

**Alliance for Children on the Move
Standard Operating Procedures for Guardians**

ASOP4G

TRAINERS' MANUAL



Co-funded by the European
Union's Rights Equality
and Citizenship Programme
(2014-2020)



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Within the framework of the project “Alliance for children on the Move: Standard Operating Procedures for Guardians” a comprehensive toolkit has been developed for guardians of unaccompanied children consisting of the following publications:

- Handbook on Standard Operating Procedures for Guardians
- Index of international, EU and national legislation relating to unaccompanied children
- Transnational Cooperation Protocol for Guardians
- Trainer’s Manual
- Accreditation procedure for Guardians
- Brochure for professionals working with unaccompanied minors on the role of the guardian
- Brochure for children about the role of the guardian

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The present manual has been jointly developed by the ASOP4G project team, consisting of members of the Institute of Child Health – Department of Mental Health and Social Welfare (GR), University of Nicosia - School of Humanities and Social Sciences/ Department of Social Sciences/ Social Work Program (CY), Kazimieras Simonavičius University – Faculty of Law (LT) and Defence for Children International – Italy (IT).

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Introduction

1. IDENTITY OF THE DELIVERABLE

The Trainer Manual was developed as part of a project entitled Alliance for Children on the move: Standard Operating Procedures for Guardians - REC-764244-ASOP4G co-funded by the European Union's Rights, Equality and Citizenship Program (2014-2020). More specifically, this deliverable (D2.5) provides guidance for the implementation of a three-day Basic Trainer's Training, as designed by the transnational ASOP4G Project Team (D2.3 "Training Module") and supported by the Standard Procedures and Guidelines Manual for Guardians (D2.2) which are all part of the second Project Work Package (WP2) «Developing a Guardian Training Methodology».

1.1 Aims of the Trainers' Manual

The aim of this Trainers' Manual is to provide systematic guidance to training facilitators in order to enable them to offer the specialist training package 'Guardian's capacity building'. This Manual aims to equip training facilitators with all the necessary knowledge about the content of the training as well as about ways of organising the actual training. It aims to offer an as inclusive, as possible, outline of the main theoretical and practical information, skills and processes relevant to offering this training package.

1.2 Who can use this Manual?

This Trainers' Manual can be used by the competent agencies that have the responsibility to train and enhance the knowledge and skills of guardians. In addition, trained practitioners/guardians who have received the 3-day training within the context of the ASOP4G project with this manual will be able to deliver such a training themselves.

The training package that this Manual offers is intended to be of help for appointed Guardians of unaccompanied children who are engaged in protecting and representing unaccompanied children; more specifically, the Manual can be of benefit also to those who are engaged in organisational and /or policy-making capacities as well as to all those professionals from various backgrounds that are involved in the service provision for unaccompanied children, e.g. from law, education, psychology, health, etc.

Although this Manual is primarily intended to be used by training facilitators for training others, it may also benefit individuals who may wish to use it for their own self-study.

1.3 Structure and Content of this Manual

This Trainers' Manual includes eleven sessions that are grouped in three different Units and each session consists of several topics. Each session begins with 'learning objectives' and it includes theoretical and practical information that the trainer should use for teaching the particular topics as well as suggestions for exercises and relevant literature. Each session addresses a separate area that is of relevance to the overall training and it should be considered within the overall context of this specific training package, as one topic builds on the other; however, it will also benefit individuals who may wish to enrich their understanding of that particular topic as an independent learning activity and not as part of the total training package.

1.4 Methodological Approach

It is advised that the training course is made as interactive and participatory as possible. To enhance learning results, trainers should use different techniques to encourage participants' active participation, including asking them to share personal experiences from the field, posing additional questions and presenting them with dilemmas. Materials such as case studies and group work have been included in the sessions to foster positive learning outcomes. Of course, it is important that trainers use their judgement and take into account cultural norms and practices or levels of seniority for each group of participants, as well the level of trust among them, before applying participatory approaches.

1.5 Training materials and supporting information

Each unit contains a detailed description of the learning process, with the aims, instructions and guidelines that will help trainers to facilitate each session. The Trainer's Manual includes references to background material and handouts, and other materials prepared to support learning in each module. These materials are designed to be used in conjunction with the PowerPoint presentations (PPTs) provided in separate files. The Trainers' Manual is structured according to the numbered sessions and includes a narrative summary of key learning objectives for each session and a list of background resources. The Manual can be used to support the sessions or as a stand-alone resource for those interested in gaining an understanding of Guardianship for Unaccompanied Children.

Instructions for Trainers

2.1 Introduce Your Organisation, Yourself and, if Applicable, Your Co-Trainer

Welcome participants to the training. Thank them for their willingness to participate and openness to learning. Emphasise the importance of establishing standard operating procedures when they work with minors who are under their supervision.

Briefly discuss logistics for the training

- Three full training days are planned, and attendance in all training days is necessary for participants to complete.
- Explain there will be coffee breaks in the morning and afternoon, and discuss options for lunch.
- Make sure everyone is informed where the lavatories are, and ask that all mobile phones be turned off to minimize distractions during the day.

A representative of the national organization which offers the training (e.g. Social Welfare Services for Cyprus etc) and/or the trainer welcomes the participants and briefly presents its work and or mandate in the field of unaccompanied children and its role in the training.

It is important to introduce the trainer or trainers and to highlight their expertise and experience in the field of migration, asylum and unaccompanied children and as trainers, as this will help build participants' confidence.



Emphasize your experience in training in this area as well as any other relevant experience.

2.2 Participants Introduce Themselves

Ask participants to introduce themselves briefly to the group by name and affiliation, noting that there will be other opportunities through the day to continue finding out more about one another.

Ask participants to mention the following points:

- Name
- Work setting (if applicable)
- Challenges: challenges associated with the protection of unaccompanied minors and their rights and/or guardianship? [you may phrase this question as 'What makes guardianship difficult in social welfare settings?']

In addition to that, you may ask them to state briefly what they expect to gain from the training course. For example,

'I will have a clearer idea of how to support unaccompanied children,

or

'I want to gain a better understanding of different areas of unaccompanied children's guardianship in order to assist our department to revise our national guardianship policy.'

Suggest a time limit for each introduction (depending on number of participants).



As participants introduce themselves, model effective listening and convey interest and empathy. If anyone takes too long, remind them that this exercise is designed to be brief.

2.3 Agreeing the Ground Rules for the Course

The trainer asks participants to divide in groups of 4-5 participants and decide on one rule that will help participants to navigate, communicate and work effectively during the training. Each group writes down their rule on a piece of paper (coloured A4, if possible) and presents it to the rest of groups. If everyone agrees to follow the rule, the trainer hangs up the piece of paper with the rule on the board or wall. At the end of the exercise, the trainer or any of the participants may add rules that were not mentioned but are deemed important.

2.4 Pre & Post Intervention Questionnaire Completion

Time: 15 minutes

Materials: Pre-Intervention Questionnaire (1st Day)
& Post-Intervention Questionnaire (2st Day)

Questionnaires are one of the most common and popular tools to gather data from a large number of people. Questionnaires can be given to participants before and after an intervention (pre and post) in order to compare their behaviours, practices, and level of knowledge and satisfaction from the training they received.

The training session will begin by kindly requesting participants to complete the Pre-Intervention Questionnaire, which will reveal expectations, beliefs, preparedness, and awareness, tacit and explicit knowledge on the training agenda.



Minimum information should be provided as to avoid influence their view and perspective. Instruct them to fill in all the boxes and answer all the questions as honest as they can.

2.5 Training Overview

Time: 30 minutes

Materials: Computer/slideshow, PowerPoint presentation
“Parking” poster

It is suggested to provide a training Overview Description of the overall training course as the participants to become aware of what to expect and when, in an effort to realise if their expectations are related to the content of the training they will receive.

Opening statements	Topic 1: Introducing the Convention of the Rights of the Child and the overarching principles Topic 2: Children’s needs and children’s rights: empowering children to understand their needs & evolving needs into rights Topic 3: The CRC as a map to ensure the child’s well-being and protection in relation to guardianship Etc.
Setting the scene:	Methodology Training programme Agreeing the ground rules for the training
Methodology	Presentation in plenary Group work Ice-breaker activities
Materials for participants	Copies of training timetable/agenda Plain paper (A4 format) for each participant A4 coloured paper for each group A set of 6–8 markers per group

2.6 Information About the Training

The trainer distributes the training course timetable and talks through upcoming sessions and topics, explaining how they were developed (for example, in the context of the ASOP4G project (national project teams) and through further consultation

with national authorities, experts and unaccompanied children as well as needs assessment of guardians and children alike).

The trainer(s) should then **present the main aim** of the training:

- To provide actual or prospective (professionals/volunteers) working as guardians with relevant information and a set of integrated and multidisciplinary elements to reinforce their knowledge and capacities in promoting and supporting the best interests of the unaccompanied child.

The more **specific objectives** of the training are as follows:

- To promote a child-rights based approach in the functions of guardians while providing the trainees with the possibility to familiarize with the context of unaccompanied children, cultural mediation and then specific needs of children involved in migration processes
- To develop the capacity of the national authorities responsible to develop and/or implement guardianship policies and practices that are in line with the relevant international legal standards, and national good practices.
- To enhance the capacities of guardians in knowledge and skills in order to better safeguard the best interests and the general well-being of children.

To **set the scene** for the training by:

- Providing an overview of the course and agenda
- Establishing ground rules
- Building agreement on shared expectations and points of special interest in the agenda
- To introduce participants to the basic terms relating to unaccompanied children, in order to gain their recognition of the complexity of the issue.

2.7 Methodology: Building an Atmosphere of Sharing, Engaging and Participating

The trainer explains that the training course is designed to leave time for participants' questions, discussions and opportunities to learn from each other.

Suggested activity – ice-breaker:

Note: Trainers are expected to use their judgement as to whether an ice-breaker is necessary and appropriate, taking into account the participants' profile, time constraints.

The trainer asks each participant to take a piece of plain paper (A4 format) and write down an interesting and relevant question that could be asked of every person in the room. After choosing the question (for example, "How are you involved in the migration issue?", or "Have you ever been a migrant yourself?"), all participants stand up and walk around the room, freely interacting with as many of the participants and trainers as possible to find the answers to their questions. After five minutes, participants are asked to sit down. The trainer chooses some questions and invites shared answers, summing up the responses given. The trainer encourages participants to maintain a willingness to learn from each other and to ask questions, reminding them that at the end of each training day there will be a short question and answer session (these sessions can also be linked to the "Parking" flip chart page if used for long or tangential questions).

3 UNIT A: The Unaccompanied Child - 1st Day

This Unit includes four sessions focusing on topics related to unaccompanied children.

- The first session will present children's rights in relation to guardianship as well as the specific rights which correspond to their needs, as resulted from needs assessment.
- Secondly, demographics and other data on unaccompanied children in the country where the training is delivered will be presented, definition of key terminology, importance of guardianship as an essential factor of child protection policies and safeguarding of children's best interests.
- Next, migration will be examined in terms of context, dynamics and management scenarios. In this context vulnerability factors and key challenges in children's lives due to their flight, as well as their resilience will be explored.
- Last but not least, the national legal framework will be briefly presented, covering issues of migration (registration, reception), asylum (application and guarantees).

Instructions for trainers

The trainer prepares the appropriate number of copies of the handouts (PPT presentation of the 1st Day) in advance.

After allowing participants five minutes to read through the handouts, the trainer facilitates a discussion, asking if the handouts contained any new or surprising information, if they clarified any issues, or if participants have any questions. It is recommended that the trainer checks the information included in the handouts to ensure that it is up-to-date.

3.1 Session 1: Children’s Rights as a Holistic System to Assess and Promote the Best Interests of the Child

Session 1: Children’s Rights as a complete system of safeguarding child’s best interests		Indicative duration: 1,5 hours
Topic 1	Introducing the Convention of the Rights of the Child and the overarching principles	
Topic 2	Children’s needs and children’s rights: empowering children to understand their needs & evolving needs into rights	
Topic 3	The CRC as a map to ensure the child’s well-being and protection in relation to guardianship	

Learning objectives

By participating in this training session, participants should be able to:

- a. Recognize the key differences between an approach based on needs and an approach based on rights.
- b. Understand the principles and the provisions of the UN Convention on the Rights of the Child as a systemic and multidisciplinary map to assess, plan and promote the best interests of the child.
- c. Understand how the CRC could be used as a comprehensive reference to read the context of the child, identify main

stakeholders and actors, work toward an integrated, coordinated and planned response.

Instructions for the trainer:

Introduce the participants to Session 1 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

Why are they important and what value they have for their work?

3.1.1 Topic 1- Introducing the Convention of the Rights of the Child and the overarching principles - main points:

About the Convention of Children's Rights

- The Convention on the Rights of the Child (CRC) was adopted by the United Nations (UN) in 1989. It became part of international law in 1990.
- It is a legally binding treaty. Countries which have signed and ratified the treaty are obliged by international law to put it into effect.
- The CRC is the most widely ratified human rights treaty in the world. The only country which has failed to ratify it is the USA!
- A 'child' is defined in the treaty as referring to anyone under the age of 18.
- Children are recognized as being vulnerable and in need of assistance. The CRC ensures that they receive the support necessary to access their rights.
- The CRC reminds us that children are not only vulnerable, and in need of adults' help: children are people, agents and rights holders! They need to be given voice, autonomy and control over their own lives.
- The CRC reminds us that all human rights are equally important: there are no 'priority rights'.

- The CRC provides a common legal and ethical framework for children across the globe. This common framework serves as a reference point for monitoring progress and checking for violations.
- The CRC creates a system of accountability: governments are ultimately responsible for making sure that children's rights are respected, but other adults also have duties under the CRC.

Key words: children's rights, Convention on the Rights of the Child, general principles, child's best interests, children's needs, basic needs approach, human rights approach.

3.1.2 Topic 2 Children's needs and children's rights: empowering children to understand their needs & evolving needs into rights -main points:

Basic Needs Approaches vs. a Human Rights Approach¹

In the past agencies and actors committed to the support and protection of children have been pursuing a 'basic needs' approach; that is, an approach based on identifying the basic requirements of human development and advocating within societies in favour of their fulfilment. Although human rights are need-based claims, a human rights approach to programming differs sharply from the basic needs approach. Most importantly, the basic needs approach does not imply the existence of a duty-bearer. When demands for meeting needs have no 'object', nobody has a clearcut duty to meet needs, and rights are vulnerable to ongoing violation.

In the rights approach, rights holders claim their rights from duty-bearers, and thus must be capable of claiming the right. How-

1. Jonsson, U. (2003) Human Rights approach to development programming. UNICEF ESARO, April 2003, p. 20. Available at: https://www.unicef.org/rights-results/files/HRBDP_Urban_Jonsson_April_2003.pdf

ever, if a subject is unable to claim the right this does not mean that he or she loses the right, because human rights are universal, inviolable, and inalienable. Solidarity and empowerment mean helping people to claim their rights. If no one protests the denial of a right or if an individual fails to make use of his or her right, the fulfilment of this right will be compromised, but not lost.

The basic needs approach often aims to obtain additional resources to help a marginalised group obtain access to services. A human rights approach, in contrast, calls for existing community resources to be shared more equally, so that everyone has access to the same services. Assisting people to assert their rights, therefore, often means involvement in political debate. While a basic needs approach does not necessarily recognise willful or historical marginalisation, a human rights approach aims directly at overcoming such marginalisation.

The second important difference between the two approaches pertains to motivation. Basic needs can, in principle, be met through benevolent or charitable actions. Actions based on a human rights approach are based on legal and moral obligations to carry out a duty that will permit a subject to enjoy her or his right. As noted earlier, accountability for such a duty depends partly on the duty-bearer's acceptance of responsibility. Charity negates such acceptance, as it does not take rights and responsibilities into consideration. In a rights approach, compassion and solidarity replace charity. A requirement of the human rights approach, then, is that insofar as possible, everybody must have a human rights "heart," reflected through decisions and actions. Decisions and actions must be taken in recognition that every human being is a subject of human rights, not an object of charity or benevolence. While charity often disempowers the poor and other vulnerable people, creating dependence, solidarity empowers people and enhances their capacity to improve the quality of their lives.

Basic Needs Approach ²	Human Rights Approach
Needs are met or satisfied Rights are realised (respected, protected, facilitated, and fulfilled)	Rights are realised (respected, protected, facilitated, and fulfilled)
Needs do not imply duties or obligations, although they may generate promises	Rights always imply correlative duties or obligations
Needs are not necessarily universal	Human rights are always universal
Basic needs can be met by goal or outcome strategies	Human rights can be realised only by attention to both outcome and process
Needs can be ranked in a hierarchy of priorities	Human rights are indivisible because they are interdependent; there is no such thing as “basic rights”
Needs can be met through charity and benevolence	Charity and benevolence do not reflect duty or obligation
It is gratifying to state that “80% of all children have had their needs met to be vaccinated.”	In a human rights approach, this means that 20% of all children have not had their right to be vaccinated realised
The government does not yet have the political will to enforce legislation to iodise all salt	The government has chosen to ignore its duty by failing to enforce legislation



2. This table retrieved from Ibid., p.21.

3.1.3 Topic 3 The CRC as a map to ensure the child's well-being and protection in relation to guardianship - main points:

The articles of the Convention may be grouped into four categories of rights and a set of guiding principles.

Guiding principles: The guiding principles of the Convention include non-discrimination; adherence to the best interests of the child; the right to life, survival and development; and the right to participate. They represent the underlying requirements for any and all rights to be realized.

Guiding principles: general requirements for all rights³

Non-discrimination (Article 2): The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. It doesn't matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

Best interests of the child (Article 3): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Right to life, survival and development (Article 6): Children have the right to live. Governments should ensure that children survive and develop healthily.

3. Child Rights International Network. Available at: <https://archive.crin.org/en/home/rights/themes/general-principles.html>

Respect for the views of the child (Article 12): When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account. This does not mean that children can now tell their parents what to do.

This Convention encourages adults to listen to the opinions of children and involve them in decision-making – not give children authority over adults. Article 12 does not interfere with parents' right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child's participation in decisions must be appropriate to the child's level of maturity. Children's ability to form and express their opinions develops with age and most adults will naturally give the views of teenagers greater weight than those of a preschooler, whether in family, legal or administrative decisions.

A. Survival and development rights: These are rights to the resources, skills and contributions necessary for the survival and full development of the child. They include rights to adequate food, shelter, clean water, formal education, primary health care, leisure and recreation, cultural activities and information about their rights.

These rights require not only the existence of the means to fulfil the rights but also access to them. Specific articles address the needs of child refugees, children with disabilities and children of minority or indigenous groups.

Article 4 (Protection of rights)

Article 5 (Parental guidance)

Article 6 (Survival and development)

Article 7 (Registration, name, nationality, care)

Article 8 (Preservation of identity)

Article 9 (Separation from parents)

Article 10 (Family reunification)
Article 14 (Freedom of thought, conscience and religion)
Article 18 (Parental responsibilities; state assistance)
Article 20 (Children deprived of family environment)
Article 22 (Refugee children)
Article 23 (Children with disabilities)
Article 24 (Health and health services)
Article 25 (Review of treatment in care)
Article 26 (Social security)
Article 27 (Adequate standard of living)
Article 28: (Right to education) & Article 29 (Goals of education)
Article 30 (Children of minorities/indigenous groups)
Article 31 (Leisure, play and culture)
Article 42 (Knowledge of rights)

B. Protection rights: These rights include protection from all forms of child abuse, neglect, exploitation and cruelty, including the right to special protection in times of war and protection from abuse in the criminal justice system.

Article 4 (Protection of rights)
Article 11 (Kidnapping)
Article 19 (Protection from all forms of violence)
Article 20 (Children deprived of family environment)
Article 21 (Adoption)
Article 22 (Refugee children)
Article 32 (Child labour)
Article 33 (Drug abuse)
Article 34 (Sexual exploitation)

- Article 35 (Abduction, sale and trafficking)
- Article 36 (Other forms of exploitation)
- Article 37 (Detention and punishment)
- Article 38 (War and armed conflicts)
- Article 39 (Rehabilitation of child victims)
- Article 40 (Juvenile justice)
- Article 41 (Respect for superior national standards)

C. Participation rights: Children are entitled to the freedom to express opinions and to have a say in matters affecting their social, economic, religious, cultural and political life. Participation rights include the right to express opinions and be heard, the right to information and freedom of association. Engaging these rights as they mature helps children bring about the realization of all their rights and prepares them for an active role in society.

- Article 4 (Protection of rights)
- Article 12 (Respect for the views of the child)
- Article 13 (Freedom of expression)
- Article 14 (Freedom of thought, conscience and religion)
- Article 15 (Freedom of association)
- Article 16 (Right to privacy)
- Article 17 (Access to information; mass media)

Key words: children on the move, child migration, family separation, reception country, coping strategies, vulnerability assessment, resilience

Group work

Preparation and materials needed

- Name badges for participants
- Copies of the programme and any slides used during the presentations
- Flipchart paper and markers for group work

3.1.4 Activity 1: Participants' introductions, expectations and concerns (20 mins) (pre-session activity)

Divide participants into groups of 4–5 people and give each group a piece of flipchart paper. Explain that the main purpose of this activity is for them to get to know each other and share ideas about the course.

- Try to make sure that people who already know each other are not working in the same group.
- Explain that each group will have not more than 2 minutes to feed back on their discussion. Make sure that they appoint a representative to do this – and encourage them to make the flipcharts easily readable by others!

Group Work Task

Begin by introducing yourselves to others in the group. Mention any previous trainings or experience in children's rights. Discuss the following two questions with your group. Make a note of your responses on a piece of flipchart paper.

QUESTION 1: Based on the presentation and your expectations about this course, what would make this training useful and relevant for your work?

QUESTION 2: Do you have any concerns about the course or about using children's rights in your work? You will need to select just 2 key points from each question to feed back to the whole group. You will only have 2 minutes to report back!

3.1.5 Activity 2: Mapping the rights to the CRC-10mins (after-session activity)

Questions to trigger discussion. Ask them to try to record on their flipchart paper:

- Are there any rights in the Convention that they don't understand (or don't agree with)?
- How is the CRC applied in national legislation or in their organization?
- Do you think that children's rights are implemented in the same way in every country? Why is that according to your opinion?

3.2 Session 2: Unaccompanied Children

Session 2: Unaccompanied Children		Indicative duration: 1 hour
Topic 1	Definition of an unaccompanied minor (based on legal definition)	
Topic 2	The significance of every child having a guardian (legal and Best Interests' concept)	
Topic 3	Profile of children in the reception country (nationalities, ethnic groups, spoken languages, gender, age, asylum seeking)	

Learning objectives

By participating in this training session, participants should be able to:

- a. Understand the main characteristics of the unaccompanied children' experiences.
- b. Understand the importance and the potential of the role of the guardian.

Instructions for the trainer:

Introduce participants to Session 2 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

3.2.1 Topic 1 - Definition of an unaccompanied minor (based on legal definition) - Main points:

The trainer needs to discuss and exemplify the following key terminology:

Minor

According to the Convention on the Rights of the Child⁴, the term child is referred to “*any person below 18 years of age*”.

In order for a person to be entitled to special measures of protection and care, he/she has to be less than 18 years of age, regardless of the respective coming of age limits, legal or customary, in the minor’s country of origin.

Doubts may be raised about the age of someone entering EU borders. An age assessment shall be necessary to define the actual age of the person. Nonetheless, when the responsible authorities are not able to reach a solid conclusion (minor or young adult), the person should be given the benefit of doubt⁵.

“Where the age of the [victim] is uncertain and there are reasons to believe that the victim is a child, that person is presumed to be a child in order to receive immediate access to assistance, support and protection”.

Anti-Trafficking Directive (2011/36/EU), Article 13 (2)

4. Convention on the Rights of the Child, Article 1.

5. See for example Anti-Trafficking Directive (2011/36/EU), Article 13 (2) “when there are reasons to believe that the victim is a child, that person is presumed to be a child in order to receive immediate access to assistance, support and protection”

Third country national or stateless person

A third country national is a person who does not hold the citizenship of an EU Member State.⁶

Stateless is a person who, under national laws, does not enjoy citizenship in any country (no legal bond between the person and the state)^{7,8}.

Unaccompanied and separated minor

Unaccompanied minor is defined as a third country national or stateless person under the age of 18 years, who arrives on the territory of the Member States unaccompanied by an adult responsible for him/her whether by law or by the practice of the Member State concerned, and for as long as he/she is not effectively taken into the care of such a person; it includes a minor who is left unaccompanied after he/she has entered the territory of the Member States⁹.

In addition, a child is characterized as separated when he/she *“has been separated from both parents or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members”*¹⁰.

6. Art. 3(1) of Directive 2008/115/EC (Return Directive) and Art. 2(6) of Regulation (EU) 2016/399 (Schengen Borders Code)

7. 1954 Convention relating to the Status of Stateless Persons (ratifying law 139/1975), art. 1.

8. One can obtain citizenship either during his/her birth or later on his/her life by meeting specific requirements set by each State. During birth citizenship can be obtained by persons who are in a State which recognizes as citizen every person born on its territory (jus soli- e.g. USA, France) or whose parents have citizenship of a State which applies jus sanguinis and therefore their children are automatically recognized as its citizens too (e.g. Greece).

9. Qualification Directive (2011/95/EU), Article 2 (l)

10. UN Committee on the Rights of the Child General Comment No. 6 CRC/GC/2005/6 and the UN Guidelines for the Alternative Care of Children (UN Alternative care guidelines) A/HRC/11/L.13), paragraph 8.

3.2.2 Topic 2 - The significance of every child having a guardian (legal and Best Interests' concept) – Main points:

Thoroughly discuss the importance of guardianship for each child. Safeguarding the best interests of the child must guide the guardian's work and actions.

Limited legal capacity: Since he/she is a minor, she needs to be legally represented before all administrative, judicial or other services.

Lack of parental care: his/her rights and best interests need to be safeguarded in all procedures and decisions.

Third country national/stateless:

- Connect the child with services, authorities and professionals in order to have realise his/her rights and meet his/her needs.
- Inform him/her in an appropriate manner

The best interests of the child are a dynamic concept, aiming to ensure the child's holistic development by promoting the full and effective enjoyment of all CRC-recognised rights. The guardian is called on to assess the child's best interests on a daily basis, whenever decisions affecting the child are taken. These might include, for example, decisions about the child's accommodation, safety, education, healthcare, leisure activities and legal representation. The guardian shall hold public authorities accountable for any decisions affecting the child and ensure respect for the principle of the best interest as a primary consideration as required by Article 3 of the CRC throughout the decision-making processes the guardian must hold public authorities accountable. He or she must intervene if the welfare of the child is in danger and challenge, within the limits of his or her authority, any decision that is deemed to be contrary to and/or does not promote the child's best interests.

3.2.3 Topic 3 - Profile of children in the reception country (nationalities, ethnic groups, spoken languages, gender, age, asylum seeking) – main points

The trainer must ensure that has available up-to-date data and information of the national context and the profile of children in the reception country.

Variables: Gender; age; nationalities; ethnic groups; languages; religions.

Together with participants name the countries of origin of children arriving in the reception country. Invite them to tell you from what they know or have heard and write them down in a flip chart. Already be aware of the countries or origin of children in order to complement the flip chart.

Pick the top three or four countries of origin of the majority of children and present elements such as regions, ethnic groups, languages, religions, family structure, etc.

Key words: unaccompanied and separated children, guardian, guardianship authority, safeguarding child's best interest

3.3 Session 3: Understanding the Context of Migration

Session 3: Understanding the Context of Migration		Indicative duration: 2 hours
Topic 1	Reasons of flight and separation (forced and voluntary migration)	
Topic 2	The path of an unaccompanied child from the point of arrival in the reception country	
Topic 3	The impact of separation and migration on the child: vulnerabilities and coping strategies	
Topic 4	CRC principles and children on the move	

Learning objectives

By participating in this training session, participants should be able to:

- a. Appreciate the complexity of migration by identifying “push and pull factors”.
- b. Understand main features of current migration policies and approaches in the reception country vis-à-vis children rights.
- c. Identify elements and variables determining vulnerability, i.e. risk (e.g. trauma, child abuse and neglect, trafficking, substance abuse) and resilience, in child migration.

Instructions for the trainer:

Introduce participants to Session 3 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

3.3.1 Topic 1- Reasons of flight and separation (forced and voluntary migration) – Main points:

Main reasons why children and adolescents are forced or encouraged to migrate unaccompanied¹¹. National data and context should be taken into account.

1. The reasons why individuals and especially children migrate are often multilayered and depend on the country of origin, social and cultural background and personal or familial aspirations. In most cases of child migration, the immediate and structural causes are closely interlinked. Global forced displacement increased in 2017¹². By the end of the year, **68.5 million** individuals were forcibly displaced worldwide as a result of persecu-

11. Human Rights Council, Global issue of unaccompanied migrant children and adolescents and human rights, Progress report of the Human Rights Council Advisory Committee, A/HRC/33/53, 16 August 2016

12. <https://www.unhcr.org/globaltrends2017/>

tion, conflict, generalized violence, or human rights violations. This is **2.9 million** more than the previous year (**65.6 million**). **25.4 million** are refugees, **40 million** internally displaced persons, **3.1 million** asylum-seekers. During the course of 2017 more than **16.2 million** individuals were forced to leave their homes and seek protection elsewhere; of this number, **11.8 million** remained within their own countries and around **4.4 million** sought international protection abroad. **45,500** unaccompanied and separated children sought asylum on an individual basis in 2017 (underestimate due to low reporting). Most applications were from children aged 15 – 17 (33,300). 12,200 were from unaccompanied and separated children aged 14 or younger. UNHCR registered database: **138,700** registered unaccompanied and separated children.

2. There are often important differences in the motivations of migrant children who apply for asylum and the motivations of those who do not. Children who seek asylum often flee their country out of fear of persecution or because of a generalized state of violence. Children who do not apply for asylum are often moved by the desire to find a better future. Moreover, such children do not always want to be registered or be cared for in reception centres, which greatly limits the information available on them.

3. It is also difficult for asylum seekers to meet the strict criteria for family reunification through the regular channels. In Europe, adults often have to meet minimum income requirements before they can sponsor their children's migration in the context of family reunification (low-income migrant workers are excluded), which sometimes has a particularly discriminatory effect on migrant women. Despite the existence of common European Union legislation on family reunification, in some European Union member States there continue to be restrictions based on the age of the child and the family members who are able to sponsor the child. Furthermore, some migrant workers are unable to apply for official family reunification, as they are not

legal residents in the country of destination. This leads to many children migrating unaccompanied or separated in order to join parents or other family members in countries of destination.¹³

4. The International Organization for Migration (IOM) estimates that 2.2 million people, including 1.5 million children (55 per cent of the total), have been displaced internally as a result of the conflict in north-eastern Nigeria. It is estimated that there are nearly 400,000 Nigerian refugees and internally displaced persons in neighbouring Chad, in northern Cameroon and in the Diffa region of the Niger. In Zimbabwe, which has seen a steep increase in child migration flows in recent years, the main reported causes of child migration are: sexual abuse by caregivers, peer pressure, the death of a caregiver (mostly from HIV- and AIDS-related complications), the breakdown of traditional families, public budgets that do not prioritize child rights, deteriorating education standards, high school dropout rates and poverty.

5. In Senegal, children who agree to talk about the causes pushing them to migrate cite mainly economic reasons. Their parents entrust them to people who promise to find them work in neighbouring regions or other African countries. Most are subjected to the worst forms of child labour, however.¹⁴ In Swaziland, children migrate mainly to flee from war and persecution and therefore try to go to a non-neighbouring country where human rights are respected.¹⁵

6. More than **two million** Somalis are currently displaced by conflict. An estimated **1.5 million** people are internally displaced in Somalia. Nearly **900,000** are refugees in the near region, including some 308,700 in Kenya, 255,600 in Yemen and 246,700 in Ethiopia¹⁶.

13. Platform for International Cooperation on Undocumented Migrants.

14. Information provided by Caritas Senegal.

15. Information provided by Caritas Swaziland.

16. UNHCR's International Protection Considerations for Southern and Central Somalia (Jan, 2014); UNHCR, Returns to Southern and Central Somalia (May 2016);

7. In West and Central Africa, migration is strongly influenced by the region's rapid population growth. Conflicts in the Central African Republic, the Democratic Republic of the Congo, Mali and Nigeria result in huge numbers of people being displaced, a large proportion of whom are children. In addition, because of the high demand for cheap and productive labour, young people are very attractive to contractors. A high proportion of those active in agricultural fields, gold and diamond mines, stone quarries, the informal sector and domestic work are children working in exploitative conditions.

8. In Bangladesh, as in other Asian countries, there is a tradition of engaging in labour migration during the transition from childhood to adulthood. Children are urged to migrate as a passage to adulthood and are often forced by their families to leave and migrate in order to bring money to the household. Cultural norms and traditions contribute to children being trapped in poverty, increasing their vulnerability to abuse and exploitation.¹⁷ These cases tend to also have a strong gender dimension, as is the case of the marriage market in India.

In short, "a child is forced to leave his/her country of origin, either on his/her own initiative or under his/her family's urge, for a variety of reasons¹⁸. Briefly, the main reasons why a child is fleeing are: loss of housing and loved ones to combats, imprisonment of family members who were the child's caregivers, human rights' violations, the child being targeted due to membership of a particular social group¹⁹, domestic violence,

17. Information provided by Caritas Bangladesh.

18. UNHCR (1994). Refugee children guidelines on protection and care, Geneva: UNHCR;

- UNHCR (1996). Guidelines on Working with Unaccompanied Children, Geneva: UNHCR;

- UNHCR & IRC (2011). Field Handbook for the implementation of the UNHCR BID Guidelines.

19. See UNHCR Guidelines on international protection: "Membership of a particular social group" within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees (2002). Available

vendettas because of land disputes and/or family honor issues, poverty and absence of medical care. Similarly, absence of legal status, labor exploitation, human trafficking, forced marriages and general violation of human rights constitute a brief but crucial list of reasons why children decide to leave the place of last residence, whether this is his/her country of origin or a transit reception country on their difficult journey.

A child may be separated from his/her family either by force of circumstances, or due to his/her own or family's desire. Forced family separation causes may be the following: natural disasters, lack of financial means for all family members to flee together, violent separation or death of at least one family member during the journey, imprisonment, recruitment of a child or other family member to (para)military groups or gangs, falling victims of human trafficking and/or abduction. At the same time, even a child's voluntary separation from his/her family in search of a better future may have a similar impact on the child. Particularly, parents paying for their child's journey to Europe are expecting a brighter future for their child or merely better living conditions and/or his/her financial contribution and/or that he/she will join another family member already living in a European country, who can take care of the child. All the above have to be taken into account by the guardian who may have experienced a completely different childhood."²⁰

at: <https://www.unhcr.org/3d58de2da.pdf> For children especially see: UNHCR Guidelines on international protection: Child Asylum Claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees (2009). Available at: <https://www.unhcr.org/publications/legal/50ae46309/guidelines-international-protection-8-child-asylum-claims-under-articles.html>

20. ASOP4G project (2019) Handbook on standard operating procedures for guardians.

3.3.2 Topic 2- The path of an unaccompanied child from the point of arrival in the reception country -Main Points

When a child arrives at the border or is found within a State's territory alone or accompanied by someone who is not the child's caregiver by law or by custom, there will need to be a very rapid assessment of whether the child is at risk (vulnerability screening). (There are some cases in which children might travel alone through Europe without raising child protection concerns, for example, teenagers with verifiable documentation that they are travelling unaccompanied for holiday purposes or for study purposes.)

At this point, a BIA should be employed. It involves balancing the elements in a specific situation in order to make a decision for a specific child. If a child exhibits indicators of risk factors, the BIA can help authorities decide whether it would be in the best interests of the child to be referred to child protection services for further assessment and assistance. The information collected at this stage would normally be restricted to what is necessary to establish the child's identity, date of birth or age, and if relevant, nationality²¹. Lengthy interviews are normally not called for.

For children who are accompanied by someone other than their caregiver by law or custom, it is important to consider questions regarding the quality of the relationship with the accompanying adult(s). This is in order to be able to address concerns of possible trafficking, but also to establish whether it would be in the child's best interests to stay with the accompanying relative or other adult as child protection services are enlisted.

The CRC General Comment No. 6 clarifies that States' obligations under the CRC apply within the borders of the State, in-

21. Separated Children in Europe Programme, SCEP Statement of Good Practice, March 2010, 4th Revised Edition, p. 20, para. D1, <http://www.refworld.org/docid/415450694.html>

cluding with respect to children who come under the State's jurisdiction while attempting to enter the country's territory²². Many children may resist registration, be afraid to provide accurate information or be unwilling to self-identify accurately due to fear or ignorance of protection options. They may be under the influence of their smugglers or traffickers, may wish to abide by parental instruction at their departure or are under the influence of communities of asylum-seekers or irregular immigrants.

Apart from the above, this topic serves as a familiarization of guardians with the procedures that are usually followed when an unaccompanied child is identified; which agencies are usually involved and in what order.

3.3.3 Topic 3- The impact of separation and migration on the child: vulnerabilities and coping strategies - Main Points

The displacement, distraction and anxiety found in situations of separation can harm children's personal, cultural and social development. These factors can be severely worsened when, in addition, children suffer or witness the cruelty or murder of other family members or other forms of abuse or violence.

Family separation or loss always occurs with other factors which escalate the psychological vulnerability of unaccompanied children. As protection factors are referred the presence of family members, other adults, peers, and cultural practices while as risk factors are other kinds of trauma and deficiency –exposure to violence, persecution, hunger, relocating from native socio-cultural settings– which can result in stress of family separation or loss and lead to far greater psychological suffering. All professionals and guardians working with, or making decisions about,

22. UN Committee on the Rights of the Child, CRC General Comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin, 1 September 2005, CRC/GC/2005/6, para 12, <http://www.refworld.org/docid/42dd174b4.html>

unaccompanied children need to understand the impact that separation can have on children. The effects of separation are addressed in the UNHCR Guidelines on Working with Unaccompanied Children (1997)²³.

The effects that the life experiences of unaccompanied children can have on their relationships with their guardians or other professionals working with unaccompanied children. Unaccompanied children may:

- Feel guilt or shame at having survived when other family members did not
- Have fears about the role of a strange professional person because of frightening experiences they may have had with authority figures in their home country.
- Negatively associate anyone who asks them to re-tell their 'story', with the experiences that led to their separation.
- Be 'keeping secrets' because they have been told to do so by an agent, because they fear for family members 'left behind' or because they cannot bring themselves to talk about them.
- Be afraid of being overwhelmed by the revelation of certain information because they are trying to block out painful details of recent life events, find it difficult to take in information - which can add to their confusion and apprehension.

For all these various reasons, unaccompanied children need to be given time and appropriate occasions to 'tell their stories'. Fear of the effects for family left behind, or stories given by others, may have to be acknowledged as an unavoidable delay to this process.

23. <https://www.unhcr.org/publications/legal/3d4f91cf4/guidelines-policies-procedures-dealing-unaccompanied-children-seeking-asylum.html>

3.3.4 Topic 4- CRC principles and children on the move - Main points

Nine principles for children on the move²⁴

1. Children on the move (and other children affected by migration) shall be considered children first and foremost, and their best interests shall be a primary consideration in all actions concerning them. Children affected by migration should be assured the same rights as all other children – including birth registration, proof of identity, a nationality and access to education, health care, housing and social protection. Those responsible shall not assume that standard solutions work for all children; rather they are required to conduct individual and family assessments prior to making a durable decision about each child. Children at the border shall not be refused entry without an adequate and individualised analysis of their request and due guarantees consistent with a best-interest determination.

2. All children have the right to life, survival and development. All children have a right to a standard of living adequate for their physical, mental, spiritual, moral, educational and social development. States have a duty to anticipate and prevent harm, including the triggers of child migration, and to invest in robust search and rescue operations to avert harmful migration outcomes. Sustained investment in material and social assistance, and livelihood opportunities is a critical prerequisite to preventing life-threatening journeys and enabling the child to develop²⁵.

3. Children have the right to liberty of movement within their State, and to leave their State and any other. Children have the

24. Recommended Principles for Children on the Move and Other Children affected by Migration (2016) available at: <https://principlesforcom.jimdo.com>

25. Human Rights Council, Global issue of unaccompanied migrant children and adolescents and human rights, Progress report of the Human Rights Council Advisory Committee, A/HRC/33/53, 16 August 2016.

right to migrate in search of family life, safety or opportunity. In particular, they have a right to flee violence and danger.

4. The detention of children because of their or their parents' migration status constitutes a child rights violation and always contravenes the principle of the best interests of the child. States should expeditiously and completely cease detention of migration-affected children and allow children to remain with family and/or guardians in non-custodial, community-based contexts while their immigration status is being resolved.

5. During all phases of migration, children shall not be separated from their parents or primary caregivers (unless it is in their best interests). States shall not separate children from their families (for example, by instituting onerous and protracted family reunification procedures, denying the portability of accrued social security benefits, detaining irregular migrants accompanied by children, deporting parents of minor citizens, or refusing to allow children to accompany migrant worker parents). Conversely, forced expulsion of a child should never be considered an acceptable means of family reunification or assumed automatically to be in the best interests of the child. Any expulsion of a child must be safe, and in the child's best interests. Where the expulsion concerns a child separated from family, it shall be accompanied and monitored.

6. No child is illegal – children should be protected against all forms of discrimination. The criminalisation and stigmatisation of children on the move, and other children affected by migration, violate this principle. States and other actors should use non-discriminatory terminology when referring to migrants and their children.

7. Child protection systems shall protect all children, including children on the move and children affected by migration. In their design and implementation, national child protection systems shall take into account the distinctive needs and views of children on the move and other children affected by migra-

tion. States shall protect children against exploitation, violence, abuse and other crimes, and against resorting to crime or sexual exploitation to meet their basic needs. States and regional organisations have a responsibility to ensure a continuum of protection between local government authorities and States through which children travel, and to promote harmonised protection practices developed by local communities where appropriate.

8. Migration management measures shall not adversely affect children's human rights. States shall respect the rights of children guaranteed by international human rights, refugee and humanitarian law, including the principle of nonrefoulement, and any child-specific protection measures. States have a duty to ensure accurate identification of children, to evaluate the impact of laws and policies on children on the move (and other children affected by migration) and to avoid adverse impacts. Deliberately making transport unsafe to deter migrants from travelling can never be justified. Children require security and stability for healthy development. States that only consider the best interests of the child until the age of 18 (or only grant children authorisation to remain on their territory until that age) have an adverse impact on children's rights.

9. Children have a right to express their views freely in all matters affecting them, and to have their views taken into consideration in accordance with their age, maturity and understanding of the options available. States shall ensure that children affected by migration, whether or not in their State of origin, have effective access at all stages of migration to quality information and free of charge legal representation, interpretation, and, if they are unaccompanied or separated, to guardianship.

Key words: children on the move, child migration, family separation, reception country, coping strategies, vulnerability assessment, resilience.

3.4 Session 4: National legal framework concerning children and migration

Session 4: National legal framework concerning children and migration		Indicative duration: 1,5 hour
Topic 1	Migration legal provisions – reception, registration, identification as a minor, age assessment	
Topic 2	Legal status provisions (international protection, humanitarian protection)	

Learning objectives

By participating in this training session, participants should be able to:

- a. Know the main legal instruments relevant to unaccompanied children.
- b. Understand the main variables that could define the situation, the status and the legal options of the child as well as his/her perspective over time.

3.4.1 Topic 1 - Migration legal provisions – reception, registration, identification as a minor, age assessment

3.4.2 Topic 2 - Legal status provisions (international protection, humanitarian protection)

Instructions for the Trainer

Trainers should familiarize themselves with the national legislative context about unaccompanied children, migration and asylum policies. Powerpoint presentations will assist the delivery of such legal information starting with the legal provisions for crossing the borders of an EU country, the reception of minors, identification, age assessment, legal status (international protection or other migration status: procedure & guarantees). Famil-

iarisation with the main documents that children will be provided with.

Key words: reception, identification, age assessment, legal status, international protection, humanitarian protection.

GROUPWORK

Forced migration from Syria to a European Country

- Two siblings, Ali and Suni, have recently arrived in the country after what has been, by their accounts, a traumatic and lengthy journey from Aleppo (Syria).
- Their family, parents and two more siblings have been killed.

Questions:

Please identify:

- Which legal categories are potentially applicable for each child mentioned above?
- Which legal procedures are potentially triggered in each of the children cases mentioned above?
- Which initiatives developed by States or NGOs may contribute to their safety and protection?

4 UNIT B: The Guardian - 2nd Day

The second day of the training comprises of three sessions focusing on topics related to the guardian. More concretely, his role and specific duties will be presented as well as his rights and responsibilities towards children as provided by law and the 10 core standards on guardianship. Moving on with a more experiential orientation, guardians will have opportunity to learn about their duties in the field, how to respond to emergencies and how to reach decisions about a child by engaging the child and other involved actors. Following that the referral system of agencies, organizations and professionals surrounding the child will be presented in relation to children's needs (survival, development, protection and participation). A list of resources will complement this presentation (relevant services, agencies and institutions). Finally, guardians will be called upon to engage in a role playing for being in a position to defend the child's best interests in an efficient way.

4.1 Session 5: The Role of the Guardian

Session 5: The Role of the Guardian		Indicative duration: 2 hours
Topic 1	The role of the guardian and the key mandates	
Topic 2	Guardian's responsibilities and rights according to national law	
Topic 3	Guardianship in practice (active guardian sharing experiences of his/her role)	

Learning objectives

By participating in this training session, participants should be able to:

- a. Realize what the role of the guardian is
- b. Understand his/her role as a key person to ensure the child's best interests and rights
- c. Identify how to relate with the legislative and procedural elements that could affect the assessment and determination of the best interests of the child.

Instructions for the Trainer:

Provide participants with the Post-Intervention Questionnaire and introduce them to Session 5 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

4.1.1 Topic 1 - The role of the guardian and the key mandates – Main points

Guardian: A guardian is an independent person who safeguards a child's best interests and general well-being, and to this effect complements the limited legal capacity of the child. The guardian acts as a statutory representative of the child in

all proceedings in the same way that a parent represents his or her child¹.

Representative (sometimes referred to as legal representative): A representative “means a person or organisation appointed by the competent bodies in order to assist and represent an unaccompanied [child] in [international protection] procedures with a view to ensuring the best interests of the child and exercising legal capacity for the [child] where necessary.”²

Not a lawyer: Representatives or legal representatives differ from the qualified lawyer or other legal professional who provides legal assistance, speaks on behalf of the child and legally represents him or her in written statements and in person before administrative and judicial authorities in criminal, asylum or other legal proceedings as provided in national law³.

Not a foster parent or social worker/service provider: The guardian must also be distinguished from social workers and other caregivers responsible for the material needs of the child. Social workers or other caregivers and persons who provide a child with day-to-day care are not guardians, unless, as a result of provision by law, they exercise responsibility for the well-being of the child and complement the limited legal capacity of the child⁴.

Guardianship authority: The ‘guardianship authority’ is the institution or organisation or other legal entity that has the responsibility for recruitment, appointment, monitoring, supervision and training of guardians. The role of the guardianship authority or organisation should be laid down in the law⁵.

1. UN Committee on the Rights of the Child General Comment No. 6 CRC/GC/2005/6 and the UN Alternative care guidelines A/HRC/11/L.13

2. Reception Conditions Directive (2013/33/EU), Article 2 (j)

3. European Union Agency for Fundamental Rights (FRA) (2015), Handbook for guardianship for children deprived of parental care, Luxembourg: Publications Office of the European Union, p.15

4. Ibid.

5. UN Alternative care guidelines, A/HRC/11/L.13 and UN Committee on the Rights of the Child, General Comment No. 6 CRC/GC/2005/6.

Guardianship system as part of the child protection system

The United Nations Children's Fund (UNICEF)⁶ defines a child protection system as:

'the set of laws, policies, regulations and services needed across all social sectors – especially social welfare, education, health, security and justice – to support prevention and response to protection-related risks. These systems are part of social protection, and extend beyond it [...]. Responsibilities are often spread across government agencies, with services delivered by local authorities, non-State providers, and community groups, making coordination between sectors and levels, including routine referral systems, a necessary component of effective child protection systems'.

An integrated child protection system places the child at the centre. It ensures that all essential actors and systems – education, health, welfare, justice, civil society, community, family – work in concert to protect the child. Such an integrated approach can respond to a variety of situations an individual child can encounter. It must respond to the needs of children, including victims of trafficking within their country of nationality as well as those who have crossed international borders. The best interests of the child must be the primary or paramount consideration, as required by the CRC⁷.

National guardianship systems are an integral part of child protection systems. They should seek to respond to the needs of all children who are permanently or temporarily deprived of parental care and need protection⁸. Guardians are one of the most important features of a protection system for children who are

6. UNICEF (2008), UNICEF child protection strategy, E/ICEF/2008/5/Rev.1, 20 May 2008, available at: www.unicef.org/protection/files/CP_Strategy_English.pdf

7. European Union Agency for Fundamental Rights (FRA) (2015), Handbook for guardianship for children deprived of parental care, Luxembourg: Publications Office of the European Union, p.17

8. Ibid.

deprived of their family environment and cannot have their interests represented by their parents.

The guardian should be the person with the most comprehensive view of the child's situation and individual needs. A guardian is in a unique position to connect the various authorities and the child. The guardian can also help to ensure continuity in the protection of the child and to enable the child to participate effectively in all decisions affecting him or her, in line with the provisions of Article 12 of the CRC. Putting the guardian next to the child at the centre strengthens the guardian's preventative as well as protective role⁹.

Introduce the Core Standards of Guardianship Practice (10 core standards¹⁰)

The role and responsibilities of the guardian:

1. The guardian advocates for all decisions to be taken in the best interests of the child, aimed at the protection and development of the child. (Art. 3, 12, 6, 12, 18, 20, 24, 27, 28, 29, 31 of the CRC)

The guardian is able to advocate, assess and adjust the best interest of the child on a regular basis, involves all relevant actors and ensures that the assessment of the best interest of the child is based on the views of the child and the individual circumstances.

2. The guardian ensures the child's participation in every decision which affects the child. (Art. 12, 13, 17 of the CRC)

The guardian provides information in a child friendly way and checks if the child understands and recalls the information, listens carefully to the child and ensures plans are based on the views of the child and shared with the child, is open to feedback and manages expectations.

9. Ibid., p.18

10. <http://www.corestandardsforguardians.com/images/22/335.pdf>

3. The guardian ensures the safety of the child. (Art. 2, 3, 6, 16, 19, 20, 22, 32-39 of the CRC)

The guardian gives the highest possible priority to the child's safety, knows the signals of child abuse and trafficking, acts and reports upon signals of any harm or danger, ensures the child knows he/she is welcome to voice anything concerning his/her safety, only breaks the confidentiality norm when a child is at risk, ensures victims get appropriate treatment and is open to being monitored on own behaviour.

4. The guardian acts as an advocate for the rights of the child. (Art. 12, 3, 5, 18 (1 and 2) of the CRC)

The guardian is an assertive, committed watchdog, dedicated to defending the rights of the child, shows emotional strength, opposes decisions which are not taken in the best interests of the child and pursues fair procedures concerning the child.

5. The guardian is a bridge between and a focal point for the child and other actors involved. (Art. 3, 5, 14 (2), 18, 27 (2) of the CRC)

The guardian keeps in contact with all relevant actors, ensures to be informed about all decisions which have an impact on the child and is where necessary present at meetings, assists in establishing links with the child's community and developing relationships that give the child a sense of belonging to a family or group.

6. The guardian ensures the timely identification and implementation of a durable solution. (Art. 3, 6, 10, 16, 18, 19, 20, 22, 24, 27, 28, 34-38 of the CRC)

The guardian ensures the identification of a durable and safe solution and challenges others to prove that their proposed solutions take the best interest of the child as a primary consideration, supports the reunification of the child with his/her family and supports the integration of the child in the host country when this is in the best interest of the child, defends safety

guarantees when a child is returned and prepares the child for all predictable changes which will occur after turning eighteen.

The guardian and the separated child:

7. The guardian treats the child with respect and dignity. (Art. 8, 7, 12, 13, 14, 16, 30 of the CRC)

The guardian demonstrates appropriate behavior, treats the child unprejudiced with respect to the child's identity, privacy and cultural differences, supports the child in developing peer relationships and shows a flexible approach tailored to the individual needs of the child.

8. The guardian forms a relationship with the child built on mutual trust, openness & confidentiality. (Art. 3, 5, 12, 13, 14, 18 (1 and 2), 19, 20 of the CRC)

The guardian is always honest with the child, keeps his/her promises and keeps all information confidential unless it is necessary to break confidentiality to keep a child safe, pays attention to verbal and nonverbal communication, is empathic towards the child and gives moral support and makes clear to the child that a child who disappears is always welcome to return.

9. The guardian is accessible. (Art. 5, 18 (2), 20 of the CRC)

The guardian can be reached easily, lives near enough of the child to be able to respond quickly to difficulties, sees the child as soon as possible after his/her appointment and pays visits to the child on a frequent basis and communicates in a way which fits the age and development of the child, making use of interpreters whenever necessary and contacts the child to keep in touch also when there is no specific need to do so.

The qualifications of the guardian:

10. The guardian is equipped with relevant professional knowledge and competences. (Art. 3 (3), 18 (2), 19, 20 of the CRC)

The guardian is proactive in identifying learning and develop-

ment needs, manages his/her caseload and available resources, is accountable, works according to a set methodology, knows personal and professional limits, seeks support and counselling whenever necessary and is open to supervision and monitoring.

4.1.2 Topic 2 – Guardian’s responsibilities and rights according to national law - Main points

Guardian’s responsibilities and rights according to the national law. In general, however, the following should be taken into account:

1. Safeguards the best interests of the child (protecting the rights to non-discrimination, the right to life, survival and development and the right to be heard),
2. Supports and guarantees the well-being of the child and
3. Complements the limited legal capacity of the child (in the same way that a parent represents his or her child).

4.1.3 Topic 3- Guardianship in practice (active guardian sharing experiences of his/her role) – Main points

Here is the opportunity to invite a guardian to speak briefly about the experience of working as guardian. Encourage him/her to speak about what was very challenging for him/her, what was positive and what seemed different to his/her prior experience perhaps.

Key words: guardian, guardian’s mandate, guardian’s role and duties, guardianship system, 10 core standards.

4.2 Session 6: Case Management

Session 6: Case Management		Indicative duration: 3 hours
Topic 1	Case studies: What a guardian should do?	
Topic 2	Description of standard operating procedures that a guardian needs to follow & variations according to care arrangements	
Topic 3	Decision making process – involving the child & other actors; resolving ethical dilemmas	
Topic 4	Emergency response (use of case studies)	

Learning objectives

By participating in this training session, participants should be able to:

- a.** Understand what the guardian needs to do in order to fulfil his/her role.
- b.** Engage the child and the involved actors in a meaningful way to draw a case plan and identify durable solutions for the child.
- c.** Know how to respond to emergency occasions, i.e. when a child is missing, presents an aggressive behaviour, hurts him/her-self, is homeless.

Instructions for the trainer:

Introduce the participants to Session 6 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

4.2.1 Topic 1 Case studies: What a guardian should do?

Assessment and determination of the child's best interests

Case studies shared to the trainees in order to work based on suggested case scenarios.

The child's best interests shall be assessed in a child-sensitive manner, taking due account of the child's age and maturity, as well as the child's views, needs and concerns. In its 2013 General Comment No. 14, the Committee on the Rights of the Child lists the elements that need to be taken into account when assessing the child's best interests:

- The child's views;
- The child's identity;
- Preservation of the family environment and maintaining relations;
- The care, protection and safety of the child;
- A situation of vulnerability;
- The child's right to health;
- The child's right to education.

The Committee also provides guidance on how to balance these elements. Preserving the family environment, for example, may conflict with the need to protect the child from the risk of parental violence or abuse. In such situations, the elements will have to be weighed against each other to find a solution that is in the child's best interests.

In addition to such regular assessments of the child's best interests, national law may require a formal best-interests determination for serious decisions affecting the life of a child, such as the identification of a durable solution. Such determination should be done by a multi-disciplinary team following strict procedural safeguards.

EU law also provides guidance to Member States when assessing the child's best interests. Article 23 (2) of the Reception Conditions Directive (2013/33/EU), provides that "in assessing the best interests of the child, Member States shall in particular take due account of the following factors:

- Family reunification possibilities;
- The minor's well-being and social development, taking into particular consideration the minor's background;
- Safety and security considerations, in particular where there is a risk of the minor being a victim of human trafficking;
- The views of the minor in accordance with his or her age and maturity."

The guardian must participate in such formal best interest determination to make sure that the child's best interests are a primary consideration in all decision-making processes and that the right of the child to be heard is respected, as required by Article 12 of the CRC.

4.2.2 Topic 2 - Description of standard operating procedures that a guardian needs to follow & variations according to care arrangements

Intervention 5 stages

1. Registration / Identification

- Identification and registration of a vulnerable child
- Gathering of information
- Raising awareness among other professionals about the child's situation

2. Assessment

- An ongoing process of gathering information and analyzing it in order to make decisions about the necessary upcoming actions

- Assess child's vulnerabilities and abilities
- 3. Action plan for the provision of services
 - Develop an individual case plan for each child including direct support and/or referral for services
 - Specifics steps to be taken to meet the objectives and expected results after the assessment
- 4. Follow-up / Monitoring of Progress
 - Regularly monitor and review case
 - Reassess and verify actions in order to determine current situation of the child and examine the action plan's progress
- 5. Case closure
 - Discontinue the provision of support and services to the child based upon positive results and determined by criteria set forth by the previous monitoring.

Although there may be a case worker with overall responsibility for the unaccompanied child, it is important that all professionals work together. This way they can each contribute to the different steps of case management and provide the different expertise and services a child may need. Working together in this way is recognised **as a multi-sectoral approach** to case management.

- This means the case worker should not have to do everything by themselves but should be supported and assisted in the assessment process by colleagues from different professions.
- However, working together may require the sharing of confidential information, especially if we want to prevent children being asked the same questions over and over again.
- It is recommended that case management is undertaken by well trained staff. This is important because not having the necessary skills to fully assess and make the correct decisions in a child's best interests can result in negative consequences for their immediate and future well-being.

- It is also important that children themselves fully participate in the case management process.

Standard operating procedures will be discussed as presented in the Handbook on Standard Operating Procedures for Guardians, i.e. from the moment of appointment what are commonly the actions that a guardian should take in matters of representation and safeguarding the child's rights and overall well-being.

Tasks are presented based on a three broader variables categorisation:

- Time: (a) within 72 hours from the appointment, (b) within the first week, (c) within the 2nd and 5th week and (d) on a regular basis or when appropriate
- Rights and needs of the child: (a) physical and mental health; (b) education/activities; (c) legal representation and assistance; (d) case management; and (e) child protection
- Care arrangements: (a) short term foster care; (b) long term foster care; (c) Protective custody in a facility for temporary stay; and (d) homelessness

Group Work Activity:

The trainer shall divide the participants in to groups and distribute a case study to each group to work on for 10 minutes. Then each group, one after the other, will be invited to present the case and explain what actions they would take and if decisions were easy to reach or there were different opinion on how to act. Case studies distributed per group.discussed in terms of what a guardian would do from that point of the story and on; what elements might sound alarming or provide a hint on how to move on; with which agencies and professionals the guardian would aim to cooperate for the child's case.

4.2.3 Topic 3 Decision making process – involving the child & other actors; resolving ethical dilemmas – Main Points

The proposed steps for decision-making are the following¹¹:

1. Discussion with the minor: the guardian before making any decision shall consider the child's request and views. These cannot be binding for the guardian, but it is necessary step for the minor to feel that his/her opinion is heard. In this way he/she will feel that he/she is the main focus of the process and that the guardian is there for him or her. Thus, he/she may be more cooperative throughout his/her interaction with the guardian, and may also have a positive attitude towards the system, the country, and his/herself too.

2. Collaboration and information sharing among caregivers/experts who know the minor: It is of the utmost importance for the guardian to have a considerable amount of information at his/her disposal and a comprehensive overview regarding the child's needs and situation. This will allow him/her to assess whether the minor's aspirations are realistic and can be given due weight when deciding on his/her future. By discussing with the caregivers and/or experts who know the child, possibly more deeply than the guardian him/herself, or have the expertise to define the child's special needs, the guardian shall be able to ensure that any decision taken will respond to the child's needs and circumstances and provide the necessary protection to the child.

3. Best Interest Assessment – setting objectives: At this stage, the guardian should be able to make an informed assessment of the minor's best interests. Base on this assessment he/she shall set the objectives that a decision should serve. On this basis, he/she shall proceed to the decision making.

4. Update of the action plan: Based on the decision taken, the guardian needs to define precisely the actions that he/she shall

11. ASOP4G Handbook on standard operating procedures for guardians.

take and/or together with the minor, in order to implement it. At this stage, it is very useful for the guardian to identify the contact persons with whom he/she shall work for the child's case and gather relevant contact details. Also, the possible time plan of the above actions and the final implementation of the decision are necessary in order for the guardian to arrange his/her daily schedule accordingly.

5. Informing the minor: Even if the implementation of the decision does not require the presence or immediate co-operation with the minor, the guardian is obliged to inform him/her, firstly, since it is the child's right and secondly, for reasons of establishing a positive and trusting relationship, as described under step one. At this stage, especially if the decision he/she has taken is not in accordance with the expressed wishes of the minor, the guardian may need to explain, not only why he/she took that decision but also why he/she could not satisfy these particular desires. Reality checks are necessary even when these are not pleasant. The minor should be allowed to express his/her dissatisfaction. If the guardian feels confident about his/her decision, he/she may be able to remain stable and positive towards the child, endure the child's disappointment and help him/her overcome it.

The United Nations Committee on the Rights of the Child (2013) provides a tool for the assessment and determination of the best interests of the child in General Comment no. 14 (hereafter: GC 14). The Committee describes a non-exhaustive list of areas of concern that should be part of every best interest's assessment:

a. The child's views; children should influence the determination of the best interests by expressing their views on the decision that affects them (GC 14, para. 53–54);

b. The child's identity, which includes characteristics such as cultural identity, religion, beliefs, sexual orientation and personality (GC 14, para. 55–57);

c. Preservation of family environment and maintaining relations, which includes both the prevention of separation with the parents unless this is in the best interests of the child, and the preservation of the child's ties beyond family, e.g. school and friends (GC 14, para. 58–70);

d. Care, protection and safety of the child, necessary to ensure the child's well-being, including emotional care and calculation of future risks and harm as a consequences of the decision (GC 14, para. 71–74);

e. The state of vulnerability, such as being disabled, belonging to a minority group, being a refugee or victim of abuse, is to be assessed through the child's history from birth (GC 14, para. 75–76);

f. The child's right to health (GC 14, para. 77–78); and.

g. The child's right to education (GC 14, para. 79).

Following these guidelines of the Committee, decision-making in a migration procedure obliges the decision-makers to gather a lot of information on an unknown –recently arrived– child and requires the decision-makers to be able to interpret this information in a way which corresponds with the best interests of the child principle. Therefore, the Committee advises to involve professionals trained in, inter alia, child psychology, child development and other relevant human and social development fields, who are experienced in working with children, and will consider the information received in an objective manner (GC 14, para. 94). Decision-making should be based on scientific knowledge (GC 14, para. 95).

Once an unaccompanied or separated child has been identified we can use the process of **case management** to help us make decisions with, and for, the child. Case management should also be used for those children travelling with parents, a legal/customary carer, or other family members who may also be at risk of harm.

Case management consists of a **series of actions and procedures** that help us:

- Accurately assess and identify each individual child's needs, circumstances and wishes
- Make sure a child's best interests are a primary consideration
- Support the participation of children in decision making and the planning of care and support
- Systematically monitor each child's circumstances and make adjustments as necessary

Case management is relevant for children who are in transit or have reached their country of final destination.

Using the case management process can also help contribute towards decisions about the most appropriate long-term care and protection solutions for an unaccompanied or separated child. This might include such arrangements as integration in the country that the child has already reached voluntary repatriation to the child's country of origin or resettlement in a new country.

Which are the steps of case management?

Following an initial identification and/or registration process we discussed in previous course pages, the steps of case management include:

1. Assessment - gathering all the necessary information about a child's circumstances, needs and wishes. It may be necessary to conduct two separate stages of assessment – an **initial short assessment** and a second, more in-depth, and **comprehensive assessment**

2. Case planning – developing an **action Plan** that meets the identified needs and provides all the details of the care, protection and other support services, legal status, education etc. a child is being referred to

3. Case implementation – delivery of the care and protection plan including direct support and referral to other services

4. Monitoring and review – regular monitoring and review of the child’s circumstances and implementation of the care and protection plan, and making any necessary changes until eventually a case is closed.

Key words: standard operating procedures, case management, decision making, emergency response.

4.3 Session 7: Referral system

Session 7: Referral system		Indicative duration: 2 hours
Topic 1	The system of agencies and professionals surrounding the unaccompanied child based on the child’s needs and rights: Responsibilities & mandate of the different organisations	
Topic 2	Enhancing & establishing collaboration with agencies – Promoting multidisciplinary work (use of role playing)	

Learning objectives

By participating in this training session, participants should be able to:

- a.** Identify main agencies, stakeholders and actors and adopt an integrated, coordinated and planned response approach.
- b.** Constructively relate with the existing referral system by identifying possible gaps and opportunities.
- c.** Identify ways to cope with dysfunctionalities of the system and conflict situations by focusing on the best interests of the child.

Instructions for the trainer:

Introduce the participants to Session 7 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

4.3.1 Topic 1- The system of agencies and professionals surrounding the unaccompanied child based on the child's needs and rights: Responsibilities & mandate of the different organisations – Main points

A list of resources (relevant services, agencies, organisations) according to categories such as accommodation, health care, education, psychological support, asylum and migration, child protection, interpretation, food and personal hygiene, relevant to each country will be given to the participants.

4.3.2 Topic 2 - Enhancing & establishing collaboration with agencies – Promoting multidisciplinary work (use of role playing) – Main Points

The guardian must safeguard the child's well-being and the continuum of care he or she requires. However, guardians must not duplicate the work of other organisations or professionals. The function of the guardian is to coordinate but not replace the actions of social workers in child protection, welfare authorities or staff providing the child with care. The guardian should function as the child's reference person and act as a link between the child and specialist agencies, individuals and service providers.

The guardian should coordinate the various service providers and ensure that the network of services supporting the child functions adequately. EU Member States should establish effective coordination mechanisms and foster cooperation between the guardianship authority and the authorities related to child victims of trafficking.

Formal protocols and agreements between the guardianship authority and other concerned entities can help such cooperation. They also clarify who is responsible for a particular task and facilitate oversight, thus promoting accountability.

Possible details to include in such cooperation arrangements are:

- Clear provisions on the roles and responsibilities of all relevant actors involved in the protection of a child;
- Clear guidance on when the guardian should be contacted and/or informed, attaching contact details of the guardianship authority and of other entities which usually deal with victims;
- Instructions on how to inform the child;
- Instructions on what information about the child can or cannot be shared;
- Coordination mechanisms set up to clarify open issues and exchange views on a regular basis.

Key words: referral system, guardianship authorities/agencies, child protection system, coordinated approach, transnational cooperation.

GROUP WORK

Instructions for the Trainer

Encourage participants to separate themselves in smaller teams of 2-3 and discuss and not down possible cause of no collaboration among organizations, benefits and uses of collaboration for organizations and their service users in this respect unaccompanied children.

Use of markers and flipchart paper is advised for giving and receiving feedback from the whole group.

5 UNIT C: The Relationship between the Guardian and the Child - 3rd Day

This unit consists of four sessions focusing on topics related to both the guardian and the child and especially to their relationship. Initially, the developmental stages of children per age group will be presented and with a particular emphasis on adolescents and their psychosocial needs. Furthermore, cultural issues to be considered when interacting with children of specific age groups and gender will be discussed. Further on, key principles for building a trust-based relationship with the child will be explored. In addition to that, valuable trait qualities and the impact of the guardians' personal views will be considered. Following, there will be an effort to standardize the initial meeting with children in order to enhance guardian's communication and rapport with the child in an appropriate and purposeful way. Lastly, the guardians will practice on assessment tools that they can utilize (a checklist of guardian's duties, vulnerability assessment, and best interest assessment).

5.1 Session 8: Children’s developmental stages and the migration context

Session 8: Children’s developmental stages and the migration context		Indicative duration: 1,5 hour
Topic 1	Children’s development: what a guardian should be aware of; emphasis on adolescents	
Topic 2	Assessing the psychosocial needs of unaccompanied children	
Topic 3	Cultural considerations per age group and gender	
Topic 4	Working together with a cultural mediator/interpreter	

Learning objectives

By participating in this training session, participants should be able to:

- a.** Identify the interrelated elements that have to be considered for and with the child to guarantee protection and proper physical and psychosocial development
- b.** Appreciate the various dimensions which are necessary to develop proper cultural mediation between the present context of the child, the culture of origin and his/her biography

Instructions for the trainer:

- c.** Introduce the participants to Session 8 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

5.1.1 Topic 1- Children’s development: what a guardian should be aware of; emphasis on adolescents – Main points

Monitoring a child’s development is of critical importance in order to prevent and/or timely diagnose any health problems that may occur, from the day a child is born until his/her late adolescence, ages during which the child’s needs, both biological and emotional, psychological and social, vary considerably, so that they often bring confusion even to health professionals, not to mention parents and caretakers.

This topic aims to provide the basic knowledge that may allow the guardian to understand the procedure and course of development in a holistic way, on a biological, emotional and psychological and social level, by presenting the typical, expected or “normal” course per age. Any significant deviation from this course may be considered as an indication for intensified monitoring or/and referral. The guardian is only expected to observe and detect any warning signs and be ready to refer the child to experts for further evaluation and treatment if necessary. Taking into consideration the fact that the majority of unaccompanied minors assigned to guardian care are children in adolescence, there has been a particular focus to this developmental stage.

Adolescence (11-19 years)

By the end of adolescence, young adults are expected to have conquered all the skills necessary to an independent adult person. Nevertheless, this doesn’t happen without going through an intermediate period of incongruence and conflict. The avalanche of changes during adolescence may compare only to those of infancy. Adolescents need to process the changes they experience and prepare for adult life. It is a period of transition from childhood to adulthood, reflected in the adolescents’ emotion, thought and behavior, where the characteristics of a child coexist or interchange with those of an adult.

→ **Abstract thinking:** Adolescents develop the ability to form

hypotheses, even alternative ones, for resolving a problem, and checking the facts according to these hypotheses in order to reach a decision. Still, although adolescents are as “intelligent” as adults, the decisions they make are often the exact contrary of common sense. This phenomenon is due on the one hand to the poor impulse control of adolescents and on the other to the importance they attribute to the opinions of their peer group.

→ **Social development and acquisition of personal identity:**

Adolescents begin to realize their differences from their parents and feel the need to diversify as much as possible in order to build their personal identity. It is the process described by Erikson as the “identity crisis” of adolescence, often painful for both the adolescents and their families. Adolescents turn towards their peer group, often rejecting family values and standards. Especially in contemporary western societies, where there is often some degree of uncertainty regarding both the time of reaching adulthood and the rights and obligations of adolescents, they often come to conflict with their family. In closed traditional societies, adolescents tend to conform easier to the norms and role models of their family environment.

→ **Sexual development:** Adolescents are expected to be intensely interested in their sexuality, as a result of the hormonal changes happening in their body. They masturbate experiment and engage in detailed discussions with peers about their body and about sex. Sexual identity is expected to have been crystallized by the end of adolescence, when the young person is ready to seek a sexual partner and engage in an intimate and equal romantic relationship.

The term “crisis of adolescence” describes the generalized state of internal and external upheaval the adolescent experiences. Although a considerable percentage of adolescents go through a smooth and gradual change, most of them experience this crisis either as a latent, silent psychological tur-

moil, or as an obvious externalized crisis, which often brings them in conflict with their environment. Moreover, the crisis does not manifest in the same way during all stages of adolescence.

During early adolescence (11-14 years), this crisis may lead to:

- **Mood swings, bleak mood, withdrawal:** Adolescents may complain they feel lonely, while at the same time seek to be alone, change their mind all the time, blame their difficulties on others and constantly contradict themselves. If they don't reach the extremes of social isolation, this tendency is generally considered acceptable, as maybe the "lighter" version of the crisis of adolescence.
- **Distorted body image:** Adolescents may feel displeased with, ashamed for or have a totally distorted image of their body or particular parts of their body. They may avoid exposure by refusing to participate in sports activities or by wearing oversized or seasonally inappropriate clothes.
- **Feeding and nutrition disorders:** Adolescents often resort to overeating, single food item- or crash diets. Early adolescence is the most common age anorexia and bulimia nervosa first symptoms appear.
- **Sleep disorders:** Adolescent may have a hard time falling asleep, waking up and observing their time schedule. They may feel constantly tired, irritable and out of control.
- **Phobias:** A phobia is an irrational and excessive fear towards an object or situation. Adolescents may manifest social phobias towards several social situations and interactions, as well as specialized phobias, often taking the form of fear of death.

During middle adolescence (14-17 years), the same internal conflicts may be externalized in somewhat different ways. During this stage, adolescents:

- Become irritable and unceremonious: Usually towards their parents, teachers and the opposite sex. This seemingly inexplicable hostility and reactivity reveals how unready adolescents still are to face others in relationships based on equality and not on authority and dependency.
- They reject social values and adopt the role models and values of adolescent culture: Apart from the family and family values, adolescents tend to also nullify and reject the whole of social values. They often end up supporting extreme ideologies and adopt not only the role models and values but also the dress code, slang and habits of the so-called adolescent culture.
- They adopt dangerous or/and offensive behavior: Adolescents, under pressure from their internal conflict and their peer group, and in the context of generalized opposition and reactivity towards family and social values and norms, may get involved in a series of behaviors putting their health and safety in danger: substance and alcohol use, smoking, unsafe driving, risky sexual behavior, internet abuse, verbal and physical aggressiveness.

During late adolescence (17-19 years) young adults are expected to have conquered all the skills that will allow them to make a good start to the next stage of their lives. Still, especially in cases where there are pre-existing and untaken care of psychosocial and emotional issues from previous developmental stages, the newly acquired autonomy and independence may expose the adolescent to risks they are unprepared for.

Monitoring during all stages of adolescence is of crucial importance for the timely detection of any of the above behaviors. If an adolescent has the tendency to manifest his/her internal conflict in a particular way that puts his/her mental or physical

health in jeopardy, the sooner it is acknowledged the easier it will be to deal with the possible problem. Often, different institutions or adults who share responsibility for the adolescent (for example, the family and the school, the mother and the father, the parents and the grandparents) detect the issue on time, but engage in a futile effort to assign blame to “the other party”. At the same time, they often, either demonize, or totally absolve the adolescent of responsibility. None of these attitudes helps, either to comfort the adolescent experiencing the crisis, or to control the unwanted behaviors.

All those involved need to comprehend that an adolescent in crisis suffers and needs help in order to reach emotional and psychological balance without the need to resolve to extreme behaviors-internal conflict demonstrations. Seeking expert help would rather not be an ultimate resort, but a preventive move that might save both children and adults from many complications and more severe conditions in the future.

In various cultures there may be rites marking the passage from one developmental stage to another. Depending on the culture of each child, expectations concerning what is required from children at each age may vary considerably. At the same time, war, armed conflict, poverty and other hardships or experiences may affect the development of children and the acquisition of certain developmental milestones, e.g. a child may fail to speak, develop fine motor or cognitive skills at the age he/she would be expected to. Nevertheless, there are cases where children face particular physical and mental health issues that require the intervention of specialized experts¹.

1. ASOP4G Handbook on Standard Operating Procedures for Guardians.

5.1.2 Topic 2 - Assessing the psychosocial needs of unaccompanied children - Main points

Unaccompanied children may have multiple risk factors for potential mental health problems, including trauma, forced migration and stressors associated with settlement. Surveys in refugee children and young people have reported varying prevalence of mental health symptoms and problems; with estimates for post traumatic stress disorder (PTSD) ranging from 3-94%, depression/depressive symptoms from 3-47% and anxiety symptoms from 3 - 95% (IOM, UNICEF, UNHCR, 2017²).

Children are particularly sensitive to situations such as forced migration and the damaging developmental effects are not limited to specific mental health diagnoses such as PTSD and depression. A wider and multilayered set of outcomes needs to be taken into account when working with children affected by mass trauma. For example, unspecific internalizing as well as externalizing behaviour problems, which have been associated with exposure to war and conflict. Additionally, the impact of childhood traumatic experiences are not limited to the immediate outcome of trauma but have long-term effects that last into adulthood, e.g. higher incidences of mood and anxiety disorders as well as functional disfunctions related to the ability to work, perform household duties, or have satisfying close relationships. Thus, an effective psychotherapeutic intervention for unaccompanied children may not only prevent psychosocial difficulties but also have an important long-term impact on the mental health well-being and functioning in adulthood.

Unaccompanied children interact with a number of different governmental and no-governmental systems and cross a complex transnational context. However, there are direct implications for guardians and other professionals involved in the field of child mental health and child protection.

2. IOM, UNICEF & UNHCR (2017). Refugee and Migrant Children- Including Unaccompanied and Separated Children - in the EU Overview of Trends in 2016. Fact sheet accessed online on the 10th April 2017.

A robust response to the needs of unaccompanied child begins with an awareness of the context and history of that child, and consideration of the exceptional circumstances faced by them (e.g., high rates of trauma, the impact of increasing trauma, family separations and attachment interruptions, interface with the immigration system) that may impact their development and mental health status. While there is limited literature on approaches adapted for this population, guardians can draw on well-known interventions for vulnerable populations with related challenges (refugee families, accompanied immigrant children and foster families). These may contain evidence-based trauma-focused therapies, family therapy and multilevel approaches addressing the interface between child, family, school and other institutions (Ehnholt & Yule, 2006³; Kugler, 2009⁴; Miller & Rasmussen, 2010⁵; Murray, Cohen, Ellis & Mannarino, 2008⁶).

Potential factors of vulnerability⁷

- Exhaustion from the journey
- Shock by the change of environment
- Absence of adult care-giver

3. Ehnholt, K.A., & Yule, W. (2006). Practitioner Review: Assessment and treatment of refugee children and adolescents who have experienced war-related trauma. *Journal of Child Psychology and Psychiatry*, 47(12), 1197-1210.

4. Kugler, E.G. (2009). Partnering with parents and families to support immigrant and refugee children at school. *Center for Health and Health Care in Schools*, 1(2), 1-19.

5. Miller, K.E., & Rasmussen, A. (2010). War exposure, daily stressors, and mental health in conflict and post-conflict settings: bridging the divide between trauma-focused and psychosocial frameworks. *Social Science & Medicine*, 70(1), 7-16.

6. Murray, L.K., Cohen, J.A., Ellis, B.H., & Mannarino, A. (2008). Cognitive behavioral therapy for symptoms of trauma and traumatic grief in refugee youth. *Child and adolescent psychiatric clinics of North America*, 17(3), 585-604.

7. ASOP4G Handbook on Standard Operating Procedures for Guardians.

- Loss of security of sense of security
- Limited access to food, medical services, social care, support and education
- Proneness to illness
- Disorders of physical development
- Difficulties in communication
- Participation in numerous bureaucratic procedures (e.g. asylum or migration procedures)
- Giving personal information/narration or personal story to unknown adults
- Cultural characteristics
- Exploitation, abuse, other traumatic events (either in the past or at risk in the present)
- Racism
- Detention
- Loss of personal documents, possibility of age assessment

5.1.3 Topic 3 - Cultural considerations per age group and gender -Main Points

“Violent family separation, exposure to extreme dangers during the journey, inappropriate living conditions, let alone the temporary but long-term stay in the reception country or the beginning of a new life in the final destination country, disrupt the cultural continuum of the unaccompanied child’s life. Undoubtedly, the child’s adjustment to the new conditions contributes to the development of resilience, while changes in his/her everyday life, mind-set and behaviour play a key role in his/her entire development. A child faced with a new life, he/she often experiences intense anxiety, fear and a sense of loss of control over his/her life. The process of migration as a whole (before or during the journey and the following period of adjust-

ment in the reception country) is, especially for unaccompanied children, a particularly stressful situation which can be a source of intense anxiety and even affect their mental health⁸. Besides, the unaccompanied child's encounter with another culture in the reception country may affect his/her typical psychosocial development, as vital parts of his/her identity (language, religion, family structure, system of values and beliefs, gender relations) are developed in an entirely new context and often under completely opposed terms compared to the country of origin.

In practice, the guardian may experience situations that will seem quite challenging to handle. Some indicative examples follow:

The child's family may not approve of the choices he/she makes while in a foreign country and away from the close family and wider social network, resulting in the risk of the child being rejected by his/her own family which may consider the child's best interest less important than their own. Such "controversial" choices may include: school attendance, learning of the language of the reception country or other foreign languages, engagement in educational and entertaining activities important for the child's development, planning of immediate steps to be taken, mapping a life plan in order to achieve goals set together with the guardian. All the above, will define the relationship between the unaccompanied child and his/her family left behind (if any), as well as the general attitude that the child will adopt presently and in the future.

A substantial percentage of unaccompanied children arriving in European countries comes under significant pressure from their families to chase the "western dream" and secure a better future. Often the potential financial benefits from the child's stay in Europe constitute the biggest expectation of the family. In such cases, the unaccompanied child's sole purpose is the fami-

8. BABEL (2010) Cultural Awareness Tool – understanding cultural diversity in mental health (in Greek).

ly's financial support, placing all his/her efforts there and rejecting any other plans that might diverge from this objective, such as attending school or other educational activities. Additionally, any rejection concerning the child's legal status (e.g. negative decision in the international protection application) may create immense negative feelings to the child who may react intensely; e.g. absconding from shelter, contact smugglers in order to be transferred to another country illegally, self-injury. Such reactions often stem from feelings of shame towards his/her family because he/she "failed" to fulfill his/her parents' aspirations⁹.

Some children may be forced by their families to leave their community or country as punishment for disgracing them, e.g. due to the child's sexual orientation. Family honor¹⁰ is a cultural aspect prevalent in conservative societies and traditions. Unaccompanied children's interaction with people and social systems in European countries where family honor and system of values do not dictate similar restrictions or practices, can put children on the horns of a dilemma, whether to "defend" the concept of family honor or fail family's expectations in favor of the child's personal choices. Some children avoid telling their parents about the life they are leading in the reception country for fear of their parents being disappointed and feeling ashamed. Children may come from countries, where the restriction of the right to expression, to develop one's personality and to self-determination might be prevalent, especially when it comes to children. This may be related to the "we" culture that is more commonly detected in non-western communities instead of the "I" culture, which is usually associated with "western" communities. In addition, it is apparent that children often rank very low within the family and society and have to comply with the family's demands in relation to their choices in clothing, school at-

9. CONNECT project (2014). A tool for guardians and other actors working for the best interest of the child, chapter 3.

10. CONNECT project (2014). A tool for guardians and other actors working for the best interest of the child, p. 9,37.

tendance, marriage and employment. Furthermore, sometimes girls are expected to achieve high school performance –for as long as parents approve school attendance– and also help with the household, while their movement outside the home is limited, especially in comparison to the boys. Girls may be forced by their family to marry at an early age¹¹, whereas both boys and girls may be forced to marry or engage in pre-arranged way. Children’s rights as enshrined in the CRC may not be widely respected.

Notwithstanding, children may also exhibit a general mistrust towards the professionals or national system of the reception country. One aspect of this complicated situation may concern health and medical care. In particular, it has been observed that children, as well as adults, coming from another “health culture” than the reception country’s may be distrustful of western health care and medical staff (necessity for treatment, type of medicines, strict fasting without paying attention to the health risks). Mistrust, however, may also be evident in the children’s everyday contact with the guardian and often stems from cultural, religious and social perceptions (e.g. gender stereotypes).

Gender roles are an issue that inevitably emerges during the child and guardian interaction, especially if the guardian is a woman. Children especially young boys might be reluctant to trust a woman, other than their mother or aunt. At the same time, adolescent boys may be very shy when interacting with a female guardian; for the same reason, they might even avoid eye contact and be very reluctant to speak. Likewise, girls might feel shy to express themselves freely to a male guardian. Yet, this is something that can be resolved and respect and understanding can be achieved by explaining the role of the guardian. Another factor that significantly influences the child’s way of living, defining his/her worldview and inevitably his/her actions, is religion.

11. CONNECT project, 2014, A tool for guardians and other actors working for the best interest of the child, chapter 3, pp. 24-30.

The guardian should always have in mind the child's religious background, as this will help him/her identify the needs and reasons of a child's behavior; e.g. in relation to the child's diet or the most appropriate time for a meeting (not when he/she visits the mosque or church, not early in the morning when he/she fasts during Ramadan); a girl not feeling comfortable to remove her hijab in front of boys or men even when in hospital or even in very warm days; a very young boy seeing an advertisement with women in bikini bathing suits and being shocked."¹²

“Culturally Sensitive Communication”¹³

Culture is dynamic and knowledge about cultures is not sufficient to improve communication. You can only acquire knowledge about the other through meeting, interaction, and dialogue. This demands that you can empathise with the other person, are curious about who they are, and respect their boundaries.

It is important to experience the meeting as safe and the intention of the discussion must be clear: agree on the frameworks and discuss what will happen with the information. If you have to deal with traumatised or there are difficult topics or secrets, agree on what will/will not be discussed, or decide when exactly the discussion will stop.

By asking open questions (who, what, how, when), the other person is invited to share things. Give the other person the opportunity to ask questions and know your attitude towards different cultures as well as your own. The tendency to favour assimilation to the dominant norms is often greater than many people are aware. Connect with the other person through an open, listening, and curious approach, and with children, also assess their development level. Active listening requires probing

12. For more information see CONNECT project 2014. Available at: http://www.connectproject.eu/PDF/CONNECT-NLD_Tool2.pdf

13. For more information see CONNECT project 2014. Available at: http://www.connectproject.eu/PDF/CONNECT-NLD_Tool2.pdf

further into what the other person says; this is only possible when you let go of your agenda.

In intercultural communication, issues may arise because people interpret behavior differently. Following the 3-Step Method (Pinto, 2007) may contribute to more effective intercultural communication. The first two steps teach us to look from both perspectives (that of the person themselves and of the other) and, in Step 3, any differences may be indicated for both cultures.

Step 1: Become aware of and know your norms, values, and codes of conduct.

Step 2: Learn the (culture-specific) norms, values, and codes of conduct of the other person, making a distinction between opinions and facts. Ask what you do not understand. After these first two steps, both perspectives are revealed.

Step 3: In handling differences, determine how the other person deals with the differences in norms and values found in the given situation. Determine where your limits are regarding adaptation to, and acceptance of, the other person. These limits are explained to the other person in a manner suited to their cultural communication codes.”

5.1.4 Topic 4 - Working together with a cultural mediator/interpreter – Main Points

Aim of this Topic is to provide guardians with a list of concrete guidelines in the subject of working effectively with interpreters through the implementation of best practices when discussing with the unaccompanied minor. By respecting children’s right to express their views freely¹⁴, to be listened to, and receive any necessary information about their living conditions, problems they face, legal status and future opportunities, a joint effort

14. UNICEF (2007). Implementation Handbook for the Convention on the Rights of the Child, p.149

towards the safeguarding of children's best interests is taking place when working with an interpreter and/or cultural mediator, by overcoming cultural barriers and respecting the child's traditional background¹⁵.

With the valuable assistance of a professional interpreter and not a child's relative nor member of his community, friend or staff member, a guardian is possible to create a child-friendly environment of trust thus communicating with the child and building a truthful relationship with him/her.

Requirements an interpreter must have¹⁶:

- A professional qualification of interpretation and/or relevant training¹⁷
- Knowledge of children's rights and child protection issues
- Knowledge of communicating with children at-risk
- Apprehension of the cultural background of the child.
- Sense of confidentiality that could be ensured by signing a relevant consent form¹⁸

What guardians must do for ensuring effective collaboration with the interpreter¹⁹:

Before the discussion:

- Brief the interpreter about the goals of the interview and the possibility of asking personal delicate questions with emotionally intense content

15. 2 UNHCR, Field Handbook for the Implementation of UNHCR BID Guidelines, p.94

16. Ibid.

17. <https://umtia.org/resources/how-to-work-with-an-interpreter/>

18. IOM (2017). Field Handbook on unaccompanied and separated children. Interagency Working Group on unaccompanied and separated children, p.147-148

19. <https://refugeehealthta.org/access-to-care/language-access/best-practices-communicating-through-an-interpreter/>

- Provide the interpreter with information about certain points which will be addressed to the child
- Inform the interpreter about the child's educational level and level of literacy, and discuss with him/her about the use of special language expressions (e.g. law or medical terms)
- Ask from the interpreter to inform him/her about any cultural concerns regarding the topic under discussion
- Plan more time than the usual, because interpretation always takes more time than a discussion between people speaking the same language
- The interpreter's seating must be placed behind or at the side of the child

During the discussion:

- Introduce themselves, the interpreter and explain their roles.
- Face directly towards the child and keep an eye-contact with him/her, not the interpreter
- Speak with clarity, correct pronunciation and enunciation.
- Keep a vocal variation which helps underlining the speech's tone.
- Speak with a pace comfortable to the interpreter and make pauses when he/she asks you to.
- Remind the interpreter to translate you everything the child says, without exceptions, even if you understand that the child repeats himself/herself, uses inappropriate language e.g. curse words or makes irrelevant comments.
- Ask the interpreter to repeat key information in order to confirm you have understood.
- Encourage the interpreter to say if a question or a child's response is difficult to translate
- Note facial expressions and general non-verbal communication between the interpreter and the child.

- Take into account the interpreter's opinion if a question might be culturally inappropriate or linguistically misunderstood.

It would also be helpful, when discussing with an interpreter, if the guardian avoids to:

- Ask multiple questions but are patient giving the interpreter the time to understand the question and convey it to the child with a culturally appropriate manner.
- Use slang language, idiomatic speech, acronyms, difficult vocabulary and complicated structure in his/her sentences.

After the discussion²⁰:

- Ask the interpreter of his own personal views regarding the child's truthfulness and general performance
- Talk about any ambiguous points which may haven't been translated effectively.
- If possible, and if the interpretation was satisfying, plan future interviews and discussions with the same interpreter/cultural mediator

Always keep in mind that the interpreter is one of the most essential means of communicating with the child but not the final recipient. Apart from his assistance in communication, he is not responsible to give solutions to any cultural differences, but he can help to eliminate any misunderstandings between the guardian and the child, for instance in case of limited eye contact or inappropriate gestures. Needless to say that all discussions must be held with the presence of the guardian; the interpreter must not be left alone with the child.

Key words: developmental stages, psychosocial needs, intercultural communication, cultural mediator, interpreter, cultural considerations, family honor, gender roles, religion, health.

20. <http://www.cmaj.ca/content/183/12/E959.full>

5.2 Session 9: Building a trust-based relationship with the child

Session 9: Building a trust-based relationship with the child		Indicative duration: 1,5 hour
Topic 1	Guidelines for working and communicating with children – Basic principles, building rapport & handling resistance, conflict, disappointment & trauma	
Topic 2	Realizing the impact of a guardian's personal attitude	
Topic 3	Setting limits and clear roles in the child-guardian relation	
Topic 4	How the guardian should respond? (use of role playing)	

Learning objectives

By participating in this training session, participants should be able to:

- a.** Properly communicate with a child and establish a healthy relationship by acting as an advocate for the child, doing no harm, being neutral and non-discriminatory, building on resilience and enhancing child participation.
- b.** Identify their own perceptions and how these may influence their work or attitude
- c.** Understand the main determinants and conditions which allow appropriate/active listening and interaction with the child.

Instructions for the trainer:

Introduce the participants to Session 9 and its topics by explaining the reasoning of choosing to discuss them in the beginning of the training.

5.2.1 Topic 1 - Guidelines for working and communicating with children – Basic principles, building rapport & handling resistance, conflict, disappointment & trauma -Main Points

During all communications with the child, the guardian should keep in mind and apply some basic principles that facilitate communication anyway²¹:

Do	Don't
Explain, be clear about roles, rules and boundaries	Don't take anything for granted
Teach by example and coach the child	Don't preach
Share your action plan	Don't make promises you're not sure you'll be able to keep
Try your best	Don't try to be a savior
Be assertive	Don't allow your personal boundaries to be stepped over
Focus on the positive and strong points of the person and system	Don't fixate on weaknesses and "faults"
Be present and make yourself available	Don't push the child
Take responsibility for your own actions	Don't take responsibility for the child's actions and/or thoughts and emotions
Demand respect and common courtesy	Don't judge the child's thoughts and emotions
Establish and maintain a positive emotional climate	Don't use emotionally charged words like "good-bad", "fair-unfair", "right-wrong"
Observe and describe	Don't presume too much
Acknowledge cultural differences and the challenges they pose	Don't criticize the child's cultural particularities, values and beliefs
Always keep in mind the child's best interest	Don't just try to please the child

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Guardians should²²:

- Be able to feel comfortable with children and to engage with them in a way that is child-friendly.
- Be able to use language and concepts appropriate to the child's age and developmental stage.
- Accept and understand that children who have had distressing experiences may find it difficult or impossible to trust an unfamiliar adult.
- Recognize when they should employ another methodology when discussing or interviewing the child.
- Understand that children may view their situation in ways very different from that of adults.
- Take thoughts and feelings of children seriously.
- Believe children and young people to be bearers of human rights.
- Be aware of their own perceptions when discussing with children and recognize that these perceptions, which are based on their own ideas, feelings, experiences and socio-cultural context, may affect how they understand and assess a situation. They should be open to different viewpoints and be ready to change their perception of others²³.
- Be available for and accessible to the child.

22. Based on "6.3.Interviewer requirements, 6.3.1.Basic skills" from UNHCR and IRC (2011). Field Handbook for the Implementation of the UNHCR BID Guidelines, p.93. Available at: <https://www.refworld.org/pdfid/4e4a57d02.pdf>

23. Ibid.

Some interesting and effective methods of communication include:

Role play/drama	Role play can provide insight to the child's experiences and help the child express his or her feelings.
Storytelling	Real events can be woven into stories to help children recall situations, places and people.
Songs/singing	Music can help relax the atmosphere, enabling children to express emotions while allowing case-worker to make observations of feelings in a non-threatening atmosphere
Creative workshops	For example, drawing or painting (using available materials).
Play	During organized play and sports, children can often reveal important information about situations, places and people to social workers/child protection staff who are present.

5.2.2 Topic 2: Realizing the impact of a guardian's personal attitude - Main points

Instructions for the trainer

The trainer should invite participants to think about their personal beliefs regarding unaccompanied minors and begin a fruitful discussion. It should be highlighted that guardian's personal beliefs often tend to influence a lot their work and the way they deliver it.

Questions that could be posed are the following:

- What do you think of unaccompanied minors? Do you consider them as vulnerable persons, victims of trafficking, traumatized, capable of coping with situations, in danger, manipulative, dangerous, other?
- Why did you choose to work with unaccompanied minors?
- What do you think you can offer them with your work?

- What do you think they need?
- How do you imagine their future?
- What do you enjoy in your work? (in case participants already work with unaccompanied minors)

Noteworthy that guardians often expect something in return for the work they are doing, while they should not.

5.2.3 Topic 3 - Setting limits and clear roles in the child-guardian relation – Main points

“The relationship between guardian and child is, and needs to be safeguarded as such, a particular relationship, separate and differentiated from all other relationships in the lives of both of them. It is extremely important, first and foremost the guardian to understand and subsequently help the child understand that:

- The guardian is not a parent
- The guardian is not a friend
- The guardian is not a therapist,

Although his/her relationship with the child may bear similarities to all three categories of relationships it is very important that the guardian “teaches” through his/her own example from the beginning the child which is the desired and appropriate relationship model in order for their cooperation to be functional and effective”²⁴.

Unaccompanied children may lack positive relationships with adults, especially unknown to them, and for this reason the relationship that will be established between guardian and child is valuable. Such a relationship should have a positive impact to the child’s life and at least not be harmful in any way. Clear roles, defined expectations and boundaries will help set the right ground for this relationship. Undoubtedly, it is unaccept-

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able for a person working with children to take advantage of their vulnerability or abuse their position of power or authority. However, what is acceptable professional behaviour and what is not may vary over time and across countries.

Here are some simple don'ts guidelines:

- Don't complement child on their looks.
- Watch your physical boundaries: don't hug or touch a child in any way that could be misconstrued.
- Don't share personal information like money or relationship problems.
- Don't lend a child money or borrow from them.
- Don't see them outside of work time.
- Don't become overly familiar, for example taking a child to your house/flat.
- Don't buy them presents.
- Don't become over familiar.

Key words: communication skills, guardian's and child's relationship, building rapport, basic principles, guidelines

5.2.4 Topic 4 - How the guardian should respond? (use of role playing)- Main Points

Instructions for the trainer:

The trainer should be provided with different case-scenarios relevant to each country and discuss with participants possible ways of interaction with children, securing their rights or responding to a crisis.

5.3 Session 10: Standardizing the initial meetings

Session 10: Standardizing the initial meetings (practical exercises based on Session's 9 theory)		Indicative duration: 1,5 hour
Topic 1	Introducing the role of the guardian to a child	
Topic 2	Explaining to a child his/her rights and responsibilities and legal options	
Topic 3	Discussing with the child about his/her personal history	

Learning objectives

By participating in this training session, participants should be able to:

- a. Explain to a child their role and what the child should expect from him/her
- b. Explain to a child what his/her rights are and the legal options
- c. Conduct discussions with a child about his/her personal story based on key ethical principles

Instructions for the trainer:

Session 10 is suggested to be experiential based creating thus the opportunity for self-reflection as well as skills development.

5.3.1 Topic 1-Introducing the role of the guardian to a child – Main points

The guardian should speak to the child in a confidential setting. For a child to participate appropriately must have received adequate information. That is a prerequisite to:

- fulfilling the right of the child to participate fully in all proceedings and decision-making processes and have his or her views heard and be given due weight;

- ensuring that the child's best interests are fully represented and respected;
- promoting the child's well-being;
- creating a relationship of trust and mutual understanding and respect with the child. Information should be provided in a child-friendly way.

To be effective, it should be given in oral and/or written form, depending on what is most appropriate, and should be provided in a language that the child understands, taking into consideration the child's age, maturity and developing capacities. The guardian should make sure that the child understands and can recall the information provided. Gender and cultural considerations should also be taken into account when informing the child. The use of cultural mediators may be invaluable and should be encouraged where appropriate.

The guardian must provide the child with all relevant information about the guardian in a language and a manner that the child understands based on the child's age, maturity and developing capacities. Gender and cultural considerations should also be taken into consideration when informing the child. The particular situation and needs of children with disabilities, including intellectual and mental disabilities, should be addressed. The information provided should include information on what will happen to the child after a guardian is assigned, the role and function of the guardian and the rights and duties of the child. To facilitate this, the guardianship authority should develop child-friendly materials, which other bodies and entities can also use.

5.3.2 Topic 2 Explaining to a child his/her rights and responsibilities and legal options - Main points

The guardian should be responsible, upon appointment, for providing all relevant information on guardianship arrangements to the child and particularly for informing the child of when, where, how and to whom he or she can report complaints against the guardian, abuse and misconduct or any violation of his or her rights. Such information should be provided in oral and/or written form in a child-friendly way and in a language that the child understands.

5.3.3 Topic 3 Discussing with the child about his/her personal history – Main points

Every child has the right to be heard and contribute to decisions made about them. A completed Social History should present a picture of who the child is and how he came to be that way. The form is simply a tool used to present this picture. It can be adjusted to fit a particular child's needs, but his story should never be altered to fit the form. **B** The interviewer is responsible for protecting the child's right to confidentiality. **B** Information about each child should be entered into a record on a continuing basis as it is revealed. As far as possible, all information should be recorded in a manner which will be useful for tracing and reunification. The people consulted about the child will be of the same culture and ethnicity, will have known the child for some time and will be those in whom the child trusts and has confidence. Ideally, the interviewer should also share the culture and language of the child.

Keywords: child-friendly discussion, confidentiality, consent, initial meetings, informing the child.

5.4 Session 11: The Guardian's Toolkit

Session 11: The Guardian's Toolkit		Indicative duration: 1,5 hour
Topic 1	Vulnerability screening tool (use of case studies)	
Topic 2	Standard Operating Procedures for guardians: Checklist (use of case studies)	
Topic 3	Best interests assessment	
Topic 4	Guardians calendar of meetings	

Learning objectives

By participating in this training session, participants should be able to:

- a. Use tools for strategically organizing their work, which help them, identify the needs of the child.
- b. Use a screening tool to identify vulnerability indicators concerning the child's past, experiences and current situation.
- c. Conduct a best interest assessment taking into consideration all important aspects in a child's life.

Instructions for the trainer:

For session 11 the trainer should familiarize the participants with all relevant material developed by the ASOP4G project and explain thoroughly with the help of relevant case scenarios and role-playings²⁵.

5.4.1 Topic 1 Vulnerability screening tool (use of case studies)

Use Appendix 3

25. Please refer to the ASOP4G Handbook of Operational Procedures.

5.4.2 Topic 2 Standard Operating Procedures for guardians: Checklist (use of case studies)

Use Appendix 4

5.4.3 Topic 3 Best Interests assessment

Use Appendix 5

5.4.4 Topic 4 Guardians calendar of meetings²⁶

Key words: guardian's toolkit, standard operating procedures checklist, vulnerability screening tool, best interest's assessment.

GROUPWORK ACTIVITY

Encourage participants to choose one case scenario within their group and assign roles of child, guardian and observer. The guardian may use one of the forms provided e.g. the Vulnerability Screening Tool. The observer may keep notes on the role play about what went well and what not and then altogether discuss them with the rest of the group.

5.4.5 Training Evaluation

Instructions for the trainer:

Following the completion of the training sessions the trainer shares to the participants the Training Evaluation form. It is strongly advised that the trainer may ask for oral feedback from the participants about the training.

26. Please refer to the ASOP4G Handbook of Operational Procedures.

Appendices

Appendix 1: Suggested Training Agenda

Suggested Training Agenda for Unit A: The Unaccompanied Child - 1st Day

Session	Duration	Time	Content of sessions
Pre-Intervention Questionnaire Overview of the training course Session 1: Children's Rights as a holistic system to assess and promote the best interests of the child	120 min.	09:00–11:00	Topic 1: Introducing the Convention of the Rights of the Child and the overarching principles Topic 2: Children's needs and children's rights: empowering children to understand their needs & evolving needs into rights Topic 3: The CRC as a map to ensure the child's well-being and protection in relation to guardianship
COFFEE BREAK	30 min	11:00–11:30	

Session 2: Unaccompanied children	60 min.	11:30-12:30	<p>Topic 1: Definition of an unaccompanied minor (based on legal definition)</p> <p>Topic 2: The significance of every child having a guardian (legal and Best Interests' concept)</p> <p>Topic 3: Profile of children in the reception country (nationalities, ethnic origins, spoken languages, gender, age, asylum seeking)</p>
Session 3: Understanding the context of migration	60 min	12:30-13:30	<p>Topic 1: Reasons of flight and separation (forced and voluntary migration)</p> <p>Topic 2: The path of an unaccompanied child from the point of arrival in the reception country</p>
LUNCH BREAK	60 min	13:30-14:30	
Session 3: Understanding the context of migration	60 min	14:30-15:30	<p>Topic 3: The impact of separation and migration on the child: vulnerabilities and coping strategies</p> <p>Topic 4: CRC principles and children on the move</p>
Session 4: National legal framework concerning children and migration	60 min	15:30-16:30	<p>Topic 1: Migration legal provisions – reception, registration, identification as a minor, age assessment</p> <p>Topic 2: Legal status provisions (international protection, humanitarian protection)</p>

Suggested Training Agenda for UNIT B: The Guardian - 2nd Day

Session	Duration	Time	Content of sessions
Post - Intervention Questionnaire Session 5: The Role of the Guardian	120 min.	09:00–11:00	Topic 1: The role of the guardian and the key mandates Topic 2: The 10 core standards on guardianship Topic 3: Guardian's responsibilities and rights according to the law
COFFEE BREAK	30 min	11:00–11:30	
Session 6: Case Management	180 min.	11:30–14:30	Topic 1: Case studies: What a guardian should do? Topic 2: Description of standard operating procedures that a guardian needs to follow & variations according to care arrangements Topic 3: Decision making process – involving the child & other actors; resolving ethical dilemmas
LUNCH BREAK	60 min	14:30–15:30	
Session 7: Referral System	120min.	15:30–17:00	Topic 1: The system of agencies and professionals surrounding the unaccompanied child based on the child's needs and rights: Responsibilities & mandate of the different organisations Topic 2: Enhancing & establishing collaboration with agencies – Promoting multidisciplinary work (use of role playing)
Q&A SESSION	30 min.	17:00–17:30	Questions and answer session Wrapping up day two

Suggested Training Agenda for UNIT C: The Relationship between the Guardian and the Child - 3rd day

Session	Duration	Time	Content of sessions
Session 8: Children's Developmental Stages and the Migration Context	90 min.	09:00–10:30	<p>Topic 1: Children's development: what a guardian should be aware of; emphasis on adolescents</p> <p>Topic 2: Assessing the psychosocial needs of unaccompanied children</p> <p>Topic 3: Cultural considerations per age group and gender</p> <p>Topic 4: Working together with a cultural mediator/interpreter</p>
COFFEE BREAK	30 min	10:30-11:00	
Session 9: Building a Trust-Based Relationship with the Child	90 min.	11:00-12:30	<p>Topic 1: Guidelines for working and communicating with children – Basic principles, building rapport & handling resistance, conflict, disappointment & trauma</p> <p>Topic 2 Realizing the impact of a guardian's personal attitude</p> <p>Topic 3: Setting limits and clear roles in the child-guardian relation</p> <p>Topic 4: How the guardian should respond?</p>
LUNCH BREAK	60 min	12:30-13:30	
Session 10: Standardizing the Initial Meetings (Practical Exercises based on Session's 9 theory)	90 min.	13:30-15:00	<p>Topic 1: Introducing the role of the guardian to a child</p> <p>Topic 2: Explaining a child his/her rights and responsibilities and legal options</p> <p>Topic 3: Discussing with the child about his/her personal history</p>

<p>Session 11: The Guardian's Toolkit</p>	<p>90 min.</p>	<p>15:00- 16:30</p>	<p>Topic 1: Vulnerability screening tool (use of case studies) Topic 2: Standard Operating Proce- dures for guardians: Checklist (use of case studies) Topic 3: Best Interests Assessment Topic 4: Guardians calendar of meetings</p>
<p>Q&A SESSION Training Evaluation</p>	<p>30 min.</p>	<p>16:30- 17:00</p>	<p>Questions and answer session Wrapping up day three</p>

APPENDIX 2 UN Convention on the Rights of the Child

<p>Article 1</p> <p>A child is every human being below the age of 18 years</p>	<p>Article 2</p> <p>Non-discrimination</p>	<p>Article 3</p> <p>Best interests of the child</p>	<p>Article 4</p> <p>Governments must use all available resources to implement all of the rights in the CRC</p>	<p>Article 5</p> <p>Parents & families should direct and guide children as appropriate to their age</p>
<p>Article 6</p> <p>Right to life, survival and development</p>	<p>Article 7</p> <p>Right to birth registration, name and a nationality</p>	<p>Article 8</p> <p>Right to keep your name and nationality</p>	<p>Article 9</p> <p>Right to live with your parents unless it's bad for you</p>	<p>Article 10</p> <p>Right to enter or leave any country to be reunited with family</p>
<p>Article 11</p> <p>Right to be protected from being kidnapped and taken out of the country</p>	<p>Article 12</p> <p>Right to say what you think and be listened to by adults when they make decisions that affect you</p>	<p>Article 13</p> <p>Right to get information and express what you think, unless it is against other people's rights</p>	<p>Article 14</p> <p>Right to think what you like and have what religion you want, with your parents' guidance</p>	<p>Article 15</p> <p>Right to meet with others and join or set up clubs, unless it is against other people's rights</p>
<p>Article 16</p> <p>Right to Privacy</p>	<p>Article 17</p> <p>Right to get information. Information on media (radio, newspaper, books, TV etc.) should be useful to you and not harmful</p>	<p>Article 18</p> <p>Right to be brought up by your parents if possible</p>	<p>Article 19</p> <p>Right to protection from being hurt, violence, abuse and neglect</p>	<p>Article 20</p> <p>Right to special care and protection if you can't live with your parents</p>

<p>Article 21</p> <p>Right to have the best care for you if you are adopted</p>	<p>Article 22</p> <p>Right to special protection and help if you are a refugee</p>	<p>Article 23</p> <p>Right to special care and education to help you develop and lead a full life if you have a disability</p>	<p>Article 24</p> <p>Right to the best health possible and to medical care</p>	<p>Article 25</p> <p>Right to have your placement checked regularly if you have to be looked after away from home</p>
<p>Article 26</p> <p>Right to help from the government if you are poor or in need</p>	<p>Article 27</p> <p>Right to a good enough standard of living for you to develop properly</p>	<p>Article 28</p> <p>Right to education</p>	<p>Article 29</p> <p>Right to education which tries to develop your personality & abilities as much as possible & encourages you to respect other people's rights & values</p>	<p>Article 30</p> <p>Right to use your own language and practice your own culture and religion</p>
<p>Article 31</p> <p>Right to play and free time</p>	<p>Article 32</p> <p>Right to protection from work that is bad for your health or education</p>	<p>Article 33</p> <p>Right to be protected from taking, making and selling dangerous drugs</p>	<p>Article 34</p> <p>Right to be protected from sexual abuse</p>	<p>Article 35</p> <p>Right to not be abducted or sold</p>
<p>Article 36</p> <p>Right to protection from any other kind of exploitation</p>	<p>Article 37</p> <p>Right not to be punished in a cruel way or tortured. Not to be put in prison with adults</p>	<p>Article 38</p> <p>Right to not be in an army or fight in a war before you are 15. If you are affected by war, you must be protected</p>	<p>Article 39</p> <p>Right to help if you have been hurt, neglected or badly treated</p>	<p>Article 40</p> <p>Right to help in defending yourself and to have your age taken into account, if you are accused or breaking the law</p>

Article 41
Right to any
rights in
laws in your
country or
international-
ly which give
you better
rights than
these

Appendix 3 Vulnerability Screening Tool

This tool^{1,2} may be completed either by following a form of interview or at different points by retrieving information through discussions between the guardian and the child and/or by collecting information by other sources (e.g. psychologists, social workers, caretakers)

Introduction	Done?
Interviewer, interpreter, and anyone else present introduced	
Purpose and duration of the interview explained	
Confidential nature of the interview explained	
Need for interviewee's honesty explained	
Interviewee's freedom to stop the interview at any time explained	
Expectations/outcome of the interview clarified	
Interviewee's consent to the interview obtained	

Personal details of the child	
Name (family, given)	
Date of birth (dd/mm/yy)	Sex M F
Registration / ID number	
Country of origin	
Ethnic group	
Location / Residence	

1. UNHCR and IDC, 2016, Vulnerability Screening Tool – Identifying and addressing vulnerability: a tool for asylum and migration systems: <http://www.refworld.org/pdfid/57f21f6b4.pdf>

2. UNHCR, The Heightened Risk Identification Tool User Guide highlights critical professional practice guidelines for undertaking vulnerability screening: <http://www.refworld.org/pdfid/4c46c6860.pdf>

Risk indicators		Past	Present
1	Separated child (without parents but with relatives in the same camp/community)		
2	Unaccompanied child (living alone or in temporary care arrangement in camp/community)		
3	Orphan child/young person		
4	Adolescent parent		
Risk indicators		Past	Present
5	Child-headed household/family (e.g. 16 years old taking care of his younger brothers and sisters – all unaccompanied)		
Physical and mental health issues – wellbeing			
6	Person with chronic illness (medical condition which requires long-term treatment and medication and/or supervision/follow-up by a physician; e.g. diabetes, respiratory illness, cancer, tuberculosis, HIV or heart disease.)		
7	Person with other medical condition which has a serious impact on the ability to function independently and perform activities of daily living		
8	Mental illness (e.g. depression, anxiety, disorder, psychosis, epilepsy)		
9	Substance addiction		
10	Suicidal ideation		
11	Self-harm		
12	Homeless child		
13	Unsafe living situation with family member(s)		
14	Unsafe living arrangement with non-family member(s) (e.g. in institutional care)		
15	Lack of food, water, shelter or other basic needs		
16	Of school age and not attending school		
17	Special educational needs (that cannot be achieved in a standard classroom or without learning support assistance)		

Safety issues		
18	Rejection or victimization by own community (e.g. due to transgression of social mores)	
19	At risk or victim of abuse or neglect by family member(s)	
20	At risk or victim of sexual exploitation and/or sexual abuse by non-family member(s)	
21	At risk of violence due to their sexual orientation and/or gender identity (LGBTI: lesbian, gay, bisexual, transgender or intersex persons)	
22	Victim of human trafficking (e.g. prostitution, other forms of sexual exploitation, slavery, forced labour, removal of organs) – define which form in remarks table below	
23	Engaging in survival sex	
24	Early marriage	
25	Early pregnancy	
26	Witnessed others killed and/or physical violence to other	
27	Recruitment as a child soldier	
28	Forced to do harm to other and/or commit other criminal acts	
29	Has no legal documentation	
30	Stateless	
31	At risk of deportation or refoulement	
32	Detained (arbitrarily), imprisoned or otherwise in captivity	
33	Below the age of 18 and alleged, accused or recognized as having infringed the law	
34	Other:	

Concluding the interview		Done?
Interviewee was asked whether s/he has any additional information to provide		
Any questions interviewee needs answered, or need for follow-up (not already been accounted for) is noted in the "remarks" section below		
Interviewee is notified of next step(s) and/or referral(s)		

Overall risk rating		
High	Medium	Low
Significant vulnerability is apparent. Serious imminent risk to personal safety requiring immediate intervention and/or follow-up within few days	Likelihood of significant vulnerability if supporting measures are not foreseen. Likelihood of serious risk to personal safety requiring urgent intervention and/or follow-up within 4-5 weeks	Not significant vulnerability risk is apparent. Likelihood of serious risk to personal safety is low but intervention for specific needs may be required
Remarks:		

Areas of concern/ referral areas	Priority			Name or type of organization for future or current referral
Protection / safety	H	M	L	
Legal protection (criminal charges)	H	M	L	
Legal documentation/ international protection status	H	M	L	
Medical	H	M	L	
Psychosocial/ counselling	H	M	L	
Victim support	H	M	L	
Resettlement/transfer to another EU member state	H	M	L	

Appendix 4 Standard Operating Procedures for Guardians: Checklist

Instruction: For each of the tasks below please check when accomplished, fill in the date and provide comments, where appropriate.			
Mandates	Check	Date	Comments
Appointment of guardian by the pertinent public authority			
Notifying the residential facility about the guardian's appointment for the particular minor's case			
Meeting with the residential facility's personnel to discuss the minor's case			
Meeting with the unaccompanied minor (with or without the (physical) presence of an interpreter); exchange of contact information and brochure on the guardian's role; defining nationality and spoken language			
Within 72 hours			

1st week	<p>Assessing rapidly minor's basic needs and identifying vulnerability</p> <p>Development of a plan for the most appropriate accommodation facility; Submission of request for accommodation, in case this has not been done already; inquiry about placing child in foster family; ensuring that mandatory medical examinations for the placement to an accommodation facility are taking place</p> <p>Notifying the Asylum Service or any other responsible migration service about the guardian's appointment for the particular minor's case, if applicable at this stage</p> <p>Scheduling of weekly meetings with the child with the help of an interpreter in order to build a relationship of trust; obtain information for his/her past and present and inform the child about his/her rights, obligations and options</p>			
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Mandates	Check	Date	Comments
Tracing & communicating with child's parents or relatives			
Assessment of the child's best interests and planning for the next steps regarding the child's case (residency, legal status, education, health, psychological support, other activities)			
Registration of international protection application (depending the case, request for family reunification) and submission of relevant official documentation to Regional Asylum Office.			
In case of family reunification, investigating the relationship and living conditions of the child's relative and gathering relevant documents – in case it is necessary to receive DNA both from child and his/her relative in order to identify the relationship; offer support to the child during process; and communication with the relative.			
If the child is likely to fall under the provisions for residence permit due to humanitarian reasons, submission of request to the competent migration office in cooperation with the actors involved			
(Re-)Assessing the available and most suitable option regarding minor's placement in alternative care			
Assist the child in acquiring Social Security Number and any other documentation necessary for being able to receive healthcare and social welfare services			

On a regular basis/ when appropriate/ when necessary:			
Physical & mental health	Catering for the minor's scheduled examinations for identified symptoms		
	Catering for minor's blood or other tests for regular check ups		
	Communication and collaboration with medical staff to learn about minor's health		
	Referral to a psychologist or child psychiatrist for symptoms' diagnosis or/and treatment, if necessary		
	In case the child presents a disability/impairment of any kind (e.g. sensory, physical, mental; temporary or permanent), referral to the appropriate health services for diagnosis and planning for the appropriate placement, care and rehabilitation		

Mandates	Check	Date	Comments
	School enrollment and notification of guardian's appointment		
	Enrolling the minor for any additional language courses		
Education/ activities	Enrolling the minor in cooperation with the residential facility in extracurricular activities or language courses		
	Conducting monthly (or bimonthly) meetings with the school's educational staff and receiving minor's school grades		
	Justification of absences from school when school class is missed for visiting public services or other legal or health issues		

				Supporting the minor in an age assessment process and ensuring that all procedures are conducted legally and with respect to the child's dignity and rights	
				Accompanying the minor in the Asylum Service for the renewal of the applicant's international protection card (date indicated on the card)	
				Notifying authorities about any changes to the minor's current residence address	
				Preparation for the minor's personal interview in Asylum (or other migration) Service and attendance	
Legal representation & assistance				Collaboration with a lawyer to compose all necessary documents in case of negative decision for family reunification or in any other case where a legal document regarding asylum procedure is required (after the minor's interview, appeal, filing and application for annulment before administrative courts) in order to submit them within the deadline defined by law	
				Assisting the minor in applying for residence permit and travel documents	
				In case the minor is suspected or accused with a crime, cooperation with Prosecutor and Investigator and lawyer for the child's best interest	
				In case the minor has gone missing, ensuring that a report is filed at the appropriate public authority (Police)	

Mandates		Check	Date	Comments
Case management	Monthly meetings with the minor's reference person from the residential facility			
	Keeping a record of the child's documents at every stage of his/her case (registration transcript, interview transcript - written and audio, copies of authorities' decisions, appointment of guardian, copy of the international protection card, residence permit copy, copy of travel documents, medical documents, copy of school registration, etc.)			
Child protection	Updating the best interest of the child assessment form and the case plan periodically			
	In case of suspicion or disclosure that a child is a victim of abuse or neglect, making the necessary referrals and reports to the pertinent authorities and agencies			
	In case of suspicion or disclosure that a child is a victim of trafficking, making the necessary referrals and reports to the pertinent authorities and agencies			
	In case the child has disclosed that s/he is a victim of torture, if considered on the best interest of the child, refer the case to the identification of victims of torture process			

Differentiation in procedures based on the protection framework (residential facility)			
	Collaboration with the social worker/agency responsible for the supervision of foster care		
	Informing the child about his/her placement to a foster family and what this means (temporary accommodation for the actual care of the child, keeping the foster family's address confidential to third parties or the child's relatives)		
	Communicating with the child's biological family in order to be informed about the child's placement and the terms of the co-operation (in co-operation with the supervisor social worker)		
Foster care – short term	Mediation between child and foster family in order to make a smooth adjustment, particularly if the child has already developed a relationship with the guardian		
	Ensuring a safe placement of a minor in the family		
	Supporting the minor in relation to his/her legal procedures (described above in detail) and cooperation between guardian and lawyer (organizations who provide legal aid) – facilitation of the communication between minor and lawyer and access to documents		
	Depending on the child's age and the prior relationship between the child and the guardian, entertaining activities can be organized with him/her		
	Educational and medical issues are arranged in collaboration with the social worker's -responsible for the supervision and the family's needs and capacities; in any case, catering for the child's health and well being		

Foster care – long term	<p>Cooperation and communication with the social worker/agency responsible for the supervision of foster care</p> <p>Assessing and ensuring that foster care continues to serve the best interests of the child</p> <p>Supporting the minor in relation to his/her legal procedures (described above in detail) and cooperation between guardian and lawyer (bodies who provide legal support) – facilitation of the communication between minor and lawyer and access to documents</p>		
Protective custody in a facility for temporary stay (hospital/migration detention center or border reception facility, etc.)	<p>Ensuring that the competent agency has made a referral for the child's appropriate accommodation</p> <p>Ensuring child's basic needs – collaboration with agencies in order to cover these needs (food, clothing, hygiene, safety)</p> <p>Ensuring interpretation for appropriately informing the child or for any medical issues or obtaining the personal history, in case it isn't provided by the facility</p> <p>Inform the child about the reason he/she in protective custody and what is expected to happen next (e.g. placement in foster care or in shelter or elsewhere)</p>		

	Mandates	Check	Date	Comments
Protective custody in a facility for temporary stay (hospital/migration detention center or border reception facility, etc.)	<p>Obtaining brief social history in order to identify vulnerability, be able to make any necessary referrals and to have a first record of the child's legal needs</p> <p>Paying regular visits to the minor, since he/she does not have a normal daily routine there due to lack of activities, communication and nothing for him/her to do.</p> <p>Collaboration between the guardian and the lawyer (organizations providing free legal aid) – facilitation of communication between the child and the lawyer and access to documents</p> <p>Registration of international protection application and ensuring that the case will be examined following the standard procedure and not exceptionally—applying when in custody or border procedures</p>			

Home- lessness	Verifying or submitting a request for accommodation and employing all possible means to find a safe place for the child			
	Ensuring child's basic needs – collaboration with agencies in order to cover these needs (feeding, clothing, hygiene)			
	Accompanying the child to doctor or hospital, if s/he is in need of health care and treatment			
	Ensuring interpretation for facilitating communication, the expression of child's views and worries and understanding the available options			
	Obtaining brief social history and informing registry for minors			
	Assisting the minor in locating agencies/organizations providing food, clothing (addresses, telephones), emergency telephones			
	Inquiring about the child's legal needs			
	Registration of international protection application			

Appendix 5 Best Interests Assessment form¹

- a. Obtain consent from the child
- b. Complete according to information acquired from all available sources
- c. Please update when new information is acquired (keep a record of dates)
- d. Questions included are suggested and indicative

Overview of the case

Registration No in minors' registry:	Linked cases:
Registration No. (Asylum Service, if an application has been lodged, or in other state agency, e.g. border reception centre)	Case referred by:
Guardian(s) responsible (name, contact details, registry No):	Dates of completion/reviews:
Former guardian(s):	Other persons of reference for this case (name, profession, organization/agency, contact details):

1. UNHCR & IRC (2011). Field Handbook for the implementation of the UNHCR BID Guidelines, Annex 3: Sample Best Interest Assessment Form. Available at: <https://www.refworld.org/pdfid/4e4a57d02.pdf>

Status of the child	Purpose of BIA
Unaccompanied	Durable solution
Separated	Care arrangements
Orphan	Separation from family environment
Other	Other

Priority of the case (mention reasons)	
Urgent	Specify:
Normal	
Special needs of the child:	

I. Basic information

Child's personal data (refer to registration form in Asylum service or other migration service; if there are differences, please note them & indicate the valid data)	
	Where relevant, indicate if information is an estimate
Full name	
Alias	
Age	
Gender	
Date of birth	
Place of birth (city/village, country)	
Mother's name	
Father's name	
Names of siblings	

Date of arrival in the country	
Date of arrival at current location	
Nationality	
Ethnic group	
Ethnic group of each parent separately	
Religion	
Religion of each parent separately	
Spoken languages (specify which one is the native language)	
Education level (years and corresponding level; in the country of origin)	
Type of current placement: Border reception centre/ hotel/ open reception centre for refugees/ safe zone/ shelter for minors/ semi-independent living apartment/ foster family/ homeless/ other (please specify)	
Current address	
Registered address in last asylum seekers card	
Related case(s)	

II. Family & history of separation

With whom did you live back home? (specify for each family member in order to have a clear overview – mother, father, siblings (name, sex, age)). Do you know where they are now? (be clear for whom you are talking about and understand about who is where). Where do you think they are now? Where did you last see them? When was that? Do you have contact details of them? Would you be ok for you to pass me on the contact details? I would like to talk to them at some point; of course, I will let you know first, and you will tell me if you are ok with that. Do you talk to them? If no: how come? If yes: How often? Meaning?

How did you spend your days back home? Did you feel ok?

How did you become separated from your family? (Indicate time, place of separation, as well as causes of separation.) Why did you leave your home country? Did you leave on your own? Did you decide that yourself or someone else decided that for you? How did you travel to (name of the country of asylum)? (Indicate mode and route of travel, names of persons who assisted and their relationship to the unaccompanied/separated child). When did you arrive in (name of the country of asylum?) Do you have any relatives or friends in (name of the country of asylum) or in another country? If yes: would it be ok for you to tell me their names, address, telephone number? What is your relationship with them? Do you talk to them in any way? Is there anything else you would like to say about your journey?

III. Protection needs & care assessment

Living and care arrangements

With whom do you currently live? (Note names, ages, gender.) Is there an adult in (name/location in country of asylum) who is looking after you? If so, note name, relationship, contact information. How did you find this place to stay? How is your relationship with your caretaker and/or housemates? What are your activities (chores) in the household? What are the activities (chores) of the other children in the household? Do you feel you are treated similarly as the other children? Do you like to stay with this [family/peer group/people]? Are you happy here?

Where did you stay before? Did you decide on your own/did you ask to change places? Did something happen that made you leave your previous location?

Safety and security

Do you feel safe in this place? If not, what are the reasons? Did any incidents happen that made you feel uncomfortable or that you felt endangered? If yes: would you like to talk more about that? Can you describe the place where you are staying? (Note the number of rooms, conditions and how many people are living in the place, etc.)

Health and access to medical care

Do you feel healthy? If not, please, explain type of sickness/how you feel physically. If so, have you seen a doctor who told you that something is wrong? Do you know what exactly? Did/ Do you have access to medical care (were/are you able to visit a doctor or hospital)? If not: why wasn't that possible?

Access to food

Do you have food every day? How often do you eat? Do you think you have enough food? If not, please, explain. What did you eat yesterday? Who provides you with the food? Do you know of any places where you can eat for free, if needed?

Access to water* and sanitation

**access to water may apply to refugee camps, detention centres*

Do you have access to clean water? How far is the water point? Are appropriate sanitation facilities in place where you live (toilets, showers)? Are they clean? Are there any risks for you related to collecting water or using the sanitation facilities/ do you feel safe going to the water point or the toilets/ showers? Can these be locked from the inside in order to feel that no one can enter?

Education

Do you currently attend school or any educational activities? (Ask for details about the name of the school/training course, grade, regularity of attendance, etc.). If not, explain why not. Did you go to school prior to the separation with your family/back home? Do you like to go to school? If yes, what do you like most in school? If not, explain the reasons. Do you face any problem while at school or on the way there? Do you want to tell me more about that? Are the other children in the [home] going to school?

Child's daily activities

How do you usually spend your day? Do you play with other children? If so, what do you do and where? How many hours per day? Do you currently work to earn some money? If so, what do you do? How many hours per day? What do you do with the money you earn?

Protection and psychosocial well-being

Where/to whom do you go to discuss problems or ask for help/assistance? Do you receive support from the facility you live in? Do you have someone else you can talk to? From whom and what type of support? If not, please explain. Do you feel safe from harm? Do you have any particular worries? Do you sleep well? Do you have nightmares? If yes, how often? Are you able to wake up in the morning?

Family Tracing

Would you like to receive help to find some of your family members? If so, note whom the child would like to trace and any information the child has about relatives' location. If not, what are the reasons you do not want to find your parents/relatives? Is tracing of family members taking place? Do you know if an agency or organization is already looking for them? If yes, by which agency? Have you been informed about the results?

Legal status

Have you talked about your case to a lawyer? If yes: do you know his/her name or organization s/he works for or how I can talk to him/her? Do you have any documents related to you/ your family or your case?

Child's drawing?

You may ask from the child to draw and attach the drawing to the BIA from, if you consider that age appropriate and helpful for the child to express him/herself and your work. S/he may draw his/her family or home, where s/he used to live. All rooms and who lived where could even be indicated. This may shed some light on the family ties and understand the relationship. The child could also draw his/her hometown/village/neighbourhood or other important buildings such as his/her school or the place of worship. Moreover, the child could draw anything that would express his/her feelings or thoughts at that time. Discuss with the child about s/he has drawn and whether there is any symbolism or feeling behind his/her drawings. Do not interpret the picture on your own unless you have the necessary qualifications (specialty, training, clinical experience, etc.)

Other

Is there any other information you would like to share with me today?

IV. Visits at the child's location

Note the name, age and gender of persons present in the residential setting at the time of the visit.

Who is currently living with you in this [home/place]? (Note names, ages, gender.) How long have you been living here? Who prepares the food? How often do you eat? What types/kind of food do you eat? Where do you sleep in this [home]? (check the place) How do you spend your time? What do you like to do? How do you feel about living in this home? Are you happy here?

V. Information to be filled out by the guardian

Does the child look healthy? If not, explain. Does the child have nutrition problems? Are there (urgent) medical needs? If so, please explain. Does the child have sufficient clothing or appropriate clothing for weather/season or clothing that makes him/her feel comfortable (e.g. in relation to size or style taking into account religion)? Please describe impressions about the residential setting. Does the child appear frightened/withdrawn/unhappy (please provide details)? Are there (urgent) protection needs or risks to be addressed (please provide details)?

Does the child seem to understand whatever you tell him/her? How did you come to this conclusion? (e.g. no he doesn't, because I need to do the same question over and over again and discuss the same topic and still the child seems not to understand)

VI. Verification interview with adult caretaker/foster family (only if applicable)

Name of caretaker	
Gender	Age
Ethnicity	Relationship to the child
What is the name of the child's mother?	What is the name of the child's father?
<p>Where did the child used to live? (Provide name of province, village/town.) How did the child become separated from his/her family? What information do you have about the child and his/her life? When did you first meet the child? How long has the child been living with you? How did the child come to live with you? Are you in contact with the child's parents or other relatives? If so, please provide contact information. How is your relationship with the child? Are you able to continue caring for her/him? Is the child healthy? Is there any other information you would like to share with me today?</p>	

VII. Summary and recommendations

Case summary + identified needs + observations	
Recommended follow-up actions/referral	
Safe haven	Other specific assistance (specify):
Refugee status determination (RSD)	
Protection	
Medical assistance	
Alternative care	
Psychosocial support	
Counselling	
Food	
Water / sanitation	
Education	
Shelter	
Recreational / community activities	
Regular home visits	
Need for Best Interest Determination	

VIII. Action plan (order of priority)

Action/follow-up required	Agency/service provider responsible	Action taken + date	Status of implementation

Appendix 6 Case Studies

1. A 16-year-old boy has a scheduled personal interview with the Regional Asylum Office in 25 days. He is extremely negative towards the idea of the interview, constantly avoids discussing it and doesn't appear in scheduled meetings with the lawyer. One day he leaves the shelter where he was staying. Disappearance is declared and after 5 days he calls his guardian to help him. It is then revealed that the boy had been approached by people who promised him good living conditions in another European country and had been saving money for months in order to leave Greece illegally. In the end, he was fooled and they took his money. When he called the guardian, he had already been starving homeless for a couple of days, because -in the meantime- all of his belongings where he was living, were stolen. He wants to go back to the city where he lived. The guardian stays too in order to help him.

2. Mother with 5 underage children are trying to illegally enter a European country. She had one child with her and the other four would travel with another couple. Police suspects the couple with the four children and arrests them. The mother with the one child passed while the rest of them stayed behind. The four siblings were initially separated due their age, the youngest went to a pediatric hospital and the other two stayed in a temporary accommodation with a relative already in Greece. A guardian is appointed for the two youngest. The guardian learns from the hospital personnel that the other two are visiting every day so all of them can be together.

3. A 15-year-old girl is traced by the police at the airport trying to travel to Germany with her relative's German Refugee Travel Document, not her own. She is transferred to a pediatric hospital until a vacant place to a shelter is found. A guardian is appointed for her case.

4. In February a boy arrives in country X by boat from Turkey. It was a very difficult journey and after the boat was damaged,

they sailed for at least 5 hours under dangerous conditions and feelings of panic and fear among travelers. They were spotted, by the harbor, on the coast of an island and were moved to the mainland. First aid was offered to them. After a few hours, a FRONTEX team initiated the first screening. There, the under-age boy claimed he was 15 y. o. although he apparently did not appear to be over 10 y.o. FRONTEX records the age the boy said. During his stay at the RIC and a few days after his arrival, the boy does not seem to want to talk to anyone. RIC personnel suspect that the child is too young and therefore highlight the need to be immediately accommodated in a shelter. A guardian is appointed for the boy.

Appendix 7 Training Evaluation Tools

Pre-Intervention Questionnaire

Dear Sir/Madam,

Thank you for participating in the training for guardians in the context of the ASOP4G project, which aims to enhance guardians' capacity in terms of knowledge and skills, in order to better safeguard the rights of unaccompanied children.

This questionnaire is the first of a series of tools that have been developed for the assessment of the specific training. Your opinion is very valuable in order to assess its impact.

There are no right or wrong answers; we are only interested in your personal opinion.

Thank you in advance for your cooperation!

Note: Personal Code

The completion of the evaluation questionnaires is **ANONYMOUS**. In the course of this training, however, you will be asked to fill in a series of **3 evaluation sheets**; in order for us to be able to match the replies of the same person, a personal code is needed. For the creation of this code please follow the instructions as they appear in the next page (your code shall be common for all 3 evaluation questionnaires)

Personal Code:

Create your code using the following information

a	b	c	c	d	d

- a. 2nd letter of father's name
- b. 3rd letter of mother's name,
- c. month of birth (01-12),
- d. 2 last digits of your phone number

Demographic Information

1. Sex: male female

2. Age: years old

3. Education and work experience

Educational background:

Specialty (if applicable):

Professional experience with minors: Yes No

Working as a guardian since (if applicable):
..... (mm-yyyy)

Max number of unaccompanied children I have ever worked with:

4. Previous trainings

Have you participated in the past in trainings relevant to child protection?

NO YES.

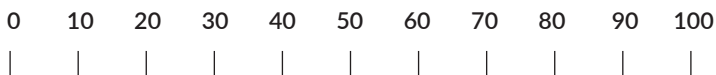
If YES, please specify on which issues:

.....
.....
.....

Previous knowledge & expectations

5. Previous knowledge on guardianship

A. Please rate each of the following statements on the basis of a percentage scale where 0 = not at all (minimum evaluation) and 100 = totally (maximum evaluation)



I know		Rate
1	the provisions of the law for unaccompanied children	
2	how to plan the case of an unaccompanied minor	
3	where to refer a child based on his/her needs (agency, professional)	
4	which the child's developmental stages are	
5	how to work together with a cultural mediator	
I feel confident to		Rate
1	plan the case of an unaccompanied minor	
2	assess the best interests of the child	
3	handle a case of a child at risk	
4	respond to an emergency related to unaccompanied children	
5	build rapport and trust-based relationship with children	

B. For each of the following questions choose one correct answer:

1. The four guiding principles that underlie the UN Convention on the Rights of the Child are:

- a. the right of the child to survival, education, play time and information
- b. the right of the child to non-discrimination, to have his/her best interests taken as a primary consideration, to survival and to express his/her views and these taken into account
- c. the right of the child to non-discrimination, to have his/her best interests taken as a primary consideration, to live with his/her parents and be free from abuse and exploitation

2. Unaccompanied children are children third country nationals or stateless:

- a. whose parents or other adult responsible for their care, according to law, are not alive
- b. who travelled alone until they reached the reception country
- c. who reached the reception country without their parents or other adult responsible for their care according to law; or who were left unaccompanied after they entered the reception country

3. Unaccompanied children:

- a. all suffer severe trauma due to the conditions of their journey and separation from their family
- b. have become very confident due to their journey that are not at risk of becoming vulnerable
- c. may be traumatized due to the conditions of their flight and their separation from their parents or relatives, but still develop coping strategies

4. The legal framework regulating the matters that concern unaccompanied children consists of laws on:

- a. guardianship
- b. asylum and migration
- c. asylum, migration and child protection

5. The guardian is:

- a. responsible to act as a lawyer of the child
- b. a key person who acts on the best interests of the child
- c. a person who supports any decision that the child takes.

6. The guardian:

- a. takes decisions on his/her own about the child
- b. implements the decisions of the migration or asylum services
- c. discusses together with all involved actors and the child for any decision

7. In case the provided services by an agency or organization are not sufficiently delivered, the guardian:

- a. starts a quarrel with the employee to ensure that the child will get what he/she needs
- b. tries to resolve this conflict in a diplomatic way in order to serve the best interests of the child
- c. leaves the public service and does nothing for the child's case

8. "Identity crisis" during adolescence is a phenomenon to be traced mostly in:

- a. advanced western societies
- b. closed traditional societies
- c. uneducated families

9. In order to establish a trust-based relationship with the child, the guardian should:

- a. consider the unaccompanied child as one of his/her own.
- b. be clear about his/her role
- c. treat the child as his/her friend

10. If the child reacts negatively to the guardian's suggestions, the latter should:

- a. respect the child's opinion and stop considering this option
- b. discuss with the child about the reasons for suggesting these option after having consulted other experts too

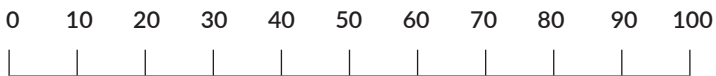
c. present everything as obligations that need to be accomplished from that point on

11. During the first meeting with the child, the guardian should:

- a. try to acquire all information about the child' life in the past and the present
- b. explain his/her role
- c. stay silent and let the child talk if he/she desires

6. Expectations from the training

Please rate each of the following statements on the basis of a percentage scale where 0 = not at all (minimum evaluation) and 100 = totally (maximum evaluation)



I expect this training to provide me with adequate information on:		Rate
1	the legal framework regarding unaccompanied children	
2	the standard operating procedures that a guardian needs to follow	
3	the impact of migration on children	
4	ways to develop a trust-based relationship with children	
5	assess the best interests of the child	

Thank you very much for your time!

Post - Intervention Questionnaire

Dear Sir/Madam,

Thank you for participating in the implementation of ASOP4G project.

This questionnaire is the second of a series of tools that have been developed for the assessment of the specific training. Your opinion is very valuable in order to assess its impact.

Thank you in advance for your cooperation!

Note: Personal Code

The completion of the evaluation questionnaires in **ANONYMOUS**. In the course of this training, however, you will be asked to fill in a series of **3 evaluations**; in order for us to be able to match the replies of the same person a personal code is needed. For the creation of this code please follow the instructions as they appear in the next page (your code will be common for all 3 evaluation questionnaires)

Personal Code:

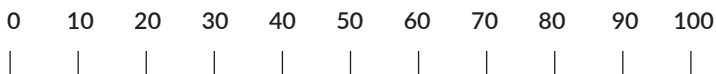
Create your code using the following information

a	b	c	c	d	d

- a. 2nd letter of father's name
- b. 3rd letter of mother's name,
- c. month of birth (01-12),
- d. 2 last digits of your phone number

1. Knowledge on guardianship

A. Please rate each of the following statements on the basis of a percentage scale where 0 = not at all (minimum evaluation) and 100 = totally (maximum evaluation)



I know		Rate
1	the provisions of the law for unaccompanied children	
2	how to plan the case of an unaccompanied minor	
3	where to refer a child based on his/her needs (agency, professional)	
4	which the child's developmental stages are	
5	how to work together with a cultural mediator	
I feel confident to		Rate
1	plan the case of an unaccompanied minor	
2	assess the best interests of the child	
3	handle a case of a child at risk	
4	respond to an emergency related to unaccompanied children	
5	build rapport and trust-based relationship with children	

B. For each of the following questions choose one correct answer:

1. The four guiding principles that underlie the UN Convention on the Rights of the Child are:

- d. the right of the child to survival, education, play time and information
- e. the right of the child to non-discrimination, to have his/her best interests taken as a primary consideration, to survival and to express his/her views and these taken into account
- f. the right of the child to non-discrimination, to have his/her best interests taken as a primary consideration, to live with his/her parents and be free from abuse and exploitation

2. Unaccompanied children are children third country nationals or stateless:

- d. whose parents or other adult responsible for their care, according to law, are not alive
- e. who travelled alone until they reached the reception country
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3. Unaccompanied children:

- d. all suffer severe trauma due to the conditions of their journey and separation from their family
- e. have become very confident due to their journey that are not at risk of becoming vulnerable
- f. may be traumatized due to the conditions of their flight and their separation from their parents or relatives, but still develop coping strategies

4. The legal framework regulating the matters that concern unaccompanied children consists of laws on:

- d. guardianship
- e. asylum and migration
- f. asylum, migration and child protection

5. The guardian is:

- d. responsible to act as a lawyer of the child
- e. a key person who acts on the best interests of the child
- f. a person who supports any decision that the child takes.

6. The guardian:

- d. takes decisions on his/her own about the child
- e. implements the decisions of the migration or asylum services
- f. discusses together with all involved actors and the child for any decision

7. In case the provided services by an agency or organization are not sufficiently delivered, the guardian:

- d. starts a quarrel with the employee to ensure that the child will get what he/she needs
- e. tries to resolve this conflict in a diplomatic way in order to serve the best interests of the child
- f. leaves the public service and does nothing for the child's case

8. "Identity crisis" during adolescence is a phenomenon to be traced mostly in:

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- e. be clear about his/her role
- f. treat the child as his/her friend

10. If the child reacts negatively to the guardian's suggestions, the latter should:

- d. respect the child's opinion and stop considering this option
- e. discuss with the child about the reasons for suggesting these options after having consulted other experts too
- f. present everything as obligations that need to be accomplished from that point on

11. During the first meeting with the child, the guardian should:

- d. try to acquire all information about the child's life in the past and the present
- e. explain his/her role
- f. stay silent and let the child talk if he/she desires

Thank you very much for your time!

Training Evaluation Sheet

Capacity-building of guardians to promote and protect the rights of unaccompanied children

Dear Sir/Madam,

Thank you for participating in the training for guardians in the context of the ASOP4G project.

This questionnaire is the third of a series of tools that have been developed for the assessment of the specific training. Your opinion is very valuable in order to identify its strengths or weaknesses and help us improve.

There are no right or wrong answers; we are only interested in your personal opinion.

Thank you in advance for your cooperation!

Note: Personal Code

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- b. 3rd letter of mother's name,
- c. month of birth (01-12),
- d. 2 last digits of your phone number

A. ORGANIZATION

Please rate each of the following statements on the basis of an 11-degree scale where 0=not at all (minimum evaluation) and 10=totally (maximum evaluation).

How satisfied were you from:	Rate
1 Organization of the training	
2 The information provided	
3 Speakers	
4 Atmosphere among trainees	
5 Atmosphere between trainers and trainees	
6 Duration of training	
7 Duration of breaks	
8 Available food and refreshments	
9 Venue and setting	

B. CONTENT, TRAINING MATERIAL AND EXERCISES

Please rate each of the following statements on the basis of an 11-degree scale where 0=not at all (minimum evaluation) and 10=totally (maximum evaluation).

The training's content:	Rate
1 was useful	
2 was interesting	
3 was understandable	
4 covered adequately the subject of guardianship	
5 corresponded to the guardians' professional needs	
6 included information relevant to my everyday work	
7 is applicable to the national context	
8 met my expectations	

The training's material (e.g. power-point presentations, handouts):		Rate
9	was complete of information	
10	facilitated the training process	
The exercises (role playing, case studies) were:		Rate
11	helpful in order to understand the training's content	
12	useful for my daily practice	

C. IN YOUR OPINION...	
What was the most important area covered?	
What did you like most about the training?	
What did you least like about this training?	
Is there anything else you would like the training to have covered?	
Do you have any other recommendation?	

Thank you very much for your time!

Project Coordinator



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