GCM and Children: Priorities and Promising Solutions

Teona Aslanishvili

Child Protection Specialist

UNICEF MENA Regional Office

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GCM: Child-Sensitivity as a Cross-Cutting Principle

The Global Compact promotes **existing international legal obligations** in relation to the rights of the child, and **upholds the principle of the best interests of the child** at all times, as a primary consideration in all situations concerning children in the context of international migration, including unaccompanied and separated children.

Why can children be at risk?

- Separation from families and limited opportunities for family reunification

- Detention for migration control purposes

- Limited access to birth registration and legal identity documents

- Restrictive border policies resulting in children being stranded and exposed to risks of trafficking

- Slow relocation, resettlement and asylum procedures

- Smuggling and trafficking risks at all stages of journey

- Limited or no access to basic services during transit and at destination

- Exposure to discrimination and xenophobia

Why can migration be positive for children?

- Family reunification opportunity

- Increased access to quality education and other services, better opportunities

- Reduction of poverty, security and other risks that were present in the country of origin

- Positive impact of remittances sent by parents/family

Priorities for children

1. Strengthening National Child Protection Systems and Promoting Cross-Border & Cross-Regional Cooperation

- **Account for migrant children in national child protection systems** by establishing robust procedures for the protection of migrant children in relevant legislative, administrative and judicial proceedings and decisions, as well as in all migration policies and programmes that impact children…., as well as **cross-border cooperation frameworks…** (Obj. 7)

- **Protect unaccompanied and separated children** at all stages of migration through the establishment of specialized procedures for their identification, referral, care and family reunification…. , and provide access to sustainable solutions that are in their best interests (Obj. 7)

- Establish **open and accessible information points along relevant migration routes** that can refer migrants to **child-sensitive** and gender-responsive support and counselling (Obj. 3)

- Implement **child-sensitive** border management policies… (Obj. 11)

- Develop gender-responsive and **child-sensitive consular protection, assistance and cooperation** throughout the migration cycle (Obj. 9 & 14)

- **Enhance international, regional and cross-regional border management cooperation** …. (Obj. 12)

National responses:

- **Egypt –** National Child Protection SOPs to include an annex related to children on the move.

- **Morocco** has regularized migrant women and children with irregular status.

Cross-border cooperation and the role of regional organizations/platforms:

- West Africa Network (WAN) – ECOWAS have created a regional case management system to protect children on the move across border.

Promising Solutions

2. Ending Child Immigration Detention

- Protect and respect the rights and best interests of the child at all times, regardless of their migration status, by **ensuring availability and accessibility of a viable range of alternatives to detention in non-custodial contexts**, favoring community-based care arrangements, that ensure access to education and healthcare, and **respect their right to family life and family unity**, and by **working to end the practice of child detention** in the context of international migration (Obj. 13)

- **Ireland, Panama, Japan, Gabon, Taiwan** and **Mexico** have prohibited immigration detention of children by law

- **Bulgaria** recently adopted legal changes effectively banning the detention of unaccompanied and separated children and providing for immediate referral to local Child Protection Departments.

- **Malta and Mexico** are implementing successful alternatives by setting up open reception centers with services for children.

- In **Indonesia** and **Malaysia**, pilot schemes are providing alternative care arrangements for unaccompanied and separated children.

- **Denmark**: Unaccompanied children live for 8 to 10 weeks in a special 'receiving house' where pedagogues develop with each child an individual education plan.

- Across **Europe**, civil society organizations are also developing case management-based alternatives to detention and sharing information and best practices through the European alternatives to Detention Network.

Promising Solutions

3. Ensuring Access to Services

- **Review and revise requirements to prove nationality at service delivery centres to ensure that migrants without proof of nationality or legal identity are not precluded from accessing basic services …** (Obj. 15)

- **Strengthen measures to reduce statelessness**, including by registering migrants' births… (Obj. 4)

- Ensure all migrants have **proof of legal identity** (Obj. 7)

- **Provide inclusive and equitable quality education to migrant children and youth…** (Obj. 15 & 16)

- **Incorporate the health needs of migrants in national and local health care policies** and plans (Obj. 15)

- Establish and strengthen holistic and easily accessible **service points at the local level** that are migrant inclusive (Obj. 15)

- Establish or mandate **independent institutions at the national or local level, such as National Human Rights Institutions, to receive, investigate and monitor complaints** about situations in which migrants' access to basic services is systematically denied or hindered (Obj. 15)

- **Thailand** recently extended access to public education and basic health for all migrant children, regardless of status.

- **Thailand** also allows all children born in Thailand to be registered at birth even when their parents are not Thai nationals.

- **Lebanon** provides access to education to refugee children.

- Bulgaria grants **free education and primary health care to all children regardless of status.**

- **In Mexico:** migration-specific capacity building of Child Protection Authorities (CPAs) who are responsible for detecting and responding to child rights violations, issuing protection measures and developing care and restitution plans for children.

4. Child Rights-Compliant Returns & Reintegration

- Ensure that return and readmission processes involving children are carried out **only after a determination of the best interests of the child**, take into account the right to family life, family unity, and that a parent, legal guardian or specialized official accompanies the child throughout the return process, ensuring that **appropriate reception, care and reintegration arrangements** for children are in place in the country of origin upon return (Obj. 21)

- Facilitate the **sustainable reintegration** of returning migrants into community life by providing them equal access to social protection and services, justice, psycho-social assistance, vocational training, employment opportunities and decent work, recognition of skills acquired abroad, and financial services. Develop and implement bilateral, regional and multilateral cooperation frameworks and agreements, ensuring full compliance with international human rights law, **including the rights of the child** (Obj. 21)

- **Honduras:** To recover from the trauma and violence experienced by migrant children, a special psychosocial support methodology is developed, tailored for returned child migrants. Additional trainings for Ministry of Health social workers and psychologists.

- **Honduras** is providing educational bridge programmes to reintegrate children and adolescents into the country's education system.

- **Myanmar and Thailand** are working on expanding the cooperation previously focusing on returning victims of trafficking. Broadened focus will include cooperation on best interest assessment and possible return and reintegration of migrant children in general.

- In **South Sudan,** a working group of international and local organizations use the Child Protection **Information Management System** (CPIMS) to safely and securely relay information about unaccompanied and separated children and family members using an established information protocol.