



PROMISING PRACTICES AND OPPORTUNITIES

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

A policy brief on community and family-based alternative care initiatives for 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/tmzbd416/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 2 OF 2

Community and family-based alternative care initiatives for refugee and migrant children: Promising practices in the MENA region

The purpose of this policy brief is to highlight the potential of informal community and family-based care initiatives, which play an important role in providing alternative care for unaccompanied and separated children on the move (UASCOM) in the MENA region. The brief aims to support sharing among MENA governments on challenges, strengths and possible ways towards a continuum of protection and care of migrant and refugee children.

Alternative care for Unaccompanied and Separated Children on the Move (UASCOM)

The Convention on the Rights of the Child (CRC) establishes the need to provide alternative care for children temporarily or permanently deprived of their family and/or family environment. As recognized in the Global Compact for Migration (GCM), providing care for UASCOM is key to ensuring their best interests, including that children can live in community settings without being deprived of liberty while their migration matters are being resolved.²

Alternative care “is the care provided for children by caregivers who are not their biological parents. This care may take the form of informal or formal care. Alternative care may be kinship care; foster care; other forms of family-based or family-like care placements; residential care; supervised independent living arrangements for children.”³

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

3 CPC Network, INTER AGENCY GUIDELINES FOR CASE MANAGEMENT & CHILD PROTECTION, 2014, available at: http://www.cpcnetwork.org/wp-content/uploads/2014/08/CM_guidelines_ENG_.pdf

Informal care is “any private arrangement provided in a family environment, whereby the child is looked after on an ongoing or indefinite basis by relatives or friends (informal kinship care) or by others in their individual capacity, at the initiative of the child, [the] parents or other person without this arrangement having been ordered by an administrative or judicial authority or a duly accredited body.”⁴

Mapping alternative care for Unaccompanied and Separated Children on the Move (UASCOM) in the MENA region

Governments across the MENA region are working to develop and strengthen alternative care systems for children in need. While this work is ongoing, IDC’s mapping identified a range of formal and informal alternative care options being used for UASCOM including temporary shelters, other institutional care, and community and family-based care arrangements supported by the State, UN agencies and/or civil society. Nevertheless, the limited placement options available for unaccompanied and separated refugee and migrant children represents a significant challenge in terms of ensuring their protection and care across the region.

4 UN Guidelines for the Alternative Care of Children available at <https://digitallibrary.un.org/record/673583?ln=en>

PROMISING PRACTICES IN MENA

Community hosting and family-based care initiatives

In this context, IDC's mapping identified strong and often well-established informal community hosting mechanisms for refugee and migrant children and vulnerable adults as a key promising and unique practice in the region. Examples of informal community hosting practices were found in Djibouti, Egypt, Jordan, Libya, Lebanon, Morocco and Sudan. These include informal family and kinship care initiatives within diaspora and host communities which play an important role in providing alternative care for UASCOM in many countries. Some countries, including Jordan and Egypt, have developed policies setting out alternative care options for refugee and migrant children.

How does informal community and family-based alternative care work?

Families and individuals within refugee, migrant or host communities voluntarily take in and provide alternative care for unaccompanied and separated refugee and migrant children and young people. These community hosts provide children with a family environment in which to find stability and safety. They can help children begin to recover from traumatic experiences, and meet both emotional and practical needs. Informal community networks may play a role in facilitating hosting arrangements, while civil society and UN organisations sometimes support community hosting practices.

What are the benefits of informal community and family-based care mechanisms?

- Children are cared for in a family-based setting - in line with the UN guidelines on alternative care⁵ - rather than in institutional living arrangements which are often harmful for children
- Informal alternative care arrangements can help respond to limited

5 UN, Guidelines for the Alternative Care of Children, 2010, available at: <https://digitallibrary.un.org/record/673583?ln=en>

availability of formal alternative care places for refugee and migrant children,

- Placement in a family household can support children to find stability, meet basic needs, and feel safer, which can also facilitate their voices being heard
- Recognition of and referral to community-based care arrangements can provide child-sensitive alternatives to custody, which better ensure access to rights and services in line with the GCM.
- Informal alternative care arrangements can facilitate inclusion in the national child protection case management system and ensure the continuum of protection and care until a best interest, durable solution is identified.

Support of community and family-based care can be strengthened by:

- Identifying and assessing appropriate families/individuals families/individuals who are willing to host UASCOM in the community.
- Training of future host families/individuals to prepare for hosting.
- Matching children with families, considering factors such as nationality, language, race, religion, and culture.
- Providing material support for the child and host family for example: food, clothing and healthcare provisions.
- Conducting periodic follow-up visits, psychological and/or case management support to check up, help resolve issues and ensure the well-being of the child and host family.
- Facilitating access to services for the child as well as the host family's children, for example referral to schools.
- Providing financial support for the host family to carry out hosting and ensure a stable home environment for all in the household.

SELECTED EXAMPLES OF INFORMAL ALTERNATIVE CARE ARRANGEMENTS IN MENA

Sudan has a system for placing UASCOM in family-care within diaspora communities.⁶ These communities, called Jaliyah in Arabic, have legal residency in Sudan through an institutional structure and government process that is semi-formal.⁷ Authorities reportedly refer released children to these communities, who collaborate with community-based organisations, UN agencies and NGOs to find placement options for children within the community.⁸

6 Anonymous expert interviewed in 2022

7 Ibid

8 Ibid

In **Djibouti**, family-based and kinship care is provided by the community for unaccompanied and separated children, supported by civil society and UNICEF.⁹ Children are placed in a family (including both migrant and Djiboutian families), who are pre-identified and assessed by Caritas, or placed within their extended family.¹⁰ There is a process of assessment and matching between the child and the family, including training and follow-up with the provision of food and health services to the child and the host family.¹¹

In **Jordan**, there are a number of alternative care arrangements set out in policies for unaccompanied and separated children, which include refugee and asylum-seeking children rather than migrants.¹² There are also standard operating procedures (SOPs) for Emergency Response to Unaccompanied and Separated Children in Jordan by the Child Protection Sub Working Group Jordan - UASC Task Force, which include Guidelines that specify decisions regarding care arrangements. These guidelines state that such decisions should always be “guided by a holistic and comprehensive assessment of the child’s situation and what will be in [the child’s] best interests.” Family care and “community-based care” (i.e., hosting of refugee children in refugee communities) are to be prioritised.¹³

Opportunities and gaps

Community and family-based alternative care initiatives play an important role in supporting the protection and care of refugee and migrant children in many countries in the MENA region. There is an opportunity to support and strengthen such initiatives as a way to provide further - and often much needed - alternative care placements for refugee and migrant children. By building on existing practice and learnings, governments can strategically improve, invest and formalise community-based care arrangements to ensure child-sensitive alternatives to custody.

9 Ibid

10 Ibid

11 Ibid

12 The Inter-agency emergency standard operating procedures for prevention of and response to gender-based violence and violence, abuse, neglect and exploitation of children in Jordan (2014 Edition), 2015, available at: <https://reliefweb.int/report/jordan/inter-agency-emergency-standard-operating-procedures-prevention-and-response-gender>. See also; Standard Operating Procedures for Emergency Response to Unaccompanied and Separated Children in Jordan (CP Sub Working Group Jordan - UASC Task Force), available at: <https://data2.unhcr.org/en/documents/download/44172>.

13 Standard Operating Procedures for Emergency Response to Unaccompanied and Separated Children in Jordan (CP Sub Working Group Jordan - UASC Task Force), available at: <https://data2.unhcr.org/en/documents/download/44172>

The community and family-based alternative care options identified in the mapping research are not all operating under the national child protection system umbrella; thus, some models may not be designed in compliance with international child protection standards. In some cases, protection concerns for UASCOM in informal family-based care have been reported. This highlights the need for official standards of care, oversight and accountability in order to ensure the child's welfare and protection, is in line with the UN guidelines for alternative care.¹⁴ As described above, work is already underway by government and/or UN and civil society actors in some countries to strengthen preparation, monitoring and follow-up procedures, as well as in some cases to formalise the placement of UASCOM in family-based care.

The UN Guidelines for Alternative Care of Children state

“Recognizing that, in most countries, the majority of children without parental care are looked after informally by relatives or others, States should seek to devise appropriate means, consistent with the present Guidelines, to ensure their welfare and protection while in such informal care arrangements, with due respect for cultural, economic, gender and religious differences and practices that do not conflict with the rights and best interests of the child.”¹⁵

14 The UN Guidelines for Alternative Care of Children state: Available at <https://digitallibrary.un.org/record/673583?ln=en>

15 Ibid

Recommendations for moving forward and building on community and family-based alternative care initiatives:

- Use a participatory and coordinated whole-of-government/whole-of-society approach to map strengths and gaps in the national context in terms of the availability of alternative care for UASCOM, including existing informal community and family-based care initiatives.
- Facilitate the exchange of experiences and learnings related to community and family-based care initiatives for UASCOM with other governments in the MENA region and beyond.
- Support the strengthening and scaling-up of informal family-based care arrangements, working with communities, civil society, governments and UN actors.
- Develop policies and procedures for the provision of alternative care for UASCOM through consultation, including with children themselves.
- Ensure official standards of care, monitoring, accountability, and right for review for family-based alternative care.
- Increase alternative care places for UASCOM as a priority, to help ensure a continuum of protection and care in community settings while children's migration matters are being resolved.



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On 21 November 2020, a young girl gazes intently at the camera at the Um Rakoba refugee camp. Many of the refugees who made it to Sudan have been resettled to the Um Rakoba camp about 43 miles away from the border. Refugee families urgently need basic things like food, shelter, toilets and clean water.

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.

IDC gratefully acknowledges the expertise and insight of all contributors and partners who were interviewed in this research. The views expressed in this document are those of the authors.

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