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## Safe Return and Reintegration for Migrant Children

A record number of unaccompanied children sought protection in the United States in 2021. As their cases make their way through the U.S. immigration system, some will be granted a form of immigration status and allowed to remain in the United States. Many others, however, will not qualify for legal protection and will be returned to their home countries. Currently, the United States offers little hope or assistance to these children, and yet helping children return safely and reintegrate into their communities is both a legal commitment under the Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), and a practical necessity to change cycles of forced migration. The U.S. government must work to ensure children are returned in safe, dignified, and child-friendly ways and these children receive support to successfully reintegrate into their communities and avoid dangerous re-migration journeys.

### The necessity of safe return and reintegration services and support

When the U.S. government returns a child to their country of origin, that child often returns to the conditions that caused them to make the dangerous journey to the United States alone in the first place, but with added burdens: lasting trauma of their migration experience, a sense of shame or stigma for having “failed” to stay in the United States, significant debt from the journey, and a sense of isolation from the community the child fled.

Through KIND’s direct work with children and research we have seen that returning migrant children often face stigma and discrimination in their communities. Returning children often have significant mental health needs, educational gaps, and, in the case of indigenous children, language and sometimes cultural loss. Without reintegration support, many children will contemplate remigration, fail to access or prioritize educational opportunities, and struggle to adjust and manage their mental health, putting them at risk for a host of challenges in their families and communities as they transition to adulthood.

Returning girls in particular face frequent discrimination and harassment based on the assumption that they have engaged in sexual relations or been victims of sexual violence during their migration journeys. Girls who return pregnant or parenting, in many cases because of sexual violence, often face stigma in their families and communities, as well as challenges with continuing their education. Widespread shame and silence around sexual violence prevent many survivors from talking about their experiences and seeking help. Returning migrant children who have experienced sexual or other forms of gender-based violence—boys, as well as girls—need specialized medical, mental health, and other support services upon return.

Given the wide range of harm that may befall returning unaccompanied children, reintegration services play a vital role in mitigating risks, including the risk of remigration. When it is safe for a child to return, reintegration services can help them transition back to their families and communities and chart a sustainable path forward. In cases with safety concerns, reintegration programs provide protective measures that help mitigate risk and offer a lifeline if the child faces danger in the future. Child welfare professionals and international best practice advise that returned children need reintegration services that consider their individual needs, family systems, and migration experience to successfully reintegrate into their homes, families, and communities. Reintegration services provided by community-based organizations, typically for one year post-return, help children and their families to identify alternatives to forced remigration, address the traumatic impacts of migration and detention, and build skills to identify and work toward personal goals



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## Existing return and reintegration efforts

No formal coordination exists between the U.S. government agencies charged with the care, custody, or repatriation of children and the countries of origin to ensure continuity of care, pre-departure planning and safety screening, follow-up support, or reintegration services. While there have been limited pilot programs to explore reintegration services, such programs have generally been of short duration and have served few children and their families.

U.S. foreign assistance for return and reintegration in the last seven years has largely focused on improving the reception infrastructure and capacity in Guatemala, Honduras, and El Salvador for receiving unaccompanied children and family units. This has included building reception centers and providing individual services at the moment of reception and reunification with a family member but has not extended beyond this. The most significant contribution towards these services has come from USAID which, between 2016 and 2019, contributed \$16.8 million to IOM's [Return and Reintegration in the Northern Triangle Program](#). This program has contributed to the construction and staffing of government run reception centers, as well as initiatives as broad as public campaigns to discourage migration, however no long-term reintegration support for returning children. National governments have also provided staffing for reception facilities to screen returning children, but little to no service coordination after family reunification.

Once in the home, the type of case management recommended by experts and needed to achieve TVPRA's vision of reintegration is unavailable to most returned children. For example, both Guatemala and El Salvador have run small case management pilot programs for children, but these remain local and sporadic.

The absence of widely available and more in-depth support for children remains a significant gap in available services. This gap increases the risk of remigration because the underlying problems facing children and their families have not been resolved. For children especially, the individualized, local assistance needed for reintegration work requires a level of local capacity that the UN Refugee Agency (UNHCR) concluded in 2016 [did not exist](#).

None of these programs, however, responds to the specific needs of returning migrant children in a sustained and meaningful way. To date, the most effective reintegration efforts are led by local nongovernmental organizations (NGOs) in partnership with international humanitarian groups or children's advocacy groups. Among these, KIND's program is the most intensive and reaches the most children. Since 2011, KIND's Child Migrant Return and Reintegration Project (CMRRP) has helped more than 500 unaccompanied children from Guatemala and Honduras reintegrate into their families and communities in their country of origin. The KIND model emphasizes building a coordinated plan as soon as a child has decided or is required to return home, working in advance of the actual return to ensure that the transition will be as smooth as possible for the child. KIND case managers meet with children while they are still in the United States to conduct an assessment and safety screening and begin planning and coordination with other stakeholders. KIND advocates for child-friendly processes, the inclusion of the child's voice in reintegration planning, and ensuring that the child has access to information, support, and services.

In Central America, KIND partners with local organizations who have the cultural competency and country context necessary to work effectively with and advocate for repatriated children and their families. These partners provide case management services for returned children, helping them to settle back into their families, re-enroll in school, overcome the impacts of trauma, and make plans for a safer and brighter future. Services are offered for a year, and beyond when needed, at no cost to families, and frequently include facilitating access to education and vocational training not only for the child, but for family members. The program also supports the specific needs of children who have experienced or are at risk of gender-based



violence, educating them on their rights, assisting them in accessing specialized support and assistance, and empowering them to reach their goals for the future.

By providing greater stability, KIND's reintegration program helps children to remain in school, identify educational and employment goals and opportunities, and connect with other youth, and decreases the likelihood that they will attempt another dangerous journey to the United States. **KIND tracked children who received reintegration services from 2018-2020 for twelve months after their return; more than 90 percent remained in their homes and communities.**

Several other organizations have entered the field of reintegration services over the past decade; however, NGO reintegration programming serves only a tiny fraction of the total children returning and is not able to meet the increasing need. Without partnerships with local and federal governments and funding from major donors committed to providing long-term support, reintegration services will continue to be available to far too few children. A large scale coordinated effort is required to support all returning children to succeed at home and have options other than remigration.

## Expanding Support for Safe Return and Reintegration

The following recommendations for the U.S. government offer concrete strategies to fully implement the TVPRA's promise of safe return and reintegration for children, emphasizing the necessity of addressing such issues before, during, and after repatriation occurs:

### Recommit to child protection

- Consistent with domestic and international child welfare standards, no child should be repatriated to their country unless repatriation is in their best interests.
- Recognize that safe return and reintegration services are a necessary and statutorily required part of the U.S. government's role regarding unaccompanied children. This requires a coordinated effort across government agencies as well as close coordination with officials and other partners in the child's home country as soon as it becomes clear that a child is likely to be repatriated.
- The State Department's Bureau of Population, Refugees, and Migration, USAID and DHS should develop and fund reintegration programs to provide long-term, culturally and child-appropriate services to returning children and their families. Programs should include pre-departure case management and support and should encourage participation of local governments in addition to civil society organizations to provide local mental health and medical care, family counseling, education and job skills training, and legal assistance when needed.
- The State Department in conjunction with DHS and HHS should improve monitoring and evaluation of returns of children and issue the annual reintegration report required under the TVPRA. Reports should include more data on the demographics of returned children, circumstances of return (i.e., outcomes of immigration cases), number of returns of children, as well as a detailed discussion of efforts to enhance safe return, reception, and reintegration efforts in the affected countries.
- Congress should create humanitarian and/or best interest protection visas to permit unaccompanied children and other at-risk individuals to remain in the United States if it has been determined that they do not qualify for another form of relief but would nonetheless be in danger if returned to their country of origin.

### Ensure pre-departure planning and coordination

- The U.S. government must ensure that children's full due process rights are honored prior to repatriation. This includes access to an attorney for a legal screening and full representation on claims for relief from removal, as well as any potential appeals.



- ORR should eliminate the potential for “detention fatigue” that often causes children to abandon viable protection claims by expediting sponsorship and increasing the care options for unaccompanied children who cannot be quickly reunited with a sponsor in the United States.
- Return and reintegration efforts should be led by those with expertise in child migration and child welfare and managed in collaboration with independent child advocates appointed under the TVPRA.
- The United States must not repatriate a child unless a family member or other appropriate caregiver who is able and willing to care for the child in the home country is identified. If safety concerns regarding the potential caregiver are identified, appointment of a child advocate shall be sought, and a home study requested when deemed necessary by the child advocate.
- Prior to repatriation, an independent child advocate should be appointed to conduct a timely best interest assessment (BIA) for each child, including an analysis of the conditions to which they will return, and to conduct home studies as needed.
- Best interest assessments recommending repatriation should include any specific recommendations for repatriation and reintegration that, with the consent of the child, can be shared with reintegration case managers, case managers in the child’s country of origin, and designated family members or caretakers to ensure continuity of care. The child advocate should closely coordinate with the reintegration case manager (see below).
- Best interest assessments should be based on [internationally recognized principles](#). Chief among these are the views and wishes of the child. Additional factors to consider include safeguarding a child’s safety and well-being, as well as the child’s rights to health, family integrity, liberty, development, and identity.
- If the child advocate finds that it is not in the child’s best interests to return, they should not be repatriated, and DHS should provide alternatives, such as deferral of removal, while HHS should assume responsibility for appropriate placement and permanency.
- If the child advocate finds that repatriation is consistent with the child’s best interests, then reintegration planning and services should begin immediately, while the child is still in the United States.
- Reintegration programs should include organizations that work with returning children both in the United States, prior to return, providing pre-departure services, and also in country of origin to continue working with children following repatriation. A reintegration case manager in the United States should meet with children in advance to inform them about the process and their rights and to provide pre-departure planning. This should include conducting a needs assessment and developing an initial service plan to be further developed and revised based on needs following return to the child’s community.

### **Guarantee safe, child-friendly returns**

- Reintegration case managers and/or appropriate government officials should provide children and their caregivers an orientation about the repatriation and reception process prior to repatriation. Children need age-appropriate information about what will happen on their travel day(s), who they will be traveling with, what the reception procedures are in their country of origin, and when they will speak to and/or see their parents/caregivers.
- All travel plans should be made in a child-sensitive way with age-appropriate accommodations. Children should also understand how their basic needs will be met while in transit. For example, children need to understand how/when they will get their meals, where and with whom they will spend their nights if travel is more than one day, and how they will travel from the reception centers to their homes.
- Safeguards for repatriation should be observed: children should never be restrained; travel should be limited to within normal waking hours when possible (if less than a 10-hour travel day); children should be accompanied by known adults who speak their language.



- Child welfare professionals, not immigration officials, should accompany and receive returning children and complete protection screening.
- DHS and HHS should work with consular networks and reintegration service providers like KIND to create child friendly repatriation materials in multiple languages that explain the return process step by step to inform children and alleviate worry. Materials, such as videos, should be provided or shown to all returning children.

#### **Invest in long-term reintegration services**

- The U.S. government should lead bilateral efforts and work with receiving countries, particularly El Salvador, Guatemala, Honduras, and Mexico, to provide comprehensive return and reintegration services to all returning children. The U.S. government should coordinate with government agencies in the child's country of origin to ensure proper care and attention and continuity of care for unaccompanied children, in particular children with special needs or particular vulnerabilities upon return.
- Reintegration programs should include individualized care for returning children, but also services to support and strengthen the family unit. Parents should also receive assistance with access to education, skills building, medical and mental health services, and case management.
- The U.S. government should emphasize capacity building among local community partners and government agencies, encouraging partnerships to expand the resources available to children and families who need reintegration services.
- The U.S. government should leverage private sector investment in successful reintegration through initiatives that build strong communities, as well as the creation of new job and educational opportunities for returning youth and those in high migration communities, for example by providing training, committing to internship and employment opportunities for dignified work, and supporting youth entrepreneurship opportunities.

