

Relocation of unaccompanied children in Europe

European Guardianship Network, March 25,
2021

Rebecca O Donnell & Jyothi Kanics, Child Circle



Purpose of the meeting

- Share information on relocation procedures, current and proposed
- Consider the role of guardians in relocation
- Exchange experience on relocation to date
- Identify ongoing EU and stakeholder activities relevant to relocation that may be of interest to EGN members

Agenda

- Our starting point (what is relocation, EU framework)
- Overview of what has happened to date (actors & activities involved, highlights from FRA)
- Focus on issues for children & guardians
- Exchange within the network: issues of interest
- Looking to the future: what's next for the EU & keeping an eye on developments



Our starting point

- **Relocation: transfer of person seeking international protection from one EU country to another EU country to alleviate pressure on frontline countries**
- “Neighbouring processes”: family reunion under Dublin
- Term also being used for proposed new type of transfer under return sponsorship (we will come back to this)
- Other transnational transfer procedures: return from EU to third countries; resettlement to or from third countries

Framework for relocation

- European Emergency Relocation Mechanism (09/2015-09/2017)
- Voluntary relocation for people rescued at sea
- Voluntary EU supported scheme (post mandatory EU scheme, ongoing)
- Bilateral arrangements including UK “Dubs” scheme
- Proposed future solidarity mechanism involving relocation to bring people from frontline state (EU Migration and Asylum Pact)

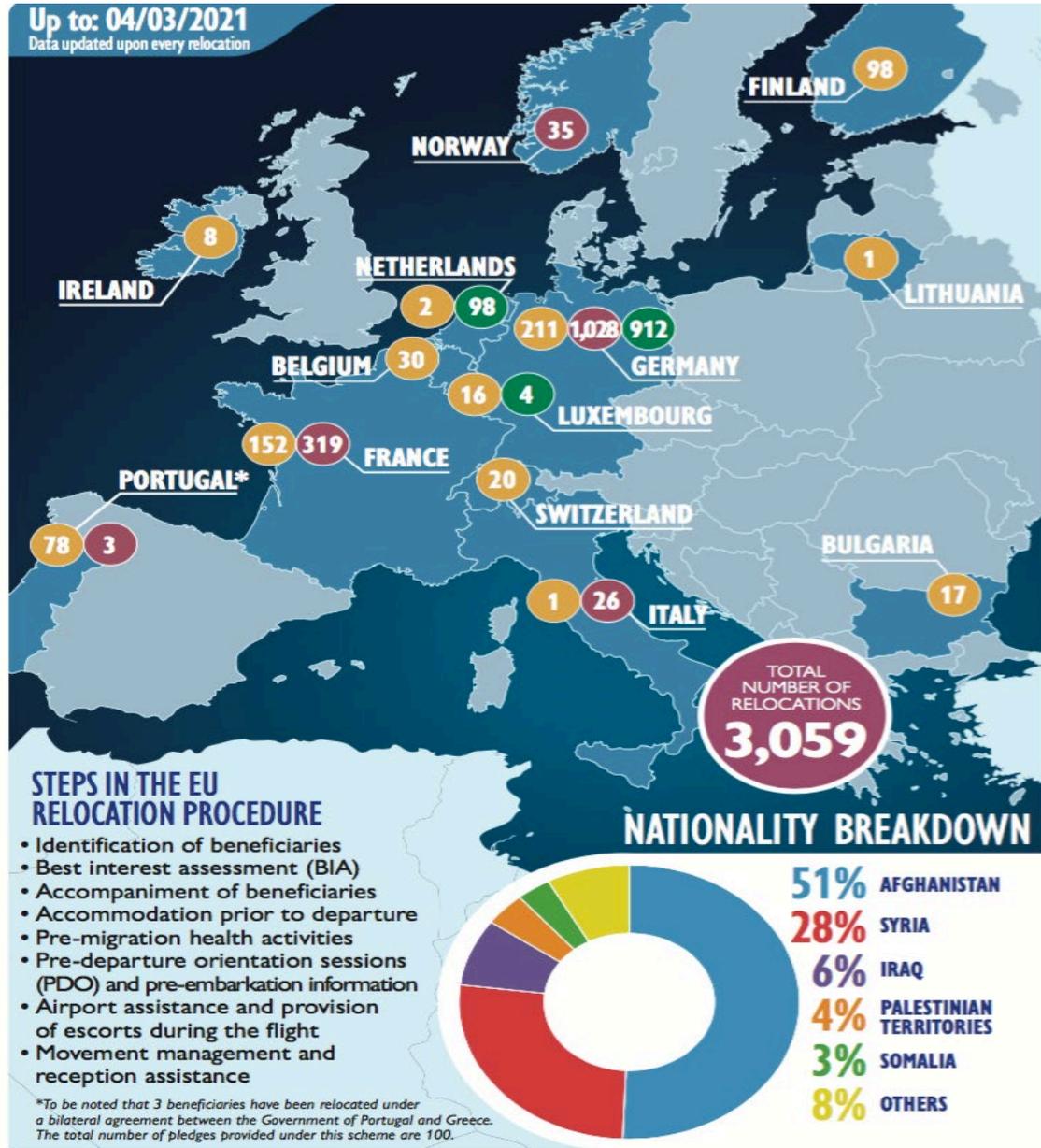
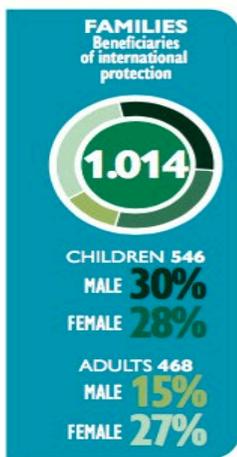
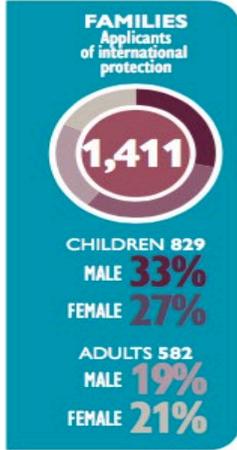
Typical elements of relocation process

- Identification of unaccompanied child
- Appointment of a guardian
- Provision of information
- Review of eligibility for family reunion (Dublin transfer)
- Prioritisation for relocation based on clear criteria (e.g. in need of IP, vulnerability, age, gender, medical needs, disability...)
- Best interests assessment

Typical elements of relocation process

- Matching process
- Security assessments
- Pre-departure preparation (e.g. health assessment, orientation)
- Transfer & reception
- Services after transfer
- Funding relocation

Snapshot: Relocation statistics and experiences



CHILD
CIRCLE

Have you been involved in relocation efforts?

POLL

Have you been involved in:

- *Encouraging your country to relocate children*
- *Developing relocation procedures*
- *Promoting recommendations on relocation processes*
- *The relocation procedure*
- *Supporting children prior to relocation*
- *Supporting children post relocation*
- *Monitoring relocation experiences*

Issues for children



Issues for guardians

Provide information

Facilitate access to necessary legal and procedural information

Support the child in participating in the process

Promote the child's well being

Act as a link between the child and other actors

Assist in finding a durable solution

Exercise legal capacity where necessary

Hold authorities accountable for their actions

Intervene if the welfare of the child is in danger

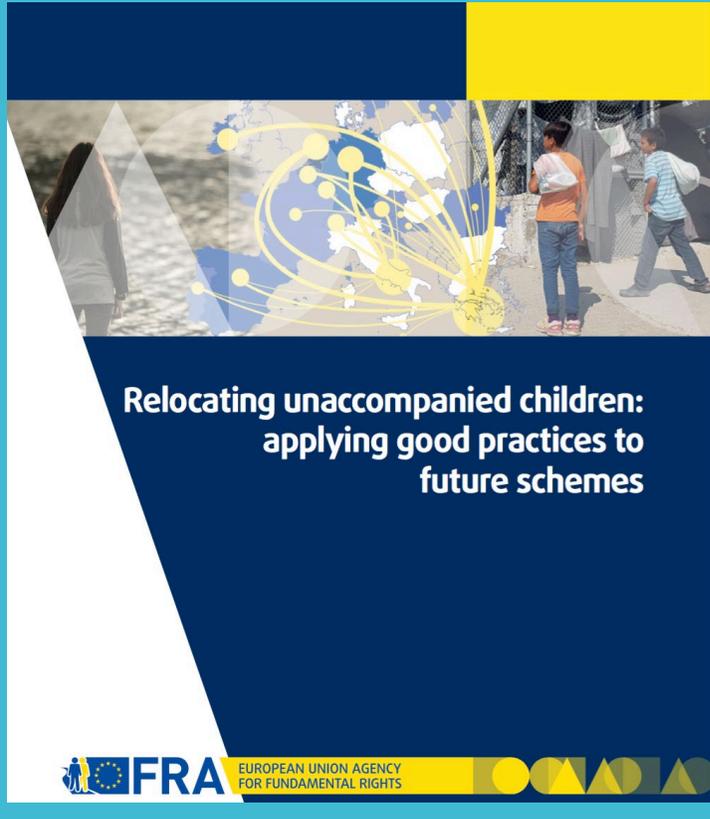


Working with others

e.g.
legal assistance
providers

- Provision of **procedural information**
- **Legal advice and counseling**: explanation of how procedural information is specifically applied to the child's situation
- Helping **gather information** and evidence
- **Legal representation** - assisting the child to express their views and following their instructions
- Safeguarding interests of the child in the **smooth running of procedures**, e.g. ensuring against delays etc
- Assisting with any **review**

Reflections from the FRA



- Study of past experiences: key findings relevant to guardians
- Future training of guardians
- Other points of interest



PRACTICAL GUIDANCE FOR PROTECTING UNACCOMPANIED CHILDREN IN THE RELOCATION PROCESS

FRA Practical Guidance

- 

COORDINATION

 - Protocols and standard operating procedures laying down steps, responsibilities and safeguards in a transparent and clear manner
 - One coordinating body
 - Child protection authorities involved to ensure better integration of child protection expertise
- 

IDENTIFICATION AND SELECTION OF CHILDREN

 - Common and non-discriminatory eligibility criteria applied by all Member States
 - Avoid too stringent eligibility criteria
 - Prioritisation of especially vulnerable children
 - Involvement of NGOs and international actors in reaching out
- 

AGE ASSESSMENT

 - Age assessment only in cases of doubt, and with adequate safeguards
 - Apply the benefit of the doubt
 - Use EASO practical guidance on age assessment, and the gradual implementation of methods starting with non-medical methods
- 

GUARDIAN AND LEGAL SUPPORT

 - Immediate appointment and involvement of the guardian throughout the procedure
 - Guardian trained on relocation and on Dublin procedures
 - Coordination of the guardian with other actors involved
 - Free legal information, assistance and representation to the child and to the guardian
- 

INFORMATION

 - Timely, effective and regular information at each step of the procedure
 - Information easy to understand for children, written and oral
 - Support of help lines and cultural mediators or other communication channels
- 

BEST INTERESTS DETERMINATION

 - Accelerate family reunion in Dublin cases
 - Child's views are considered during the whole process
 - Repetitive questioning to the child is avoided
 - Child and guardian consent to the relocation
- 

SECURITY CHECKS

 - Prioritisation of checks based on existing biometric data against European and national databases
 - Guardian accompanies the child in case interview is strictly necessary
 - Interview done by trained staff and with child appropriate methods
 - Explicit justification in case of rejection for security concerns
- 

PRE-DEPARTURE PREPARATION AND TRANSFER

 - Child-friendly pre-departure information sessions
 - Early coordination of both Member States to transfer the child's care responsibilities
 - Establish as soon as possible contact between the child and the future child guardian or carer
 - Travel escort is the same person that was in contact with the child before the transfer
 - Timely, safe and data protection compliant transfer of files
- 

SERVICES AFTER THE TRANSFER

 - Information about the child to child protection authorities in the Member State of relocation
 - Information to the child about procedures and next steps
 - Transition plan for the child reaching majority

What measures do you think would be helpful to support guardians working in relocation?

POLL

- *Transparent relocation framework with clear mandate for the guardian*
- *Roundtable with local actors involved in each country*
- *Regional information sessions, e.g. on issues children face*
- *Joint training for guardians and lawyers involved in relocation procedures*
- *Better measures for transfer of care and custodial responsibilities including guardianship (e.g. contact with guardians in other country)*

Experience
within the EGN

- EXCHANGE



Looking to the future

- Ongoing relocation efforts
 - EASO Vulnerable Experts Network meeting
 - Links to ongoing FRA work, including guardianship training
 - Other
- Future prospects for relocation
 - Quick snapshot of EU proposal
 - Potential additional considerations



What activities might the EGN contemplate on relocation?

POLL

- *Periodic updates on relocation in the future*
- *Facilitating EGN working group on relocation*
- *EGN participating in regional discussions*
- *Developing resources for guardians*
- *Facilitating information sessions around specific steps or issues for guardians or children*
- *Other?*



Exchange on
potential EGN
activities

Resources

- Child Circle + Missing Children Europe - [Key recommendations for EU action concerning the ongoing initiative to relocate unaccompanied children from Greece](#)
- FRA- [Relocating unaccompanied children: applying good practices to future schemes](#)
- FRA [Practical Guidance Infographic](#)
- UNICEF, UNHCR, IOM - [Minimum Child Protection Standards for Identification of Unaccompanied and Separated Children to be Relocated from Greece to other countries in the EU](#)
- IOM and UNICEF - [Principles and Approaches to Guide the Relocation and Integration of UAC from Greece to other EU Member States](#)
- Webinar: [Relocation of Unaccompanied Children from the Greek Islands](#): Experiences, Guidance, Tools for Best Practice - Hosted by Child Circle, Missing Children Europe, Oxfam & Refugee Rights Europe
- Webinar: [Promoting Child-centred Relocation of Children in the EU](#), Now and in the Future - Hosted by Child Circle & Missing Children Europe