décédé**

| ________________________________ |            |
| ________________________________ |            |

**Date and place of last contact / place et lieu du dernier contact**

| ________________________________ |            |
| ________________________________ |            |

**Historie of separation / histoire de separation**

| ________________________________ |            |
| ________________________________ |            |

**Child headed household / enfant chef de ménage ....../.....**

**Number of children in the household / nombre d’enfants en charge**

| ________________________________ |            |
| ________________________________ |            |

**Child in foster family / en famille d’accueil....../......**

**Relation with the family ..................................................**

| ________________________________ |            |
| ________________________________ |            |

**How long they have been taking care of him/her?..................................**

| ________________________________ |            |
| ________________________________ |            |

**Is he or she at school?..................../....................**

| ________________________________ |            |
| ________________________________ |            |

**Nb: we can add supplementary paper if necessary**
### Mapping Interview Schedule

**LIRS Mission to Rwanda**

<table>
<thead>
<tr>
<th>Date</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Monday October 9</strong></td>
<td>• Arrived in Kigali&lt;br&gt;• Met with Irene, Valerio, and Mr. Bamba.</td>
</tr>
<tr>
<td><strong>Tuesday October 10</strong></td>
<td>• Briefing on UNHCR office structures, programs, divisions&lt;br&gt;• Interviewed Emad&lt;br&gt;• Interviewed Valerio</td>
</tr>
<tr>
<td><strong>Wednesday October 11</strong></td>
<td>• Interviewed Carol&lt;br&gt;• Met with Irene&lt;br&gt;• Met with Francois re: returnee children&lt;br&gt;• Afternoon Admin to write, etc.</td>
</tr>
<tr>
<td><strong>Thursday October 12</strong></td>
<td>• Met with Maroof re: Progress database&lt;br&gt;• Met with PT Kakama (Save the Children UK)&lt;br&gt;• 11AM Call Jovia at Butare Transit Center (91/91 531-2248)&lt;br&gt;• 2PM full mapping interview Irene</td>
</tr>
<tr>
<td><strong>Friday October 13</strong></td>
<td>• Meet with AHA (11AM)&lt;br&gt;• Meet with UNICEF (2PM)</td>
</tr>
<tr>
<td><strong>Sat/Sun (14-15)—in Kigali</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Monday October 16</strong></td>
<td>• Depart for Kiziba in AM…meet with Field Office staff</td>
</tr>
<tr>
<td><strong>Tuesday October 17</strong></td>
<td>• Interviews at Kiziba/Kibuye</td>
</tr>
<tr>
<td><strong>Wed October 18</strong></td>
<td>• Interviews at Kiziba/Kibuye</td>
</tr>
<tr>
<td><strong>Thursday October 19</strong></td>
<td>• Interviews at Kiziba/Kibuye</td>
</tr>
<tr>
<td><strong>Friday October 20</strong></td>
<td>• Return to Kigali&lt;br&gt;• Meet with CNR (TBD)&lt;br&gt;• Meet with ICRC (TBD)</td>
</tr>
<tr>
<td><strong>Sat/Sun (21-22)—in Kigali</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Monday October 23</strong></td>
<td>• Depart for Byumba</td>
</tr>
<tr>
<td><strong>Tuesday October 24</strong></td>
<td>• Interviews at Gihembe/Nyabiheke</td>
</tr>
<tr>
<td><strong>Wednesday October 25</strong></td>
<td>• Interviews at Gihembe/Nyabiheke</td>
</tr>
<tr>
<td><strong>Thursday October 26</strong></td>
<td>• Interviews at Gihemba/Nyabiheke</td>
</tr>
<tr>
<td><strong>Friday October 27</strong></td>
<td>• Friendship Peace House (Mennonite Program) (TBD)</td>
</tr>
<tr>
<td><strong>Sat./Sun (28-29)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Monday October 30</strong></td>
<td>• Site visit to returnee children’s home, child head of household (Francois)&lt;br&gt;• American Refugee Committee</td>
</tr>
<tr>
<td><strong>Tuesday October 31</strong></td>
<td>• Debriefing</td>
</tr>
<tr>
<td><strong>Wednesday November 1</strong></td>
<td>• Any add’l meetings&lt;br&gt;• DEPART at 1:55</td>
</tr>
</tbody>
</table>
Appendix B: An Assessment of Protection and Durable Solutions for Unaccompanied and Separated Refugee Children in Thailand, November 2006

The following report is a mapping of current practices through a series of meetings and interviews conducted by an independent child welfare expert between November 8–29, 2006 with representatives of UNHCR, implementing partners, refugee leaders and refugee children. A copy of the mapping schedule is included at the end of the report.

Context

As a result of prolonged conflict between the central government in Yangon and ethnic resistance groups in border areas, hundreds of thousands of people have been displaced within Burma1, and many more have crossed into Thailand. Some of these refugees initially settled into thirty camps along the Thai-Burma border in the 1980s. However, due to cross-border incursions they were relocated to nine “closed” camps under Thai military control in the late 1990s. Currently over 140,000 refugees are living in the nine border camps of the following ethnic groups: 80% are ethnic Karen and 17% are ethnic Karenni and the remaining 3% are Burman, Shan, Rohingya and Mon.

Although Thailand is not party to the 1951 UN Refugee Convention or 1967 Protocol Relating to the Status of Refugees and has no national asylum law, it has provided “temporary shelter” to these refugees (termed “displaced persons fleeing fighting”) and has made arrangements with a number of non-governmental and community-based organizations to provide housing materials, food, medical assistance and other basic support.

Admission to camps is managed by the Royal Thai government (RTG) through Provincial Admission Boards (PABs)—which were re-established in 2005 and now use their own criteria with some similarities to the 1951 Convention refugee definition. Burmese refugees are only eligible for services and temporary protection as long as they remain in border camps. Outside of the camps they are considered illegal migrants and risk deportation. In addition there are usually hundreds of asylum seekers and students in the camps, who usually receive assistance on a par with the registered population.

Camps are crowded with little or no space for farming, and refugees are not permitted to work in Thailand—either within or outside the camps. This leaves them entirely dependent on outside assistance, which is not enough to meet their food and non-food needs.3 At risk of arrest and deportation, men, women and children regularly leave the camps to supplement the very basics received from Thailand Burma Border Consortium (TBBC) and other organizations: to work as casual laborers, to buy local vegetables and to collect bamboo and firewood.4

Despite being “closed”, the border camps are particular vulnerable to infiltration of armed elements and military recruitment, and continued fighting between the Myanmar army (Tatmadaw) and the Karen National Liberation Army (KNLA) and Karenni Army (KA), leave the camps in a chronic state of insecurity.5

Each camp is administered under the direct control of the Ministry of the Interior by a Camp Committee, whose members are elected representatives from different sections of the camp. The Camp Committee is supported by a variety of sub-committees who address different aspects of camp life, such as security, social welfare, women’s affairs (e.g. Karen Women’s Organization), youth affairs (e.g. Karen Youth Organization), education, etc. While the structure is the same in all the camps, the particular areas of strength, diversity and effectiveness of leadership varies by location.

Prior to 2005, Burmese refugees in Bangkok were registered by UNHCR who undertook refugee status determination for a small number of refugees in urban areas and issued documents—although these were not necessarily recognized by the RTG. In 2005, these refugees were relocated to the border camps for their pending resettlement elsewhere.

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1 UNHCR refers to Burmese refugees and to the Myanmar nation.
2 UNHCR Global Appeal 2007- Thailand.
3 UNHCR Analysis of Gaps in Refugee Capacity Thailand, November 2006.
Voluntary repatriation is not an option for Burmese refugees at present given continued violence in eastern Burma⁶ and Thailand does not allow for local integration.⁷

In recent years, the RTG has become more aware of the negative effects of refugees’ prolonged confinement to camps (in some case more than twenty years) and limited opportunities for self-reliance—and more open to discussing durable solutions and the development of camp-based income-generating projects.⁸ In 2005, HCR and the RTG introduced a multi-year initiative involving ten resettlement countries to support the resettlement of Burmese refugees.⁹

Although the RTG has ratified the 1989 Convention on the Rights of the Child, it has made reservations in regard to Article 7, which deals with birth registration and nationality, and Article 22, which applies to refugee children.¹⁰

This context creates enormous challenges for HCR staff charged with refugee protection and in particular the protection of unaccompanied and separated children (UASC); specifically: (1) the influx of refugees over decades; (2) the extended length of stay of many refugees; (3) working in a country not party to the 1951 Convention; (4) accessing isolated border camps under Thai military control; (5) the introduction of a large resettlement operation; and (6) the existence of one of the most diverse urban refugee populations in the world.¹¹

**Programmatic Structure**

**UNHCR**

<table>
<thead>
<tr>
<th>Office</th>
<th>Camps/Areas Served</th>
<th>Refugees Served</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangkok Regional Office</td>
<td>Bangkok</td>
<td>urban refugees from 41 countries</td>
</tr>
<tr>
<td>Kanchanaburi Field Office</td>
<td>Tham Hin, Ban Don Yang</td>
<td>camp-based Burmese refugees</td>
</tr>
<tr>
<td>Mae Sot Field Office</td>
<td>Ma La, Opium, Nu Po</td>
<td>camp-based Burmese refugees</td>
</tr>
<tr>
<td>Mae Hong Son Field Office</td>
<td>Ban Mae Nai Soi, Ban Mae Surin,</td>
<td>camp-based Burmese refugees</td>
</tr>
<tr>
<td></td>
<td>Ma Ra Ma Lang, Ma La Odon</td>
<td></td>
</tr>
</tbody>
</table>

The Bangkok Regional Office (ROTHA) covers Cambodia, Vietnam and Lao PDR, as well as serving refugees in Bangkok and providing support to the field offices along the Thai-Burma border. It focuses primarily on protection programming and providing assistance not covered by other organizations.¹²

Established in 1998, each of the three field offices has a Head of Office, a Protection Officer and a Resettlement Officer. In addition, each field office has a deployed staff from the Norwegian Refugee Council (NRC) who is responsible for developing Child Protection Standard Operating Procedures (SOPs) and supporting the implementation of newly-developed Sexual and Gender Based Violence (SGBV) SOPs. One of these staff has a child welfare background. It is anticipated that each field office will recruit a Child Protection Officer once the Child Protection SOPs have been completed.

The Kanchanaburi Field Office had a team of seven Best Interests Determination (BID) Clerks for a period of three month, but at time of this report there were 3 BID clerks. Mae Sot was just beginning to organize a massive BID process and the recruitment of BID clerks.

Each Head of Field Office is responsible for assigning the focal point for UASC—programmatic as well individual cases of concern. These officers have different areas of expertise as well as areas of responsibility within the UNHCR operations (protection, resettlement or community services). For instance, the background of the Protection Officer who is UASC focal point in the Mae Sot office is in corporate law, while the focal point in Kanchanaburi is the Associate Resettlement Officer who oversees the BID clerks. At the ROTHA office, one of the Associate Protection Officers serves as the child protection focal point. She is responsible for communicating with all FO protection staff on issues related to UASC and coordinating with the Bangkok-based implementing partner (IP) staff.

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⁶ See footnote 2.
⁷ UNHCR Protection Program for Thailand in 2006.
⁹ See footnote 3.
¹⁰ See footnote 3.
¹¹ See footnote 3.
The BID Clerks are responsible for collecting, assessing and presenting information collected during individual BIDs under close supervision by BID Supervisor (Mae Sot) and by a Resettlement Officer in Kanchanaburi. The received a brief (two- to three-day) training on the BID process. Most were formerly Registration Clerks who entered 2005 registration information into HCR's proGres database. The original BID clerks were mainly hired because of their experience working in the camps, none from a child welfare background. At the time of the study, UNHCR was actively pursuing additional BID staff, including some with child welfare expertise.

HCR hires interpreters with the appropriate combination of Thai, English, Karen and Burmese language skills. None have received special training related to working with children.

**Government Partners**

HCR works with the Ministry of Interior (MOI) in border areas to register Burmese refugees, and with PABs to determine eligibility into border camps. PABs consist of representatives from provincial administration, military, defense, intelligence and police—as well as HCR.

Plans have been made as well for the MOI to issue identity cards to all camp-based refugees over twelve years of age in 2007.13

**Operating Partners**

The Committee for Coordination of Services to Displaced Persons in Thailand (CCSDPT)—made up of representatives from HCR, WHO, and a wide range of NGOs such as Thai Burma Border Consortium (TBBC), the International Rescue Committee (IRC), the Jesuit Refugee Service (JRS), Médecins Sans Frontières (MSF) and Aide Médicale Internationale (AMI)—meets regularly to identify and respond to gaps in refugee assistance and protection. A sub-group of the CCSDPT—the Protection Working Group (PWG)—works to improve protection in the camps, including the administration of justice, general camp security, SGBV and child protection. There is also a Child Protection Network that meets specifically about child protection. Both protection groups include UNICEF as well as NGOs and HCR.

HCR also participates in the Working Group on Children Affected by Armed Conflict/Child Soldiers, along with ILO, OHCHR, UNDP, UNICEF, and three NGOs (with ICRC as an observer). This group works to monitor, report on and respond to children’s involvement in armed groups on the Thai/Burma border.

In 2004, UNICEF started a number of broad-based child protection initiatives in the camps in partnership with UNHCR, Norwegian Refugee Council and the Catholic Office of Emergency Relief and Refugees (COERR). These aim to raise awareness of child rights, including the set up and training of Child Protection Committees and referral systems within each camp (PROTECT) and workshops for teachers to identify and respond to children’s needs (COPE).

**Implementing Partners**

HCR’s implementing partner for UASC in the camps is COERR. COERR runs the EVI (Extremely Vulnerable Individuals) Program, which includes: UASC, older persons, single parents, persons with disabilities and mentally ill persons. It works in all the camps, and has offices in Bangkok as well as Mae Sot, Mae Hong Son, Mae Sariang, and Ratchaburi.

COERR recruits refugees within the camps to work as Community Social Workers (CSW) who receive a small salary for their work. CSWs are responsible for monitoring EVIs and distributing “hygiene packs” (soap and shampoo) through regular home visits. Most have completed tenth grade. Each camp has a Program Social Worker (PSW) who trains and supervises the CSWs—and is responsible for entering information gathered at home visits into the EVI database. PSWs are primarily Thai professionals with 4-year degrees from Thai universities. A few have social work or psychology degrees. COERR reports that their ability to recruit PSWs with child welfare backgrounds is limited by budget constraints and their need for multilingual staff (Thai, English, Karen and Burmese). A Program Coordinator based in Mae Sot supervises the PSWs and is responsible for overall coordination of the EVI program, including PSW training and supervision as well as training of the Child Protection Committees (CPC) described later in this report.

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13 See footnote 8.
COERR partners with the KWO to monitor UASC in selected camps. This promotes community responsibility for UASC assistance and protection.

The Bangkok Refugee Centre monitors the situation of refugees in Bangkok, including UASCs, and provides a range of services and assistance (e.g., non-formal education, health care, training courses, financial assistance).

Program Development

Although HCR has had a presence in Thailand for many years, it only began activities on the Thai/Burma border in 1999. In 2003, it began partnering with COERR to monitor individual EVIs—including UASC.

In recent years, HCR and UNICEF have funded a series of consultancies, internships, and deployments that have touched on, provided recommendations for and/or strengthened UASC assistance and protection. These included: a child soldier consultancy in 2005, a child protection deployment in 2005, a trafficking/mobility risk volunteer in 2006, a Strengthening Protection Capacity Project consultancy in 2006, a separated children care arrangement consultancy in 2006 and the NRC deployments for Child Protection SOP development in 2006-7.

HCR and COERR do not report any specific training on UASC policies and programming (including Action for the Rights of Children), but HCR did mention organizing a brief training on the BID process for BID Clerks and COERR said that all of its PSWs and CSWs have received psychosocial and case management training (through the PROTECT project). HCR Community Services Assistants participated in COERR trainings as well.

At the time of the study, Best Interest Determinations were undergoing considerable transformation and restructuring. HCR staff involved in the BID process at the Bangkok level made reference to the 2006 provisionally-released Guidelines on the Formal Determination of the Best Interests of the Child and draft BID guidelines included within HCR Thailand’s resettlement operations procedures. BID staff at the camp level, however, were not familiar with the document. No mention was made of any other UASC-specific policy, guidance or procedures by the current HCR or COERR staff in the field.

Identification Processes

Up to 2005, COERR had identified and was monitoring some 2000 separated children—where a separated child was defined as a “child under 18 years of age living in the camps who has no contact with or has lost contact with either biological parent for over six months”. This definition, however, excluded a significant population of UASC.

In 2005, this definitional gap was addressed and COERR agreed to pilot the expansion of its EVI programming to all UASC—based on the UASC definition provided in the Inter-Agency Guiding Principles on Unaccompanied and Separated Children. With the support of HCR and UNICEF, COERR was able to identify 5,871 UASC by the end of 2005.

<table>
<thead>
<tr>
<th></th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 4</td>
<td>97</td>
<td>101</td>
<td>198</td>
</tr>
<tr>
<td></td>
<td>(3%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 to 9</td>
<td>384</td>
<td>404</td>
<td>788</td>
</tr>
<tr>
<td></td>
<td>(13%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 to 14</td>
<td>1096</td>
<td>1342</td>
<td>2438</td>
</tr>
<tr>
<td></td>
<td>(42%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 to 17</td>
<td>1164</td>
<td>1283</td>
<td>2447</td>
</tr>
<tr>
<td></td>
<td>(42%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>2741</td>
<td>3130</td>
<td>5871</td>
</tr>
<tr>
<td></td>
<td>(47%)</td>
<td>(53%)</td>
<td></td>
</tr>
</tbody>
</table>

HCR and COERR staff report that the number of identified UASC has now reached over 8,000.

Only some of the UASC are clearly identified through the registration process. Many are registered with “guardians” (i.e. tied to an adult case) as “foster children or as “nieces/nephews.” Each refugee has an

15 A young adult from the Australian Youth Ambassador program
16 Ibid.
18 Ibid.
An Assessment of Unaccompanied and Separated Children in Thailand

individual identification number, while all individuals are also members of a household which usually corresponds to the UN/MOI registration number.

Most UASC have been referred to COERR by Camp Section Leaders so they can access EVI services. Others have been identified through work with specific families (e.g., where the head of the household is an EVI) or through hygiene pack distributions in the “boarding houses”. HCR staff have identified UASC cases while doing resettlement interviews.

It is also known that children become separated while in camp—where parents leave their children with relatives or boarding houses when seeking work outside the camps, when sick or when they remarry. And while there is no formal referral process for new UASC, the CSWs are responsible for meeting with section leaders monthly to review the EVI list and make any changes, such as identification of a new EVI in their section. Those interviewed felt that this approach was working in identifying a number of UASC.

The Bangkok Refugee Centre reports being aware of several UASC cases. These have only come to their attention through deliberate referrals from HCR (in the case of two unaccompanied children) or by coincidence through interactions with refugee families.

Registration and Documentation Processes

UASC do not have separate HCR case files, but are attached to an adult’s case. This information is maintained in the proGres database and was primarily collected and verified during two major registration exercises in the camps (1999 and 2005).

One of HCR’s key targets for 2007 is the registration of all UASC.20

Once identified, UASC are also registered and documented by COERR using the Data Collection Form (DCF) which was developed in 2005 through intensive consultations among HCR, UNICEF and COERR.21 The DCF has two versions: a short form that is used during initial registration to obtain basic information and a long form that is used to assess specific needs and vulnerabilities. These forms are based on the Interagency Registration Form for Unaccompanied and Separated Children.

COERR and KWO CSWs have been trained to use the two versions of the DCF to register and document UASC.22 However, use of the long form has yet to be piloted in some camps and the accuracy of information collected remains an issue. In particular, how, when and where children were separated from parents remain unclear—as does the extent to which UASC know their parents whereabouts, and the numbers that require family tracing.

COERR keeps individual hard files for each UASC it registers. This typically includes the DCF short form and a section tracking hygiene pack and candle distribution. It also enters the information from DCFs into its recently developed EVI database. Although this database has the capacity to track the specific needs and vulnerabilities of individual UASC in order to facilitate response, data entry is primarily limited to the basic information of the short form. In some locations, this appears to be related to a lack of trained CSWs (a chronic problem, exacerbated by resettlement of trained staff), while in other locations the PSWs report not having enough time to keep up with data entry. It may also be linked to language: CSW find it a challenge to fill forms in Thai and PSW to translate the forms into English for data entry into the COERR database. There was no planned coordination of the information collected through the EVI program into the BID process. However, new BID standard operating procedures were being drafted at the time of the mapping.

Refugee Status Determination (RSD) Processes

In most of the border camps, children are recognized as “displaced persons fleeing fighting” on a prima facie basis. There are no special measures taken for interviewing children including UASC.23

19 See footnote 14; also Project Proposals from First SPCP Missions to Mae Sot and MHS, September 2006.
20 See footnote 14.
21 See footnote 16.
22 See footnote 16.
The PABs conducted the first group RSD in 1999, soon after relocation to the nine camps. These PABs continued to operate until 2001, but after arriving UASCs (like all refugees) had to wait until the PABs were re-established in 2005 in order to be recognized. As noted above, some of the children were registered as “students.”

Most refugees in the camps do not have birth certificates or other identification establishing their age. The standard procedure is to accept the information provided by the head of household, and, if need be, ask for verification from other community members. This situation may change as the Ministry of the Interior distribute the ID cards mentioned above that include dates of birth. In two camps birth registrations have been documented since 2006 by the health NGOs.

RSD for Burmese applicants is now carried out individually through field-based PABs. New arrivals are pre-screened by border security authorities, admitted to a Reception Centre where their biodata is taken and then transferred to Holding Centres in the camps. They are interviewed by a four-person team (district officials and HCR) that sends an assessment to the PABs for determination. It is anticipated that approved UASC applicants between 12 and 17 years of age will receive individual identity cards when the MOI issues them to camp residents in 2007.

In Bangkok, HCR provides individual, expedited RSDs for UASC. Staff state that they have not had any specific training related to interviewing children, but that they try to allow more time for children to tell their stories—and are more likely to give them the benefit of the doubt when assessing their information.

**Care Arrangements and Monitoring Processes**

In the camps, UASC tend to live in kinship care-like arrangements (primarily with aunts, uncles, grandparents and adult siblings) or, to a lesser extent, with unrelated foster families or as child-headed households. These arrangements are typically the product of informal agreements between relatives, family friends and children (and in some cases parents). Occasionally the Camp Committee or Section Leaders will become involved in placing a child with a family in the community. As of March 2006, UASC were divided by care arrangements as follows:

<table>
<thead>
<tr>
<th>Relative Care</th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Care</td>
<td>1886</td>
<td>2012</td>
<td>3898 (66%)</td>
</tr>
<tr>
<td>Foster Family Care</td>
<td>651</td>
<td>908</td>
<td>1559 (27%)</td>
</tr>
<tr>
<td>Child-Headed Household</td>
<td>175</td>
<td>190</td>
<td>365 (6%)</td>
</tr>
<tr>
<td>Other</td>
<td>28</td>
<td>18</td>
<td>46 (1%)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2741</td>
<td>3130</td>
<td>5871</td>
</tr>
</tbody>
</table>

Residential care (in the form of “boarding houses” and “orphanages”) appears to be well accepted within the Burmese refugee community, and is frequently raised as the solution to delinquent behavior and education as well as the care of UASC. HCR and COERR staff report that most UASC in residential care have extended family and, in some cases, parents in the camps. Only a very small percentage of UASC in residential care is under 10 years of age.

Camp-based boarding houses and orphanages are funded and run by a host of different private organizations (e.g., some receive their funding from the Karen National Union and the Karreni National Progressive Party), and the quality of care each provides is said to vary considerably. Some boarding houses are reported to have minimal funding, problems recruiting qualified staff, and cases of sexual abuse and missing children. UNICEF has brought in a consultant to assess the situations of UASC in residential care, to propose common care standards and to explore the potential for alternative family-based care options in camps.

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24 See footnote 3.
25 See footnote 16.
26 See footnote 16.
27 See footnote 14; also Project Proposals from First SPCP Missions to Mae Sot and MHS, September 2006; COERR PROTECT Project Baseline Need Assessment, March 2005 (draft).
28 See footnote 16.
30 Turn for Strengthening Alternative Care Options for Refugee Children.
Those caring for UASC (both in families and in boarding houses) do not receive any special training or social support based on UASC designation. They do receive monthly hygiene packs and candles (distributed according to household or boarding house size) and annual umbrellas and clothing as beneficiaries of the EVI program.

CSWs are expected to conduct monthly visits to each UASC to monitor his or her situation. Each visit requires that a DCF be filled—including the section assessing specific needs and vulnerabilities (e.g., disabled, not registered by MOI/HCR). This has been a challenge in some camps due to large caseloads as well as lack of trained CSWs (due to resettlement-related staff turnover). In some cases, CSWs may postpone home visits or rely on the families of UASC to come to the COERR office to pick up their hygiene packs. They may also selectively complete the DCF forms—opting to focus on the “basic information” section and leave the “concerns” section when time is limited.

Information collected by CSWs during the home visits are kept in the child’s file, translated from Thai to English, and entered by PSWs into the EVI database.

Caseloads are divided by location, with each CSW being responsible for UASC within a particular section (typically the same section where the CSW lives). Girls are monitored by female CSWs only if they reside in their assigned sections. Child-headed households are monitored in the same way as other UASC.

Where CSWs become aware of specific concerns, they will make special visits to the home to talk to the child and family, provide advice and encouragement (referred to as “psychosocial support”) and, if needed, bring in the PSW. In cases where abuse or exploitation is identified, the PSW develops a plan of action, often in consultation with the Program Coordinator. Section Leaders and members of the KWO may be brought in as well.31

In one camp, a COERRKWO member became aware of a severely disabled UASC (mute and immobile) being tied up during meals and only fed after all the other household members had eaten. This child was removed from the family and placed in a safe house in a different refugee camp.

It has been acknowledged by a number of stakeholders that the current monitoring system does not necessarily identify the family problems or protection risks it should.32 With limited social work training and relying primarily on their own common sense and past experience, CSWs are responsible for complex child welfare tasks: providing psychosocial support to children and families, participating in family negotiations, identifying and reporting risks to children’s safety and well-being, making referrals and documenting their casework.33 They struggle with the pressure of monitoring families whom they live amongst—of reporting problems involving fellow residents to PSWs34, many of whom do not come from social work backgrounds themselves.

It is expected that the consultancy on alternative care arrangements will identify ways of strengthening the current system—in particular through the involvement of community groups and camp structures.35 One of HCR’s key targets for 2007 is the monitoring of all UASC.36

Guardianship

There is no formal process for appointing guardians to UASC. However, children are required to be linked to an adult in order to be registered as camp residents. Therefore, UASC are assigned to an extended family member, or, should extended family not be available, a family friend. In exceptional cases, the board house headmaster or headmistress. While the adult is referred to as the UASC’s guardian, it is important to note that this does not include any particular designation of authority or rights to act on behalf of the child and the designation appears to be a mechanism for ensuring access to goods and services.

In recent years, HCR has explored the potential for COERR to act as guardian to UASC37 or for “volunteer guardians” to be recruited within the refugee community.38
Response to Specific Protection Concerns

Other than the home visits and hygiene pack/other non-food item distribution (as described above), services for UASC are identical to those for non-UASC.

The recently developed EVI database has the capacity to track the needs of UASC in a number of areas including: developmental, medical, psychological, educational and personal safety. However, as mentioned above, information related to needs has yet to be systematically collected and entered into the database.

Due to increasing reports of violence against children in camps and identified gaps in child protection capacity\(^\text{39}\), HCR, COERR and UNICEF have begun developing comprehensive child protection reporting and referral mechanisms in collaboration with camp-based Child Protection Committees/CPCs (as part of the PROTECT project). This includes the mapping of existing services and identified child protection concerns in each camp as well as conversations among agencies about how to structure reporting to best protect the child of concern and reporting party—and to ensure effective response that respects the child's wishes. It also aims to draw on expertise from Thai Provincial Child Protection Committees (RTG child welfare structures set up as part of the Child Protection Act of 2003).\(^\text{40}\) The three NRC deployees are an integral part of this process and are developing the reporting and referral mechanisms, for child protection.

In addition to participating in the creation of camp child protection systems, CPCs (in existence since 2005) work to raise awareness of child protection issues among camp residents. PSWs report that this often involves sharing problems with CSWs—which COERR then uses to design community-based training. Some CPCs are reported to be quite active; others have taken awhile to get off the ground.

Specific child protection issues within the camps are also raised through provincial Protection Working Groups (provincial-based versions of the national-level CCSDPT Protection Working Group) in each of the border provinces. This includes camp-based leaders, NGOs and HCR.

**Physical Abuse.** Response to physical abuse depends on the case and tends to be informal. The cases recounted during the mapping interviews tended to involve the KWO, Section Leaders, Camp Committees, and/or COERR staff removing the child from the home and placing him or her into a safehouse or boarding house in another camp.

Teachers and health workers have not received training related to the identification of abuse. And there is currently extensive discussion about who and when mandatory reporting should take place. While UNHCR has promoted the idea of setting up mandatory reporting requirements within the camps, UNICEF and others have expressed concern such a policy could create new risks or unintentional harm if necessary safeguards are not in place to appropriately train and manage such a reporting system.

**Sexual Abuse.** Each Karen camp has an SGBV Committee that responds to SGBV cases and engages in prevention activities. Members of the group (mainly female teachers, heath workers, social workers, CBO and Camp Committee members) have recently undergone intensive trainings related to SGBV SOPs/referral systems that were developed with NGOs. Cases identified by COERR, KWO, the SGBV Committee or medical provider are referred to the SGBV Committee for support and, if needed, placement in safehouses. The Committee ensures that the child receives a medical screening and has access to available legal services\(^\text{41}\)—and will often seek case management support from the HCR Field Office.

Within the past year, there has been a push to include the Thai legal system in extreme cases, and Thai authorities have acted on a number of sexual abuse cases. Camp Justice Committees may also deal with SGBV cases, although responses are often inconsistent and do not necessarily ensure the child's best interests. Survivors of SGBV who express an interest in resettlement are given priority consideration.\(^\text{42}\)

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\(^{37}\) See footnote 14.

\(^{38}\) Project Proposals from First SPCP Missions to Mae Sot and MHS, September 2006

\(^{39}\) See footnote 4, also UNHCR Protection Program for Thailand in 2006; Tours for Community Services Officers in Thailand (Child Protection SOP Development).

\(^{40}\) See footnote 4.

\(^{41}\) UNHCR SOPs for Prevention and Response to SGBV.

\(^{42}\) UNHCR Global Report 2005—Thailand.

Appendix B
An Assessment of Unaccompanied and Separated Children in Thailand

Page 45
In 2005, half of all reported rape cases in the camps involved children. Two cases of sexual abuse by camp authority figures came to light.43

Child Labor. There appears to be growing awareness that children are leaving the camp to work during the school year as well as during school breaks. Boys often find work on farms or fishing boats and girls as domestic help. These children risk arrest or exploitation; among reported abuses are: underpayment, non-payment and physically preventing children from return to camp.44 (When minors are arrested outside the camp and put in Thai detention centers, UNHCR arranges for their release in collaboration with COERR for their safe return to the camp.) Separated children report pressure to work outside camps or as domestic help in their foster homes. Those who have left camp report that they would prefer not to work outside camps, but that—without parents to care for them—they need to work in order to meet basic needs such as clothing (including school uniforms), shoes, food, and school fees and supplies.45

Sexual Exploitation, including Child Prostitution. Sexual exploitation cases are referred to the SGBV Committee (see above).

Recruitment by Armed Forces or Groups. An assessment of child recruitment in camps was conducted in early 200546—the recommendations of which are currently being implemented by the Working Group on Children Affected by Armed Conflict/Child Soldiers. This includes advocacy with the KNLA and KA, who have agreed to end recruitment of children under 18 years of age. No demobilization programs have been developed to date.47

Children are known to leave camps during school breaks to participate in military training and/or other forms of political training inside Burma, and to support armed groups by carrying food, supplies and “morale-boosting” messages from camps to military bases.48

Former Tatmadaw child soldiers who seek refuge in the camps or were transferred to the camps as urban refugees or asylum seekers in 2005 and 2006 have been a particular challenge for HCR—as they are viewed with suspicion by camp residents, lack any extended family in the camps and do not speak Karen or Karenni (the languages used in schools).49 HCR has treated such children as urgent priority cases—facilitating temporary accommodation, conducting RSDs and, in some instances, resettling them to third countries.50

Child Trafficking. Those interviewed during the mapping stated that trafficking is not a problem. However, different assessments cite the existence of such cases, including a mobility risk assessment.51 The HCR Mae Hong Son Field Office assisted in the prosecution of a sex trafficking case in 2004 involving a female UASC. One trafficker was successfully prosecuted and the child was resettled to a third country with her siblings.52 The extent to which trafficking is a concern in/out of the camps is still unknown.

The Karenni Student Union (KnSU) has received funding from PROTECT for a project to prevent child trafficking.53

Harmful Traditional Practices (Early Marriage, FGM). Early marriage is not uncommon in the camps, nor is it seen as a particular concern among camp residents. COERR continues to visit UASC who marry early depending on his or her wishes, the age of the spouse and the extent of support from extended family.

Deprivation of Food Rations or Other Basic Needs. Those interviewed during the mapping stated that access to food rations and other basic needs is not a problem. However, different assessments indicate that it is not

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43 See footnote 3; also Torso for Community Services Officers in Thailand (Child Protection SOP Development), Trends in Child Protection Arising from Separated Children Statistics Under UNHCR/COERR Project as at 31 March 2006.
44 See footnote 3; also COERR PROTECT Project Baseline Need Assessment, March 2005 (draft).
45 See footnote 4.
46 See footnote 22.
47 See footnote 3.
48 See footnote 3.
49 See footnote 3.
50 See footnote 22.
52 See footnote 4.
53 See footnote 4.
uncommon for children to leave the camps to supplement their diet—either through working or by foraging for vegetables, fish, frogs and insects.\textsuperscript{54} This is suggested to be particularly the case for UASC.\textsuperscript{55}

\textit{School Drop Out.} There is a relative high enrollment rate among children in the camps, including UASC.\textsuperscript{56} However, it is reported that increasing numbers of children are dropping out of school in order to earn money for school fees. In cases where UASC drop out, CSWs meet with the child and family and then consults with the PSW in an attempt to address the reason(s). For example, in some cases, PSWs have been able to obtain school uniforms if this was a barrier to attendance.

In Karenni camps, JRS supports an initiative that aims to reduce school drop out by following up school absences.\textsuperscript{57}

A number of NGOs and CBOs organize sporting and cultural activities for children and youth in the camps, including COERR (traditional arts, crafts and history taught by community elders), Right to Play (sports), Karen Youth Organization (art and poetry competitions) and Shanti Volunteer Association (libraries).

\textbf{Family Tracing and Reunification Processes}

There is no systematic family tracing in place for UASC in border camps although there are efforts by a community-based organization to undertake tracing on their own.\textsuperscript{58} While ICRC is the agency most often referred to for tracing in humanitarian disaster, there are structural barriers to effective tracing in a situation such as the Thai border camps. Although the Red Cross messages themselves are considered confidential, ICRC must operate under cooperation with the respective governments and can pose significant problems for family members in conflict areas or under threat of persecution. It is reported, for example, that the Myanmar government does not allow ICRC to work in its rural areas, and that, when it did, tracing posed considerable risk to children’s families.

\textit{In one case, ICRC was able to trace the families of six former child soldiers. The families were happy to hear that their children were safe as they did not know what had happened to them after being kidnapped by the Tatmadaw. However, as ICRC must work in conjunction with the government (according to its mandate), the Burmese government had access to information on the families and subsequently imposed sanctions on them—including fines and incarceration.}

Formal tracing throughout Thailand also poses risks to family members as identification of parents or relatives living outside of a border camp could lead to their arrest and deportation as illegal immigrants according to national immigration law.

However, informal tracing has begun for UASC being considered for resettlement and BIDs are in process. In these cases, the family to which the UASC’s case is linked (usually extended family) is asked to trace the child’s parents in order that they sign a Guardianship Form stating that they want the child to remain with the family applying to be resettled. In at least a few cases, the parents actually traveled into Thailand in order to sign these forms, creating concern that such practice may also be too risky. Never the less, families make use of a variety of different networks on both sides of the border and BID Clerks report that most families are able to make contact with the child’s parents, if alive.

HCR continues to explore various options for tracing parents/relatives of UASC and plans to work toward establishing a network of partners and authorities to initiate systematic tracing in 2007.\textsuperscript{59} It has been suggested that HCR connect with Save the Children UK in Thailand and Myanmar to learn how they trace the families of Burmese migrant and trafficked children.\textsuperscript{60}

\textsuperscript{54} See footnote 14; also COERR PROTECT Project Baseline Need Assessment, March 2005 (draft); Mobility and Protection Risks: A Study of Ban Mai Nai Soy Refugee Camp, September 2006.

\textsuperscript{55} See footnote 4.

\textsuperscript{56} See footnote 3; also Trends in Child Protection Arising from Separated Children Statistics Under UNHCR/COERR Project as at 31 March 2006; COERR PROTECT Project Baseline Need Assessment, March 2005 (draft).

\textsuperscript{57} See footnote 3; also Mobility and Protection Risks: A Study of Ban Mai Nai Soy Refugee Camp, September 2006.

\textsuperscript{58} See footnote 3.

\textsuperscript{59} See footnote 12.

\textsuperscript{60} See footnote 14.
The family reunifications that have come to the attention of HCR and COERR have all occurred spontaneously. When this occurs in the camps, HCR verifies the relationship between the adult and child by observing them together, asking questions related to how they were separated and, if needed, interviewing camp residents who know the family. HCR and COERR are unable to verify reunifications that are reported to take place in Burma. No post-reunification support or follow up is provided.

**Durable Solutions and Best Interests Determination Processes**

Currently the primary reason for UASC to receive a formal BID is in the context of resettlement processing. Both voluntary repatriation and local integration are not options at this time.

BID SOPs have been drafted by Resettlement staff and are in the process of being finalized. At the time of the study, 43 UASC have received a BID in Tham Hin; of which decisions on 13 cases had been deferred due to a need for family tracing, incomplete information, etc. In Mae Sot, HCR reports having completed approximately 60 BIDs prior to the start of the current US group resettlement operations, and a few have been undertaken amongst the urban refugee population as well.

All BIDs have been initiated when the family with whom the UASC is living presents itself for resettlement. Referrals come through CBOs, NGOs and Camp Committees. There is no mechanism for UASC not living with families to come forward on their own to be considered for resettlement.

The BID team tends to prioritize children with protection concerns and those turning eighteen soon. They also find themselves prioritizing children who are part of cases that have already been submitted to selection committees.

Many basic needs and protection concerns are being identified through this process, generating referrals back to COERR and other NGOs and CBOs.

Once the information is collected, the BID Clerk compiles the report, and makes a recommendation after thorough discussion with the BID Supervisor, and then emails it to all the members of the BID panel. The BID panel—made up of representatives from Protection, Community Services and Resettlement—reviews each case prior to meeting (usually once every two weeks). At each meeting, completed BID reports are presented to the panel, which discusses each case and then makes a decision. They may agree or disagree with the BID Clerk’s recommendation—or may request additional information.

In one case presented to the BID panel, a young girl had been living with her grandmother, aunt and uncle in the camp. The aunt and uncle wanted the girl to be resettled with them. However, the grandmother did not want to be resettled and the child wanted to stay with the grandmother. The BID Clerk was told that the girl’s mother was not around—that she had abandoned the child. When the BID Clerk returned to do a second interview, it was learned that the girl’s mother was in fact living in a nearby town with her Thai husband—and that she sends money regularly and usually visits on weekends. The mother does not want her daughter to be resettled.

The debate within the BID panel focused around:

1) The mother abandoned her daughter and started a new life outside the camp. The grandmother is elderly—what would happen to the girl if the aunt and uncle were resettled and the grandmother became sick or died?

2) The mother has not abandoned her daughter, but felt she would be better able to support the family from outside of the camp. If the grandmother is no longer able to care for the girl, the mother is still available and would be responsible for deciding how best to care for her daughter.

At the time of the mapping, the BID panel was reviewing a number of previous BIDs that lacked the information needed to make well-informed decisions. BID Clerks reported that the goal was to submit between four and five BID reports before each BID panel meeting.

BID panel decisions are communicated to the field office for follow-up and the resettlement country. If resettlement is decided not to be in the child’s best interests (usually due to ability to reunify with parents), the family is notified. Staff expressed concern over children “left behind” by resettlement and abandonment.
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by the care giver as there was no special procedure in place other than to continue monthly CSW visits. HCR has asked a UN volunteer to monitor some of these cases.

Since the BIDs are being carried out in the midst of a large scale resettlement program, there have been problems associated with the delays that this has caused for completing a referral. HCR expressed concern that some families undergoing resettlement processing are responding to this delay by “dropping the child” from their case. Since this was a new phenomenon at the time of the study, it was not clear the concerns of the adult caregivers behind the dropping.

If a case is denied by a resettlement country, HCR normally resubmits it to another country. If the case is turned down again, HCR reviews it and, if an urgent protection case, will continue to submit it until accepted. Typically it is not the child who is rejected, but the entire family. However, HCR staff report that finding resettlement countries for former child soldiers, many now young adults 18-21 years old, has been particularly difficult.

There are no special procedures for preparing children for resettlement in general or UASC in particular. However, staff note that special attention is paid to UASC throughout the resettlement referral process. And until now, unaccompanied children have been resettled for reunion with their parents in the third country. HCR maintains the family’s case file in the ROTH A office. All staff were aware of the potential for family reunification should a parent arrive in Thailand after the child was resettled.

**Case Closure**

A child’s HCR case is closed when he or she is resettled. The COERR EVI case is closed when the child is resettled or has left the camp (or cannot be located). Should he or she return at a later date, the case can be reopened.

**Program Analysis**

*Accomplishments, Promising Practices*

*Child Protection SOP Development.* Each field office has a deployed staff from the NRC who is facilitating the development of Child Protection SOPs. This involves: collecting information on the child protection situation in different camps; identifying stakeholders and clarifying roles and responsibilities; consulting with children, parents, camp leadership, CBOs and NGOs; drafting, revising and ensuring translation of SOPs; and piloting the SOPs including training, monitoring and evaluation. HCR field staff stated that the development of these SOPs appears to be leading to more awareness of the need for child protection in camps.

*BID SOP Development.* HCR resettlement staff have developed country-specific SOPs to guide the BID process. These have been used to organize the creation of the BID panel and the training of BID Clerks.

*Exploration of Informal Tracing Networks.* HCR has begun exploring the use of informal cross-border networks to trace the parents of UASC who are being considered for resettlement. BID Clerks report that in most cases these networks are able to make contact with children’s parents, if alive.

*Collaboration around Community-Based Child Protection.* In recent years, HCR has significantly expanded its collaboration with UNICEF, NGOs and CBOs around more broad-based child protection initiatives in the camps. This has included participation in: creation of CPCs in each camp, development of comprehensive child protection reporting and referral mechanisms, PWG and Child Protection Network meetings, casework and psychosocial training for COERR and KWO CSWs, and advocacy through the *Working Group on Children Affected by Armed Conflict/Child Soldiers.*

*Challenges, Gaps*

*Funding.* Lack of funding is seen as the number one constraint to UASC assistance and protection Staff interviewed during the mapping reflected that the basic structures to serve UASC exist (e.g., UASC monitoring, BID process), but resource constraints are such that the structures may not necessarily meet the needs of UASC. For example, resources available for EVI programming do not allow the numbers of trained CSW needed for effective monitoring, and resources available for conducting BIDs do not allow for the recruitment of qualified individuals. Staff also noted that resource constraints delayed the initiation of BID work.
Child Welfare/Protection Capacity. Very few of the HCR or COERR staff responsible for UASC protection and assistance come from child welfare or child protection backgrounds, and those that do have limited time for strengthening the capacity of others or ensuring good practice (due to conflicting priorities). CSWs and BID Clerks in particular are expected to perform rather sophisticated child welfare tasks with minimal training.

It was also observed that staff have limited access to international UASC resources and none had specific training on UASC policies and programming. No one (HCR or COERR) made referenced standards or guidance from the Inter-Agency Guiding Principles on Unaccompanied and Separated Children, Refugee Children: Guidelines on Protection and Care or the Action for the Rights of Children (ARC) Modules—though many HCR staff mentioned the Guidelines on the Formal Determination of the Best Interests of the Child.

Coordination of Resettlement, Protection and Community Services Aspects of UASC Programming. UASC protection and assistance seem to be somewhat compartmentalized within the current program structure. For instance, the BID was perceived to be a function of resettlement and not a child protection process. Staff responsible for developing Child Protection SOPs did not necessarily see BIDs as part of their territory. This compartmentalization was also observed in the lack of procedures for following up UASC “left behind” by resettlement and in the gap between HCR-funded UASC monitoring through EVI services and UNICEF-funded child protection initiatives. BID clerks are responsible for screening and data collection, while ongoing child protection work with individual cases is usually a separate function and is shared by community service, protection and field staff.

Casework Documentation. Paper and electronic documentation of individual UASC casework was restricted to registration held by HCR, basic information held by COERR, and resettlement processing (BID Assessment and Report Forms). Use of the long form to fully document UASC has yet to be completed in some camps, accuracy of information gathered has yet to be verified and reasons for making/changing placements or other interventions are not recorded.

This means that BID Clerks often have to start from scratch when doing BIDs—from gathering information to initiate tracing, to assessing permanency issues relative to current caregiver, to identifying the child’s specific needs and vulnerabilities. It also means the BID Clerk has minimal background information to help interpret why a family “drops” a child from their case. This is particularly a challenge given CSW turnover in some camps.

Recommendations

1. Utilize HCR’s deployment schemes or identify an NGO with UASC expertise to address the gap in child welfare/UASC capacity and ensure the staffing needed for BIDs for all UASC. Minimally child welfare experts should be used to supervise, mentor and train staff engaged in child welfare-related activities.

2. Identify one position that is responsible for overseeing all UASC programming, in order to
   a. ensure the full range of UASC services in all camps and Bangkok (full documentation, tracing, BID, monitoring, etc.);
   b. integrate UASC-specific procedures (e.g., BID SOPs, monitoring protocol) into broad-based child protection initiatives (e.g., Child Protection SOPs, response and referral mechanisms, CPCs);
   c. coordinate programming with UNICEF, RTG, COERR and other NGOs and CBOs;
   d. organize training for HCR BID Clerks, COERR PSWs and CSWs and other relevant parties to support understanding of UASC “big picture” from identification to durable solution (using the Inter-Agency Guiding Principles on Separated and Unaccompanied Children and Action for the Rights of Children);
   e. identify and coordinate responses to gaps in UASC programming and capacity (e.g., follow-up of UASC “left behind” by resettlement, response to protection concerns identified through BID, identification of mechanism for UASC without caregivers to be referred for resettlement; understanding of permanency issues); and
   f. develop a strategy for program monitoring and evaluation, including indicators (e.g., percent of UASC fully documented; percent of UASC requiring tracing).
3. In coordination with UNICEF, plan regular field-based interagency trainings focused on UASC/child protection issues identified by HCR, COERR, the refugee community and children themselves. This could include such issues as
   a. risk identification related to different care situations (e.g. child headed households, girls in foster families, children of mentally disabled parents);
   b. identifying abuse and exploitation through home visits and community-based structures (schools, health clinics, youth groups);
   c. caregiver support and training;
   d. child and adolescent development;
   e. working with/interviewing children;
   f. permanency planning; and
   g. case documentation.

Where relevant, involve interpreters, boarding house staff, CBCs, Provincial Protection Working Group NGOs and CBOs, and members of PABs and Provincial Child Protection Committees. Make use of the ARC Modules, HCR UASC policy and guidance as well as other resource material.61

4. In coordination with UNICEF, expand community involvement in UASC programming (e.g., include UASC in sporting and cultural activities, ask teachers to follow up children who drop out of school, engage caregivers in income generating activities, involve “ten household leaders” in monitoring UASC).

5. In preparation for the BID, review the situation of each UASC, verifying existing information and filling in gaps as needed (registration, full documentation, care situation/relationship with caregiver, special needs, tracing result to date, barriers to family reunification). This should include UASC in boarding houses and orphanages.

6. In coordination with UNICEF, identify and develop strategies to address barriers to family reunification for UASC in boarding houses and orphanages that have parents or other extended family members in camps.

7. In coordination with UNICEF, work with boarding houses and orphanages to develop and implement minimum standards of care, including admission criteria.62

8. In coordination with UNICEF, explore the possibility of piloting foster care for select cases of UASC, in particular younger children.

9. Continue to explore informal cross-border and in-country tracing networks and the possibility of partnering with an NGO/CBO to work with these to ensure systematic tracing for all UASC who need it. Meet with Save the Children UK to learn about how they trace families of Burmese trafficked and migrant children.

10. Expand BID panel to include NGOs and CBOs with child welfare expertise (including those who may not work in the camps but have offices in Thailand). Consider inclusion of staff from UNICEF.

11. Continue to advocate for the resources needed to provide comprehensive UASC programming as outlined in HCR policy, within annual country operations planning.

Please find attached the following documents, referenced in the report:
1. Data Collection Form (short version)
2. Itinerary for Thailand Study


**MONITORING FORM FOR SEPARATED CHILDREN/UNACCOMPANIED MINORS**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. UNHCR/MOI Registration No:</strong></td>
<td><strong>2. Name on UNHCR/MOI Registration:</strong></td>
</tr>
<tr>
<td><strong>3. Name:</strong></td>
<td><strong>4. Nickname:</strong></td>
</tr>
<tr>
<td><strong>5. Sex: □ Male □ Female</strong></td>
<td><strong>6. Ethnicity:</strong></td>
</tr>
<tr>
<td><strong>7. Language:</strong></td>
<td><strong>8. Religion:</strong></td>
</tr>
<tr>
<td><strong>9. Date of Birth: □ D/M/Y</strong></td>
<td><strong>10. Age:</strong></td>
</tr>
<tr>
<td><strong>11. If age of child is an estimate, who did the estimate?</strong></td>
<td><strong>12. Place of Birth:</strong></td>
</tr>
<tr>
<td><strong>13. Last permanent address in Burma if born there:</strong></td>
<td><strong>14. When did you first arrive in camp? □ D/M/Y</strong></td>
</tr>
<tr>
<td><strong>15. Present address - Camp:</strong></td>
<td><strong>16. Zone:</strong></td>
</tr>
<tr>
<td><strong>17. Section:</strong></td>
<td><strong>18. House No.:</strong></td>
</tr>
<tr>
<td><strong>19. What is your situation? □ SCC - Separated child living in residential care/center (go to no. 20-24) □ SCR - Separated child living with blood relatives (go to no. 21-25) □ UAC - Unaccompanied minor without adult support (go to no. 26)</strong></td>
<td><strong>20. If SCC, what is the name of center?</strong></td>
</tr>
<tr>
<td><strong>21. If SCC, SCR and SCR, what is the name of the caregiver?</strong></td>
<td><strong>22. Caregiver's sex:</strong></td>
</tr>
<tr>
<td><strong>23. Caregiver's UNHCR/MOI Registration no:</strong></td>
<td><strong>24. Caregiver's Date of Birth: □ D/M/Y</strong></td>
</tr>
<tr>
<td><strong>25. If SCR, what is the child's relationship with the caregiver? □ Father □ Mother □ Grandmother □ Brother □ Guardian □ Uncle □ Aunt □ Sister □ Grandfather □ Female cousin □ Others (explain relationship):</strong></td>
<td><strong>26. If SCR, what is the child's relationship with the caregiver? □ Father □ Mother □ Grandmother □ Brother □ Guardian □ Uncle □ Aunt □ Sister □ Grandfather □ Female cousin □ Others (explain relationship):</strong></td>
</tr>
<tr>
<td><strong>27. Still alive? □ Yes □ No □ Unknown</strong></td>
<td><strong>28. If deceased, when did your father die: □ D/M/Y</strong></td>
</tr>
<tr>
<td><strong>29. Mother's name:</strong></td>
<td><strong>30. Still alive? □ Yes □ No □ Unknown</strong></td>
</tr>
<tr>
<td><strong>31. If deceased, when did your mother die: □ D/M/Y</strong></td>
<td><strong>32. Address of parents:</strong></td>
</tr>
<tr>
<td><strong>33. When were you separated from your parents? □ Unknown □ Father died □ Abandoned by parents □ Parents in another camp □ Separated during flight □ Mother died □ Sent away by parents □ Sent to camp to study □ Family members arrested □ Both parents died □ A drafted military recruit □ Parents divorced/were divorced □ Unknown □ Other reason(s) (explain):</strong></td>
<td><strong>34. Where were you separated from your parents? □ Unknown □ Father died □ Abandoned by parents □ Parents in another camp □ Separated during flight □ Mother died □ Sent away by parents □ Sent to camp to study □ Family members arrested □ Both parents died □ A drafted military recruit □ Parents divorced/were divorced □ Unknown □ Other reason(s) (explain):</strong></td>
</tr>
<tr>
<td><strong>35. How were you separated from your parents? □ Unknown □ Father died □ Abandoned by parents □ Parents in another camp □ Separated during flight □ Mother died □ Sent away by parents □ Sent to camp to study □ Family members arrested □ Both parents died □ A drafted military recruit □ Parents divorced/were divorced □ Unknown □ Other reason(s) (explain):</strong></td>
<td><strong>36. Do you have brothers/sisters/relatives in this camp? □ Yes □ No</strong></td>
</tr>
<tr>
<td><strong>37. If yes, what are their names and your relationship with them?</strong></td>
<td><strong>38. Do you have brothers/sisters/relatives in other camps? □ Yes □ No</strong></td>
</tr>
<tr>
<td><strong>Names of brothers/sisters/relatives:</strong></td>
<td><strong>39. If you, what are their names and your relationship with them?</strong></td>
</tr>
<tr>
<td><strong>Relationship:</strong></td>
<td><strong>Names of brothers/sisters/relatives:</strong></td>
</tr>
<tr>
<td><strong>Comp:</strong></td>
<td><strong>Relationship:</strong></td>
</tr>
<tr>
<td><strong>40. Do you have brothers/sisters/relatives in other places? □ Yes □ No</strong></td>
<td><strong>41. If yes, what are their names?</strong></td>
</tr>
<tr>
<td><strong>Names of brothers/sisters/relatives:</strong></td>
<td><strong>What is your relationship with them?</strong></td>
</tr>
<tr>
<td><strong>Relationship:</strong></td>
<td><strong>Where are they located?</strong></td>
</tr>
<tr>
<td><strong>42. Do you want to find members of your family? □ Yes □ No</strong></td>
<td><strong>43. If no, why?</strong></td>
</tr>
</tbody>
</table>
### Appendix B

**An Assessment of Unaccompanied and Separated Children in Thailand**

<table>
<thead>
<tr>
<th>44. Are you attending school?</th>
<th>45. No - list grade completed:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes - grade/level:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>46. Other educational activities:</th>
<th>47. If not attending school, why?</th>
<th>48. and since when?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post Ten</td>
<td>Vocational training, specify:</td>
<td>D M Y</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>49. Other educational activities, specify:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>50. Protection concerns:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marriage or pregnancy under the age of 18, explain:</td>
</tr>
<tr>
<td>Former child soldier, explain:</td>
</tr>
<tr>
<td>Illness/Sickness, Identity:</td>
</tr>
<tr>
<td>Physical disability, explain:</td>
</tr>
<tr>
<td>Mentally Ill, MD or MI code:</td>
</tr>
<tr>
<td>No UNHCR/MOI Registration Number, explain:</td>
</tr>
</tbody>
</table>

| 51. Neglected by caregiver, explain: |

| 52. Alcohol or drug abuse in place of residence, explain: |

| 53. Left camp, explain: |

| 54. Additional comments, including important information from the child, caregiver, or other people: |

| 55. Actions taken: |

| 56. Recommendations: |

| Name of Social Worker: |

| Signature or thumb print of child: |

| Signature of Social Worker: |

| Date: |

| First registered with COEPR: D M Y |

---

**Page 2 of the DCF**
### Mapping Interview Schedule

#### LIRS Mission to Thailand

<table>
<thead>
<tr>
<th>Dates</th>
<th>Location</th>
<th>Meetings</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 8</td>
<td>Bangkok</td>
<td>Initial Briefing at UNHCR Bangkok and other agencies involved in Child Protection, BIDs (documents to be emailed in advance)</td>
</tr>
<tr>
<td>November 9</td>
<td>Bangkok/Kanchanaburi</td>
<td>Meet with UNICEF staff in Bangkok/Kanchanaburi office and interview with Community Service Officers.</td>
</tr>
<tr>
<td>November 10</td>
<td>UNHCR Kanchanaburi</td>
<td>Meet with Camp Committee and relevant actors (implementing partners and refugee community) involved in child protection and BIDs.</td>
</tr>
<tr>
<td>November 13–14</td>
<td>Bangkok</td>
<td>Meet with Bangkok office of relevant actors and attend Child Protection Meeting.</td>
</tr>
<tr>
<td>November 15–17</td>
<td>UNHCR Kanchanaburi</td>
<td>Observe BID process and meet with relevant actors (implementing partners and refugee community) involved in child protection and BIDs.</td>
</tr>
<tr>
<td>November 20–24</td>
<td>UNHCR Mae Sot</td>
<td>Observe BID process and meet with relevant actors (implementing partners and refugee community) involved in child protection and BIDs.</td>
</tr>
<tr>
<td>November 27–29</td>
<td>Bangkok</td>
<td>Interviews with those involved with Child Protection and debriefing with UNHCR. Meet with BRC and child client.</td>
</tr>
</tbody>
</table>
Appendix C: International Experts Interviews

Questions

1.0 Involvement with refugees and UASC
1.1 How are you now working with issues related to UASC’s—as an agency or HCR office and personally?
1.2 Are you directly involved with services to refugees or UASC in Rwanda or Thailand?

2.0 Initial Intake/Identification
2.1 From recent field visits to Rwanda and Thailand, it seems that one barrier to responding to the protection needs of unaccompanied and especially separated children is identification. There is often an assumption that children cared for by relatives are not separated and are therefore not registered as such. What could be done to address this?
2.2 What practices do you think could be put in place during routine or “mainstream services” to improve the identification of this population?
2.3 How do you know when a child becomes unaccompanied or separated? When are they no longer unaccompanied or separated?
   2.3.1 Two possible case examples: If a child walks into an office with an adult other than his parent, is he automatically separated (and not “unaccompanied”)?
   2.3.2 And if an unaccompanied child is taken in by a stranger or even placed there to live with the family by the IP or UNHCR, does she then become separated?
2.4 In the majority of the cases in Rwanda and Thailand, UNHCR and IP staff report that children were initially taken in by refugee families informally without any outside involvement. It is only later, that the IP or UNHCR have become involved, often when a child is being removed. Who do you think should be involved in the decision to take an unrelated UASC to live in their home?
   2.4.1 What procedures can be established to insure the involvement of an IP or UNHCR or UNICEF from the beginning of an informal placement?

3.0 RSD
3.1 In the RSD process in Rwanda, unaccompanied and separated children are not interviewed separately from adults with whom they arrive. Do you think this is common in other locations? Do you see this as best practice?
3.2 Should there be any differences in RSD process for UASC from adults or children with parents?
3.3 In refugee emergencies where RSD is considered “prima facie” what steps could be taken to identify UASC among the general refugee population?

4.0 Tracing
4.1 Tracing of family members can often create new risks for the refugee child or her family. If it is determined that tracing would be dangerous to either party, should certain durable solutions be excluded from consideration? If so, please explain.
4.2 How long should a UASC be kept in “temporary arrangements” due to lack of tracing/lack of success of tracing?

5.0 Care Arrangements
5.1 What is UNHCR policy on child headed households? (Note: for other agencies, what do they believe should be the policy)
5.2 At what age can a child live alone in the camps or as head of household with younger siblings?
5.3 Does UNHCR have a policy about unrelated children living together in their own household?
5.4 Adequate and proper monitoring of care arrangements has been identified as a gap in several operations. Why do you think there is a lack of/insufficient monitoring?
5.4.1 How can this be addressed?
5.4.2 How often should monitoring visits take place?

6.0 Guardianship
6.1 In refugee camp contexts, there seem to be different definitions and understanding of “guardians” in the refugee context—caregiver (such as an adult relative or foster parent) and decision maker—individuals, a committee or court.

6.1.1 What guidance does UNHCR have about the role of guardians and the use of guardians in refugee camps?
6.1.2 Should these roles be kept together or are there circumstances where they should be separate?
6.1.3 Where should the competences of the “caregiver” end?

6.2 In large operations it is recommended that agencies take on the role of the guardian. Has this happened and (how) has this been formalized?

7.0 Services
7.1 In both countries the services to UASC and refugees with specific needs have evolved over time. How soon after a new refugee influx or emergency is it appropriate to expect UASC services to be in place?
7.2 Who is normally responsible for initial assessment—UASC numbers/demographics, needs, etc. after emergency influx and how does this happen?
7.3 What is the best way for staff to identify a UASC child having problems in the family?
7.4 How can staff be aware of culturally relevant “flags” that suggest problems exist? What training may be helpful to identify these?

8.0 Protection Concerns
8.1 What happens to a UASC when the attached family decides to be resettled or repatriate without the child?
8.2 Are there any practices you can recommend to minimize the abandonment of UASC during a major repatriation or resettlement program?
8.3 What is being done to decrease the level of school drop outs, especially among UASC headed households?
8.4 For UNHCR, JRS and Save the Children—How were the needs of UASC taken into consideration in Rwanda related to current repatriation efforts and the closing of the Byumba Gihembe Field Offices?

8.4.1 What services will remain for UASC after the closing and staff reductions?
8.4.2 What steps are being taken in anticipation of any UASC left behind or abandoned following repatriation?

9.0 Relationships and roles with UNICEF and implementing partners
9.1 What would you see as the ideal roles or working relationships with IPs (local and international NGOs) to provide services or identify protection needs of UASC in the camps?

9.1.1 Suggestions for strengthening collaboration?
9.2 What is the appropriate role for ICRC in the tracing of refugee families?

9.2.1 Who should determine their engagement and what is the preferred relationship to government agencies in the country of asylum?
9.3 For those with direct experience with UNICEF—In both countries studied in the mapping exercise, UNICEF has relatively recently begun working in the camps with UASC. What is your understanding as to why these programs were initiated?

9.3.1 What would you consider the appropriate/ideal role of UNICEF in refugee camps with UASC?
9.3.2 In what ways could this collaboration further benefit refugee children?
9.3.3 How can the participation of UNICEF strengthen the work of UNHCR?
10.0 Tracking and Monitoring

10.1 In Thailand there appears to be a difference in the ability to identify and monitor UASC in the largest camp (Mae La) as opposed to smaller camps.

10.1.1 Are you aware of any connection between the size of a camp and its ability to identify, monitor and care for UASC?

10.2 When parents die in the camp or abandon the camp leaving minor children behind, what can be done to insure that the children receive immediate follow-up from HCR and IP staff?

10.2.1 In general, it appears that updating UASC information in case files (which often do not exist) or databases is a challenge for UNHCR and IPs. Do you have any suggestions for how often such information should be updated and by whom?

10.2.2 In what ways could the information exchange between UNHCR staff, sectors and IP’s be improved to insure adequate monitoring and care?

10.3 In both countries visited, UNHCR staff used a combination of UASC procedures and forms that were created by other UNHCR offices, at HQ or locally (with consultants). What is your understanding of how such procedures, SOPs and forms are being developed?

10.3.1 What is the role of UNHCR-HQ and other international organizations?

10.4 It appears that many operations do not have individual files for UASC. Do you see that as a requirement?

10.4.1 If not, why?

10.4.2 If yes, why?

10.4.3 If so, should there be a central file with UNHCR where all information, including those concerning monitoring visits by NGOs, medical reports, etc. are included?

11.0 Best Interest Determinations.

11.1 When thinking about the long term options for refugees, we commonly consider the 3 durable solutions: voluntary repatriation, local integration or resettlement. In the case of UASC, there is similar long-term question of permanency (providing for the care-giving and legal oversight) which can take the form of family reunification, adoption or other long-term guardianship such as kinship care or foster care.

11.1.1 How would you see these two considerations linked for UASC? In other words, at what point is the durable solution for a UASC tied to the durable solution for the adult caregiver?

11.1.2 And under what circumstances might these be considered separately?

11.2 How do you see the use of the BID process in resolving the permanency goals and durable solutions goals for individual children?

11.3 Currently in Rwanda or Thailand, the only reason a child will receive a BID is if he or she is being considered for resettlement. For example, in Rwanda, in order for a case to be considered, a Resettlement Associate in the field has to receive a referral from one of the IP. In Thailand, BIDs have only begun on a large scale as a result of the decision to resettle Burmese refugees. What is the ideal way in which a child is referred for a BID? Who could or should initiate this process?

11.4 Many basic needs and other protection needs are being identified through the BID process, generating referrals back to the IP serving vulnerable refugees and other IPs. Since the IPs did not anticipate this new “work load” it is a challenge for the camp services to respond.

11.4.1 Is it reasonable to assume that BID interviews and reports will always identify new needs for UASC, even if done more regularly?

11.4.2 Does generating extra referrals through the BID process mean that we have not done our work sufficiently before the BID and if so what do we need to change/do better?

11.4.3 What arrangements should a field office have in place in order to prepare for an increase identification of needs?

11.5 BID is often described as a very labor-intensive process. What do you think could be done to simplify the process of gathering the information required to undertake a BID?
11.6 Many of the families who have taken in UASC have reacted to the delay in resettlement referrals by “dropping the child” from their case. This situation was just being identified at the time of the visit, but appears to be a significant trend that UNHCR-Thailand is now trying to address and were soliciting advice.

11.6.1 Have you witnessed this in other country operations?

11.6.2 What recommendations might you have to avoid this dilemma and/or recommendations to help UNHCR Thailand under these circumstances?

11.7 Current UNHCR guidance calls for the establishment of a BID panel to review all BID recommendations. What offices or agencies do you think should be represented on a BID panel?

11.8 What is the role of the refugee community (refugee leaders, refugee group representatives) in decision making related to child protection and durable solutions for UASC (as opposed to UNHCR, UNICEF, the Government or an IP)?

11.9 Many of the decisions being made for UASC currently are done rather informally. This is in stark contrast to the “formal” procedures being established through the draft BID guidelines. The report writers are considering what would be a reasonable balance between the use of informal vs. formal procedures. One particular concern is the lack of documentation of decisions that are being made on a daily basis and have later implications for the UASC. What suggestions or recommendations might you have for inclusion in the report?

12.0 Training

12.1 Are you aware of any training initiatives for HCR, Government and IP staff on identification of UASC or on special protection needs of UASC?

12.1.1 If so, what are you perspectives on these trainings?

12.2 Are there other training needs you are aware of that would benefit from new curriculum development?

12.3 Neither Rwanda nor Thailand reported any training available for foster parents. Are you aware of any initiative to develop foster parent training or other support?

13.0 Implementation of Guidelines

13.1 There are a number of guidelines and tools on UASC, but the challenge seems to be the proper implementation. What can be done to address the gap between guidelines and implementation?

13.2 We are working on a mapping tool, which could assist offices in the implementation of guidelines. Are you aware of such a mapping tool already existing?

13.2.1 If not, what do you think a mapping tool should look like?

13.3 We have shared with you an “organigram” of steps to take when working with UASC. Do you think this could be a useful tool and what could/should be changed/added?

14.0 Accomplishments

14.1 Regarding promising practices, are you familiar with the Vulnerable Services Committee in Rwanda?

14.1.1 Do you think this could be a model for other refugee camps?

14.1.2 Do you think the role of the VSC could or should be expanded to address other child protection concerns?

14.1.3 What should the relationship be between the VSC and the BID panel?

14.2 Throughout the site visits concerns were raised about resources necessary to establish and sustain the different services geared at child protection. Do you have any comments or recommendations?

15.0 Most promising directions

15.1 In closing, of all the issues discussed in this interview can you mention one or two items that you think will have the most significant positive impact on the protection and best interest of UASC’s?

Christian Children’s Fund
Michael Wessells, Senior Child Protection Specialist (also Professor of Clinical Population and Family Health, Columbia University, Mailman School of Public Health)

Columbia University, Mailman School of Public Health

ICRC
Kristin Barstadt CP Advisor, Geneva. Provides support and clear guidelines for field offices in tracing activities.

Independent Consultant

International Social Service, Geneva
Christoph Braunschweig Represents Switzerland in the SCEP as an NGO. Works with individual cases on repatriation issues, asylum, guardianship. Works closely with Save and HCR.

JRS and Women's Commission—Geneva
Christine Bloch Advocacy, working with the Age, Gender, Diversity Mainstreaming project.

Save the Children—Norway
Åshild Brekke Coordinator for the Emergency Standby Teams. Second persons to HCR for CS and CP positions.

Save the Children—Sweden
Ingela Winter-Norberg (IW) Coordinator for the Emergency Standby Teams. Second persons to HCR for CS and CP positions. Deploys are currently setting up BID processes in Tanzania and Ghana.

Separated Children in Europe Programme, Germany
Thomas Gittrich Head of Department of Guardianship for separated children for 25 years.

Separated Children in Europe Programme
Jyothi Kanics Programme Manager responsible for standard setting and capacity building in 30 EU countries.

USCCB
Julianne Duncan Associate Director of Children’s Services. Technical Assistance Program to refugees in US., Unaccompanied children in foster care, former BID expert.

Women’s Commission—New York
Dale Buscher Director of Children /Youth Programs. Former consultant at HCR. Wrote 4 page chapter and checklist for Operation Protection in Camps and Settlement. Directed EVI work in Albania/Kosovo.

World Vision International
Carol Toms

UNHCR—HQ Staff Interviewed

Senior Regional Advisers for Refugee Women and Children
Europe: Malika Floor EU issues and standards for women and children. Draft EXCOM conclusions. Policy implications. Reviewing guardianship procedures and access to education in EU.

Senior Regional Community Services Officers
North Africa and Middle East: Zahra Mirghani
Zambia, Zimbabwe, Malawi: Yousif Ahmed Adam
Appendix C

International Experts Questions

HQ—DIPS
Diane Goodman (Protection Capacity Section) Worked on HCR guidelines on the protection of women and girls. Former Regional CP Officer in Rwanda, Wrote paper on family unity for Global Consultations. Worked with exploited children in Nepal.

Ron Pouwels, Senior Advisor for Refugee Children (Community Development, Gender Equality and Children Section) Provides technical support to field, also involved with BID, trainings and capacity building in CP and CS, direct HR support. Program officer for LIRS study. Also member of IAWG-SC.

Adriano Silvestri, Senior Protection Officer (Solutions Operations Support Section) for drafting BID guidelines and other CP issues in the European context.

UNHCR—HQ—Bureau for Asia and the Pacific
Peter Janssen Senior Legal Officer Policy Unit, liaison between field and HQ for protection issues. Close link with DIPS.

Other Experts Identified, but not Interviewed

IRC
Jane Warburton

Save the Children—UK
Johanna MacVeigh

UNICEF—HQ
Manuel Fontaine

UNHCR Staff Identified, but not Interviewed

UNHCR—HQ—Africa Bureau
Betsy Greve, Head of Legal Advice Unit

Snr Regional Advisers for Refugee Women and Children
Southern Africa: Joan Allison
West Africa: Regina Avognon
East and Horn of Africa and Great Lakes: Lynn Ngugi

UNHCR—HQ—Community Service
Aminata Gueye Head of Community Services Unit
Appendix D: Guidance for Effective Use of the UASC Mapping

Purpose

The purpose of this Mapping Exercise is to assist the UNHCR head of a country or field office assess the current operations as they relate to the protection of unaccompanied and separated children and their best interests, including access to durable solutions.

It is expected that the lessons learned from this exercise will identify both strengths and weaknesses in the current operations that can have a number of applications:

1) Identify program, staffing and systems that need to be developed or strengthened in order to implement the new Guidelines for Formal Determinations of Best Interests.
2) Identify best practices and other strengths that can be expanded upon or replicated to address current gaps in protection or best interests determinations.
3) Begin to define a child protection strategy for the office that takes into consideration both UASC specific and mainstream activities and how they inter-relate.
4) Provide the information to better articulate the resources needed to ensure the protection and best interests of unaccompanied and separated children within the overall office planning and implementation.

Approach

Selecting an Interviewer

The individual (or team) conducting the interviews must have extensive and diverse interview experience—including people of different cultures and languages, different educational and professional levels. If the key researcher does not have direct experience in interviewing children, then this should be carried out separately. The interviewer should be a child welfare professional or have formal child protection training as well as at least a good understanding of refugee protection and the particular refugee context.

Option 1: The Mapping Questionnaire was designed for use by an independent interviewer through individual face-to-face interviews and meetings with UNHCR and NGO staff, refugee leaders and refugee children. This approach was used to increase the likelihood of free expression of concerns and opinions and an ability to gain a deeper and richer understanding through follow-up questions that might emerge. During the pilot exercise there were a number of instances where individuals shared information that they expressed with caution or concern that it might be considered controversial by others.

Option 2: If an independent researcher is not available, it is important to select someone with minimal self-interest (personal or institutional) as to their role or position within the field operations. For example, it might be helpful to use someone who is newly arriving to his/her position who could use this as a means of engaging the relevant actors. If using existing staff, it might be preferential to use an interview team who could divide the interviews by areas where they have limited responsibility.

Other Options: Based on the pilot experience, written surveys or questionnaires alone would not accurately capture the information and could lead to false conclusions. While there was a high degree of general familiarity with child protection and best interests terminology, in many cases respondents were not aware of the relevance (positive or negative) of their own knowledge or actions as they impact on the protection and best interests of refugee children. In other cases, respondents stated certain assumptions that under further questioning were determined to be false or no longer valid due to changes in circumstances. Secondly, in other similar efforts, written surveys have had limited success in obtaining high levels of participation and can be difficult to adapt to different language capabilities.

Training and Orientation of Interviewer

The interviewer should be familiar with existing UNHCR policy documents on UASC as well as national or regional reports on the current refugee situation and history of child protection efforts. A list of key
international documents is included at the end of this guide. Finally, it is important that the interviewer have a basic understanding of UNHCR structure and relationships with key stakeholders.

Schedule
The interviews can take up to 3 or 4 weeks to conduct depending upon the size and scope of operations to be reviewed. (In the pilot sites, over 50 interviews and meetings were carried out, scattered among 3 or 4 different locations, over a 3 week period.) It took another week to gather the information into one report for analysis. An additional 3 to 4 weeks should be allotted for the compilation and review of the findings and recommendations to allow for appropriate consultation among the stakeholders.

Interviews can take up to 2 hours depending upon the area of responsibility and expertise of the participant. In some instances, a group meeting is helpful in identifying common issues (e.g. a group of teachers, refugee women’s group, etc.) Participants should include those with child specific responsibilities as well as officials and others involved in mainstream activities (registration, RSD, etc.) A graphic model of the displacement/protection cycle is included at the end of this guide to assist in identifying appropriate participants.

Program Analysis of Mapping
Sample charts have been developed for use in synthesizing the information gathered from the mapping in order to identify strengths and gaps in current operations. Such findings should be weighed against current international guidance.

Office and Programmatic Structures

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<th>NGOs &amp; INGOs</th>
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<td># National staff</td>
<td># Temporary/Consultants</td>
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## Strengths/Gaps Analysis

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<td>Case Closure</td>
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Procedures for Unaccompanied and Separated Children

Children

- Initial screening
- Rapid registration
- Appointment of a guardian
- Refugee Status Determination
- Documentation
- Tracing
- Verification
- Family reunification
- Post-reunification follow up
- Closure

Adults

- Initial screening
- Appointment of a guardian
- Refugee Status Determination
- Documentation
- Tracing
- Verification
- Other durable solution (than family reunification)

Identification of and response to specific protection concerns

For further information please see the Inter-Agency Guidelines on Separated and Unaccompanied Children
Initial Screening

An initial assessment must be conducted to establish the extent of family separation and the situation of affected children. This should be carried out at the earliest possible stage of any emergency as part of a broader situation analysis in order to develop an appropriate response.

Rapid Registration

Registration is the compilation of key personal data: full name, date and place of birth, father’s and mother’s name, former address and present location. This information is collected for the purpose of establishing the identity of the child, for protection and to facilitate tracing.

Temporary Care Arrangements

In emergencies, temporary care must be provided for children separated from their families until they are reunited, placed with foster parents or other long-term arrangements for care are made. This may include fostering, other forms of community-based care, or institutional care.

Appointment of a Guardian

Guardianship refers to the designation of responsibility to an adult or organization for ensuring that a child’s best interests are fully represented.

Refugee Status Determination

Applying the criterion of ‘well-founded fear of persecution’ to children when determining their refugee status does not normally give rise to problems when they are accompanied by one or both of their parents. However, determining the refugee status of unaccompanied and separated children is more difficult and requires a special approach.

Procedures in place in many countries for determining refugee status do not normally take into account the special situation of unaccompanied and separated children. In view of the effect that a prolonged stay in a refugee camp (or camp-like environment) can have on a child’s physical and psychological development, the determination of status or the decision about the child’s best interests must be made as quickly as possible, and following the appropriate procedures.

The following aspects should be taken into account: the child’s age and views, noting in particular the need for expert assessment; the appointment of a legal representative as well as a guardian to promote a decision that will be in the child’s best interests; and a recognition that the child should be given the benefit of the doubt should there be some concern regarding the credibility of his or her story.
Documentation

Documentation is the process of recording further information in order to meet the specific needs of the child, including tracing, and to make plans for his or her future. This is a continuation of the registration process and not a separate undertaking.

Tracing

Tracing, in the case of children, is the process of searching for family members or primary legal or customary care-givers. The term also refers to the search for children whose parents are looking for them. The objective of tracing is reunification with parents or other close relatives.

Verification

Verification is the process of establishing the validity of relationships and confirming the willingness of the child and the family member to be reunited. The purpose is to prevent the child from being handed over to the wrong person. This can happen by accident – perhaps because of mistaken identity or bureaucratic errors – or for more malevolent reasons, such as a desire to take revenge on the child’s family, to remove a witness, to use the child as forced labour, or to exploit the child sexually.

Family Reunification

Reunification is the process of bringing together the child and family or previous care-provider for the purpose of establishing or re-establishing long-term care. Family reunification should always be the top priority for unaccompanied or separated refugee children, whether it is in the country of asylum, country of origin through voluntary repatriation or in a third country.

Best Interests Determination

The best interests of the child constitute the basic standard for guiding decisions and actions taken to help children, whether by national or international organizations, courts of law, administrative authorities, or legislative bodies. For specific actions for which higher procedural safeguards are required a procedure for a formal best interests determination has to be put in place (more than one individual involved and procedure to be documented). These actions are: Decisions to identify durable solutions for unaccompanied and separated refugee and IDP children; Decisions on temporary care arrangements for unaccompanied and separated children in particularly complex situations; and Decisions which may involve the separation of the child from parents against their will.

Post-reunification Follow-up

Follow up refers to a range of activities to facilitate reintegration. They may include social and economic support. In all cases, a sense of community responsibility should be promoted, highlighting children’s rights. Where possible, it should be through local child-welfare systems or community structures.
Mapping for Unaccompanied and Separated Children
Part II: Guiding Questions

This document serves as a comprehensive set of questions and topics that should be covered in a thorough mapping of local field operations related to the protection and durable solutions for unaccompanied and separated children. Sections of this questionnaire correspond to the attached “Procedures for Unaccompanied and Separated Children” chart.

As stated in the companion guide, these questions are constructed to indicate the information to be gathered. It is expected that the interviewer will need to adapt the phrasing and terminology according to the person being interviewed. For example, questions about temporary care arrangements may need to be asked differently of a UNHCR protection officer, an IP staff person and a refugee leader.

The mapping is structured to elicit information from those with direct responsibility for each area as well as their knowledge of other field operations. Therefore, questions should not be limited to the area of direct responsibility. However, when it is apparent that the participant has no direct knowledge or experience, the interviewer should move to the next section.

The mapping exercise has been divided into 15 sections as follows:

1. Office And Programmatic Structures
2. Identification Processes (Initial Screening and Rapid Registration)
3. Temporary Care Arrangements
4. Guardianship
5. Refugee Status Determination
6. Tracing
7. Identification of and Response to Specific Protection Concerns
8. Verification
9. Best-interest Determinations
10. Durable Solutions
11. Family Reunification
12. Post-reunification services
13. Case closure
14. Questions for children
15. Program Analysis (Lessons Learned and Recommendations)
1. Office and Programmatic Structures
   a. What is the overall structure of the local UNHCR field office? Who (title) works with unaccompanied and separated children’s issues? What is their background, in terms of education and experience? What are their roles and responsibilities?
   b. Is there a designated Implementing Partner (IP) for unaccompanied and separated children? Is there a designated IP for children, which also works with unaccompanied and separated children? Please describe its role and title of person(s) responsible.
      What is the background in terms of education and experience of the staff working with unaccompanied and separated children? What is the role (objectives, activities, etc.) of the IP according to the sub-agreement with UNHCR and who (in UNHCR) monitors the implementation of the sub-agreement?
   c. What other agencies (IPs) work with unaccompanied and separated children? Please describe their role, title of person(s) responsible. What is the background in terms of education and experience of the staff working with unaccompanied and separated children? What is the role of the IP(s) according to the sub-agreement and who (in UNHCR) monitors the implementation of the sub-agreement?
   d. Please describe the overall reporting relationships among those mentioned. Who has the overall responsibility for ensuring that the protection and best interests of refugee children are incorporated into the overall country/field operations?
   e. What standard operating policies and procedures are utilized when working with unaccompanied and separated children and when were they last updated? Are there other written policies that influence this work? How does the office ensure that existing UNHCR policies and guidelines/guiding principles are implemented?
   f. Which guidelines and policies are you using in working with unaccompanied and separated children? Do you have copies of these guidelines and policies in the office (question to UNHCR, NGOs, Government) and where are they stored/are these easily accessible?
   g. Is training provided to IP(s) on the implementation of UNHCR’s guidelines and policies with regard to children and in particular unaccompanied and separated children and who is responsible for providing the training? If yes, which training materials are used and how often is training provided? (To IP and Government: is your staff in need of training and if so has this been requested from UNHCR?)
   h. Who provides interpretation services? What special training is given to interpreters?
   i. If there is more than one refugee population, are there any differences in procedures, persons involved or approach (such as might be influenced by cultural, religious or other practices)?
   j. Which definition is used for “unaccompanied child” and which for “separated child”? The definitions used are taken from which document?
   k. How many unaccompanied and separated children (disaggregated by sex) have been identified and registered?

2. Identification Processes (Initial Screening and Rapid Registration)
   a. Who is responsible for determining if a person of concern is a child or adult? How is this done? What steps are taken to identify a child if there is no birth certificate available, and how is age determined in the absence of a birth document? Are there any legal or identification documents that are routinely available among the refugees here?
   b. Who is responsible for identifying whether or not a child, boy and girl, is unaccompanied or separated?
   c. What procedures are implemented to identify unaccompanied and separated children, boys and girls? Are they registered and documented as two distinct groups?
   d. Please describe in detail the rapid registration system for unaccompanied and separated children? Who is responsible for this task? Are there any differences in procedures for children than adults? Any differences among different ages? Is a form used for this and if so please share copy of form used.
   e. What interview forms, check lists or other documents if any, are used? Are there any special guidelines on how children should be interviewed (where, alone or with others, by whom, etc)? If yes, which ones are used?
f. How is a “case” defined when it involves unaccompanied and separated children? Please describe your case composition guidelines—how you decide who is in one case file (by family ties, by household/living arrangements, other?).

g. What procedures are in place for documenting steps taken by the field officers during the process of identifying unaccompanied and/or separated children?

h. Is the Inter-agency Registration Form for Unaccompanied and Separated Children (provided in the UNHCR Handbook for Registration) used to further document unaccompanied and separated children after rapid registration? If not, which form is used? Please share a copy of the form.

i. Are unaccompanied and separated children registered as such in the registration database, proGres?

j. Is an individual file opened for each unaccompanied and separated child, which contains all documentation related to the child?

   If yes,
   - Is the file available in hard copy or electronic copy or both?
   - Where is the file kept?
   - Who has access to the file?
   - What is the information/documentation collected in the file?
   - If a child joins a family (a relative or a temporary care giver) what happens to the case? For example, does the child’s case become a part of the family’s case file, or are two separate case files still maintained?

   If no, please explain.

k. Is there a monitoring system in place that helps identify and register unaccompanied and separated children after the regular identification and registration upon arrival? Have children been identified as unaccompanied and separated after the regular registration, who were not identified as such during the regular identification/registration? Was this through the monitoring system or through other ways? Please explain.

3. Temporary Care Arrangements

a. What are the possible care arrangements for unaccompanied and separated children in the camp, e.g., traditional or informal fostering by family or household that may or not be related to the child’s family, spontaneous fostering by unrelated care givers, arranged fostering? Please describe.

b. For unaccompanied children who do not have a care arrangement in place, what steps are taken to place a child in a particular care arrangement? Additionally…

   - What policies/procedures inform the care arrangement decision-making process?
   - Who makes the placement decision?
   - How long does it take before an appropriate care arrangement has been identified and the child has been placed in this arrangement?
   - Are the views of the child taken into account when deciding on the appropriate care arrangement?
   - What types of training are offered to staff regarding care arrangements?
   - What child and family related factors determine a decision for placement?
   - Do foster families sign a foster care agreement? If yes, please provide a copy.
   - Are these children also appointed a guardian? (for more on guardians see section 4)

c. In cases where unaccompanied and separated children are cared for by extended family, are there procedures for determining the most appropriate caregiver? If so, please describe these, particularly as they relate to the age and gender of the child. What steps are taken to prove the relationship between the child and extended family caregiver? How do you work with families to make these determinations?

d. What are the criteria for selecting and screening potential caregivers? What types of training do they receive? How is the process of determining a suitable caregiver for these children documented?

e. Are any unaccompanied or separated refugee children being cared by families in the host community? If so, what factors influenced these placements?

f. In the course of program development and implementation have traditional or customary community responses to unaccompanied and separated children been incorporated? If so, could you describe them, and how they contribute to defining appropriate care arrangements for these children?
g. Please describe the process of monitoring placements/care arrangements for unaccompanied and separated children (i.e. in terms of frequency, questions asked and to whom, assessment forms or tools used, who implements the monitoring, etc.). Are unaccompanied and separated girls interviewed by women? Is information collected through the monitoring documented and filed in the child’s individual file? If not, what happens to the information?

h. What is the process in case the monitoring identifies problems in the placement/care arrangement for the child (e.g. abuse, neglect, discrimination, not attending school)? Explain the steps taken.

i. What services or resources do foster families, group homes or others receive who are caring for unaccompanied and separated children? Is there a difference in the rations or material support than children living with their biological parents?

j. Are there any special measures in place for unaccompanied children living in child-headed household? Please explain.

k. Do you provide any orientation sessions or have any targeted discussions with camp leaders on care arrangements for unaccompanied and separated children? If so, please describe (and share any written materials if possible).

l. Have there been any tensions around special attention or services to unaccompanied and separated children? If so, have you developed any particular practices or talking points in response to these concerns?

4. Guardianship

a. Are there any procedures for the appointment of a guardian for UASC? If yes, please answer the following:
   - How soon after identification of an unaccompanied and separated child is a guardian appointed?
   - Who or which organization acts as guardian?
   - Please describe the role of the guardian – authority to act or make decisions, responsibilities, limitations, etc.
   - What procedures are implemented to identify legal guardians for unaccompanied and separated refugee children?
   - Is anyone responsible for monitoring the guardians to ensure they are representing the best interests of the child?
   - Does the community take “collective” responsibility for unaccompanied and separated children? How is this manifested?
   - Are there government or international actors who are involved in guardianship decisions?

b. If guardians are not regularly appointed, has this occurred in the past? If so, please describe.

5. Refugee Status Determination (RSD)

a. Does individual RSD take place or are refugees recognized on a prima facie basis?

b. Who does the RSD for children and what is the process?

c. Does the person doing RSD have experience and/or training in interviewing children?

d. Is there a confidential, safe space for the interviews to occur?

e. Are children given more than one opportunity to share their story of flight?

f. Are there other steps or methods used to develop the refugee case history for the child (e.g. interviews with adults with relevant information)?

g. Is RSD for unaccompanied and separated children scheduled differently than adults (e.g. are they expedited)?

h. If the unaccompanied or separated child’s claim for asylum has been rejected what is currently UNHCR’s role after the rejection? [if applicable]

6. Tracing

a. Is family tracing done for both unaccompanied and separated children?
   - If yes,
     - How soon after identification of a child as unaccompanied or separated is tracing initiated? Who initiates tracing?
What efforts are made to trace family members in country of asylum (CoA)? Who is doing tracing in CoA?

What efforts are made to trace family members in other countries of asylum (different from the country in which the child is a refugee)? Who is doing this tracing?

What efforts are made to trace family members in the country of origin (CoO) if it does not pose a danger to family or child? Who is doing tracing in CoO?

Please describe the family tracing process (including who is responsible for what) and the safety protocols in place for repatriation of children (coordination with local NGOs, or governments, etc.; see also Durable solutions questions)

What happens if family tracing results in the identification of a separated family member who does not wish to reunify with the unaccompanied or separated child or the unaccompanied or separated child does not wish to reunify with the traced family member?

b. If formal tracing is not possible, are there any other ways in which efforts are being made to find the whereabouts of parents, family members or other former primary legal or customary caregivers, who the child wishes to be traced?

7. Identification of and Response to Specific Protection Concerns
   a. What educational, social services, and psycho-social support/mental health services are available for unaccompanied and separated children and how are these services implemented? Are these different from services to other children?

b. Unaccompanied and separated children are considered to be at increased risk of abuse and exploitation. How are the following protection concerns reflected in services provided to unaccompanied and separated children?
   - physical abuse
   - sexual abuse
   - child labor
   - sexual exploitation, including child prostitution
   - recruitment by armed forces or groups (child soldier)
   - child trafficking
   - harmful traditional practices (early marriage, female genital mutilation)
   - deprivation of food rations or other basic needs
   - school drop-out
   - others from your experience

c. What protocols, forms or other tools are used to determine the following needs of unaccompanied and separated refugee children? And who is responsible for each?
   - child’s functioning, development and abilities
   - medical needs
   - psychological needs
   - educational needs
   - background history of child and family for strengths and risks
   - immediate safety risks for child (e.g. loss of caregiver)

d. Is there a protection strategy in place which comprises the protection of children, including unaccompanied and separated children? Please share copy. Has a child protection system been established (could include physical arrangements of camp, special programming or services, etc)? Please explain

e. How are issues of possible abuse, exploitation or neglect by caregivers brought to the attention of UNHCR or its implementing partner(s)? How does the field office respond to the needs of these children and what occurs after abuse has been identified? Do you have any examples of how this has been handled in the past?

f. How are unaccompanied and separated children identified who become unaccompanied or separated after registration or RSD? Are there any referral mechanisms in place?
8. Verification
   a. What steps are taken to establish the validity of the relationship between the unaccompanied and separated child and the traced family member?
   b. How does the office confirm that the child and traced family member would like to be reunited?

9. Best-Interests Determinations (BID)
   a. Please describe in detail the current BID process.
   b. How and when is one initiated? Does a BID ever occur prior to the RSD? If so, when and why?
   c. Are BIDs conducted for both unaccompanied and separated children?
   d. What information is the child welfare officer given access to?
   e. Who are the staff (UNHCR, NGOs, Gvt) involved?
   f. How long does it take? (1. work by welfare officer until submission to panel; 2. submission to panel until decision by panel?)
   g. What written forms are used? If different from those in the BID Guidelines, please provide copy.
   h. What happens once a particular determination is made?
   i. Who is notified of the determination—UNHCR staff (child protection officer or welfare officer, the child, the IP responsible for care arrangements, the caregiver)?
   j. How does the field office prioritize which children should receive BIDs first?
   k. Please describe the role and make-up of the panel that reviews the BIDs.
   l. What specific training is given to the experts/welfare officers doing the BIDs?
   m. To what extent are the child’s wishes included in the BID process?
   n. What procedures are in place to inform children of the results of the BID, and the plans being made for them?
   o. How many decisions have been made (including no. of children—boys and girls) and what have been the decisions?

10. Durable Solutions
    a. What are the durable solutions that have come out of the BID process for unaccompanied and separated children?
    b. Are there different legal options for unaccompanied or separated children (from adults and families) in the country of asylum that would affect their ability to firmly settle in the country of asylum? For example, what are the child welfare laws in the country of asylum? Would refugee children be able to avail themselves of certain protections or services not available to the general refugee population? Or would refugee children face greater vulnerability due to lack of child welfare system, possible stateless issues, lack of access to education or other.
    c. When it is found that repatriation is in the best interests of the child, what steps are taken to protect the child before, and during repatriation?
       • Logistically, how are unaccompanied and separated children repatriated? With whom do you coordinate the voluntary repatriation?
       • What preparation is done with the child prior to their repatriation? Is there assistance with social integration? Is there assistance with familial reintegration?
       • Have measures been put in place to prevent separation from happening during repatriation? If so, please explain.
       • Have measures been put in place to prevent foster families from abandoning their foster child(ren) during repatriation? If yes, please explain.
       • Are unaccompanied and separated children traveling with their file or is the file sent to the receiving office (or none of both)? If not, explain why.
    d. When it is determined that it is in a child’s best interest to be resettled, what happens procedurally?
       • How is the case referred to potential resettlement countries?
       • What happens to children whose cases are referred for resettlement, but are denied by the resettlement country?
What happens if a child is referred for resettlement accompanied by another family and either the child or the family is not accepted by the resettlement country? What happens to the child?

What happens to children in a polygamous marriage when the family is accepted for resettlement (but has to be split because polygamous marriages are not recognized by resettlement countries)?

For children whose case is approved for resettlement, are there any special steps or procedures for assisting unaccompanied and separated children?

For children who are approved for resettlement, is it your understanding that the children are eligible for family reunification post resettlement?

Are unaccompanied and separated children traveling with their file or is the file sent to the receiving agency (or none of both)? If not, explain why.

11. Family Reunification

a. What steps are taken to reunify children with their families in the country of asylum (within/between the refugee camps, between refugee camps/urban areas)?

b. What steps are taken to reunify children with their families in another country of asylum (e.g. when the traced family members have refugee status in another country than the child)?

c. What steps are taken to reunify unaccompanied and separated refugee children with family members in country of origin? If parents or other primary caregivers are located in country of origin, is contact made with a child welfare agency or other entity in country of origin, while taking into account that this should not endanger the child or the family?

d. How do you assess the appropriateness and safety of the family and the reunification? How do you balance the desirability of family reunification with other factors (e.g. conditions in country of origin, wishes of the child, capacity of traced family member to care for the child)?

e. How does your program prepare unaccompanied and separated refugee children for family reunification?

f. Are children’s wishes taken into consideration?

12. Post-Reunification Services

a. What follow-up services, if any, are provided to unaccompanied and separated children and their families’ post-reunification? (Describe any services provided to help ensure the child’s mental/medical/dental health needs are met, support the family in their reunification, help the family integrate into the community, etc.).

b. Is there some level of collaboration with local resources (i.e. mental and physical health providers, schools, legal representation, local social service agencies) to provide follow up services?

c. What is the average length of time during which follow-up services are provided? Is there reporting required for follow-up services? If so, how often and how detailed?

d. If a child is reunified with his/her family in country of origin, are there any other measures taken to ensure the safety of the child after return? (For example, public education on SBGV or domestic violence or other types of violence that could increase the vulnerability of separated children post-return.)

13. Case Closure

a. What are the reasons that a case is considered closed?

b. Are there any reasons that a case might be re-opened? If so, how?

c. Is there any more information collected or services provided following case closure?

14. Questions for Children

(Interviewer should be trained and skilled at interviewing children. The following questions are appropriate for use with children 8—17 years old. If the interviewer has no prior relationship with the child, it will be necessary to spend some time with the child developing familiarity and trust prior to beginning the interview.)

a. Daily Life

- Where do you live? Who all do you live with? (How many children? How many adults? How do you know them?) Do you like living with them?
What does your day look like? When do you wake up? What time do you eat? What do you do in the morning/afternoon/evening? Explain your daily schedule to me.

What grade are you in school? (If you don’t attend, would you like to attend?) Who helps you with your school work?

What do you like to do when you are not in school? What do you have to do when you are not in school?

What chores are you responsible for? Does anyone help you with these chores?

What is your favorite pastime?

Do you feel safe at home, at school and in the camp?

What do you like about being here? What don’t you like?

b. Background Information

How long have you lived in the camp?

Where were you before you came here?

Who did you come here with? Do you still live with this person?

Where are your parents? Do you have brothers and sisters? Where are they?

How did you get to the camp?

Have you always lived in the same place and with the same people while in the camp? If no, please explain. When did you move? Who did you move with? How often did you move?

Do you know where any of your aunts, uncles or grandparents are?

c. Information Flow (to and from children)

How was it decided who you live with? If this has changed while you were in the camp, who decided for you to move and how was it decided?

Who do you talk to when you need help or have a problem? Is there an adult that you feel comfortable talking to when you have a problem?

Who decided for you to come to the camp?

Who decided for you to go to school? How did you know what grade you would be in?

Who do you talk to on a regular basis? How often do you talk to them? (i.e., adults)

d. Participation in Process

Has anyone (before me) asked you about your family and tried to help find your family?

Have you met with anyone to talk about how you came here, who you are with and what you would like to have happen?

Has anyone sat with you and explained what is going on? If so, who? When? Where? How often?

Do you feel like you have control over what happens to you? If no, do you feel like you at least have a say in what happens to you?

Do you feel like you are given a chance to express your opinions and thoughts about what happens to you? If yes, do you feel like people listen to you? If no, what is it that keeps you from expressing your opinions?

15. Program Analysis (Lessons Learned and Recommendations)

a. What are some of the program accomplishments?

b. What are some of the challenges that you face in providing protective and care services to unaccompanied and separated children?

c. What are the gaps and unmet needs that you identify?

d. What are current advocacy needs/efforts related to services for unaccompanied and separated children?

e. What are some of the practices that you see as having particular promise or that have a positive impact on work with unaccompanied and separated children?

f. What support do you need to ensure the protection and service provision for unaccompanied and separated children?
Appendix E: Relevant Documents

UNHCR Unaccompanied and Separated Children-Relevant Policy, Guidelines and Training

UNHCR and Protection: A Protection Induction Programme, UNHCR, June 2006.
Working with Unaccompanied Minors in the Community: A Family-Based Approach, UNHCR, 1993.

UNHCR Unaccompanied and Separated Children-Relevant Statements and Reports

UNHCR Global Strategic Objectives for 2007-2009.
The UNHCR Tool for Participatory Assessment in Operations. UNHCR, May 2006.
Findings of the Participatory Assessment with Children in Marratane Refugee Camp in Mozambique, UNHCR, April 2006.
Update on Implementation of the Agenda for Protection, UNHCR, March 2006.
Findings of the Participatory Assessment with Children in Dukwi Refugee Camp in Botswana, UNHCR, December 2005.
Findings of the Participatory Assessment with Children in Dzaleka Refugee Camp in Malawi, UNHCR, November 2005.
Summary Note: UNHCR’s Strategy and Activities Concerning Refugee Children, UNHCR, October 2005.
Contribution to the General Discussion of the Committee on the Rights of the Child on “Children Without Parental Care”, UNHCR, September 2005.
Assistance to Unaccompanied Refugee Minors, Report of the Secretary General, A/60/300, UNHCR, August 2005.
Follow Up to Recommendations of the Three Evaluations/Assessments of Refugee Women, Children and the Community Services Function, UNHCR, October 2003.
Agenda for Protection, UNHCR, October 2003.


Global Consultations on International Protection (Refugee Children), EC/GC/02/9, UNHCR, April 2002.


Other UN Unaccompanied and Separated Children-Relevant Documents


UN Convention Relating to the Status of Refugees, July 1951.

NGO Unaccompanied and Separated Children-Relevant Documents


de la Soudière, Jan Williamson and Jacqueline Botte. The Lost Ones: Emergency Care and Family Tracing for Children from Birth to Five Years. IRC, January 2005 (Draft).


Appendix E

Relevant Documents


Appendix F: Proposal

The protection and care of separated and unaccompanied children have been a priority for UNHCR and the subject of several published policy statements and guidelines since 1988. While much of the earlier work focused on unaccompanied children (children who are separated from both parents and without any adult caretaker), more recent policy development has brought attention to all separated children (children who are separated from their parents or primary caregiver, and may be living with extended family members, friends, neighbors or other adults.) Indeed in the past several years, the policy focus on separated children has exploded with conferences, guidelines and reports from Europe, Canada and the U.S.—and most recently the Inter-Agency Guiding Principles on Unaccompanied and Separated Children.

This much welcomed attention, however, does not necessarily ensure that UNHCR field offices and their partners have the necessary tools to effectively implement these guidelines in a manner that protects the best interests of the children of concern to UNHCR. One of the key findings of a recent evaluation of UNHCR activities related to the protection of refugee children was the “gaps in understanding and ‘operationalizing’ the protection of refugee children.” That is, to what extent are UNHCR field offices able to address both international and personal protection (abuse, neglect or exploitation) concerns for unaccompanied and separated children within the programs and services they administer, such as: birth registration, status determination, education and youth programs, rationing strategy and care arrangements.

The provisional Guidelines on the Formal Determination of the Best Interests of the Child, recently released for field testing, focus on specific circumstances within UNHCR field operations that require a more formal set of procedural safeguards and documentation to ensure the best interests of the child. The ability of UNHCR field offices to effectively implement these Guidelines, will depend in part on the existing processes and systems already in place to ensure that refugee children’s rights are protected and special needs are met in their day to day operations.

This study, therefore, proposes to provide a systematic review of how the protection of refugee children is “operationalized” throughout the displacement cycle in specific field locations. In particular, this study will begin with a mapping of current practices with separated and unaccompanied refugee children from identification and registration, through the search for durable solutions. The proposed mapping will include a review of how child-specific issues are addressed within the mainstream and specialized operations, such as: special procedures or protocol for registration of separated or unaccompanied children, refugee status determination procedures, placement decisions in kinship, foster care or congregate care arrangements, monitoring care arrangements over time, special services or programs for refugee children and adolescents (such as education, health care and social services) and best interest determinations.

Each exercise will provide a detailed analysis of the agencies and individuals involved with separated and unaccompanied refugee children, the current processes in place, lines of accountability, good practices or models and possible gaps or weaknesses. The mapping exercise is not intended to be a qualitative evaluation of UNHCR staff or their implementing partners. It is intended to demonstrate how existing policies, procedures and field operations interact to meet (or not meet) the specific protection needs of separated refugee children. In addition to a report on the results of the mapping exercises undertaken through this agreement, the study will provide a model “mapping” tool and instructions for use by and with other UNHCR field offices. The mapping tool will assist offices in assessing whether the preconditions for doing a formal BID are in place or need strengthening.

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1 According to UNHCR report Meeting the Rights and Protection Needs of Refugee Children, May 2002, the first Guidelines on Refugee Children was published in 1988.
3 The Best Interests of the Child principle is a central concept in The Convention on the Rights of the Child, 1989, and has been upheld by UNHCR in numerous documents, such as the Statement of Good Practice, Separated Children in Europe Programme, 2000, and the above-mentioned Inter-Agency Guiding Principles on Unaccompanied and Separated Children, 2004.
LIRS proposes the following:

1. Description of Beneficiaries
   a) General Background on Beneficiary Population
      Approximately one half of the 19.2 million refugees and persons of concern to UNHCR are children, whose needs for protection and assistance are different than adults. Children depend upon their parents or primary caregivers for their safety and well-being, including access to food, water, shelter, basic health care and education. Their physical and emotional security is threatened by the separation from parents and communities, and is further threatened by recruitment into armed conflict, sexual exploitation and abuse.

      *Separated children* is a term that was developed following the Rwandan genocide to describe those children who have been separated from their parents or customary caregivers, even if accompanied by another adult. Although unaccompanied children are commonly identified as vulnerable and in need of special protection, there is growing awareness that separated, yet accompanied, children have been found to be equally vulnerable even if far less visible.

      Early adolescence creates a different type of vulnerability, developmentally and socially. While cultural practices vary widely, this is a period of added pressure on the adolescent to take on adult responsibilities, including wage earning or marrying. In the refugee camp context, it can also mean increased risk of labor exploitation and recruitment to armed combat and a lack of positive developmental opportunities.5

   b) Specific Information on the Beneficiaries of this Sub-Project
      At the end of 2005, UNHCR estimated 9.2 million refugees worldwide. Of these, 3 to 5% are estimated to be separated or unaccompanied children (between 276,000 and 460,000 children). The most immediate beneficiaries will be the separated and unaccompanied children in the refugee camps selected for the mapping exercise. Selected field operations will receive a detailed analysis of their current operations as they relate to separated children including current strengths and areas for improvement. Secondly, the mapping report, mapping tool and lessons learned will assist UNHCR in its ability to conduct similar analyses in other field locations, with a potential to influence practice worldwide. Finally, while it is not the focus of this study to look at IDP operations, it is possible that this study could also be used to develop a baseline analysis of protection issues related to internally-displaced separated children.

   c) Demographic Projection
      This sub-project aims to increase the capacity of UNHCR staff, NGO partners and refugee communities to respond to the needs of separated and unaccompanied children in the refugee camp context.

2. Implementation Arrangements
   Assessments or “mapping exercises” will be conducted in two field locations agreed upon with UNHCR. The initial mapping form will be developed in consultation with UNHCR based on the existing flowchart of UASC protection and assistance activities developed by IRC and Save the Children UK. The assessments will take place over a period of three to four weeks per location; involve consultations with UNHCR staff, NGOs other relevant UN or international agencies at the field level (e.g. UNICEF, ICRC, IRC), caregivers and the children themselves. In addition, LIRS will consult with other key experts on the protection of separated and unaccompanied refugee children at the international level (e.g. Women’s Commission on Refugee Women and Children). Some of the areas to be addressed are
   - Steps in registration, RSD, care arrangements and monitoring, educational and social services, repatriation or resettlement, etc.
   - Agencies and staff responsibilities, lines of accountability throughout the process.
   - Role of the caregiver(s).
   - Relevant standard operating procedures, office policies and other written guidance.
   - Accomplishments and challenges.
   - Promising practices.
   - Gaps or unmet needs.

5 Ibid.
In order to place these activities in the broader context of UNHCR’s protection mandate, LIRS will provide a report on lessons learned and an analysis of their implications for the replication of this study and the finalization of the *Guidelines on the Formal Determination of the Best Interests of the Child* and their implementation. All policy and practice recommendations will rely heavily on use of the *Inter-Agency Guiding Principles on Unaccompanied and Separated Children* and other recent reports on the care and protection of separated children.

At the end of this study, LIRS will provide UNHCR with a report in five parts:

1. A mapping report on each of the two field operations.
2. Sample mapping tool and instructions for use by other field offices.
3. Lessons learned.

The primary work of this project will be carried out by existing LIRS staff to conduct the two case studies and draft the sections of the report. A consultant may be used for the final compilation, editing and formatting of the report.