



PROTECTING THE RIGHTS OF CHILDREN ON THE MOVE IN TIMES OF CRISIS





Acknowledgements



This advocacy brief reflects on lessons arising from past and ongoing crises worldwide, outlines principles to guide action in response to similar crises in the future, and proposes policy actions to strengthen the effective protection of children⁸. It is issued jointly by the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Office on Drugs and Crime (UNODC), the International Organization for Migration (IOM), Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Office of the Special Representative of the Secretary-General on Violence against Children (OSRSG-VAC), in close partnership with the Organization for Security and Co-operation in Europe (OSCE) Special Representative and Coordinator for Combating Trafficking in Human Beings.

Table of contents

•	Background	7
•	A way forward	10
•	Lessons and policy asks to guide future action for children on the move	12
	Displaced children on the move are children first and foremost. They are entitled to full protection. All actions related to displaced children must be guided by the Convention on the Rights of the Child (CRC) and its four guiding principles	12
	Step up child welfare and child protection reforms and services before and during a crisis	16
	Sustained and effective collaboration and coordination are needed to protect children. To tackle this challenge, we must work better together.	18
•	Conclusion	20
•	References	21

42

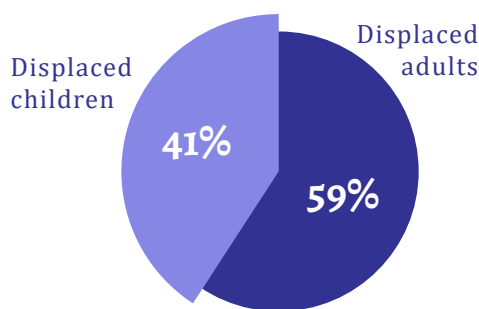
**million children had been forcibly
displaced from their homes.**

Millions of children are on the move across international borders – fleeing violence and conflict, disaster or poverty, in pursuit of a better life. Hundreds of thousands move on their own.

Background

The number of children on the move, including refugee and displaced children is increasing. This is putting huge pressure on governments, communities and the humanitarian agencies that work to protect them.

An estimated 89.3 million people had been forcibly displaced from their homes by the end of 2021¹, a figure that increased to a staggering 100 million by mid-2022². In at least 17 countries, refugees or internally displaced people account for at least five per cent of the population³. More children are being affected worldwide, and they now account for 41 per cent – or 42 million – of all those who have been forcibly displaced⁴.

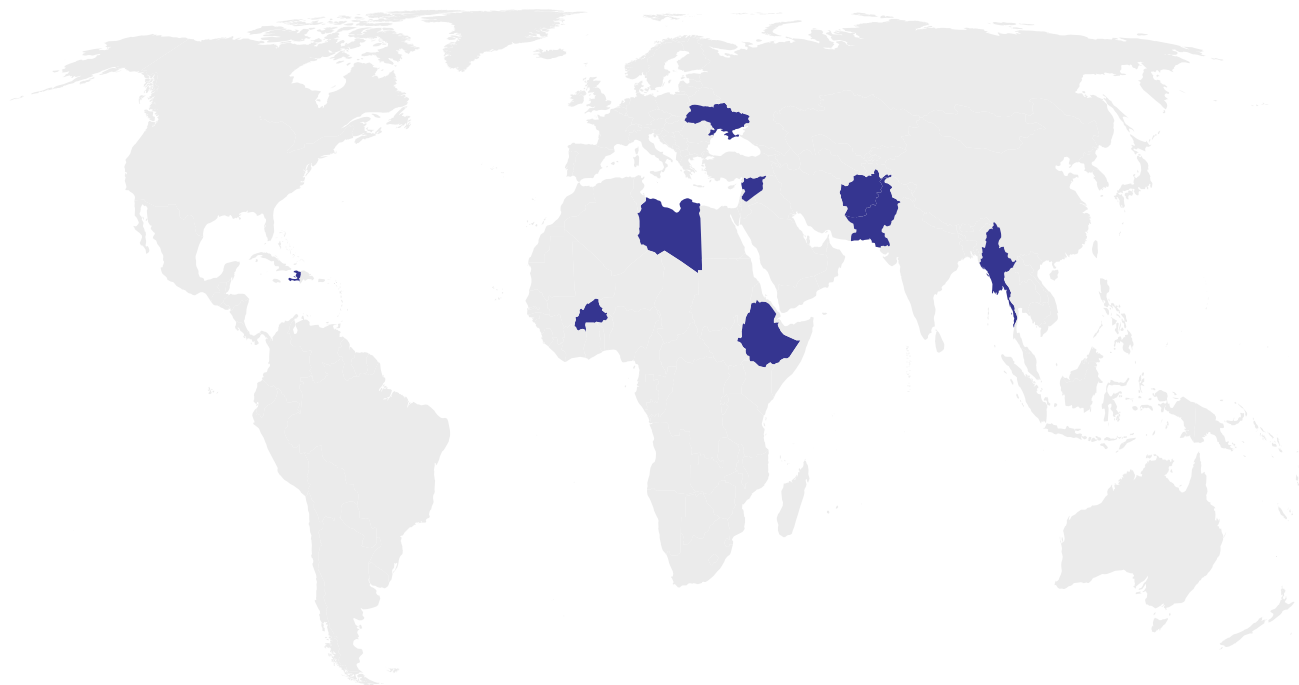


The damage caused by multidimensional crises is on the rise. Crises caused by armed conflicts, political instability and climate change, coupled with the effects of health and economic crises, threaten children's rights, including their right to be protected from violence, abuse and neglect.

Climate change is intensifying disputes over scarce resources, reducing economic opportunities, and straining public institutions and infrastructures globally. Natural disasters led to the internal displacement of an additional 7.3 million children in 2021⁵. The war in **Ukraine** has displaced more than 5.6 million children⁶, presenting another challenge to the collective global ability of States to protect children in times of crisis. This has only added to an already difficult situation for the millions of children who have been displaced as a result of protracted and other conflicts.

Displacement undermines the protection of children by disrupting their family and community support, increasing their poverty, and reducing their access to the economic, social and cultural rights, including the right to education and health. Many of these children – including migrant children – remain invisible to national child protection systems or are caught in a bureaucratic net of lengthy processes to determine their status, and this curtails their opportunities for a better future. This is particularly true for children living in camps and camp-like situations, which are highly conducive to trafficking in persons and other forms of crime. Families trapped

in such situations sometimes resort to high-risk coping mechanisms, such as coercing children into early marriage or sending them into child labour. This leaves children at even greater risk of exploitation and school drop-out, which perpetuate poverty and make it more difficult to obtain a legal identity.



In every crisis situation, including those in **Afghanistan, Ethiopia, Haiti, Libya, Myanmar, Pakistan, Syria** and across the **Sahel**, national protection systems are under pressure as they try to scale up their response, and ensure it is appropriate and effective in addressing the diverse protection challenges facing children who have been forcibly displaced.



At every stage of the journey, a child on the move is exposed to a heightened risk of violence.

This violence includes sexual abuse and exploitation, forced labour, trafficking, child marriage, illegal/illicit adoption, recruitment by criminal and armed groups (including terrorist groups) and deprivation of liberty. Children may go missing or end up living on the street, and are often denied access to basic services.

Many live in camps or on the margins of society for years and others remain stateless, which hampers opportunities to guarantee and implement their rights. These children often experience severe trauma. This can trigger mental health problems that can last into adulthood, while limiting their social and emotional development as well as their health and educational potential. The lack of adequate and specialized institutions that offer services and opportunities for such children can **lead to hopelessness** and exacerbate their mental health issues while impeding their healthy development.



Syria

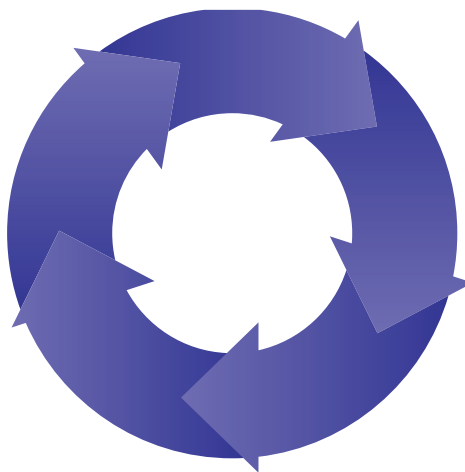
A way forward

Experience in addressing the impacts of new and protracted conflicts, as well as those interconnected with climate change, has highlighted a series of new challenges that require prompt action. Past and ongoing efforts to address these urgent situations are laudable, yet sometimes result in differential treatment of children who face similar protection risks.

Strengthening States' preparedness and response in the face of crises to enable them to fully protect and respect children's rights from the outset.

Adequate mitigation measures need to be in place to ensure that all children and all of their rights are fully protected, regardless of their origin, status and identity.

It is crucial to identify and respond to the acutely increased risks facing children in times of crisis.



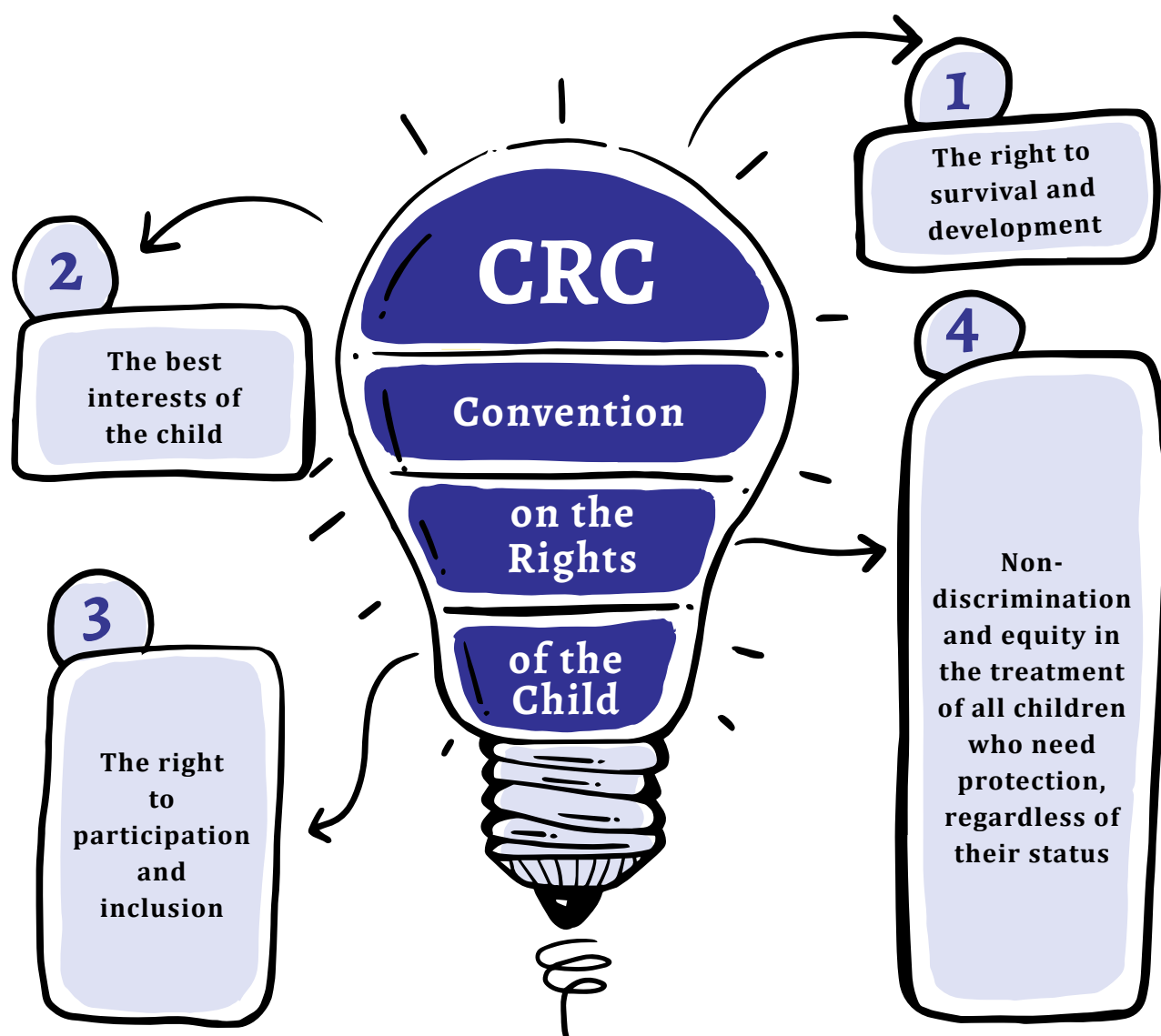
We must also invest, as a matter of urgency, in the inclusion of displaced children in national systems.

We need to move beyond emergency responses, given the often-protracted nature of displacement in many situations.

Displaced children on the move are children first and foremost. They are entitled to full protection.

Lessons and policy asks to guide future action for children on the move

All actions related to displaced children must be guided by the Convention on the Rights of the Child (CRC) and its four guiding principles.





The right to survival and development

Providing protection and safety for children on the move must be the highest priority. This includes: ensuring freedom of movement for children and their families, prioritizing humanitarian border management, ending immigration detention of children, providing alternative protection pathways, maintaining access to child-sensitive reception and asylum procedures, ensuring timely identification of children at risk, and providing support and documentation to prevent statelessness. **The places where children live, play, learn or access key services must be safe havens and should never be used or targeted for military purposes.** Children must be kept out of the line of fire and all parties should abide by legal and moral obligations to keep children safe. **Authorities must respect the non-refoulement principle⁹ and children must not be forcibly returned to a place where their life or freedom would be at risk.**



The best interests of the child

Children on the move and their best interests must be at the centre of our efforts. Any actions and measures should be guided by the best interests of the child, and children's views and experiences must be given due weight in decision-making (see the right to participation, below). In cross-border displacements, as in other situations, all services and decisions for refugee children must be made in line with the best interests principle, with procedures in place to enable authorities and/or humanitarian actors to assess and determine the best interests of children at heightened risk.

Children must never be detained on the basis of the migration status of their parents, as this is never in their best interest. Again, authorities must respect the non-refoulement principle, particularly in relation to children. It is worth noting that national security concerns do not negate the obligation to be guided by the best interests of the child.



The right to participation and Inclusion

It is essential to engage children and young people on the move, safely and ethically, as key actors and partners in shaping the response. This means

empowering, listening to and learning from them – not taking their space but amplifying their voices and supporting them to translate their asks into concrete action. In addition, children and young people on the move need a seat at the table in policy processes at global, national and local levels, with specific efforts to engage the children who are the most vulnerable and excluded.

Children and their families must be provided with accurate information in a manner that is disability inclusive and child- and gender-sensitive and in appropriate languages to ensure they understand their rights and the services available to them. Children's views must be given due weight in all decisions that affect them and we must ensure that we are accountable to children in all of our responses.



Non-discrimination and equity in the treatment of all children who need protection, regardless of their [legal] status

As noted, displacement heightens the risks to child protection, making it essential to ensure their access to national systems and services. **All children need non-discriminatory access to national services, including civil documentation such as birth registration, as well as social welfare, justice, health, education and social protection.** In many countries, authorities and host communities demonstrate significant political will and generosity in protecting children on the move. However, national systems can become overwhelmed or may be ill-equipped to respond to the scale and the specificities of the needs.

Too often, children suffer from a lack of access to essential services on the basis of their legal status, location or other factors. The barriers may be legal, policy or administrative, as well as cultural/linguistic and financial. Discrimination and xenophobia amongst some host populations, as well as some service providers, can be compounding factors.

Investment in national child protection systems that include displaced children, rather than excluding them or creating separate services for them, has proven to be more sustainable and effective in the long-term, from both economic and child rights perspectives. Such an approach diminishes the risks of social tensions between the displaced population and local communities. It also reinforces countries' preparedness in an environment where forced displacement and migration are likely to continue as a result of conflict, violence, persecution, disasters and climate change.

States need to consider the potential long-term impact of complex crises on children and families and develop medium- and long-term strategies that are supported with adequate funding from the emergency phase onwards. Such long-term planning needs to build appropriate structures and capacity within existing national systems so that they can provide services to the displaced population on an equal basis. In addition, it is essential to ensure that existing services are child-friendly, accessible to children on the move and that they address their specific needs. It is also crucial to adapt services to ensure that they are culturally and linguistically appropriate, through the training and the use of interpreters and cultural mediators.

Where national systems are unable or unwilling to respond immediately at scale, sustained and predictable humanitarian support is needed to strengthen national systems while providing short-term support to cover the gaps in locations where national services cannot respond immediately to the needs.



**Many children
live in camps or
on the margins
of society for
years and
others remain
stateless.**

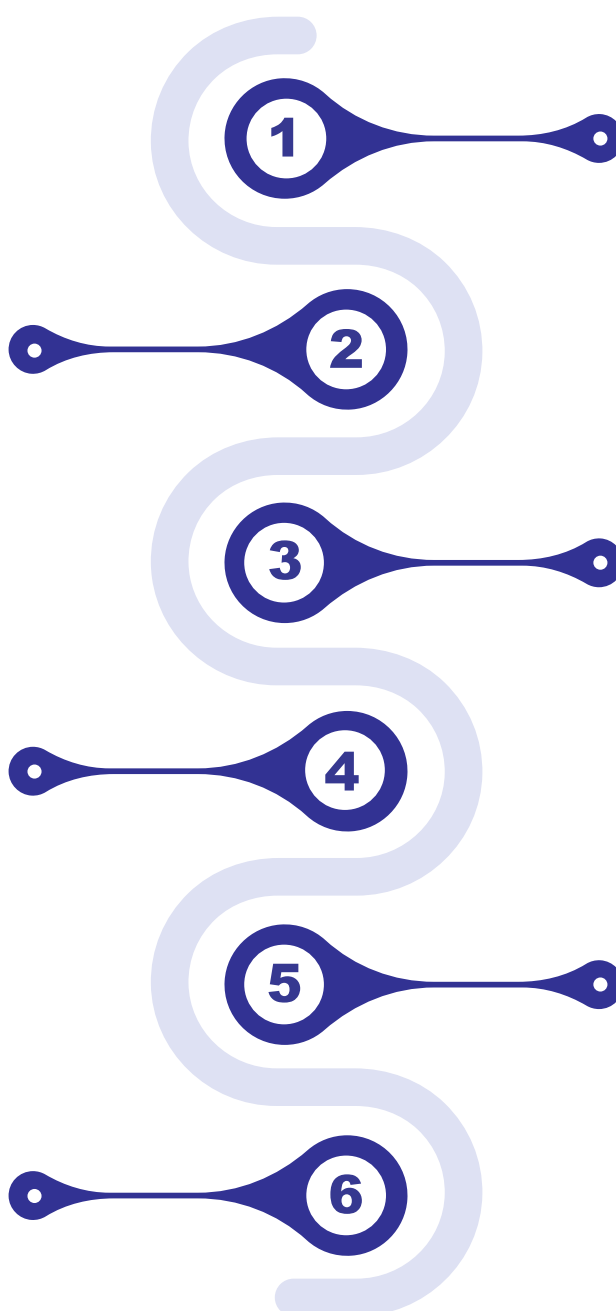
Step up child welfare and child protection reforms and services before and during a crisis.

Child protection systems are instrumental in responding to needs of the most vulnerable children, including those separated from their parents, and others at risk of violence, abuse or exploitation such as victims/survivors of gender-based violence and trafficking. Several key steps are needed to ensure that such systems reach all children, including those who have been displaced.

Technical and financial **support** needs to be provided to national **child protection systems** to scale up and adapt to the needs of forcibly displaced children, without distinction or exclusion based on their migration status.

Investment is needed to **prevent the abandonment** and institutionalization of children, and to prioritize de-institutionalization and **family and community-based care** for unaccompanied and separated children, as well as children with disabilities (including those from displaced populations).

Children and their caregivers in local communities must be able to access **multi-sectoral services to address their needs** comprehensively, and must have access to effective and independent complaint and feedback mechanisms related to care and services.



Child protection reforms need to be accompanied by **adequate resource allocations** that allow the deployment of a well-trained, supervised and supported social workforce that is equipped to cater for children from host communities and those who have been forcibly displaced.

Social protection measures that target most-at-risk households should be incorporated into reforms, and cash assistance and care should be provided to vulnerable households in a child-sensitive manner to address the economic drivers of child protection risks.

Strengthening the role of the **justice system** in preventing and responding to violence against children is a pre-requisite for the upholding of child rights and the granting of access to justice for children, as well as ending impunity and ensuring accountability for violation of child rights.

We need more age- and gender-disaggregated data on forcibly displaced children to prepare for the future and accelerate their inclusion. Information management plays a key role in supporting the provision of individual case management support for the most vulnerable children. While not an end in itself, a digital information management system enables frontline social workers or case managers to record, report and share critical information on children in a safe way amongst service providers. When aggregated and anonymized, the data also enable managers and decision makers to monitor the situation, identify key protection issues and to advocate, plan and mobilize resources accordingly.

Well-designed information management systems can contribute to family tracing and reunification, as well as the timely identification of missing children. All data collection, sharing and retention should also be in line with the best interests of the child, including their right to privacy and data protection and, for refugee children in particular, to uphold the non-refoulement principle.



Sustained and effective collaboration and coordination are needed to protect children. To tackle this challenge, we must work better together.

Coordination is vital amongst relevant authorities and entities at national and sub-national levels, civil society actors, international agencies and concerned governments to protect displaced children from all forms of violence. **This requires support for the establishment and development of strong national protection systems and appropriate coordination mechanisms within countries and across borders where relevant.** Beyond the coordination of direct service provision, efforts are needed to gradually align national legislations, policies, plans and practices with applicable international instruments¹⁰ and global frameworks¹¹. This is essential to enable national governments to align around a joint and effective approach to the protection of displaced children. Such coordinated responses are enhanced by ensuring pre-crisis planning and developing crisis strategies, which will help countries better respond to similar situations in the future. Regional collaboration across multiple countries affected by the same crisis is also essential to harmonize responses.

For child protection services, investment is needed in robust case-management systems and community-based services, a well-trained, equipped and supervised social workforce, agile information management systems, and clear and dedicated standard operating procedures that define the roles and responsibilities of all actors. This is essential for coordinated and efficient efforts to protect forcibly displaced children. **It is crucial to work across sectors to address the causes of child protection risks, as no single sector can address the nature and scale of risks on its own.**

Underpinning this effort, governments and donors must more than double their current funding to meet the existing, escalating, urgent and life-saving protection needs of children in humanitarian settings¹². We need to increase funding for national child protection services from both government funding sources and international donor support in line with the principle of responsibility sharing¹³ – given that 74 per cent of those who have been forcibly displaced are hosted in low- and middle-income countries. **Increased financial support from the international community is essential to reinforce the ability of national systems to respond.** Significant and growing gaps in funding of humanitarian child protection responses – a persistent trend over the last three years¹⁴ – demand the scaling up of funding to humanitarian agencies so that they can continue to supplement government child protection services and responses where needed.

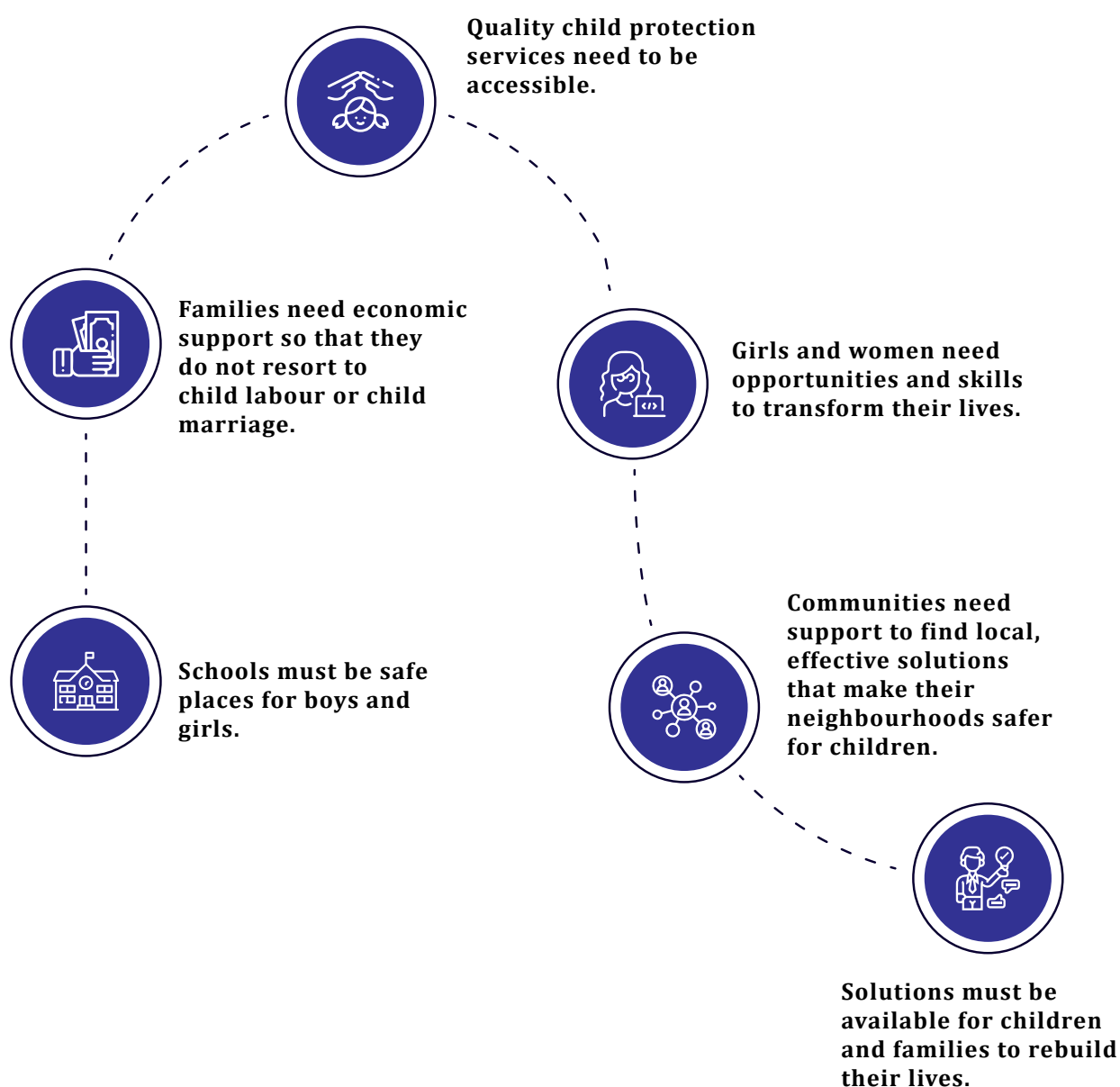
Child protection systems are instrumental in responding to needs of the most vulnerable children including victims/survivors of gender-based violence and trafficking.

© UNICEF/UN0326920/Brown

A portrait of Shahina, 17, who, with her younger brother Abdullah, 15, became victims of the human traffickers increasingly preying on the vulnerable Rohingya refugees Cox's Bazar, Bangladesh, 26 June 2019.

Conclusion

The multifaceted nature of risks to children and the interconnections across the different aspects of children's lives mean that we can only protect children when the entire response works together towards this goal. This means that:



For this to happen, governments and the humanitarian community need to be held accountable to make the protection of children a top priority. In short, keeping children safe from harm and promoting their wellbeing is – and must be – everybody's business.

References

01. UNHCR Global Trends Report. Forced Displacement in 2021.
02. [UNHCR - Global Trends](#).
03. Institute for Economics & Peace. Global Peace Index 2022: Measuring Peace in a Complex World, Sydney, June 2022. Available at: [GPI-2022-web.pdf](#) (visionofhumanity.org)
04. [UNHCR - Global Trends](#).
05. International Data Alliance for Children on the Move (IDAC). Newsletter, [On the Move](#), In the Know, July 2022.
06. Based on government statistics and protection monitoring, the Regional Child Protection Sub-Working Group for estimates that children comprise over 40 per cent of persons displaced by the conflict in Ukraine (<https://data.unhcr.org/en/documents/details/93981>). According to the most recent displacement figures, 7,154,448 refugees from Ukraine have been recorded across Europe, with a further 6,975,000 internally displaced inside Ukraine as of 9 September 2022 (<https://data.unhcr.org/en/documents/details/95460>).
07. [UNHCR - Mid-Year Trends 2022](#).
08. See also: UKRAINE EMERGENCY: CHILDREN FLEEING UKRAINE – THE ADVOCACY AGENDA FOR ACTION – A call for action to protect all children and their families displaced by the war; OSCE recommendations on the need to enhance anti-trafficking prevention amid mass migration flows and to identify and mitigate trafficking in human beings (THB) risks online; 2019 Edition of the Minimum Standards for Child Protection in Humanitarian Action (CPMS).
09. Under this principle, nobody should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm. This principle applies to all migrants at all times, regardless of their migration status.
10. UN Convention on the Rights of the Child (CRC) and its Optional Protocols; UN Convention on the Rights of Persons with Disabilities (CRPD); Convention and Protocol Relating to the Status of Refugees; Convention on the Elimination of all forms of Discrimination against Women (CEDAW); International Convention on the Elimination of all forms of Racial Discrimination; Protocol to the Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol).
11. The Global Compact on Refugees (GCR); Global Compact for Safe, Orderly, and Regular Migration (GCM)
12. [Report | The Unprotected: Annual Spotlight on Child Protection Funding in Humanitarian Action – 2021 | Alliance CHPA \(alliancecpha.org\)](#)
13. [UNHCR - Mid-Year Trends 2022](#).
14. Ibid.



**MAKE THE PROTECTION OF CHILDREN
A TOP PRIORITY**