



PROMISING PRACTICES AND OPPORTUNITIES

Toward a Continuum of Protection and Care for Refugee and Migrant Children in the MENA Region

A policy brief on a whole-of-government, whole-of-society approach to providing protection and care of refugee and migrant children in the MENA region, which is based on a mapping research that includes two policy briefs.

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Young children attend ECD (Early Childhood Development) Centre at Markazi camp for Yemeni refugees. Djibouti.

According to the UNHCR, the Markazi camp hosts around 2,000 refugees fleeing conflict in Yemen since 2015. According to the UNHCR chief of field office, 203 refugees newly arrived in January 2018.



INTRODUCTION AND OBJECTIVE

In the Global Compact for Safe, Orderly and Regular Migration (GCM), adopted by most governments in the Middle East and North Africa (MENA) region, states reaffirmed their commitment to protect and respect the rights and best interests of the child at all times, regardless of migration status and to uphold the GCM's guiding principle of Child Sensitivity. Governments agreed to action their commitment by strengthening certainty and predictability in migration procedures for appropriate screening, assessment and referral, providing access to basic services, and ensuring the availability and accessibility of a viable range of alternatives to custody, favouring community-based care arrangements that respect rights¹ and ensure access to services.

With the aim to support sharing among governments in the MENA region, and to strengthen practices in line with the Convention on the Rights of the Child and the Global Compact for Migration, International Detention Coalition (IDC) and UNICEF conducted a mapping of “Promising Practices and Opportunities Toward a Continuum of Protection and Care for Refugee and Migrant Children in the MENA Region.” The research analysed trends and identified promising protection and care practices for refugee and migrant children with a focus on child-sensitive alternatives to custody across 9 countries in the MENA region: Djibouti, Egypt, Jordan, Lebanon, Libya, Morocco, Tunisia, Saudi Arabia, and Sudan.

1 UN, Global Compact for Safe, Orderly and Regular Migration (GCM), Objective 13(h), 2018, available at: <https://migrationnetwork.un.org/sites/g/files/tmzbdl416/files/docs/gcm.pdf>

This mapping research identified key promising practices in the MENA region, including:

- Whole-of-government, whole-of-society approaches to providing protection and care for refugee and migrant children (see policy brief 1)
- Child protection laws and policies that are inclusive of all children, regardless of nationality; as well as those that allow refugee and migrant children equal access to services, including health and education;
- Examples of formal status and documentation which provide refugee and migrant children with some legal protection from being detained;
- Community-based informal structures which act as a key resource for identifying and supporting refugee and migrant children in need, (including informal community and family-based care initiatives (see policy brief 2)
- Mechanisms for swift identification and referral of children, whereby law enforcement and immigration authorities coordinate and refer refugee and migrant children to child protection authorities for follow-up and care;
- The development of child case management processes and tools, moving towards standardised approaches inclusive of refugee and migrant children; and
- Positive measures in response to COVID-19 for refugee and migrant children and families.

The mapping also identified key challenges, areas where policy implementation could be strengthened, and opportunities for targeted interventions towards ensuring that children are protected and cared for in the community while their migration matters are being resolved.

The following policy briefs provide further information and country-specific examples regarding two of the key promising practice areas identified in the mapping:

1. Whole-of-government, whole-of-society approaches.
2. Community and family-based alternative care initiatives.

A regional report will be forthcoming, and will include broader findings and promising practices that were mapped across 9 countries in the MENA region.

POLICY BRIEF 1 OF 2

A whole-of-government, whole-of-society approach to providing protection and care of refugee and migrant children: promising practices in the MENA region

The aim of this brief is to showcase promising practices towards a whole-of-government, whole-of-society approach to ensuring protection and care of refugee and migrant children in the MENA region. These are provided to support sharing among MENA governments on challenges, strengths and possible ways towards a continuum of protection and care in community settings for refugee and migrant children.

What is a whole-of-government, whole-of-society approach?

Whole-of-government and whole-of-society approaches are two cross-cutting guiding principles of the Global Compact for Migration (GCM).²

The GCM recognises that “migration is a multidimensional reality that cannot be addressed by one government policy sector alone.” Further the GCM considers: “To develop and implement effective migration policies and practices, a whole-of-government approach is needed to ensure horizontal and vertical policy coherence across all sectors and levels of government.”³

The GCM further promotes a whole-of-society approach, including “broad multi stakeholder partnerships to address migration in all its dimensions by including migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, national human rights institutions, the media and other relevant stakeholders in migration governance.”⁴

2 UN Network on Migration, Whole-of-government approach, 2022, available at: <https://migrationnetwork.un.org/taxonomy/term/737>

3 UN, Global Compact for Safe, Orderly and Regular Migration (GCM), Objective 13(h), 2018, available at: https://refugeesmigrants.un.org/sites/default/files/180713_agreed_outcome_global_compact_for_migration.pdf

4 Ibid

What is the importance of this approach?

IDC's mapping research in the MENA region highlights the importance of a whole-of-government and whole-of-society approach in ensuring protection and care of refugee and migrant children in countries in the region. In particular, the active involvement and commitment of a range of governmental and non-governmental actors can support policies and programmes for refugee and migrant children to live in community settings - with access to essential services and rights - while their migration matters are being resolved, as envisaged in line with the GCM.

Relevant government actors could include departments such as, child protection, justice, social welfare/development, health, education, gender and women's affairs, foreign affairs, immigration, as well as migration management authorities at different levels of government, including municipal, local, national, and regional authorities, especially in border and dis/embarkation locations. Other key stakeholders in the region include grassroots organisations, civil society, UN actors, National Human Rights Institutions and humanitarian organisations, as well as children, families, and communities impacted by migration and migration policy.

What are the benefits of this approach?

A whole-of-government and whole-of-society approach towards protection and care of refugee and migrant children can support governments to:

- Address multidimensional realities of migration including border management, while responding to the protection needs of refugee and migrant children.
- Draw on strengths in the national context and use resources effectively to strengthen services and systems for all children.
- Facilitate sharing of expertise and mobilise funding.
- Strengthen the coordination of child protection systems, to avoid fragmented or parallel approaches that disrupt the continuum of protection and care.
- Ensure that interventions benefit both host and diaspora communities, including impacted families and children themselves.

SELECTED EXAMPLES TOWARDS A WHOLE OF GOVERNMENT, WHOLE OF SOCIETY APPROACH

Procedures for identification and referral of children

Authorities in **Egypt** are making efforts to strengthen child protection mechanisms, working towards an “integrated” model of child protection which includes, without discrimination, both Egyptian and non-Egyptian children.⁵ In 2016, the National Council for Childhood and Motherhood (NCCM) was given a statutory role in law to protect unaccompanied children.⁶

5 NCCM, Standard Operating Procedures for the Protection and Assistance of Child Asylum-Seekers, Refugees and Victims of Migrant Smuggling and Trafficking in Persons, January 2020, available at: <http://www.nccm.gov.eg>

6 Article 3 of Law No. 82 of 2016 on Combating Illegal Migration and the Smuggling of Migrants

In 2018, the NCCM established a national Children on the Move Taskforce, with the involvement of UNICEF, UNHCR and IOM, which “engages with stakeholders to coordinate efforts, share information, and develop common approaches and tools” to ensure implementation of the 2016 law.⁷ Through the taskforce, guidelines were developed on the protection and assistance of children seeking asylum, and child refugees and migrants,⁸ using “a participatory approach with all the concerned national entities.” The standard operating procedures (SOPs) describe the roles of a range of government actors included within the National Coordinating Committee on Human Trafficking (NCCPIM&TIP), such as the NCCM, the Ministries of Foreign Affairs, Defence, Justice, Interior, Social Solidarity, Health, Education, Emigration, and the Public Prosecution, as well as UN agencies, civil society, and community organisations.⁹

In terms of multi-level government involvement, District Child Protection Committees are responsible for child protection services at the local level in Egypt.¹⁰

Coordination mechanisms

In **Djibouti**, a child protection platform, Plateforme Nationale de Protection de l’Enfant (PNPE), was established by Presidential Decree to operationalise Djibouti’s national action plan on children.¹¹ This platform is composed of different government departments and institutions relevant to early childhood development and child protection mandates, and activities of the platform are operationalised through working groups.¹² According to one source, the platform is key to institutionalising cooperation and collaboration, and facilitating referrals between different government departments. The platform can also determine high level discussions on policies, and direct provision of services.¹³

designates the NCCM as the legal guardian of UASC, available at: <http://www.nccm.gov.eg>

7 UNICEF and NCCM, Children on the Move in Egypt, accessed on 21 March 2022, available at: <https://www.unicef.org/egypt/media/5476/file/Children%20on%20the%20Move.pdf>

8 National Council of Childhood and Motherhood, Standard Operating Procedures for the Protection and Assistance of Child Asylum-Seekers, Refugees and Victims of Migrant Smuggling and Trafficking in Persons, 2020, available at: <http://www.nccm.gov.eg>

9 Ibid at 17-27.

10 Anonymous expert interviewed in 2022

11 Décret N° 2021-194/PR/MEFF portant création et organisation de la plateforme nationale de protection de l’enfant en République de Djibouti, available at: https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=112561&p_count=3&p_classification=04

12 Anonymous expert interviewed in 2022

13 Ibid

Consultations and inclusive child protection systems

Morocco conducted broad consultations for the development of its national child protection policy, Politique Publique Intégrée de Protection de l'Enfance du Maroc (PPIPEM). In total, 900 governmental and non-governmental actors and 730 children - including migrant children - were consulted.¹⁴ The PPIPEM explicitly recognises unaccompanied migrant children as a category of children experiencing heightened vulnerability. As part of implementing the PPIPEM, Morocco is currently in the process of setting up an Integrated Territorial System for Child Protection (DTIPE).¹⁵ This is a decentralised child protection system for all children, with child protection offices in each province. A document published in December 2021 sets out referral mechanisms to support child protection case management.¹⁶ A range of tools, SOPs and guidelines have been developed for child protection assessment, planning and multisectoral interventions and information sharing.¹⁷

14 La Politique Publique Intégrée de Protection de l'Enfance du Maroc – PPIPEM, pp. 14 and 15, available at: <http://www.association-bayti.ma/doc-bayti/PPIPEM-Version-fran%C3%A7aise.pdf>

15 Anonymous expert interviewed in 2022

16 Royaume du Maroc Ministère de la Solidarité, de l'Insertion Sociale et de la Famille, Dispositif Territorial Integre de la Protection e l'Enfance: Le circuit de protection de l'enfant, available at: <https://social.gov.ma/dispositif-territorial-integre-de-protection-de-lenfance/>

17 UNICEF, Country Office Annual Report 2021 Morocco, available at: <https://www.unicef.org/reports/country-regional-divisional-annual-reports-2021/Morocco>

Recommendations for strengthening whole of government and whole of society approaches:

- Map the range and responsibilities of governmental and non-governmental actors that have a role to play in ensuring protection and care of refugee and migrant children, using a participatory whole-of-government/whole-of-society approach at national, regional and local levels.
- Strengthen leadership capacity and other capacity building efforts for the protection and care of refugee and migrant children, such as migration management and child protection authorities.
- Conduct consultations with relevant governmental and non-governmental actors - including refugee and migrant children themselves - in the development of policies and programmes which relate to protection and care of refugee and migrant children.
- Set up and/or strengthen inter-institutional and inter-sectoral coordination mechanisms for developing and operationalising policies and procedures.
- Adopt policies and operational guidelines which set out the role of relevant governmental and non-governmental actors in the identification, referral protection and care of refugee and migrant children in community settings.
- Increase financial, physical and human resources to strengthen implementation of policies and guidelines for the coordinated whole-of-government/whole-of-society protection and care of refugee and migrant children.
- Invest in child protection systems that are inclusive of all children, regardless of nationality or migration status.
- Continue to identify and support ways to build trust and coordinate whole-of-government and whole-of-society approaches.
- Share promising practices on whole of government and whole of society approaches on the protection of migrant and refugee children with different authorities and with other governments in the region and beyond.

About IDC

IDC advocates to secure the human rights of people impacted by and at-risk of immigration detention. In partnership with civil society, UN agencies, and multiple levels of government, we strategically build movements, and influence law, policy and practices to reduce and end immigration detention and implement rights-based alternatives to detention. IDC is a powerful global network of more than 400 organisations, groups, individuals, as well as representatives of communities impacted by immigration detention, based in over 100 countries. IDC members have a wide range of specialisations related to immigration detention and alternatives to detention (ATD), including academia, law, research, policy, direct service, advocacy, and community organising.

About UNICEF

UNICEF works in the world's toughest places to reach the most disadvantaged children and adolescents – and to protect the rights of every child, everywhere. Across more than 190 countries and territories, we do whatever it takes to help children survive, thrive and fulfil their potential, from early childhood through adolescence. Before, during and after humanitarian emergencies, UNICEF is on the ground, bringing lifesaving help and hope to children and families. Non-political and impartial, we are never neutral when it comes to defending children's rights and safeguarding their lives and futures.

And we never give up.
UNICEF | for every child

About the Report

IDC was responsible for collecting and analysing the data, as well as authoring this report. The report was financed by UNICEF and the Robert Bosch Foundation as part of a collaboration with IDC. We hope the two policy briefs will provide a better understanding of the current trends and practices with regards to the rights to protection and care of refugee and migrant children in the countries covered in the report, and also provide evidence and momentum towards the use of protection-centred, community and family-based care in the MENA region.

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