

BROCHURE FOR PROFESSIONALS

Guardianship of unaccompanied children



Who is a guardian?

A guardian is a person appointed by state authorities to represent in all procedures a minor who does not hold the citizenship of any EU country and is not accompanied by a parent or other adult responsible by law or custom for his/her care, for as long as he/she is residing in a reception country. The guardian is responsible for supporting a child in all matters that concern him/her and ensuring that every action aims at the fulfillment of his/her best interests and rights. To this end, the guardian connects the child with competent organisations, agencies, authorities and professionals but, does not offer services him/herself



What is the guardian's role?

- ⚙️ To act on the child's best interests and safeguard his/her rights
- ⚙️ To ensure that the child's needs are met, such as safety, residential care, healthcare, legal aid, education, vocational training.
- ⚙️ To facilitate the child's participation by sufficiently informing him/her and ensuring that his/her views are heard.
- ⚙️ To assist in identifying durable solutions for the child and managing his/her case together with other actors in relation to a case plan, his/her legal status or family reunification.
- ⚙️ To act as a link between the child and other services, authorities and professionals by being the child's focal point.
- ⚙️ To exercise legal representation before administrative, judicial and other authorities and support the child in legal procedures.



When is a guardian appointed?

A guardian must be appointed as soon as a child is identified as unaccompanied. In other words, for every person under the age of eighteen who enters the reception country without his/her parents, other relatives and/or adults responsible for his/her care, or is left unaccompanied after crossing the borders, a guardian should be appointed in order to represent him/her and ensure his/her rights and needs are met.

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Alliance for Children on the Move
Standard Operating Procedures for Guardians



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This happens because a) they are under 18 and have limited legal capacity, b) they don't enjoy the care of a familiar adult person and c) due to their status unaccompanied children are by definition vulnerable and at-risk of abuse, trafficking or violation of their rights.

A guardian is appointed to a child whether homeless or accommodated.

A guardian is appointed to a person stating that he/she is a minor, but authorities to confirm that statement request an age assessment.

For how long is a guardian assigned to a child?



Every child considered unaccompanied is entitled to a guardian until he/she reaches the age of eighteen. If a child changes city of residence, then a new guardian shall be appointed. If a child goes missing then the guardian's responsibilities are limited and are revived as soon as the child is found in the same city of the guardian's jurisdiction.



With which authorities does the guardian work?

- Child protection or victim support services ■ Police and judicial authorities ■ Migration and asylum services
- Health services ■ Residential care and other accommodation facilities ■ School or other education organisations
- Community services

Which is the national guardianship authority?



National guardianship authority: _____

National law on guardianship of unaccompanied children: _____

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