## UNHCR Submission for the Special Rapporteur on the Sale and the Sexual Exploitation of Children

Reporting period: 2014-19

Displaced children – whether refugees or internally displaced – or stateless children are at greater risk than adults of abuse, neglect, violence, exploitation, trafficking or forced recruitment into armed groups. They may experience and witness disturbing events or be separated from their families. At the same time, family and other social support networks may be weakened and education may be disrupted. These experiences can have a profound effect on children – from infancy and childhood through to adolescence. During emergencies and in displacement, all children are at heightened risk of sexual exploitation, sale and trafficking, and girls in particular may be targeted.

Perhaps the most persistent challenge in the period of 2014 – 2019 has been the sheer numbers of displaced children at risk fleeing violence and persecution. The number of refugee and internally displaced children is increasing, putting huge pressure on the communities, governments and humanitarian agencies who work to protect them.As of 2016, around 1 in 80 of the world’s children was living in forced displacement – an estimated 28 million children[[1]](#footnote-1). Throughout the reporting period, children constituted around half of the total refugee population – for refugees in Africa, this rises to 59%[[2]](#footnote-2). This is a marked increase from 2009, when children constituted 41% of the refugee population[[3]](#footnote-3).

Armed conflict and violence are among the most frequent drivers of displacement of children, but children face many types of violations of their fundamental rights. The top 5 refugee-producing countries all have armed forces and/or groups that are listed for grave violations of children’s rights in armed conflict by the Secretary General[[4]](#footnote-4). Child-specific forms of persecution are often interconnected with other factors, including the loss of parents to war or disease, acute poverty and food insecurity, and lack of educational and economic opportunity.

In spite of these numbers, measures to protect and care for displaced children at risk, including separated and unaccompanied children, are still insufficient. Refugee, internally displaced and stateless children are often more at risk of all types of violence and abuse. They have fallen prey to smugglers and traffickers, and are at risk of recruitment into armed groups, sexual and gender-based violence, kidnapping, child labour and child marriage. An estimated 77% of refugee adolescents do not attend secondary school, depriving them of a key protection measure. [[5]](#footnote-5) Child labour and child marriage continue to be persistent phenomena in many refugee hosting countries. In Jordan, for example, court data shows that the number of all Syrian marriages in Jordan that included a child bride has more than doubled since 2014.[[6]](#footnote-6) According to a 2015 survey, among the 1,510 street-based children in Lebanon’s 18 districts, almost three-quarters (73%) originate from Syria and almost 61% came to Lebanon during the Syrian crisis.[[7]](#footnote-7)

### Unaccompanied and separated children (UASC)

Despite the efforts of States, organisations and communities, challenges remain in providing protection for unaccompanied and separated children (UASC), in particular due to the limited availability of durable solutions, limited specialized services, and challenges in implementing quality community-based alternative care options for UASC. There is no global tally of UASC who seek asylum or who are recognized as refugees. Countries use different definitions of such children and do not always record them separately from children who are present with their families – despite the fact that children who are deprived of parental care or separated from their primary caregiver are considered particularly vulnerable to exploitation and abuse, and entitled to special protection. In 2017, UNHCR reported 173,800 UASC, and in 2018 138,600 children. This conservative estimate takes into account new applications, asylum seekers and refugees[[8]](#footnote-8). By comparison, UNHCR operations reported 73,599 Best Interests Assessments conducted in 2017, and 62,790 conducted in 2018. [[9]](#footnote-9)

A critical development in the reporting period is the increasing number of children undertaking multi-country journeys alone, often along dangerous migration routes. Many UASC remain in countries of asylum in their region of origin. But others move onward, frequently with the involvement of smugglers, risking multiple forms of exploitation, including by human traffickers. In many cases, these children are trying to join parents or relatives located in other countries. Children also cite the lack of legal documentation and absence of educational prospects in their first countries of asylum as key reasons for their onward movement. They further identify discrimination, punitive measures such as detention, limited access to food, shelter, health care and jobs, and, above all, the lack of prospects for the future as “push” factors. In 2015, the world was shocked as some 112,305 asylum claims were lodged by UASC – the highest number since UNHCR started reporting such data in 2006. While the number of arrivals has significantly decreased since 2016, children, including UASC, still make up an important percentage of arrivals in many European countries[[10]](#footnote-10), and there are remain concerns about reception conditions. There were an estimated 3,800 UASC in Greece in June 2018, but only 1,140 places in shelters. Many children spend lengthy periods in protective custody and in the Reception and Identification Centres on the islands while others stay in informal housing or risk homelessness.[[11]](#footnote-11) UNHCR continues to work with European States to find solutions for UASC. For example, in 2018, 20 children have departed Greece to the UK within the framework of the Dubs Scheme. [[12]](#footnote-12)

While the situation of displaced children in Europe has brought unprecedented attention to the issue, it should be remembered that the majority of refugee and internally displaced children, including unaccompanied and separated children, remain in host countries closer to their countries of origin. The South Sudan refugee situation, for example, justifiably continues to be characterized as a children’s crisis. Some 63 per cent of the over 2,256,000 refugees are under the age of 18, and over 65,000 children have been registered unaccompanied or separated from their parents or usual caregivers.[[13]](#footnote-13) Of the 3.6 million refugees and migrants from Venezuela in Latin America and the Caribbean, 460,000 of them children.[[14]](#footnote-14) Amongst the over 5.5 million Syrian refugees residing in neighbouring countries, 2.5 million are children, and there are over 10,000 refugee children recorded in the region as either separated, unaccompanied or in institutional care.[[15]](#footnote-15)

When children are not supported with quality alternative care and realistic options for their futures, they are more likely to risk dangerous journeys to reach countries in Europe or the global North. In order to strengthen quality family-based care and wellbeing for UASC in the absence of durable solutions, UNHCR is operations work to support foster families, including through providing parenting programmes, economic support and follow-up visits. Strengthening family-based care and expanding complementary pathways such as family reunification is helping to overcome the challenge of onward movement which puts children at risk of sale and sexual exploitation.

**Promising practices:**

* UNHCR is working with States to strengthen policies and practices in relation to UASC in the European Union, where a *Roadmap to Strengthened Policies and Practices for UASC[[16]](#footnote-16)* was developed following extensive consultations in 2016. UNHCR continues to work with States on the Roadmap as well as the recommendations made in *Safe and Sound*[[17]](#footnote-17), including through a multi-country project to strengthen asylum and protection systems for refugee and migrant children[[18]](#footnote-18).
* UNHCR and partners implemented the “Live, Learn & Play Safe” regional initiative in Egypt, Ethiopia, Sudan and Yemen from 2014-2016, with the primary objective of improving the condition and well-being of refugee and asylum-seeking UASC and other children at risk. This regional initiative strengthened case management to systematically address immediate and longer-term needs: identification and registration, Refugee Status Determination (RSD), alternative care arrangements, psychosocial support, counselling, and family tracing and reunification. As a result, a total number of 13,460 UASC received targeted assistance in just the first year and half of the project, and access to services to address their basic needs was improved, including in the areas of shelter, health care, education, skills development, vocational training and recreational activities. Due to these new developments, the number of young people engaging in dangerous and life threatening actions, such as resorting to criminal networks for assistance with onward movements, decreased in two of the six locations, Shire (Ethiopia) and Khartoum (Sudan).

### UNHCR’s work to strengthen access to national child protection systems

A key area of emphasis for UNHCR during the reporting period has been to work with States to ensure that all displaced and stateless children are able to access national child protection systems without discrimination, including through ending childhood statelessness.In line with the New York Declaration and the Comprehensive Refugee Response Framework (CRRF), UNHCR has worked with partners to systematically include children and youth on the move in national action plans and programmes, including those related to the Sustainable Development Goals. The adoption of the Global Compact on Refugees (GCR) by the General Assembly at the end of 2018 is also an achievement in itself in terms of the recognition of the need for greater inclusion of children and youth on the move in national child protection and education systems. Progress has also been made towards the inclusion of refugee children in national child protection systems in specific countries and regions, and in strengthening asylum and protection systems for refugee children.

UNHCR has worked during the reporting period in close partnership with governments and undertook joint missions, established joint coordination mechanisms, and advocated for inclusive legal provisions and policies. UNHCR has continued to emphasize inclusion with host communities as a key strategy towards non-discriminatory access to national services and worked to promote community-based strategies that support non-discriminatory access to national child protection systems and social services.

UNHCR, States and partners have also made progress towards ending childhood statelessness through the Coalition on Every Child’s Right to a Nationality (co-chaired with UNICEF) and the #IBelong Campaign. Stateless children are often more at risk of violence, exploitation, abuse and neglect[[19]](#footnote-19).

Global achievements:

* As a result of 18 months of extensive consultations with UN Member States, experts, civil society and refugees, the GCR specifically calls for “investment in national child protection systems and cross-border cooperation and regional partnerships to provide a continuum of protection, care and services for at risk children”[[20]](#footnote-20).
* In 2016, UNHCR and UNICEF launched the Coalition on Every Child’s Right to a Nationality. Since the launch of the #IBelong campaign and the Coalition, six States – Estonia, Armenia, Tajikistan, Luxembourg, Cuba and Iceland – have reformed their laws to allow stateless children born in their territory to acquire citizenship. Two other States – Norway and the Netherlands – have taken important steps towards adopting a safeguard to prevent statelessness at birth. Several other States have also made progress in strengthening legal provisions for granting nationality to foundlings in their territory, and to children born to nationals abroad who are unable to acquire another nationality.
* UNHCR has established a Global Strategic Priority on the extent to which children of concern have non-discriminatory access to national child protection and social services. At the end of 2017, 31 out of 44 refugee, IDP and returnee situations that had selected the indicator reported an increase in the level of access as a result of targeted advocacy and programmatic efforts.[[21]](#footnote-21)
* At the global level, UNHCR collaborated with Child Helpline International to develop a training module for Helpline counsellors who are contacted by refugee and asylum-seeker children. The training module, which explores the specific needs of children of concern to UNHCR and looks at suitable responses by counsellors, was disseminated to national helplines in 45 countries. The training manual was developed in response to reports that child helplines worldwide are increasingly coming into contact with children and young people who have been forcibly displaced. In many cases, child helplines are a young person’s first point of contact and a trusted gateway for them to reach out for help.

#### Regional and country-specific achievements:

* In East Africa, UNHCR, in partnership with UNICEF, conducted a multi-country research and consultation process to identify good practice in strengthening access to national child protection systems for refugee children. The work not only resulted in guidance for practitioners and a research report, but also lead to a joint initiative with the East African Community (EAC) to develop a *Statement of Good Practice* on Inclusion of Refugee Children in national systems which has been signed and endorsed by the EAC[[22]](#footnote-22).
* UNHCR and the League of Arab States (LAS) have undertaken a range of joint initiatives to strengthen dialogue and cooperation on key child protection priorities in the Middle East and North Africa region. In October 2016, LAS and UNHCR jointly convened a regional meeting on belonging and legal identity. Experts from LAS Member States examined regional needs, challenges and emerging good practices to ensure that all children in the region are registered at birth. A number of recommendations were developed to achieve universal birth registration, enhance the capacity of civil registration and vital statistics systems, and further align national legal frameworks with international standards.
* UNHCR and UNICEF are working with the Government of Kenya to update the County Child Protection Systems Guidelines, which operates in the 47 counties throughout the country. The Guidelines do not currently include refugees, but are expected to do so in the next edition, which is currently being discussed/drafted.[[23]](#footnote-23)
* In Central America, six countries (Belize, Costa Rica, Guatemala, Honduras, Mexico, and Panama) convened in October 2017 and agreed on a regional version of the CRRF (MIRPS, for its acronym in Spanish). Amongst other initiatives, MIRPS countries have designed Standard Operating Procedures for Child Protection that ensure the implementation of best interests procedures for unaccompanied and separated children.[[24]](#footnote-24)
* UNHCR continues to work with the Government of Mexico to strengthen Best Interests Procedures and international protection for UASC as part of the implementation of the Child Rights Law and Regulations, which create a national child protection system with a new Federal Office for the Protection of Children’s Rights. From January to June 2018 alone, a total of 696 best interest assessment procedures were conducted by Mexican authorities so as to ensure identification of protection needs or access to the asylum procedure for children.[[25]](#footnote-25)
* In Panama, a protocol was signed between SENNIAF, the child protection institution, and the National Office for Refugee Assistance (ONPAR) for the identification and referral of unaccompanied children with international protection needs. Training sessions to disseminate the protocol to relevant border authorities are currently ongoing.[[26]](#footnote-26)

*UNHCR Division of International Protection, December 2019*

1. UNHCR, UNICEF, et al, A call to action: Protecting children on the move starts with better data, February 2018, available at: <https://data.unicef.org/wp-content/uploads/2018/02/Migration_advocacy_brief.pdf> [↑](#footnote-ref-1)
2. UNHCR, Global Trends: Forced Displacement in 2017, June 2018, available at: <https://www.unhcr.org/uk/statistics/unhcrstats/5b27be547/unhcr-global-trends-2017.html> [↑](#footnote-ref-2)
3. UNHCR, Global Trends: Forced Displacement in 2018, June 2019, available at: https://www.unhcr.org/5d08d7ee7.pdf [↑](#footnote-ref-3)
4. United Nations, Report of the Secretary General, Children and Armed Conflict, 20 June 2018, A/72/865–S/2018/465, available at: <https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC> [↑](#footnote-ref-4)
5. UNHCR, Left Behind: Refugee education crisis, 2018, available at: <https://www.unhcr.org/59b696f44.pdf> [↑](#footnote-ref-5)
6. Al Jazeera, ‘Child marriage on the rise among Syrian refugee girls’, 18 April 2018, available at: <https://www.aljazeera.com/news/2018/04/child-marriage-rise-syrian-refugee-girls-180418084029464.html> [↑](#footnote-ref-6)
7. ILO-UNICEF, Tackling child labour among Syrian refugees and their host communities in Lebanon, 2015, available at: <https://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/briefingnote/wcms_368225.pdf> [↑](#footnote-ref-7)
8. UNHCR, Global Trends: Forced Displacement in 2017, June 2018, available at: <https://www.unhcr.org/uk/statistics/unhcrstats/5b27be547/unhcr-global-trends-2017.html>, and UNHCR, Global Trends: Forced Displacement in 2018, June 2019, available at: https://www.unhcr.org/5d08d7ee7.pdf [↑](#footnote-ref-8)
9. Figures from operations reporting on the indicator ‘Number of Best Interests Assessments conducted’ as reported at: <http://reporting.unhcr.org/thematic> (select child protection and 2017, 2018). [↑](#footnote-ref-9)
10. From January – June 2018, children made up 15% of arrivals in Spain, 19% in Italy (81% UASC) and 36% in Greece (12% UASC). UNHCR, Desperate Journeys: January – June 2018, September 2018, available at: <https://data2.unhcr.org/en/documents/download/65373> [↑](#footnote-ref-10)
11. UNHCR, UNHCR Greece Fact Sheet, November 2018, available at: <https://data2.unhcr.org/en/documents/download/67410> [↑](#footnote-ref-11)
12. UNHCR, UNHCR Greece Fact Sheet, November 2018, available at: <https://data2.unhcr.org/en/documents/download/67410> [↑](#footnote-ref-12)
13. UNHCR, South Sudan Regional Refugee Response Plan, January 2019 – December 2020, available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/67312.pdf> [↑](#footnote-ref-13)
14. Coordination Platform for Refugees and Migrants from Venezuela, Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela, January – December 2019, available at: <https://data2.unhcr.org/es/documents/download/67282> [↑](#footnote-ref-14)
15. 3RP, Regional Refugee and Resilience Plan 2018-19 in Response to the Syria Crisis, Regional Strategic Overview, available at: <https://data2.unhcr.org/en/documents/download/62229> [↑](#footnote-ref-15)
16. UNHCR, UNICEF and IRC, The Way Forward: Roadmap to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe, July 2017 [↑](#footnote-ref-16)
17. UNHCR and UNICEF, Safe and Sound: What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe, October 2014 [↑](#footnote-ref-17)
18. For more information, see <https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=607382> [↑](#footnote-ref-18)
19. See UNHCR, I Am Here, I Belong: The Urgent Need to End Childhood Statelessness, 3 November 2015, available at: <https://www.refworld.org/docid/563368b34.html> [↑](#footnote-ref-19)
20. United Nations, Report of the United Nations High Commissioner for Refugees, Part II: Global Compact on Refugees, December 2018, A/73/12 (Part II), paragraph 76, accessible at: <https://www.unhcr.org/gcr/GCR_English.pdf> [↑](#footnote-ref-20)
21. UNHCR, Global Strategic Priorities: Progress Report 2017, p. 24 [↑](#footnote-ref-21)
22. EAC, Regional Roundtable on the Protection of Refugee Children: Statement of Good Practice, April 2018, available at: <https://www.unhcr.org/afr/events/conferences/5b1f9b424/regional-roundtable-on-the-protection-of-refugee-children.html> [↑](#footnote-ref-22)
23. UNHCR and UNICEF, Bridging the Humanitarian – Development Divide for Refugee Children in East Africa and the Great Lakes, May 2018, available at: <http://www.globalcrrf.org/wp-content/uploads/2018/10/Briding-hum-dev-divide-for-refugee-chidlren-in-East-Africa-and-Great-Lakes.pdf> [↑](#footnote-ref-23)
24. UNHCR, MIRPS, Comprehensive Regional Protection and Solutions Framework for Central America and Mexico, Pillar 2: Immediate and Persistent Needs, SGBV and child protection, 2018), available at: <https://www.globalcrrf.org/wp-content/uploads/2018/10/4.-SGBV-and-child-protection-1.pdf> [↑](#footnote-ref-24)
25. Ibid. [↑](#footnote-ref-25)
26. Ibid. [↑](#footnote-ref-26)