

# The importance of integrated child protection systems to respond to unaccompanied and separated children in Europe

## Ahead of the 14th European Forum on the Rights of the Child 2022

In our Advancing Protection project, Kids in Need of Defense (KIND) Europe and Child Circle shine a spotlight on the need to strengthen procedural safeguards (with a particular focus on access to quality legal assistance) for unaccompanied and separated children arriving in the European Union. We share experience and expertise on key issues and provide specific recommendations for EU and national action. Read more [here](#).

We welcome that the 14<sup>th</sup> EU Forum on the Rights of the Child 2022 includes a focus on the situation of children fleeing Ukraine as well as on progress towards strengthening integrated child protection systems.

At the heart of such systems is a child-centred, multidisciplinary, inter-agency approach to managing the cases of children. Integrated child protection systems clearly should play a vital role in the protection of unaccompanied and separated children arriving in the European Union, immediately from their arrival at the border, but also to ensure a proper assessment of their best interests to inform asylum and migration procedures, and when deciding on transfers between countries (for example, for family reunification or relocation).

This Focus Paper brings together KIND and Child Circle recommendations to achieve improvements for unaccompanied and separated children by strengthening integrated child protection systems, and illustrates the importance of EU action in this area.

## Integrated child protection systems should begin at the border

**Child protection actors, alongside migration control authorities, should be present at the borders,** where each is leading on their respective areas of responsibility, as is underlined in our [Briefing Paper and Key Recommendations Concerning Measures at EU Borders for Unaccompanied Children](#).

### What the EU can do?

Our key recommendation is that any EU rules and measures concerning border procedures should **ensure that border procedures are part of an integrated child protection system.** Child-sensitive entry procedures, with the involvement of child protection actors, should be put in place to identify unaccompanied and separated children ensure their rapid referral from the border into national child protection systems.

## Access to and provision of quality legal assistance to the child should connect with child protection systems

The provision of quality legal assistance to an unaccompanied or separated child from their first encounter with the State and in all decision-making procedures is necessary and beneficial both for the child and the State. Legal assistance helps to ensure the child's participation and that their views are given due weight in decision making. Actors from the child protection system not only support children in accessing legal assistance but may themselves be contributing evidence or be engaged in implementing the outcomes of decision-making procedures. Consequently, legal assistance providers need to be in a position to work with other actors, in particular guardians, and ensure that immigration proceedings are coordinated as appropriate with other procedures in which a child is involved. Our report [Advancing Protection for Unaccompanied Children in Europe by Strengthening Legal Assistance](#) focussed on how this can be done.

We recommend that **child-centred and child-sensitive procedures should be in place to ensure that all actors, including legal assistance providers, can work together.** Such inter-agency multidisciplinary case management should lead to better access to, and support for the child across, the different procedures involving them. This would also help to achieve fairer and more efficient outcomes for children.

### What the EU can do?

The initiative to support the development and strengthening of integrated child protection systems foreseen under the EU Strategy on the Rights of the Child **has great potential to ensure that better case management lies at the heart of decision making concerning unaccompanied and separated children.** The scope of the EU initiative should explicitly encompass and support the work of legal assistance providers and guardians for unaccompanied children.

## Safeguards in transnational procedures – connecting national child protection systems

In transnational procedures involving unaccompanied and separated children, such as family reunification and relocation, authorities and actors such as guardians and legal assistance providers in the two countries need to work closely together on the assessment of the child's best interests in decision making and in ensuring proper transfer of care and custodial responsibilities in the event of a decision to transfer the child. Our most recent report, [Strengthening Key Procedural Safeguards for Unaccompanied Children in Transnational Procedures within the EU](#), highlights current challenges achieving this and proposes important areas for action.

### What can the EU do?

The EU has a unique role to play in building transnational procedures, including **by focusing on strengthening procedural safeguards in the reform of the common European Asylum System**, in particular the family reunification provisions and relocation procedures, and in ensuring that best interests procedures are truly multidisciplinary and inter-agency.

Moreover, the initiative to support the development and strengthening of integrated child protection systems foreseen under the EU Strategy on the Rights of the Child could specifically contribute to **promoting and facilitating cooperation between national child protection systems and the actors supporting children across the countries involved**.

## Ukraine emergency response: Integrated child protection systems play a key role

In the [Note on Unaccompanied Children fleeing from Ukraine](#) published by KIND Europe and Child Circle in March, we identified critical areas for action, ensuring strengthening individual assessment processes, including to address the needs of children with acute needs, such as children with disabilities. We underlined the importance of monitoring safety and well-being of children in institutional care, and with extended family caregivers.

Our guiding principles call for a focus on action which strengthens the integrated child protection system which should be at the fore of responding to the situation of these children.

For example, this should involve strengthening case management procedures and deploying standard national procedures and services for children arriving from Ukraine to the extent possible. Procedures built into State structures will tend to be more sustainable. Efforts to strengthen the system should capitalise on procedures, models and tools in the field of child-friendly justice that have been specifically designed in a child-centred way and allow for multidisciplinary inter-agency approaches.

## What the EU can do?

The Council's *political statement on the protection of displaced children from Ukraine in the context of Russia's war of aggression against Ukraine* encourages Member States to ensure that all unaccompanied and separated children fleeing from war in Ukraine, including children from Ukrainian institutions, are fully integrated into national child protection systems and benefit from all services and protection thereby provided, and that their reception is organized in line with the best interests of the children.

**The EU initiative to strengthen integrate child protection systems should build on this recognition and be given a high and sustained political priority by the EU and its Member States.**

## Resources

- [Briefing Note on Unaccompanied Children Fleeing from Ukraine](#)
- [Stepping Stones to Safety: Strengthening Key Procedural Safeguards for Unaccompanied Children in Transnational Procedures within the EU](#)
- [Advancing Protection for Unaccompanied Children in Europe by Strengthening Legal Assistance](#)
- [Briefing Paper and Key Recommendations Concerning Measures at EU Borders for Unaccompanied Children](#)

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