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TECHNICAL GUIDANCE **CHILD-FRIENDLY PROCEDURES**





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INTRODUCTION

Refugee and asylum-seeking children have the right to both international protection and specific rights as children; these two sets of rights are complementary and mutually reinforcing. As such, State authorities, UNHCR staff and partners are obligated by the Convention on the Rights of the Child and other international legal frameworks to protect and promote children's rights through every stage of the displacement cycle. They are also obliged to ensure children's access to international protection in line with the 1951 Refugee Convention and the 1967 Protocol. Together, these two sets of rights imply that children should have access to child-friendly international protection. It is paramount to upholding children's rights and best interests that procedures through which protection is delivered are adapted to children's diverse experiences, backgrounds, and specific vulnerabilities and capacities. Throughout this technical guidance, where the terms "child" or "children" are used, they refer to girls and boys under 18 years of age, including younger children and adolescents.

Making refugee protection procedures child-friendly means ensuring that:

- **Procedures are accessible and safe for children** of different ages, genders, backgrounds and capacities.
- **Physical environments and spaces are conducive** to realizing children's rights and addressing their needs.
- **Personnel are qualified and have the necessary skills and attitudes** to implement procedures with respect for children's rights.
- **Child-sensitive information** is provided, and **children's meaningful participation** is facilitated, regardless of whether they are unaccompanied, separated or living with both biological parents.
- **Approaches and methods are sensitive** to children's age, gender, maturity, background, and situation.
- **Appropriate support measures and safeguards** are in place to assist children and prevent further harm.

Purpose of this technical guidance

Ensuring that children have access to child-friendly procedures is one of UNHCR's six goals for children, as articulated in UNHCR's Framework for the Protection of Children.¹ This document provides practical guidance on the implementation of child-friendly and age- and gender-appropriate protection procedures for asylum-seeking and refugee children, while promoting children's rights to information, participation, representation, special care and solutions. While the objectives of refugee protection procedures do not change for children, the way in which these procedures are implemented must be adapted to ensure that children's rights are respected, and their specific protection needs are identified and addressed. As steps are taken to ensure protection procedures are child-friendly, particular attention is also required to ensure that the specific needs of girls and children with disabilities are addressed and that they can equally access and benefit from these procedures. This means ensuring agencies, units and sections implementing protection procedures mainstream child protection and gender equality through the adoption of the age, gender, and diversity approach. Ensuring protection procedures are child-friendly requires operations to utilise a multifunctional team approach, bringing together experts in child protection, gender-based violence (GBV) and gender equality, registration and identity management, refugee status determination, durable solutions, assistance, programme/project management, and senior management, to review existing procedures and to agree on a strategy and timeframe to systematically implement child-friendly protection procedures.

¹ UNHCR, *A Framework for the Protection of Children*, 2012, p. 22, available at: www.unhcr.org/50f6cf0b9.pdf

Goal 3: Girls and boys have access to child-friendly procedures

- Girls and boys have access to age and gender-sensitive protection procedures.
- There is age-sensitive information available about reception, registration, refugee or stateless status determination and other procedures and services.
- Procedures and decisions relating to children are informed by their age, maturity, gender, language, social and ethnic background and take into account the individual experience of the child [including additional support requirements related to a disability, when required].
- Consultation takes place in a confidential environment where children feel safe and are able to express their views.
- Unaccompanied and separated children are engaged on the basis of informed consent[/assent]. UNHCR and partners provide services and assistance in a manner which considers the specific needs of children and adolescents.
- An ethic of care and empathy, as opposed to an enforcement approach, governs all interactions with asylum-seeking [and refugee] children and their best interests are a primary consideration.

UNHCR framework for the protection of children (2012)²

A procedure is a series of steps that results in decisions and/or actions to protect and promote the rights of individuals including children, regardless of whether they are unaccompanied, separated or in the care of their parents or customary caregivers. Refugee protection procedures including reception, registration, protection counselling or legal aid, Refugee Status Determination (RSD), the Best Interests Procedure and solutions must be child-friendly to ensure that children are treated with dignity, protected from further harm, and are supported in a manner that is appropriate to their age, gender, level of maturity, capacities and individual circumstances, including disability-related requirements.

While the guide focuses on child-friendly refugee procedures, parts may apply to or be adapted to procedures and services for other children of concern to UNHCR, such as internally displaced children or stateless children.

Who is this technical guide for?

This technical guide is intended for use by States, UNHCR staff and partners responsible for implementing refugee protection procedures. Personnel working in other sectors may also benefit from reading this guide, to assist them in protecting children's rights and enhancing their interventions for children.

What is included in this technical guide?

The guide outlines the need for procedures to be child-friendly irrespective of whether the child is unaccompanied, separated or is being cared for by parents or customary caregivers; describes key principles guiding the work of personnel involved in implementing procedures for children, and defines the six components of child-friendly procedures. It also includes specific guidance for each of the refugee protection procedures and lists cross-cutting recommendations for making protection procedures child-friendly and resources to help strengthen procedures for children.

¹UNHCR, *A Framework for the Protection of Children*, 2012, available at: www.unhcr.org/50f6cf0b9.pdf

1. WHY SHOULD PROCEDURES BE CHILD-FRIENDLY?

Children not only have a right to procedures that are adapted to their age and stage of development, but it is also essential to make procedures child-friendly in order to achieve protection objectives for children. The need for child-friendly protection procedures is articulated in various international legal frameworks, organizational policies and guidelines, including the Convention on the Rights of the Child, the UNHCR Executive Committee Conclusion No. 107³, and UNHCR's mandatory "Policy on Age, Gender and Diversity"⁴.

The Global Compact on Refugees also affirms that age-sensitive services will be made available to children and that policies and programmes will take into account the specific vulnerabilities and protection needs of girls and boys, children with disabilities; adolescents; unaccompanied and separated children; survivors of sexual and gender-based violence, sexual exploitation and abuse, and harmful practices, and other children at risk.⁵

Protection procedures need to be child-friendly because:

- (a) Children have rights guaranteed to them by law.
- (b) Children have a right to be heard and to participate in decisions that affect them.
- (c) Children have specific developmental needs and capacities that need to be addressed to ensure their protection.
- (d) Children have specific experiences and protection needs, all of which require procedural sensitivity and care.

1.1. Children have rights guaranteed to them by law

Children are the subject of their own rights. This means that all human rights apply to children, and because of their special needs and vulnerabilities, the Convention on the Rights of the Child guarantees them additional rights and protection. This includes the right to survival and development, the right to non-discriminatory access to care and protection, the right to participate in decisions affecting them, and the right to have their best interests taken into consideration. They also have the right to age and gender-sensitive protection procedures,⁶ which includes the right to information, participation, representation, special care and protection. Decisions should be informed by their age, maturity, gender, language, and social and ethnic background and take into account the child's individual capacities, experience and any relevant diversity characteristics. The best interests of the child should be a primary consideration when deciding whether they should be interviewed, for example, in relation to RSD procedures. Authorities, UNHCR and all other actors involved in refugee protection have an obligation to uphold children's rights.

³ UNHCR Executive Committee, *Conclusion on Children at Risk no. 107 (LVIII)*, 2007, available at: www.refworld.org/docid/471897232.html

⁴ UNHCR, *Policy on Age, Gender and Diversity*, 2018, available at: www.unhcr.org/5aa13c0c7.pdf

⁵ United Nations, *Global Compact on Refugees*, 2018, para. 76, available at: www.unhcr.org/gcr/GCR_English.pdf

⁶ *Ibid.*

1.2. Children have a right to be heard and to participate in decisions that affect them

Child participation is one of the four general principles of the Convention on the Rights of the Child.⁷ Ensuring that procedures are child-friendly guarantees this right to children of concern to UNHCR. It promotes meaningful engagement of children as actors in their own right, able and supported to contribute to their own protection, well-being and recovery. Children have the right to make an independent refugee status claim regardless of their age or whether they are accompanied, unaccompanied or separated. They should receive all necessary assistance and support in articulating and presenting their own refugee claim, or their part in a family's claim. Similarly, children have a right to be heard and to participate in protection decisions including those relating to resettlement and other third country solutions or returning to their country of origin – in accordance with their age and level of maturity – even when they are accompanied by one or both of their parents.

1.3. Children have specific developmental needs and capacities that need to be addressed to ensure their protection

Childhood is a period of a person's development. As they grow, children's brains mature, and their language and social skills evolve. Each child grows and develops differently, both physically and emotionally, and this is influenced by family, social and economic factors. Persecution, conflict, flight, and family separation have a significant impact on children's development. That said, children are resilient, and their capacities continue to evolve. A "one size fits all" approach in protection procedures does not adequately and appropriately advance children's protection; these procedures need to consider and adapt to each child's specific developmental needs and capacities.

1.4. Children have specific experiences and protection needs, all of which require procedural sensitivity and care

Children may have experienced child-specific forms and manifestations of persecution, violence and human rights abuses, which may result in specific protection needs in the country of asylum. Procedures that do not take into account children's specific protection experiences, vulnerabilities, needs and well-being might contribute to inadequate or inappropriate responses and cause further harm, with long-term consequences. Adult-oriented procedures present barriers to children and prevent their specific protection needs from being identified and met. Children can find it difficult to access and navigate protection procedures that are not adequately adapted to their age, gender, diverse circumstances and experiences. Children comprehend, experience, remember and communicate about the world and their protection concerns differently from adults, and in some cases may be unable to articulate a refugee claim or protection concern. This can result in vulnerabilities and risks going undetected, which has far-reaching consequences for children.

⁷United Nations Committee on the Rights of the Child, *General Comment No. 5: General Measures of Implementation of the Convention on the Rights of the Child*, 2003, available at: www.refworld.org/docid/4538834f11.html

2. APPROACH AND PRINCIPLES

PARTICIPATORY APPROACH: Opportunities for children to give their views and opinions and be involved in decisions during procedures are maximized. Information, methods and environments in which procedures are implemented are adapted to ensure that children of different ages are able to understand the nature and purpose of procedures, they are meaningfully engaged in the process, and receive feedback on progress and outcomes and what these mean for them. Child-friendly complaint mechanisms are available and accessible to children of different ages, genders and backgrounds.

ACCESSIBLE AND AGE-APPROPRIATE: Children of different genders, ages, backgrounds, and circumstances are able to reach the location in which procedures are implemented without risk, hindrance or barriers, and access the personnel working there and the options available to them. This means, for instance, that the proposed meeting times and locations should be physically accessible for children and/or their caregivers living with disabilities, and scheduling should not impede children's school attendance or other essential responsibilities. Younger children can be accompanied by a parent, caregiver or support person and children with disabilities should be able to participate meaningfully in the procedure. Children are given the opportunity to understand and communicate in a language they are fluent in. Children's age, level of maturity and development, and evolving capacities are given due weight.

TIMELY: Quick and efficient support systems are in place and procedures are implemented in a timely manner to ensure appropriate and effective protection. As a general rule, children – especially unaccompanied and separated children and other children at risk – should be processed on a priority basis (see section 6.4: Implementing child-friendly refugee protection procedures: Refugee Status Determination (RSD) for specific considerations on prioritized processing in the context of RSD).

SAFE AND SUPPORTIVE: Children's physical and psychological safety is paramount during all stages of the protection cycle. The physical spaces in which procedures take place, the language used, and how information is stored and shared are all essential to promote children's safety, prevent further harm and promote their well-being. Encouraging, supportive and sensitive personnel guide children through the procedures with care and empathy. Such an approach can be beneficial – even healing – for children in challenging circumstances because it helps build resilience, foster participation and improve relationships.

NON-DISCRIMINATORY AND INCLUSIVE: The procedures should recognize and value the diversity of children and be adapted to their age, gender, sexual orientation, gender identity and gender expression, disability, country of origin, socioeconomic status, race or language. Personnel are trained and uphold the principles of non-discrimination in their interactions with children, and procedures and locations are accessible to children of diverse backgrounds.

CONFIDENTIAL: All personnel, including interpreters and other support staff ensure that information received from or about children is gathered, stored and shared in a manner that ensures privacy and protection. Children must be informed about their right to confidentiality and any legitimate limitations on such confidentiality.

PROFESSIONAL AND RESPECTFUL: Working with children and accommodating their needs and differences requires a professional approach. Personnel working with children should be skilled in communicating with children and should adhere to the ethical standards and codes of conduct. Procedures must promote and respect children's dignity, value their unique experiences and opinions, take into account their contributions and respond to their suggestions and feedback.

⁸ For more information on working with and supporting children with disabilities, see UNHCR, *Child Protection Issue Brief: Children with Disabilities*, 2015, available at: www.refworld.org/docid/55cc4a564.html



3. COMPONENTS OF CHILD-FRIENDLY PROCEDURES



Approaches, decisions and actions aimed at protecting and promoting children's rights must cater to children of different ages, gender, backgrounds and capacities. This means ensuring that procedures are **accessible and safe** for children, that the **physical environments and spaces** in which procedures are implemented are **inviting and appropriate for children**, that **personnel are qualified** and have the necessary **skills and attitudes to respect children's rights**, that **child-sensitive information** is provided and the procedures **promote and support children's meaningful participation**, that the procedures are **sensitive to children's age, gender, maturity, background and situation**, and **supportive measures are in place including safeguards**.

3.1. Accessibility and safety

Many factors impact on whether and how children access and participate in protection procedures. Attitudes to children's roles vary within and across communities, and children themselves vary in how comfortable they feel engaging in formal processes such as protection procedures. Children's families' and communities' understanding, experiences and perceptions of UNHCR or authorities also influences how children engage with protection procedures. Common barriers to participation may include the ways in which adults exercise their rights and responsibility and make decisions for children without giving due weight to their views. Gender roles often discriminate against girls and limit their options, movement and/or participation and gender norms can also hinder boys' meaningful participation by prescribing certain socially acceptable behaviours, attitudes or expectations. The family's social and economic status, disabilities and how children with disabilities are viewed and treated also affect children's agency in protection procedures. It is therefore crucial that staff understand these factors and develop techniques that enable children of various backgrounds to access and interact with those responsible for implementing the procedures and providing services. This includes working with child protection actors, community-based protection actors and community networks to map practices and attitudes relating to children, develop guidance and provide training for personnel, and work with communities to address barriers to children's active and meaningful participation in procedures.

When establishing a point of service or inviting a child to participate in a procedure, it is necessary first and foremost to ensure that it is convenient and safe for the child to reach the location, to approach and enter the site. Consulting children about their preferences and concerns regarding a specific site can help decision-making on ways to enable safe access. Establishing outreach, mobile or virtual protection services can also strengthen accessibility for children (see below). Strengthening community policing, undertaking a safety and accessibility audit, and establishing peer accompaniment systems can help strengthen safe access to the location where protection procedures are provided and ensure that the site itself is safe. Where offices have uniformed guards at the entrance to the site or within the location and/or use security screening procedures, informing children in advance (for example when scheduling an interview) or discussing this with children once they have reached the site can help put them at ease. Ensuring that the site is physically safe and free from hazards, such as large holes or uncovered wells, is also important for children.⁹

It is also necessary to improve accessibility to and within the site, including for children with disabilities¹⁰ (or caregivers who may accompany them) using mobility devices like wheelchairs, by consulting children with disabilities and their communities. It is important to provide information that children can understand by, for instance, signposting directions in a child-friendly manner, and paying particular attention to the needs of children with disabilities, including those with intellectual, hearing and visual disabilities, to help them reach and navigate the site.

Cultural norms often determine and may constrain girls' movement outside of their homes, how they interact with adults, particularly men, and the time spent on household chores. Furthermore, girls may not feel safe to travel to the sites where protection procedures are implemented, especially if these are located further from their places of residence or the proposed time for the meeting may not allow them time to return home safely. Consultations with parents or caregivers can also help identify ways to ensure that locations are safe and inclusive, including opening mobile registration desks at sites closer to where children and families live, ensuring that services are open after school or offering virtual services. When scheduling interviews, it is crucial to find a time that works best for the child, including consideration for time required to reach the site and return home.

Key actions

- Understand various factors, including cultural norms and relationships that affect children's participation, particularly for girls, and work to enable and facilitate children's access and participation in procedures.
- Establish protection services near to where children live and to other services, including mobile services such as registration desks.
- Ensure that the sites themselves and the surrounding environment are clear of physical hazards and clearly mark areas that are hazardous.
- Provide clear directions to the site and different sections of the facilities in a format that children and their caregivers, including those with disabilities, can understand.
- Where children are required to be present at the location where the procedure is implemented, consult children and their communities in advance, identify and address risks or barriers, and work with communities to facilitate safe access whenever possible.

⁹ The Alliance for Child Protection in Humanitarian Action, *Minimum Standards for Child Protection in Humanitarian Action*, 2019 – Standard 7, available at: https://alliancecpha.org/en/system/tdf/library/attachments/cpms_2019_final_en.pdf?file=1&type=node&id=35094

¹⁰ For more information on working with and supporting children with disabilities, see UNHCR, *Child Protection Issue Brief: Children with Disabilities*, 2015, available at: www.refworld.org/docid/55cc4a564.html

- Provide training and on-the-job coaching for personnel at the entrance, such as security, reception staff and interpreters, to be friendly, respectful and supportive of children arriving at the site, and guide them to the appropriate section of the point of service.
- Ensure that waiting areas provide protection from the elements (such as shade or heating), ablutions facilities (including toilets and handwashing and shower facilities), public health measures such as soap and hand sanitizer, and that clean drinking water is available at all times.
- Establish age-appropriate spaces within the facility or in close proximity for children to socialize and play and for older children such as adolescents to engage in recreational activities, peer support and specialized services as needed.

3.2. Conducive physical environment

Environments and spaces in which protection procedures are implemented must be structured in a way that is reassuring, encouraging and promotes a sense of security for children. Formal spaces can be intimidating and unnerving for many children. In locations where children are required to be present, such as reception centres, these should be designed from the outset or renovated to be child-friendly. Where services such as refugee registration can be performed in different locations, it can be helpful to select an existing space which children are already accustomed to or feel safe in like a school, community centre or other child-friendly space as a mobile services or outreach venue. Where individual interviews will be conducted, it can be useful to engage with children within their life space – for example, areas where they play, seek solace or that they particularly enjoy like a school playground, library, community space or trusted relative's home, if this is assessed to be safe, confidential and appropriate.

Refugee protection interviews must ensure privacy and limit distractions from other personnel or persons of concern. Such spaces should be separated from the waiting area, and a sign on the door/entrance to the interviewing space can inform other personnel not to disturb. Maintaining privacy during a procedure is also essential for facilitating children's participation and for adhering to the principle of confidentiality. This can be difficult to achieve in shared or open spaces such as a large, tented space, versus an existing or built-for-purpose building. If physical barriers for privacy such as a separate room, room separators, or other barriers are not available, physical distancing from other individuals can be used. Inviting children into rooms with closed doors should be avoided, and they should be supported in identifying safe exit points. Ask the child if they feel more comfortable with the door open or closed, demonstrate that the door is not locked, and do not sit or stand in the way of the door. If closing the door is necessary to ensure privacy, this should be explained to the child and their caregiver, and their agreement sought.

When interviews are conducted, seating arrangements within the interview space should be less formal, but culturally appropriate. If possible, identify some interview rooms or other spaces that are appropriate for children and renovate them to be child-friendly and accessible. For instance, include a small sofa, a corner with a mat and cushions on the floor or a small round table with chairs, depending on what is culturally appropriate for children in that location. Particular attention must be paid to the mobility needs of children with disabilities and those with injuries, and what is the most suitable seating arrangement, ensuring adequate space to manoeuvre if necessary.

Research has shown that the use of colours and images on walls can signal to children that they are in a safe space, so add posters or paint walls bright and welcoming colours. Playing soft music can provide reassurance for children, particularly children with visual disabilities. Consult children about their preferences and identify music that is relevant and appropriate to the context.

Where the location allows, installing a small play area can also be helpful for parents to entertain children when

they are waiting. Keep a stock of portable items like bright posters, a smaller table and chairs, a soft carpet or mattress, a few toys, books, coloured pencils, paper and puppets, and store these in the child-friendly rooms described earlier where possible. If not, these items can be stored and brought in prior to the child's scheduled interview in any interview room or space. It is important to remember that even in lower resource settings, it is possible to make venues more child-friendly by being creative and resourceful – for instance, ask the local school to have children do drawings or art projects that can be displayed, ask a local artist to paint a mural, or utilize good quality second-hand children's furniture and toys.

When parents or caregivers are being interviewed and they do not have care arrangements for their children, ensure either a safe space for children to wait or adapt the procedure to allow caregivers to care for children. This may mean having a larger interview room where children play in one corner and caregivers are interviewed in another part of the room, while taking care to avoid children listening to distressing or confidential details.



Figure: Sample diagram for a child-friendly interview room

Key actions

- Provide children with material for playing and resting in the waiting area and reading material or age appropriate games for older children.
- Ensure that interviews are conducted in a safe, bright and friendly space, ideally with natural light. The interview room should allow for confidential conversation.
- Pay particular attention to the needs of children with disabilities in relation to manoeuvrability and seating, establishing adequate space and non-discriminatory seating arrangements.
- Utilize colours, images and soft music to make the space in which the procedure is conducted inviting and reassuring for children.
- Create a relaxed seating arrangement within the interview room – this can include sitting on mats instead of across a desk with a computer between the child and the interviewer or using low tables and chairs.
- Make refreshments available for children in the event of longer interviews/procedures.
- Make sure that the child is aware of where the toilet/washing facilities are located at the outset of the interview.
- When interviewing parents or caregivers, either provide a safe space for children to wait or adapt the procedure for parents/caregivers to care for children.
- Schedule interviews with parents at times that are suitable for them and explore options for providing childcare in the event of long interviews.

3.3. Skills and attitudes to respect children's rights

Treating children with respect, dignity, and care; being friendly, calm, and pleasant; taking time to explain, and giving children time to respond are all important for building trust and effective communication. Empathy, sensitivity, active listening, and effective interviewing techniques are essential for conducting procedures in a child-friendly manner. Gender, cultural and linguistic backgrounds should be considered when deciding on who is best placed to interview a child, and when assigning an interpreter.

Personnel responsible for interviewing children, including case workers and asylum officials, should be qualified and experienced in working with children, and appropriately trained on child-friendly, age-appropriate and gender-appropriate interviewing techniques. Interpreters should also be trained and experienced in interpreting for children of different ages, maturity, and backgrounds.

Training for all personnel working with children should include training on the fundamentals of child protection, including training on protective and risk factors, types of risks and abuse children face, the long-term impacts of this and working with children of different ages, genders, backgrounds and abilities. Personnel should be equipped with the knowledge, skills and resources to work appropriately with children and should have support and supervision to deliver quality services, including peer support, supervision and regular opportunities for learning and professional development.

Personnel working with children should be particularly conscious of how their own backgrounds and cultural norms influence their assumptions about childhood, gender, gender identities, sexual orientation, disabilities, and their perceptions about the roles of parents/caregivers and how children should behave. These assumptions and perceptions, combined with their level of understanding about child protection, can determine the extent to which procedures are child-friendly. It is essential that personnel responsible for implementing protection procedures are aware of how unconscious bias affects an individual's view of others, how they assess their needs and how they respond to their situation. For example, should a staff member have experienced corporal punishment in their upbringing and where the use of such forms of punishment is widely accepted, they may see such punishment as appropriate or not see it as harmful to the child. Another widely held view is that childcare is a woman's responsibility. Decisions based on such assumptions can limit options for solutions and responses arising from the protection procedure and undermine children's protection. For instance, personnel may assume that mothers or other female caregivers will be responsible for childcare, or that single fathers are less able to care for their children than single mothers or other female caregivers. An individual analysis of the relevant issues should be undertaken, and personnel should receive training on positive discipline and gender norms as they relate to childcare.

The language used to refer to people with disabilities often has negative connotations and plays a major role in the reinforcement of stereotypes, prejudices, discrimination, devaluation, and the barriers they face in society. The use of negative terms and labels can have long-term consequences for children as these instil a sense of inability, dependency and low self-worth.¹¹ Personnel implementing protection procedures should therefore be aware of the language used to describe or refer to people and children with disabilities, and, in consultation with child protection focal points, children and their communities, identify and challenge the use of degrading language and promote respectful and empowering terminology. They should also identify the barriers that children with disabilities experience and solutions to mitigate them. Similarly, gendered language that intentionally or unintentionally reinforces gender norms, such as minimizing aggressive behaviour in boys, or labelling girls who are outspoken as "bossy", should be avoided.

¹¹ For more information on working with and supporting children with disabilities, see UNHCR, *Child protection Issue Brief: Children with Disabilities*, 2015, available at: www.refworld.org/docid/55cc4a564.html

Core child-friendly attitude and competency areas¹²

Staff responsible for implementing protection procedures should have the ability and commitment putting child-friendly values and beliefs into practice, and to ensure that child-friendly attitudes are communicated during service provision. The overarching values that are essential for staff working with children include:

- Children are resilient individuals.
- Children have rights, including the right to seek asylum, be protected, have durable solutions in their best interests, and access to appropriate services, and their development.
- Children have the right to care, love and support.
- Children have the right to be heard and participate in decisions that affect them.
- Children have the right to live a life free from violence.
- Children have the right to information in a way they understand.

In addition, there are specific beliefs that are vital for service providers to hold when working with children at heightened risk,¹³ including that:

- Children tell the truth about risks they have experienced or are likely to experience.
- Children are not at fault for being subjected to risks.
- Children can recover and heal from the risks they have experienced.
- Children should not be stigmatized, shamed or ridiculed for being abused, exploited or neglected.
- Adults, including caregivers and service providers, have a responsibility to protect children and help them recover by believing them, not blaming them and helping them access available support and services.

¹² Adapted from IRC and UNICEF, *Caring for Child Survivors of Sexual Abuse: Guidelines for Health and Psychosocial Service Providers in Humanitarian Settings*, 2012, available at: www.refworld.org/docid/532aa6834.html

¹³ See sect. 3.1.3 of UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, available at: <https://www.refworld.org/docid/5c18d7254.html>

Key actions

- Assign staff trained on child protection and techniques for interviewing children to register/interview children and train all other personnel in child protection.
- Provide training for interpreters on techniques for interviewing children of different ages and backgrounds.
- Ensure that only those authorized and skilled to do so are responsible for making decisions on children's cases.
- Train everyone working with children on unconscious bias, and actively review interactions with children to identify gaps and areas for improvement, addressing these during team meetings and supervisor-staff discussions.
- Review the use of negative language and labels used to describe and refer to children with disabilities and identify and use terms that promote respect and empower children.
- Provide training on gender-sensitive language and interviewing techniques for children and avoid reinforcing gender-discriminatory gender norms.

3.4. Information and child participation

Children have the right to receive information, and this includes the right to be informed about the process and the support available to them. Their views and opinions can only be expressed and taken into account if they have access to information and are actively afforded the space and time to ask questions during every step of the process. Information should be presented in a manner and form that children understand. This may be achieved by ensuring that it is shared in the child's language using trained interpreters, and, when using printed or televised material, by presenting text alongside images.

Procedures should help children understand the nature and purpose of the processes in which they are participating, how these are relevant to their situation, the options they have and what potential and actual outcomes mean for them. This should be achieved through child-friendly, gender-sensitive and age-appropriate explanations in a language that the child can understand, and by encouraging and supporting them to express views, wishes and opinions and to ask questions. It is therefore essential that personnel responsible for implementing protection procedures for children are qualified¹⁴ and trained on child-friendly communication/interviewing techniques.¹⁵

The child has a right to express their views and opinions, either directly or through their parents, caregivers, support persons or a guardian/representative. This preference should be established at the outset of the meeting with the child. It is not uncommon for children to be fearful of being interviewed and providing information, with the perception or experience of this having negative outcomes for them such as “getting in trouble”, harming their parents' interests, being separated from caregivers or otherwise coming into conflict with authorities. In addition, their ability to understand and respond to questions or requests varies significantly and increases as children get older and more mature. As such, it is the responsibility of the personnel to ensure that information is presented to children in an age-appropriate and gender-appropriate manner.

Not all children are able to read, and those who can do so may not be able to comprehend detailed descriptions or humanitarian terminology and abbreviations. Messages developed in one language sometimes do not easily translate into another, especially when they refer to technical terms or standard procedures. At the same time,

¹⁴ See [Skills and attitudes to respect children's rights](#).

¹⁵ See [Annex 2: Child-friendly communication in interviews](#).

care should also be taken when using pictorial messaging such as symbols and icons, which may have certain meanings in one language or location, and different connotations or no meaning in other languages or locations. Messages and information directed at children or their parents/caregivers, whether verbal, written or audio-visual in format, should be developed in consultation and tested with children and their communities. Special attention should be given to how messages are transmitted to children with hearing, visual and/or intellectual disabilities and younger children. Staff should not assume that information provided to accompanying adults will automatically be shared with the child, and that it will be shared in a way that the child can easily understand.

Children's ability to observe, understand, recall and express events and timelines differ from that of adults. Children may not be able to judge the importance of certain events, or they may not wish to talk about them, particularly events that were distressing. Children may not understand their emotions or be able or willing to articulate them and may not be able to regulate their emotions as easily as most adults. The type and level of information shared by children is influenced by their age, emotional and psychosocial maturity, and development. Their gender, culture, socioeconomic background, and past experiences can also play a pivotal role in how they share information during procedures.

Some children may have more difficulty accurately recalling or describing events. Age, developmental stage, individual characteristics (such as language capacities) and circumstances (such as whether the child is distracted) all affect how accurately children can recall and/or recount events. As such, the process of interviewing a child and gaining key information or milestones in the events they describe may not be linear. Interviews may, therefore, take the form of an informal discussion rather than formal questioning. It is vital to take sufficient time to establish a rapport with the child at the beginning of the interview, maintain a rapport throughout the interview by actively engaging the child, explain the reasons for the interview and encourage the child to ask questions and answering those questions. Interviewers should avoid an interrogative approach and adopt a thematic approach rather than a chronological approach to the interview, particularly with younger children and less mature children. This means leading a conversation on different "themes" such as family life, school, friends and likes/dislikes, instead of requiring the child to narrate their journey or an incident in the order that it happened, allowing the child to express their story as they recall it. It is particularly important to allow children to direct the focus and set the pace of the interview, using open-ended questions to gain more information. When switching topics – for instance, from the child's family to their education – it is important to tell them what you will focus on and why. It is the interviewer's responsibility to take notes and compile what was shared.

In many situations when working with children, staff may need to gather information over a period of time, as trust is built, and the child is given the space and time to process the information they are learning and sharing. Based on the child's availability and preference, while remaining conscious of the urgency of each case, interviews may be organized in stages. When continuing interviews the child should not be expected to repeat what has already been discussed except for the purpose of clarifying information they have given.

At the start of the interview, explain the concept of confidentiality in a way that children can understand and seek consent from children and their parents to share information (assent of younger children should be sought – see below). Only the information required for referral services should be shared, on a need-to-know basis. During the interview, children should be allowed to take breaks, move around, play, and interact with family and friends.

Consent and assent

Consent is any freely given and informed indication of an agreement by a person, which may be given by either a written or oral statement or a clear affirmative action. In the case of children, consent should generally be obtained from the child's parent or guardian, in addition to consent or assent from the child, depending on the child's age and maturity.

Assent is the expressed willingness or agreement of the child. Consent from parents/guardians is not necessary where it is not in the best interests of the child to share information with the child's parents/guardian or where parents/guardians are not reachable. The information provided and the way in which consent/assent is expressed must be appropriate to the age and capacity of the child and to the particular circumstances in which it is given. In exceptional circumstances, protection actors may need to take action to protect the best interests of a child, even when the child or parents/guardian have not provided their consent or assent.¹⁶

During procedures where specific equipment is used – for example, registration procedures where biometric equipment is used – staff should clearly explain what the equipment is for and how the information collected will be used. Sign language interpreters should be made available for children with hearing disabilities, and when interviewing children whose parents have hearing disability. As much as possible, meetings should be scheduled at a time when the interpreter is available and that is convenient for the child and the family.

Ensuring that protection procedures are child-friendly also requires decisions to be made regarding when a child should be interviewed alone and when this may be done together with their caregivers. Where the parents or caregivers are the alleged perpetrator of a protection risk or there are concerns that risk emanates from them or where they are complicit in the abuse, the child should be interviewed alone or in the presence of a support person, guardian, or someone they trust. While this may not be known at the start of the interview, if a possible risk to a child becomes apparent during the interview, staff should notify the child protection actor for follow-up and schedule a separate interview with the child. This should be done in consultation with the child protection actor, establishing steps to prevent further harm to the child. Other situations in which children should be interviewed separately include if the child has been subjected to gender-based violence, which they may not feel comfortable discussing in front of their parents or caregivers, or if the child wishes to share other confidential information – for instance, behaviour that their parents/caregivers may not approve of, or indicators or information regarding the child's sexual orientation, gender identity expression and sex characteristics (SOGIESC)¹⁷ which may not conform to social norms in the child's community and may pose specific risks to the child. In all cases, the reason for interviewing the child separately should be explained to them and their caregiver and their agreement sought, insofar as informing the caregivers, and seeking their agreement does not pose new or additional risks to the child.

In some procedures it may be helpful, where feasible, to keep an audio or video recording of the interview with the child. Recordings help safeguard against instances where the child's statements may be understood and/or interpreted differently, including misinterpretation due to the interviewer or interpreter filling the gaps in the child's statements through assumptions or unconscious biases for example. In such cases, the child and their caregiver's consent/assent should be sought after explaining the purpose of such recording, and this should only be done if it is assessed to be in the child's best interests. The child's disagreement should not, however, be interpreted or understood to be an effort on the part of the child to conceal information and should not be used to deny the child protection services or decisions in their best interests.

¹⁶ UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, available at: <https://www.refworld.org/docid/5c18d7254.html>

¹⁷ The acronym 'SOGIESC' is used to describe sexual orientations and gender identity expressions in their full diversity, based on sex characteristics.

Key actions

- Include information about children's rights and available services for children in information materials for families.
- Inform children about the purpose, time frame and procedure for interviews and actions related to the procedure in an age- appropriate and accessible format.
- Systematically collect and individually record information on children's specific needs and vulnerabilities and explain to them how this information will be used.
- Allow and encourage children to speak without interruption. Do not judge, contradict or challenge children on the information they provide.
- Explain and remind (in a manner that children can understand) that interviews and counselling are governed by the principle of confidentiality, and carefully explain any limitations to confidentiality or exceptions. All actions in relation to the protection of children should uphold the best interests principle and be guided by UNHCR's BIP.
- Give children and families the right to ask questions and actively seek consent prior to sharing information/ referral.
- Allocate enough time during the interview for pauses and breaks in which the child is allowed to move, play and interact with family or friends.
- Base audio or video recording of an interview on the child's consent/assent and their best interests.
- Organize interviews as an informal discussion rather than formal questioning, where appropriate. Generally, a thematic approach rather than a chronological approach to the interview is preferred, although the older and more mature a child is, the more easily they are able to follow a chronological approach when needed.
- Take sufficient time to establish rapport with the child at the beginning of the interview and take steps to maintain a rapport throughout the interview.
- Identify and use the most appropriate way to communicate with children with disabilities, prioritizing inclusion and accessibility.
- Provide writing and drawing material to help children describe their stories.
- Ensure that sign language interpreters are identified and easily reachable should their service be required.
- Interview children separately from their parents/caregivers where they are the alleged perpetrators of a protection risk, they are complicit in the abuse or there are concerns that risk emanates from such caregivers, or when assessing issues children may not feel comfortable discussing in front of their caregivers.

3.5. Sensitivity to children's age, maturity, background and situation

Some older children, depending on their developmental stage, level of maturity and life experience, are able to engage with a more adult-oriented approach during interviews and discussions conducted as part of the protection procedure. For instance, they can understand abstract concepts, recall dates and events in their chronological order, and respond verbally to direct questions. However, most children's developmental stage and emotional state requires that interaction involves a range of other approaches to allow them to communicate and share their protection history, concerns, views and suggestions. Such methods include drawings, role play, games, storytelling, singing and writing, which can help remove some of the pressure of a direct question-and-answer approach and can be particularly helpful for younger children or children who are not very talkative. If guided and supported, these methods can allow relevant protection information about children to be progressively built up without them having to express all their experiences and emotions in words. In some cases, these methods

may only be needed to “break the ice”, create a friendlier and more caring atmosphere for the conversation, and to help assess the level of maturity and development, communication, ability and understanding of younger children or adolescents. In other cases, these approaches may be used for the entire interview.

Creative and play-based methods can be used as part of a range of professional tools for communication with children to ensure an effective protection procedure and can also help create a positive and empowering experience for the child. Staff should always use these methods to help the child to express themselves at a pace and in a way that they feel comfortable. They should avoid making assumptions or interpreting children’s drawings or role plays through their own perspective; rather, the use of open-ended questions can help children explain their drawings, role plays or other creative tools.

It is important to pay attention to non-verbal cues. Children who have experienced or witnessed distressing events may become more distressed during the protection procedures as they recall those events, or their present circumstance may weigh heavily on them, resulting in emotional distress, heightened levels of fear, anger and/or withdrawal. Personnel responsible for implementing protection procedures should be prepared to respond to such situations by providing emotional support and encouragement and giving children time to gather themselves. Responding sensitively to children’s emotions means not rushing to complete the procedure and not ignoring, judging or dismissing the child’s feelings (see Annex 1). It also requires personnel to manage their own emotions professionally – for instance being empathetic but not overly emotional themselves. All personnel dealing with children should be trained in providing basic psychological first aid¹⁸ and emotional support, as well as well-versed in the identification and referral of children who need more in-depth mental health or psychosocial support services. It is recommended to have psychosocial support staff available on site or contactable for immediate response where possible.

Children may also seek to provide information that they think adults expect or that will get them their desired outcome. It is the interviewer’s responsibility to seek to understand the reasons why children may provide inaccurate information, reassure children that there are no right or wrong answers and encourage them to provide as accurate information as they can so that they can be helped, while ensuring that undue expectations are not created. A holistic understanding of their protection situation will help ensure that children participate in the procedures in a way that supports solutions for them, and that decisions made during the procedures meet children’s needs and are in their best interests.

Care should be taken when working with older children, recognizing their experience, evolving capacities¹⁹ and the level of autonomy that they have sought and established for themselves. Some children may have assumed adult responsibilities and are likely used to making significant decisions for themselves and their families. Recognizing this role and guiding them through the procedure should be done in a way that does not undermine their experience but instead strengthens resilience.

Protection procedures for children at heightened risk and unaccompanied and separated children should be prioritized where there is a specific protection benefit that the child requires. Children, and in particular unaccompanied and separated children (UASC), should not be automatically prioritised, but rather prioritised on the basis of vulnerability and where prioritisation will result in quicker access to a protection service or other benefit that is required by the child. This means that children with protection concerns should be identified as a matter of urgency by ensuring that front-line workers are trained, and referrals to protection services are clearly defined in Standard Operating Procedures (SOPs) and systematically implemented. It also means prioritizing large families and families with many younger children so as not to further delay access to other services. Ensuring a child-friendly protection procedure also involves adapting the duration of the procedure based on children’s best interests. In some cases, it is in their best interests to benefit from a rest and recovery period before they are included in protection procedures. In RSD procedures, a child’s application should be pending in the asylum procedure for as little time as possible.²⁰

¹⁸ Save the Children, *Psychological First Aid Training Manual for Child Practitioners*, 2013, available at: https://resourcecentre.savethechildren.net/node/7838/pdf/final_pfa.pdf

¹⁹ The principle of evolving capacities “establishes that as children acquire enhanced competencies, there is a reduced need for direction and a greater capacity to take responsibility for decisions affecting their lives.” See UNICEF *Innocenti Research Centre, The Evolving Capacities of the Child*, 2005, available at: www.unicef-irc.org/publications/pdf/evolving-eng.pdf

²⁰ EASO, *Practical Guide on the Best Interests of the Child in Asylum Procedures*, 2019, available at: www.easo.europa.eu/sites/default/files/Practical_Guide_on_the_Best_Interests_of_the_Child_EN.pdf



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Age assessment

The question of age assessment usually arises when individuals assumed to be adults claim to be children or children claim to be adults to access specific adult-only opportunities or services, or when staff have doubts as to whether a person of concern is a child or not and hence may not be eligible for child protection and services. Incorrect conclusion about a person's age has serious long-term implications for children, as their right as a child will be denied to them, they are likely to be detained with adults which puts them at risk, they will lose the opportunity to engage in age-appropriate educational activities, and they may face additional risks such as exploitation and poverty.

UNHCR and partners should not, as a matter of course, conduct age assessments. This, where required, remains the responsibility of the State. UNHCR and partners, should instead, seek to understand the circumstance and gaps in the overall response that may compel persons of concern to misrepresent their age. This is likely to happen when specific services or solutions are only available to or not accessible to children. For example, perception of expedited durable solutions opportunities for children can result in adults claiming to be children, or children who are used to working in country of origin may claim to be adults in order to access job opportunities, vocational training or livelihoods programmes if only available for adults.

The eligibility of a child or young person for special assistance should be based on an assessment of maturity, vulnerability, mental health and community integration, as well as age, gender and specific needs. A holistic assessment of capacity, vulnerability and needs which reflects the actual situation of the young person is preferred to age assessment procedures aimed at estimating chronological age. A Best Interest Assessment (BIA) may be used to conduct this assessment for (presumed) children at risk.²¹

In situations where an assessment of age may be required, the "Technical Note for UNHCR Operations on Age Assessment"²² recommends:

²¹ UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, available at: <https://www.refworld.org/docid/5c18d7254.html>

²² This is an internal document which may be accessed through the UNHCR intranet or for partners, requested from the UNHCR Division of International Protection (DIP: hqchipro@unhcr.org).

- The best interests of the child should be a primary consideration and the those claiming to be children should be given the benefit of the doubt.
- A holistic assessment of capacity, vulnerability and needs reflects the young person's actual situation.
- It should never be a default procedure or a routine practice.
- Medical age assessment methods are highly contested with high margin of error and should not be undertaken by UNHCR.
- Assessment of whether to prioritize unaccompanied children for RSD should not be based on chronological age alone.
- Even in cases where the applicant's age is of relevance in RSD, age should be considered holistically where appropriate, taking into account maturity and other aspects, as relevant, and not just chronological age.

Age assessment

The European Asylum Support Office (EASO) age assessment practice in Europe recognizes that authorities may be required to conduct an age assessment to *“ensure that children's rights are protected and guaranteed as well as to prevent adults from being placed amongst children in order to take advantage of additional rights or safeguards (such as access to education, appointment of a guardian/representative) that are not afforded to them.”*²³

EASO recommends:

- The child's best interests should be observed not only when a child is identified as such but also when there are doubts as to whether the applicant is a child.
- Age assessment should not be a routine practice. The necessity of the assessment should be duly justified based on substantiated doubts about the stated age.
- The implementation of the principle of the child's best interests requires a child-centred age assessment that places the child at the centre and is adapted to the applicant's specific needs (gender, range of disputed age, cultural background, etc.). Benefit of the doubt must be given as soon as doubts on the claimed age appear, during the age assessment and until conclusive results are provided. The applicant should be considered and treated as a child until he or she is found to be an adult.
- The child, or presumed child, must be appointed a guardian/representative who ensures that the child can participate in the assessment, has been informed about the age assessment process in a child-friendly, gender-sensitive and age-appropriate manner in a language that the child can understand, and fully understands the assessment process. This information is essential to allow the child to express views, wishes and opinions and make an informed decision to participate in the process.
- The age assessment process must be conducted using a holistic and multidisciplinary approach which ensures that all the necessary safeguards and principles explored are in place and the applicant's rights are protected.
- Since no single method currently available can determine the exact age of a person, a combination of methods assessing not only the applicant's physical development but also their maturity and psychological development can reduce the age range in question.
- No method involving nudity, or the examination, observation or measurement of genitalia or intimate parts should be used for age assessment purposes.

²³ EASO, *Practical Guide on Age Assessment*, 2018, available at: www.easo.europa.eu/sites/default/files/easo-practical-guide-on-age-assessment-v3-2018.pdf

Key actions

- Where there is a specific protection benefit that a child requires, expedite children's cases and avoid making children wait long periods for registration or interview.
- Conduct interviews using methods that are appropriate to children's age, level of maturity, development and abilities, including drawing, playing and singing, based on individual children's needs.
- Ensure that staff are adequately trained to respond to children who are distressed, and that referral can be made to psychosocial support personnel trained on working with children when needed.

3.6. Support measures and safeguards²⁴

Children – particularly younger children, children with disabilities or those without adequate shelter, food or other basic needs – may find it hard to meaningfully participate in and benefit from the protection procedure without their immediate needs being met. Similarly, children need time and space to play, socialize with peers and rest. Distances travelled by children to the point of service, waiting times, conditions, and proximity to toilets and washing facilities, as well as time spent without food, water, play and rest can have an impact on children's willingness and ability to engage. It is important to identify immediate needs, meet these needs, and plan to accommodate the child's further needs to create a more conducive environment in which protection procedures are implemented. Children will require specific support during registration and during interviews which form the part of RSD, BIP and durable solutions. Ensuring support measures are part of the protection procedures also means, clear referral pathways are developed, and there is strong coordination between the various protection services. Safeguards need to be in place, particularly when children are being interviewed and decisions are made with regard to solutions for children.

3.6.1. Support measures during interviews

Prior to the interview, the child could be given space and time to get comfortable in the interview room, relax, have some water, and play with some of the toys or flip through books. If immediate unmet needs emerge during the interview, it may be necessary to meet those needs before continuing the interview – for instance, if a child is cold during an interview and discloses that they do not have any warm clothes during winter, the interviewer should take action to address this need (by providing blankets for the course of the interview and making referrals for support) before continuing the interview. This requires that, as part of ensuring that protection procedures are child-friendly, the office maintains a stockpile of material to be provided to children participating in protection procedures and makes these available for distribution by the interviewer.

It is also important, in preparation for the interview, to collect all existing information on the child and their situation which may be accessible from registration records or child protection case management, reasons for flight and details of services previously rendered (provided that consent is obtained from the caregiver and/or child to share this information). This reduces the likelihood of asking a child to relive or describe experiences or events on which information may already have been captured. As a matter of principle, children should not be asked to provide extensive details about past traumatic or distressing events unless required for the specific procedure, and they should not be pressed to share details beyond what they are comfortable sharing.

When scheduling interviews with parents, it is important to find a time that works best for them, since finding childcare may be difficult. Special efforts should also be made not to schedule interviews during hours in which parents prepare meals for their children or where they need to pick up or drop off children at school.

²⁴ UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, sect. 2.3, available at: <https://www.refworld.org/docid/5c18d7254.html>

When planning to interview parents with multiple children, it can be a good idea to organize interviews in several segments over the course of several days, according to their availability. Personnel responsible for protection procedures should work with child protection actors to identify childcare arrangements in the event that interviews are expected to be long. Safe and child-friendly spaces for children to wait in should be provided wherever possible. Where children need to stay in interview rooms with parents, select interview rooms with space for the children to play or rest as far from the interviewer and parent as possible but within eyeshot. Where children accompany parents in interview rooms, care should be taken to avoid children hearing confidential information or information that is inappropriate for their age.

When conveying a message about an undesired decision or outcome, preparation is needed to respond to potential distress. The caseworker must assess and anticipate the likely reaction of the child and be able to respond with psychosocial support when necessary.

3.6.2. Referrals to additional services

Protection procedures such as reception, registration, RSD and durable solutions often identify children at risk and potentially in need of additional services including child protection case management. Children at risk include victims of violence, abuse, or exploitation or unaccompanied and separated children. First and foremost, personnel working in these sections should be trained on identifying and referring children at risk to child protection case management services – which for UNHCR and partners is the BIP.²⁵ Protocols for each part of the protection procedure should be developed and address the child-friendly procedures described in this document as well as ensuring effective links and timely referrals to the child protection case manager and/or relevant services. In addition, specific protocols should be developed for child protection case management/ BIP SOPs with the involvement of national child protection actors, non-governmental actors, institutions, and service providers. In individual cases, it should be clear which authority is responsible for appointing a guardian/ representative, delivering guidance, and the child's well-being and legal status, to avoid protection gaps due to different authorities believing that others are responsible for certain aspects of the child's case.²⁶

In general, child protection or social welfare actors should be responsible for the overall management and coordination of the response to children at risk. Child protection authorities/actors should inform asylum authorities/the RSD Unit or the Durable Solutions Unit if a child is in a harmful situation and vice versa to ensure that the child's claim is holistically assessed and asylum or solutions are expedited.²⁷ Staff should be familiar with the referral pathways developed by the Child Protection Unit/agency, and up-to-date contact information should be available and used. Staff should also be prepared to physically accompany children in need of urgent support to the referral agency. Children at risk or in need of specialized services are often first identified by reception and registration personnel, or other officials such as border officials. UNHCR requires all personnel and actors involved in implementing protection procedures to make them child-friendly, from the point of identification and thereafter.

²⁵ UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, sect. 2.3, available at: <https://www.refworld.org/docid/5c18d7254.html>

²⁶ EASO, *Practical Guide on the Best Interests of the Child in Asylum Procedures*, 2019, available at: www.easo.europa.eu/sites/default/files/Practical_Guide_on_the_Best_Interests_of_the_Child_EN.pdf

²⁷ Provided that consent is obtained, or it is determined to be in the child's best interests to inform other actors without consent; see UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, available from <https://www.refworld.org/docid/5c18d7254.html>. See also UNHCR, *Procedural Standards for Refugee Status Determination* under UNHCR's Mandate, 2020, sect. 2.8, available at: www.refworld.org/docid/5f3114f84.html

In general, ensuring that protection procedures are child-friendly also means strengthening the quality of, links with, and cooperation between refugee protection actors and child protection services to receive and support children who are identified and referred. This includes strengthening national child protection case management services and social welfare services to ensure their accessibility and appropriateness for refugee and asylum-seeking children, strengthening the BIP where UNHCR is implementing it, strengthening case management services for child survivors of gender-based violence, and providing appropriate alternative care in children's best interests for unaccompanied children and other children in need of alternative care (such as victims of domestic violence).

3.6.3. Coordination and information-sharing

Coordination mechanisms should be strengthened at all levels between teams working on refugee protection procedures, child protection actors and service providers in other sectors to periodically review the extent to which procedures are child-friendly and assess the effectiveness of SOPs and protocols, the use and effectiveness of referral mechanisms, and training and resource needs. Coordination mechanisms should have clear Terms of References and be attended by designated representatives from each actor. Managers should support recommendations for improving the procedure and ensuring that they are child-friendly by ensuring appropriate prioritization and resource allocation.

Coordination also entails establishing clear lines of communication between teams working on refugee protection procedures and ensuring that information-sharing mechanisms are in place. Information collected as part of the BIP for individual children at risk can help ensure that other procedures for children are child-friendly and in children's best interests. Similarly, risks identified during other protection procedures such as registration, RSD and refugee resettlement (RST) interviews may require targeted support from case workers responsible for implementing BIP. Information-sharing should be governed by the best interests principle and confidentiality and should be based on the child's consent/assent.

3.6.4. Guardians, legal representatives, and support persons

Children should be accompanied by their parent(s) or other caregiver(s), except when their usual caregiver is the alleged perpetrator or there are concerns regarding their role in a child's protection risk. All children participating in a protection procedure should have the option to be accompanied by an adult support person whom they trust such as a parent, older sibling or a friend, since having a trusted adult nearby can be comforting and supportive for children during such procedures. Where available, a social service professional such as a social or case worker may be present to provide further support. The child's view on who they wish to have accompany them should be given due weight.

The terms "guardian", "representative" and "legal representative" are often used in context of asylum procedures, durable solutions, and alternative care. However, the meaning of these terms as used in international legal and policy framework remains inconsistent.²⁸ For the purpose of this technical guide, these terms and "support persons" are defined as follows:

GUARDIAN/REPRESENTATIVE: Parents or other legal or customary caregivers accompanying a child are usually referred to as the child's guardians. However, in the case of unaccompanied children, a guardian should be appointed by the State to represent the child in place of their parents, to safeguard the child's best interests and general well-being, and to this effect they complement the child's limited legal capacity.²⁹ In the context of RSD

²⁸ EASO, *Practical Guide on the Best Interests of the Child in Asylum Procedures*, 2019, available at: www.easo.europa.eu/sites/default/files/Practical_Guide_on_the_Best_Interests_of_the_Child_EN.pdf

²⁹ *Ibid.*

under the UNHCR mandate, wherever appropriate and insofar as possible, a guardian may be designated for unaccompanied and separated child applicants where established national frameworks for guardianship exist in the host country/country of asylum to assist the child in all stages of the RSD process and to ensure that they are properly represented, their views are expressed, and any decisions taken are in their best interests.³⁰ The guardian should be consulted and informed regarding all actions taken in relation to the child and should have the authority to be present in all planning and decision-making processes, including immigration and appeal hearings, care arrangements and all efforts to search for a durable solution.³¹ In some cases, a representative may be appointed to assist and represent an unaccompanied child in procedures with a view to ensuring the child's best interests and exercising legal capacity where necessary. A **representative** is a person, or an organization appointed by a competent authority.³²

LEGAL REPRESENTATIVE: A person who provides legal and procedural advice, assists with the completion of various forms including the RSD application form, prepares oral and written submissions, collects and submits supporting evidence, and attends interviews throughout, for example, the RSD process, including where applicable at the appeal stage, as well as in reopening procedures and procedures for cancellation, revocation or cessation of refugee status.³³ A legal representative may be appointed through a legal aid service, and in the UNHCR RSD procedure, must be consistent with the non-adversarial nature of the procedure.

SUPPORT PERSON: An individual whom the child trusts and wishes to be present during the procedure to provide moral and emotional support and supports the child to express their views and preferences. A support person may be a member of the child's family such as a sibling, a member of the community or a friend. A guardian may also serve as a support person.

Unaccompanied or separated children will require the implementation of additional procedural safeguards aimed at ensuring their best interests. This includes appointing a guardian to accompany the child through the process and ensure that the child is properly represented, their views are taken into consideration and decisions made are in their best interests where such national procedures exist. It is important that the guardian is appointed until a durable solution is found and that the individual possesses a number of qualities: expertise with young people, sufficient capacity and expertise in child-specific protection needs, to mention a few. Any potential or existing conflict of interest should be considered and resolved prior to appointment. It is key to ensure the continuity of the designation of guardians/representatives and set a maximum number of children that they can represent at one time. In situations where a guardian cannot be appointed or is not available, where UNHCR is responsible for the procedure, a support person appointed by an organization or a trusted adult chosen by the child may be identified to accompany the child through the procedure.

The guardian/representative should be fully informed of the procedures and provide consent where in line with the best interests of the child. They should be present at any interview conducted with the child, since the guardian's presence is one of the guarantees of the child's rights being respected during the interview. However, for children with parents or separated children, where the caregiver is a relative, the best interests of the child could require not having them present during the interview.

In some cases, the appointment of a separate legal representative (i.e., a lawyer) may be required to provide qualified legal advice and represent the child in legal proceedings and the administrative process. The child should be provided with access to free legal advice and counselling through legal aid services at all stages of the relevant procedure, particularly asylum procedures.

³⁰ United Nations Committee on the Rights of the Child, *General Comment No. 6: Treatment of Unaccompanied and Separated Children Outside their Country of Origin*, 2005, available at: www.refworld.org/docid/42dd174b4.html

³² EASO, *Practical Guide on the Best Interests of the Child in Asylum Procedures*, 2019, available at: www.easo.europa.eu/sites/default/files/Practical_Guide_on_the_Best_Interests_of_the_Child_EN.pdf

³³ *Ibid.*, citing European Union Agency for Fundamental Rights, *Guardianship for Children Deprived of Parental Care*, 2014, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-guardianship-children_en.pdf. UNHCR, *Procedural Standards for Refugee Status Determination under UNHCR's Mandate*, 2020, sect. 2.8, available at: www.refworld.org/docid/5f3114f84.html

Core standards for guardians of unaccompanied and separated children

- **Advocates for all decisions to be taken in the best interests of the child, aimed at the protection and development of the child.**
- **Ensures the child's participation in every decision which affects the child** – 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 the individual circumstances]. [Uses creative tools, like visual materials, where necessary to ensure participation].
- **Protects the safety of the child** – 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.
- **Acts as an advocate for the rights of the child.**
- **Serves as a bridge between and focal point for the child and other actors involved.**
- **Ensures the timely identification and implementation of a durable solution.**
- **Treats the child with respect and dignity** – demonstrates appropriate behaviour; supports the child in developing peer relationships; shows a flexible approach tailored to the individual needs of the child.
- **Forms a relationship with the child built on mutual trust, openness and confidentiality** – is always honest with the child; pays attention to verbal and non-verbal communication; is empathetic towards the child and gives moral support and makes clear to the child that a child who disappears is always welcome to return.

Source: Defence for Children International, “Core Standards for guardians of separated children in Europe”, 2011.³⁴

Key actions

- Identify and meet children's immediate needs prior to registration and interviews for other protection procedures, including not just food and water but also time to play and rest.
- Conduct actor and resource mapping and use the most up-to-date referral pathway to facilitate access to services for children and their caregivers.
- Ensure that refugee protection SOPs include specific guidance on identifying, responding to, and referring cases of children at risk disclosed during the procedure.
- Ensure that personnel have up-to-date information on referral pathways and contact information and are prepared to physically accompany children with urgent protection risks to the appropriate service provider.
- Establish and strengthen coordination mechanisms and collaboration between refugee protection procedures and child protection actors with clear referral pathways.
- Wherever national procedures exist to do so, identify and assign a guardian to support and represent unaccompanied children, and where necessary, provide a legal representative through a legal aid service.
- Give the child the option to have a trusted adult with them during the interview.

³⁴ Defence for Children International, *Core Standards for Guardians of Separated Children in Europe: Goals for Guardians and Authorities*, 2011, pp. 5–6, available at: www.refworld.org/docid/4ee998592.html



4. PREVENTION OF SEXUAL EXPLOITATION AND ABUSE

Due to their specific vulnerability and dependence, children are more likely to experience sexual exploitation and abuse (SEA). It is critical to protect children from SEA at every stage of the displacement cycle, including during protection procedures. Differential power positions of personnel assigned to carry out protection procedures remain a factor in the potential abuse of a child's position of vulnerability in return for prioritisation of the child's case or ensuring an outcome in favour of the child or their family. UNHCR has a zero-tolerance policy with regard to SEA, and it is considered a serious misconduct leading to severe consequences. A child's case should never be unduly delayed in order to induce sexual favour. Personnel are strictly forbidden to engage in sexual activity with children regardless of the national age of consent or majority.

As part of establishing child-friendly protection procedures, all personnel should be trained on Preventing Sexual Exploitation and Abuse (PSEA), and child-friendly information on PSEA should be developed and disseminated. Children and their families should be informed that protection services are free of charge, and they should be advised on process and timeframe for the conclusion of the procedure. Feedback and response mechanism should include mechanisms for children to report SEA and these mechanisms should be child-friendly.

If children are affected by SEA, the child's best interests must be a primary consideration in all elements of the response. In addition, children shall be assured the right to express their views freely in all matters affecting them, their views being given due weight in accordance with the child's age and level of maturity.³⁵ This means, cases must be handled by child protection personnel who are trained on Gender-based Violence (GBV) and through a systematic implementation of the Best Interests Procedure.

³⁵ UNHCR, *Policy on a Victim-Centred Approach in UNHCR's Response to Sexual Misconduct*, 2020, available at: <https://www.unhcr.org/5fdb345e7.pdf>

5. FEEDBACK AND RESPONSE MECHANISMS ON CHILD-FRIENDLY PROCEDURES

States are obligated to protect and uphold the rights of people who have sought asylum within their territory by virtue of international law and standards. UNHCR is committed to institutionalizing a culture of accountability to affected people as an effective means of measuring overall protection outcomes of multisectoral interventions. This builds on Core Action 4 of the “Age, Gender and Diversity Policy”: establishing and promoting feedback and response systems.³⁶

While every effort is made to ensure that child-friendly protection procedures are established based on consultations with children and their families and communities, “feedback and response systems allow us to hear directly from persons of concern, to have a real-time understanding of the protection risks they face, and to gauge the impact of our protection, assistance, and solutions programmes.”³⁷ This in turn facilitates continued improvement and ability to address gaps in the procedures as they relate to children.

Feedback and response mechanisms should be established based on consultation with children and their families and communities, with emphasis on children’s views and opinions. Formal and informal feedback includes comments, suggestions, and complaints from children on issues within the respective agencies’ control. This includes issues relating to the design and implementation of the procedures; misconduct – the failure of personnel to comply with obligations defined in rules, regulations and policies or to meet the standards of conduct expected of them, and allegations of sexual exploitation and abuse.

Establishing a feedback and response mechanism that facilitates and supports children’s participation requires:

- **Context analysis and mapping:** assess and understand how children communicate, access and endure barriers to feedback provision including existing mechanisms and the extent to which children are using these.
- **Consultation:** with children’s participation, find out preferred and accessible methods of giving feedback and getting information. This includes learning about methods of communication available to children of different ages, gender, disabilities, and other diversities.
- **Selection of the most appropriate mechanism or range of mechanisms:** decide which mechanisms to use, their scope (what they can and cannot do). Where mechanisms have been established, work with child protection experts to ensure that these are accessible for children and are child-friendly.
- **Establishment of internal support structures:** establish a clear internal process (workflow) with timelines for feedback collection, response and reporting; roles and responsibilities; referral procedures, and procedures for sensitive complaints, providing a clear description of how feedback from children will be managed.
- **Establishment of SOPs and guidelines:** establish SOPs for the feedback and response system, detailing exactly who does what when and how, including how to handle sensitive and confidential complaints from children. Data protection principles should be respected.
- **Awareness-raising:** publicize the feedback system internally and externally. External communication should be in a format that children of different ages, capacities and abilities can understand as well as their parents or caregivers.

³⁶ UNHCR, *Policy on Age, Gender and Diversity*, 2018, available at: www.refworld.org/docid/5bb628ea4.html

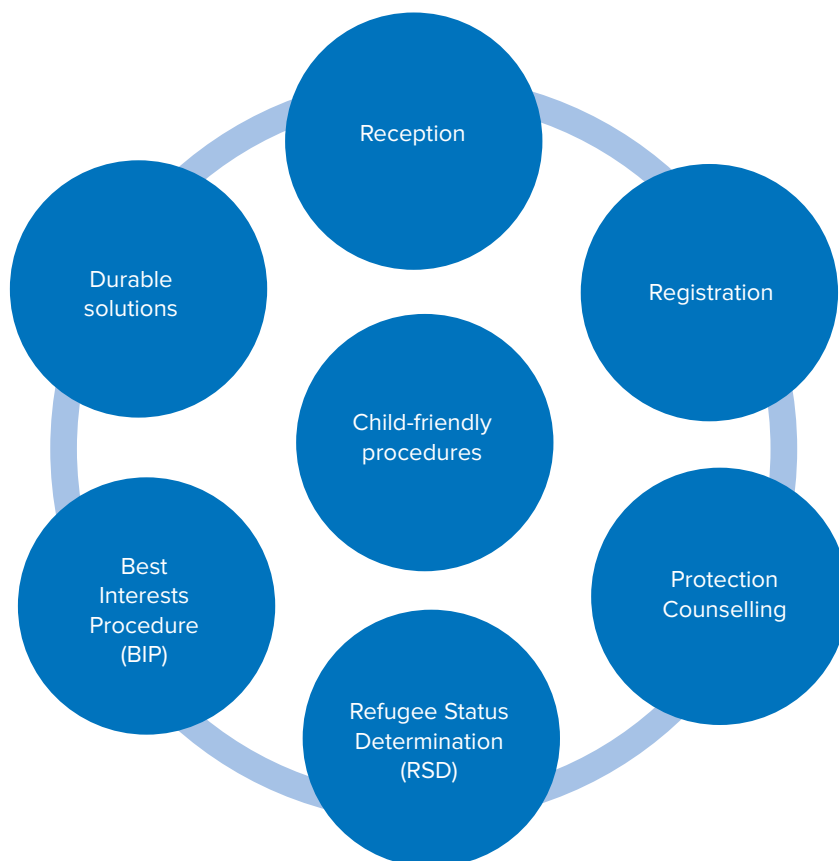
³⁷ UNHCR, *Operational Guidance on Accountability to Affected People (AAP)*, 2020, available at: www.unhcr.org/handbooks/aap/documents/UNHCR-AAP-Operational-Guidance.pdf.

- **Consistent reception and acknowledgement of and response to feedback** in a manner that children can understand without compromising their safety.
- **Consistent monitoring of the appropriateness and effectiveness of the feedback** and response system and reporting on data and findings to ensure that it informs programme design by continuing to consult with children and maintaining a child-rights lens.



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6. IMPLEMENTING CHILD-FRIENDLY REFUGEE PROTECTION PROCEDURES



UNHCR, partners and States should ensure that all protection procedures are child-friendly. This includes procedures for:

- Arrival and reception (for details see [UNHCR Reception Arrangements Guidance](#))³⁸.
- Registration (for detailed procedures, see [UNHCR Guidance on Registration and Identity Management](#)).
- BIP (for detailed procedures, see [UNHCR 2021 BIP Guidelines](#)).
- Protection Counselling or Legal Aid³⁹
- RSD (for detailed procedures see [Procedural Standards for Refugee Status Determination under UNHCR's Mandate](#) and the [UNHCR Guidelines on International Protection No. 8: 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](#)).
- Durable solutions (for detailed procedures, see the [UNHCR Resettlement Handbook](#) and the [UNHCR Handbook for Repatriation and Reintegration Activities](#)).

³⁸ Although this relates to reception arrangements for people arriving as part of irregular mixed movements, some of the guidance is also applicable to refugees and asylum-seekers.

³⁹ Specific guidance on the protection counselling or legal aid are not included in this section. Rather the general guidance outlined above should be applied to protection counselling and legal aid services.

The following suggestions for ensuring that all refugee protection procedures are child-friendly are not exhaustive and should be followed together with the guidance described in the “Components of Child-friendly Procedures” section and the detailed guidance for each protection procedure provided above. Certain procedures may be implemented remotely due to specific circumstances, such as detention, lack of access to refugees or infectious disease outbreaks. In such cases, it is important to adhere to guidance issued for this purpose.⁴⁰ Guidance should be contextualized in a way that ensures that such adaptations are child-friendly and promote children’s best interests.

In addition, it is crucial for child protection to ensure that all other services, including health, distribution, shelter, water and sanitation, and livelihoods, respect children’s rights and are sensitive to children’s experiences, vulnerabilities and needs. For more guidance on how other sectors should protect children, see Pillar 4 of the 2019 “Minimum Standards for Child Protection in Humanitarian Action”.⁴¹ Some of the following guidance may also be relevant for other sectors where individual interviews or interventions are conducted with children and their families – for instance, in the context of multipurpose cash assistance.

6.1. Arrival and reception

Children have the right to seek asylum, and refugee children shall be protected from refoulement. Article 14 of the Universal Declaration of Human Rights provides that “[e]veryone has the right to seek and to enjoy in other countries asylum from persecution.” The right to seek and enjoy asylum is also affirmed in various regional legal instruments.⁴² Article 33 of the 1951 Convention on the Status of Refugees requires that refugees are not returned (“non-refoulement”) to territories where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion.⁴³ This right has been reiterated by the Committee on the Rights of the Child in its “General Comment No. 6” of 2005.⁴⁴

Arrival points and reception centres present an important opportunity to identify children at risk and to initiate immediate support to provide care, direct targeted support and referral. For many children, these are primary and often critical opportunities not only for identification and registration, but also for access to protection procedures and other services. Arrival and reception centres should therefore be welcoming, safe and provide support, information and basic services for children and their families.

Children at risk who may not have been identified by or be known to UNHCR or national authorities as having previously entered the territory must still have access to protection procedures and services once identified and registered. Children who have arrived or been on the territory irregularly prior to registration should not be denied services or detained.

Children arriving in the country of asylum or identified within the territory should not be separated from their families, including siblings. Unaccompanied and separated children arriving with or found to be living with adult caregivers should not be removed from such care arrangements except in cases where this care is found not to be in the child’s best interests. Similarly, unaccompanied children who arrive with peer groups should be kept together as much as possible, unless it is not in their best interests to do so.

⁴⁰ UNHCR, *Protecting Children during the COVID-19 Pandemic: Prevention and Response*, 2020, available in the BIP Toolbox, accessible at: www.unhcr.org/handbooks/biptoolbox/

⁴¹ The Alliance for Child Protection in Humanitarian Action, *Minimum Standards for Child Protection in Humanitarian Action*, 2019, available at: <https://emergency.unhcr.org/entry/80339/minimum-standards-for-child-protection-in-humanitarian-action>

⁴² See endnote i of UNHCR’s *Key legal considerations on access to territory for persons in need of international protection in the context of the COVID-19 response*, 2020, available at: www.refworld.org/docid/5e7132834.html

⁴³ United Nations, *Convention and Protocol Relating to the Status of Refugees*, 2010, available at: www.unhcr.org/3b66c2aa10

⁴⁴ United Nations Committee on the Rights of the Child, *General Comment No. 6: Treatment of Unaccompanied and Separated Children Outside their Country of Origin*, 2005, available at: www.refworld.org/docid/42dd174b4.html

Reception centres, including amenities and services, should be age-, gender- and diversity-sensitive. Stays at reception centres should be as short as possible⁴⁵ and all efforts should be made to expedite the transfer of refugee children and their families to suitable accommodation. Appropriate services should be provided for children in reception centres including recreation, learning opportunities and maternal and child health services. Procedures should be established to identify vulnerable children and families and refer to them to more specialized services, such as mental health, child protection or gender-based violence services.

Upon arrival, all children fall under the jurisdiction of the State and should therefore have access to all their rights as defined in the Convention on the Rights of the Child, including access to national systems and services, special protection and the right to participation. Children's rights are inalienable and are neither dependent on nor can be withheld due to legal or immigration status. Children should have access to their rights on arrival and should therefore have immediate access to special protection and available services.

Specific actions for arrival and reception:

Accessibility and safety

- Support alternatives to detention, preferably through family-based or community-based care arrangements.⁴⁶ Children should not be detained for immigration-related purposes, irrespective of their legal/migration status or that of their parents, and detention is never in their best interests. Detention cannot be justified on the basis that a child is unaccompanied or separated, or their immigration status.
- Ensure that transit facilities, when used, are safe and accessible (including for children with disabilities and considering the specific needs of adolescent girls). Children's stays at such facilities should be for the shortest possible duration.
- Identify and provide information on available services, depicting directions to or the location of the services available in the reception centre.
- Establish SOPs to identify, assess and relocate or transfer individuals or families whose safety is at risk from the reception centre to a safer facility expeditiously or who need access to services not available in the reception centre. Particular consideration should be given to the safe and appropriate transfer/relocation of unaccompanied and separated children or other children at risk when needed.

Conducive physical environment

- Plan for and ensure distribution of sanitary material and clothing addressing the needs of adolescent girls, and provisions for infants and very young children.
- Segregate sleeping areas, except in the case of families who should be kept together. Doors should have locks and privacy should be provided.
- Ensure gender separate toilets and showers are provided.
- Provide dedicated spaces for children in reception centres with appropriate equipment and staffing.

⁴⁵ UNHCR, *Comments on the European Commission proposal for a council directive laying down minimum standards on the reception of applicants for asylum in Member States*, 2001, available at: www.refworld.org/docid/3c6a6ce14.html

⁴⁶ UNHCR's position regarding the detention of refugee and migrant children in the migration context (2017), available at: www.refworld.org/docid/5885c2434.html

Information and child participation

- Inform children, through accessible and understandable methods, about what takes place at the arrival point and reception centres, and what to expect after they leave the reception centre.
- Inform children about their rights and the services available.
- Establish designated contact points with trained focal points who can assist children who may become separated or disoriented in the facility or who need assistance or information.

Support measures and safeguards

- Disseminate SOPs and detailed referral pathways to all key actors at the reception point/facility.
- Establish peer support measures to help newly arrived children establish links with children who are already in the reception area who can help them adapt.
- Involve children, youth and other community members in developing and implementing activities for children at reception centres and ensure appropriate levels of staffing to organise and oversee these activities.
- Ensure that reception points/facilities have dedicated child protection desks to assist the registration personnel and to identify and respond to the needs of children at risk, particularly in large-scale influx situations.
- Provide learning opportunities for children staying at the reception facility. Wherever possible, children should have access to formal education and be included in the national education system, as well as have access to non-formal learning opportunities such as language classes or life-skills programmes.

6.2. Registration

As a protection tool, refugee registration can help protect children and their families from refoulement and forcible recruitment. It can ensure access to basic rights and family reunification, help identify people in need of special assistance, and provide information crucial to finding appropriate durable solutions.⁴⁷ Registration is also a crucial point at which children at risk are identified, and preliminary information about their risks, vulnerabilities and needs are collated and compiled. Often, it is at this point that specific needs may be identified and the child referred for services, including BIPs.

In many contexts, registration is a prerequisite to accessing other procedures, including RSD. Children at risk should be prioritized for registration due to their vulnerabilities where there is a specific protection benefit to doing so. During registration, the child's information should be collected, including their biodata, family links and current contact details, as well as mechanisms for contacting the child, and those of accompanying family and/or trusted adults. With children being registered as part of a family, it is important to take the time to establish family relationships, identify and refer any children who are separated or unaccompanied.

Registration desks and the registration procedure can be intimidating, especially for young children, children who have recently experienced a distressing event, and those separated from their parents or other caregivers. Ensuring that the physical space in which registration is conducted is welcoming and that the staff are friendly, supportive, and able to provide information are important aspects of a child-friendly registration procedure. Often, registration may be conducted in open spaces with temporary infrastructure; as such, should a child disclose a protection concern, registration personnel should gently inform the child that the child protection

⁴⁷ UNHCR, *Guidance on Registration and Identity Management*, available at: <https://www.unhcr.org/registration-guidance/>

focal point may be able to assist and ask the child if they may refer them to a child protection focal point once the child has been registered.

For children waiting to be registered, it can be helpful to organize group activities for play, socializing and rest. Youth, children, and community members should be able to participate in the development and implementation of these activities and help supervise young children. Exercise caution in running activities for children so as not to inadvertently separate children from their families or caregivers, particularly in crowded waiting areas and queues. Play and learning activities can also be useful platforms to identify unaccompanied children and other children at risk, who should then be prioritized for registration and expedite onwards referral for child protection services.

Specific actions for registration:

Accessibility and safety

- For all those called for registration on a particular day, establish a system to ensure that families with young children, unaccompanied and separated children, or other children at risk are prioritised for interviewing.
- Ensure that the registration desk and the space around it is clear of any physical hazards such as electrical cables, outlets and sharp objects, which can pose a risk to children.

Conducive physical environment

- Set up seating for all members of the family at the registration desk.
- Provide children with tools to write, draw or demonstrate events or experiences. Some toys and age-appropriate books or games can be made available for children while parents/caregivers engage with the registration personnel.

Skills and attitudes to respect children's rights

- Adapt an approach centred around care and empathy rather than an enforcement/investigative approach when dealing with children at registration.
- Take time to explain the registration process to children and the use of any devices like biometric or photographic equipment to help allay any concerns they may have⁴⁸. Children may like to see how the devices work and their photograph or how the interviewer takes photographs of other family members.

Information and child participation

- Inform children, particularly unaccompanied or separated children or other children at risk, about subsequent procedures, including any relevant information on RSD, and available services and how to access them.
- Plan for sign-language interpretation or other ways of supporting children and caregivers with disabilities' access to information when required.
- Issue documentation (such as proof of registration or asylum-seeker certificates) to each individual who registers with UNHCR and to each registered family member/dependant, including every child.

⁴⁸ Biometrics are not collected for children under the age of five. UNHCR Guidance on Registration and Identity Management indicates that Biometric records of children from age five should be updated every two to three years to account for growth. It is therefore important to be aware that biometric matches for children may at times be inaccurate.

Support measures and safeguards

- Ensure that personnel trained on child protection are present at the registration point to conduct immediate assessment and referrals for children at risk.
- Review pre-registration data to identify children who may need to be prioritised for registration, being aware that automatic prioritisation of unaccompanied children in particular may create an incentive for older youth to pretend to be under 18.
- Establish procedures for adding or removing children from registration groups that require BIAs, and that ensure that procedural safeguards are respected and upheld.

6.3. Best Interests Procedure (BIP)

The BIP is a child protection process for determining, managing and implementing decisions that are in the best interests of individual refugee children at risk. It is a multi-step process involving identification, assessment, case planning, implementation, follow-up, and case closure. It includes two important procedural elements: the BIA and the Best Interests Determination (BID). An action or decision relating to a child's protection can include, for example, the provision of appropriate alternative care and family tracing services for unaccompanied and separated children; interventions to address abuse, neglect, exploitation or violence, or identifying a durable solution for children at risk. Not all children at risk will need BIP. However, immediate, and long-term interventions for children with identified protection risks require a system of decision-making underpinned by accountability and consideration of the child's best interests.

Implementation of BIP for children at risk is guided by the UNHCR "Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child"⁴⁹. Where the State is responsible for implementing BIP, these too should be carried out in a manner that is child-friendly and respects the procedural safeguards articulated in the Committee on the Rights of the Child "General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)".⁵⁰

Actors responsible for identifying children at risk need to be sensitive to how children experience risks and how they respond to such risks. Individual assessments can seem intrusive and overly formal to children who have experienced or are at risk of violence, abuse, neglect or exploitation, and for those separated from their parents or customary caregivers. Protection Desks, health centres, schools, and other places where children may report a protection issue or where children at risk may be identified, need to be easily accessible to children of different ages, gender and backgrounds, and staff should be trained on identifying specific risks for children and referral. Best Interests Assessment (BIA) and Best Interests Determination (BID) interviews should be conducted in a location where children are able to safely participate, with personnel who are skilled in interviewing children. Referrals should be made based on informed consent/assent, except where it is in the child's best interests to do so without consent/assent. Actors providing services based on referrals should not undertake further interviews except to seek additional information specifically relevant to the services being provided. Follow-ups should actively involve children and their families and seek to strengthen their resilience and capacities.

⁴⁹ UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, sect. 2.3, available at: <https://www.refworld.org/docid/5c18d7254.html>

⁵⁰ United Nations Committee on the Rights of the Child, *General Comment No. 14 on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)*, 2013, available at: www.refworld.org/docid/51a84b5e4.html

Specific actions for the Best Interests Procedure

Conducive physical environment

- Identify multiple safe locations in the area where interviews/assessments can be conducted to avoid children having to come to the office unnecessarily.
- Undertake home visits and any interviews with the child or others close to the child in a private space. Home visits should not be undertaken when the child or their caregiver has experienced gender-based violence in the home or where a home visit could put the child or another family member at risk of further harm.
- Ensure that children can participate in the use of remote interviewing techniques in a way that does not put them at further risk.⁵¹

Skills and attitudes to respect children's rights

- Assign a dedicated, trained caseworker to handle the child's case.
- Check that the caseworker's and interpreter's genders are appropriate and that the child, where possible, has a choice with regards to the gender of their caseworker/interpreter.
- Ensure that case workers are sufficiently familiar with the social and cultural context of the child's background.
- Encourage and support children to explore and suggest options for follow-up and potential solutions that they themselves consider appropriate. Caseworkers should also explain the options and recommendations and seek the child's views on the proposed action.

Information and child participation

- Explain and seek children's – and where relevant their caregivers' – informed consent/assent to participate in the process including reception of services, referrals, particularly regarding information-sharing.
- Involve children in developing their case plans.

Support measures and safeguards

- Promote and facilitate the active engagement of parents and caregivers and support them to maintain primary responsibility for the child's protection, well-being and development, in accordance with their obligations, and in line with the child's best interests.

⁵¹ UNHCR, *Protecting Children during the COVID-19 Pandemic: Prevention and Response*, 2020, section BIP during COVID-19, available in the BIP Toolbox, accessible at: www.unhcr.org/handbooks/biptoolbox/

Urban environment: Taking the office to the children

Often, children are not aware of where they can go for support and assistance, and face barriers in approaching and accessing support. This is particularly the case in more dispersed urban displacement settings, and for younger children.

“Taking the office to the child” – in other words, increasing community outreach sessions or activities, or mobile ‘offices’ or reception points – can be effective in identifying and accessing children, and learning about their protection concerns and the support they need. Setting up regular reception sessions in areas with a high concentration of asylum-seekers can also facilitate children’s access to UNHCR or partners, and therefore their access to protection. Provide information to caregivers, service providers and others who are trusted by children as well as children themselves about how to access protection services as part of broader initiatives to communicate with affected populations⁵².

6.4. Refugee Status Determination (RSD)

RSD is a critical component of the refugee protection process. Children have the right to make an independent refugee claim regardless of their age or whether they are accompanied, unaccompanied or separated. Child applicants should receive all necessary child-friendly assistance and support in making their claim, either in their own right, or on a derivative status basis.

Due to their young age, dependency and relative immaturity, children should benefit from specific procedural and evidentiary safeguards to ensure that fair RSD decisions are reached with respect to their claims. Like other individuals with specific vulnerabilities and needs, younger children and children at risk including unaccompanied or separated children should be processed for RSD on a priority basis where there is a protection benefit for doing so. Where appropriate, children’s applications for refugee status may also be referred to accelerated procedures for processing within shorter timelines. A decision to prioritize or accelerate a child’s refugee status claim should not be based on chronological age alone, but on a holistic assessment of a child’s specific needs, their vulnerability, their maturity, and background. RSD for children must generally be treated as a high priority to ensure that waiting periods for notification do not deter the child from accessing support and services, nor delay the delivery of protection services and solutions. However, provisions must be made for children who may require or would benefit from a period of rest and recovery and allow for other protection interventions prior to RSD procedures commencing. Similarly, several RSD interviews may be necessary to facilitate the child’s meaningful participation in the RSD process. These children should still have access to protection and services during this period regardless of their legal or migratory status.

Children should be supported to make informed decisions about making a claim for RSD and should be informed that seeking asylum and applying for RSD is a fundamental right. The child’s views should be taken into consideration not only because it is their right, but also because when the child understands and can see that their views are being taken into consideration, they are likely to be more willing to cooperate and feel more comfortable to share information most relevant to their claim. Should a child wish to withdraw their application, their best interests must take precedence and where available a legal representative should provide legal advice and support to pursue alternative legal avenues, if appropriate. They should be fully informed of the consequences, counselled and assisted to understand them.

⁵² UNHCR, *Operational Guidance on Accountability to Affected People (AAP)*, 2020, available at: www.unhcr.org/handbooks/aap/documents/UNHCR-AAP-Operational_Guidance.pdf

The RSD procedure must consider the child's best interests and must be child-friendly in accordance with the child's age, gender, maturity, diversity characteristics and specific needs. This means ensuring that:

- Personnel who deal with children are trained and have experience interviewing children and assessing their claims.
- Child-friendly information is provided to the child and persons representing and/or accompanying the child.
- A guardian/representative or supportive adult is present whenever possible.
- Children have independent legal representation or legal counselling from an as early stage in the process as possible.
- Deadlines and appeals processes are adapted where necessary.
- An assessment is made as to whether it is in the child's best interests to be interviewed.

It is important to ensure that the child's views are sought throughout the RSD process, and that any information-sharing regarding the child respects the principle of data protection and confidentiality.⁵³ Eligibility officers must recognize that it may be challenging at times to ascertain the facts of a child's case, or the child may not be fully able to articulate their claim. They should therefore be sensitive to the child's abilities, assess the credibility and give them benefit of the doubt in line with the procedural safeguards relevant to the processing of child asylum claims.⁵⁴

The RSD procedure must ensure that the child's best interests are a primary consideration within the eligibility assessment. This means that when assessing eligibility, the child's best interests need to be given due weight. This involves considering (and documenting in written decisions), inter alia, the potential for child-specific forms and manifestations of persecution, the appropriateness of internal flight/relocation alternatives, and assessing the potential for harm to the child upon their return.⁵⁵

In the event that a child's asylum claim does not result in them being recognized as a refugee, it is still necessary to ensure that they benefit from available alternative forms of protection, as determined by their protection needs. These children should have access to all human rights granted to children in the country and in accordance with the protection guaranteed by the Convention on the Rights of the Child.⁵⁶ A child protection caseworker should undertake appropriate follow-up measures in collaboration with the relevant agencies, taking into consideration the child's best interests, views and specific needs. A negative decision should be communicated to the child with sensitivity and care and the child should be given guidance on submitting an appeal.

⁵³ UNHCR, *Procedural Standards for Refugee Status Determination under UNHCR's Mandate*, 2020, sect. 2.8, para. 2.3.4 and sect. 2.1, available at: www.refworld.org/docid/5e870b254.html

⁵⁴ UNHCR, *Guidelines on International Protection No. 8: 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: www.refworld.org/docid/4b2f4f6d2.html

⁵⁵ See sect. 3.1.1. of UNHCR, *Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, 2021, available at: <https://www.refworld.org/docid/5c18d7254.html>

⁵⁶ United Nations Committee on the Rights of the Child, *General Comment No. 6: Treatment of Unaccompanied and Separated Children outside their Country of Origin*, 2005, paras. 77–78, available at: www.refworld.org/docid/42dd174b4.html

Specific actions for Refugee Status Determination

Skills and attitudes to respect children's rights

- Avoid expressions or comments that children may perceive as disbelief or disapproval towards his or her asylum claim.
- Ensure that eligibility officers are aware of child-specific forms and manifestations of persecution, including human rights violations and abuses that may differ from the experiences of adult claimants, such as child labour; child marriage;⁵⁷ child recruitment; culminative harm on children in the context of armed conflict, trafficking, genital mutilation and cutting, and risk associated with SOGIESC non-conformity.
- Ensure that decisions on a child's application for international protection are made by a competent authority that is fully versed in all legal instruments relating to children's rights, trafficking and other relevant protection matters.

Information and child participation

- Fully inform children of their right to submit an independent claim or a claim for derivative refugee status and inform them about what such a designation may mean for them and their family members in the immediate and long term. Children must be informed in a friendly manner that they can be supported to exercise their right to submit an individual claim.

Support measures and safeguards

- Provide information on alternative forms of protection available to child applicants found not to be in need of international protection, and how to access these.
- Advocate with national authorities for provision of alternative forms of protection and ensure these are accessible to children.
- Support children to access services by referring them to the child protection actor(s) for appropriate follow-up in collaboration with the relevant agencies.

Sensitivity to children's age, maturity, background and situation

- Gather existing information relevant to the claim in preparation for the interview. The eligibility officer may meet with people who have already been in contact with the child such as the caregiver, case workers, registration personnel, interpreter, and/or guardian/representative to obtain existing information on the child, which can help avoid duplication and further distressing the child.
- Collect information on the child's country of origin prior to the interview. Familiarization with such information is useful because then the child is not expected to provide a detailed account of this information, which will be used to set the objective elements of the claim.

⁵⁷ UNHCR, *Child Marriage Guidelines*, available in the BIP Toolbox, accessible at: www.unhcr.org/handbooks/biptoolbox/

6.5. Solutions

Finding solutions that enable refugee children to live their lives in dignity and peace and to reach their potential is a primary child protection responsibility of States, and a core part of UNHCR's work. Solutions include voluntary repatriation, resettlement, integration, and complementary pathways for the admission of refugees to third countries.⁵⁸ A child-friendly approach to identifying the most appropriate solution for children at risk involves an assessment or determination of the child's best interests, as guided by UNHCR's BIP Guidelines and Committee on the Rights of the Child "General Comment No. 14"⁵⁹ which includes the right "to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests",⁶⁰ irrespective of parental consent, for the child to be resettled. The procedure should also be implemented in accordance with the principles governing child-friendly procedures. Achieving any of these solutions involves multiple stages, some of which require that the child interacts with actors outside of UNHCR or State authorities responsible for durable solutions. For instance, children who are being considered for resettlement or complementary pathways to protection will often be re-interviewed by officials from State agencies or institutions in the receiving country. Nevertheless, the processes must be child-friendly.

Specific actions for Solutions

Conducive physical environment

- Ensure that children who are awaiting solutions, arriving in a third country or returning to their country of origin are not placed in institutional care facilities and rather are placed with family or close relatives in an appropriate care arrangement.

Information and child participation

- Inform children and their caregivers about the options and process during each step of the procedure, detailing how decisions are made, who makes specific decisions and the likely time frames for the process.
- Inform children that repatriation is and must always be voluntary, and as with other solutions, their views should be given due weight in relation to their age and maturity and their best interests should be a primary consideration.
- Ensure that children and their caregivers are aware of the implications of resettlement and other third country solutions, when it may result in permanent separation from a parent, guardian or support person, including in the case of polygamous families.
- Record and attach information regarding the child's case to the relevant forms and documents (e.g. the resettlement registration form and voluntary repatriation form). Information should not be limited to the factors in support of the proposed solution but should cover care upon implementation of the solution and thereafter (e.g. medical care, psychosocial support).
- In the case of resettlement of the child with a single parent where there are no urgent or serious protection issues affecting the child or a parent and it is in the child's best interests, it may be appropriate to delay the resettlement of a child with a single parent until the child is old enough to have a say in the matter, if this would result in separation from the other parent who is playing an active role in their care and upbringing.

⁵⁸ Complementary pathways are safe and regulated avenues by which refugees may live in a country and have their international protection needs met, while also being able to support themselves and reach sustainable and lasting solutions. See UNHCR, *Conclusion of the Executive Committee on international cooperation from a protection and solutions perspective No. 112 (LXVII)*, 2016, available at: www.refworld.org/docid/57f7b5f74.html

⁵⁹ United Nations Committee on the Rights of the Child, *General Comment No. 14 on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)*, 2013, available at: www.refworld.org/docid/51a84b5e4.html

⁶⁰ United Nations Convention on the Rights of the Child (1989), Article 9, available at: www.ohchr.org/en/professionalinterest/pages/crc.aspx

Support measures and safeguards

- Find solutions for siblings and families to stay together, particularly for unaccompanied and separated children. Linked cases should be resettled or repatriated together as much as possible and whenever it is in the best interests of the child.
- Take adequate measures for children living with temporary guardians or caregivers to prepare them for possible separation from their temporary caregiver, if this is found to be in the best interests of the child.
- Provide children at risk with a set of requisite material (e.g. appropriate clothing) to facilitate their transition.
- Make accompaniment arrangements for unaccompanied children and if needed, children with disabilities.
- Ensure special consideration for the needs of children in polygamous families, child marriages and children of family members who are alleged perpetrators of gender-based violence. More guidance is available in the “UNHCR Resettlement Handbook”.⁶¹



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⁶¹ UNHCR, *Guidance on Registration and Identity Management*, available at: <https://www.unhcr.org/registration-guidance/>

7. CHILD-FRIENDLY PROCEDURES CHECKLIST

The following checklist summarizes the key actions for ensuring that protection procedures are child-friendly. They should be read alongside the content of this technical guidance.

Accessibility and safety

- ☒ Barriers (cultural and social) and risks to children accessing and participating in protection procedures have been assessed and addressed
- ☒ Protection procedures are conducted at a location close to where children live
- ☒ The sites/office and surrounding environment are clear of physical hazards
- ☒ Directions to the site/office are in a format that children, including children with disabilities, can understand
- ☒ Security and reception staff have been trained on receiving and guiding children to appropriate focal points
- ☒ Waiting areas provide protection from the elements, and children have access to washing facilities and clean drinking water
- ☒ Waiting areas have age-appropriate spaces for children to socialize and play, either within or in close proximity to the site/office

Conducive physical environment

- ☒ Age-appropriate material for play/entertainment is available in the waiting area
- ☒ Interview rooms are well lit, secure and allow confidential conversations
- ☒ Interview rooms are accessible and allow easy manoeuvrability for children with disabilities
- ☒ Refreshments are available for children in case of longer interviews/procedures
- ☒ Safe spaces for children are available and allow parents to participate in the protection procedure
- ☒ Interviews are scheduled at times suitable for children and their parents

Skills and attitudes to respect children's rights

- ☒ Staff knowledge and skills have been assessed, and training on child protection, techniques for interviewing children on and unconscious bias provided
- ☒ Interpreters are trained on interviewing children of different ages and backgrounds
- ☒ A system to review staff interactions with children is in place and applied
- ☒ Disability- and gender-sensitive language and terminology have been identified and are used by all staff

Information and child participation

- ☒ Information disseminated to refugees and asylum-seekers includes information about children's rights and services available for children
- ☒ Information disseminated is understandable for children of different ages, developmental stages, and abilities
- ☒ Protection procedures are scheduled at a time suitable and convenient for children
- ☒ Every child is informed about the purpose, time frames and procedures for interviews, the confidential nature of the interview, and actions related to the procedure in an age-appropriate and accessible format
- ☒ Children are encouraged and supported to speak freely and ask questions without interruption or judgment
- ☒ All information regarding the child's case is recorded and stored in a way that ensures confidentiality
- ☒ Children's consent/assent is sought prior to sharing information/referral
- ☒ The interview plan includes time allocated for breaks in which the child is allowed to move, play and interact with family or friends
- ☒ Sign-language interpreters have been identified and are easily reachable should their service be required

Sensitivity to children's age, maturity, background and situation

- ☒ Criteria for prioritizing children's cases are in place and used
- ☒ Interview methods are appropriate to children's age, level of maturity, developmental stage and abilities, including drawing, playing and singing based on the needs of individual children
- ☒ Staff are trained on responding to children who are distressed, and have and use updated referral information

Support measures and safeguards

- ☒ Children's immediate needs are identified and met prior to registration and interviews
- ☒ Actor and resource mapping has been conducted and staff use the most up-to-date referral pathway
- ☒ SOPs include specific guidance on identifying, handling and referring cases of children at risk identified during the procedure
- ☒ Coordination mechanisms and collaboration between refugee protection procedures and child protection actors are in place and functional
- ☒ Vetting and matching system for assigning guardians to unaccompanied children and mechanisms for monitoring the support provided to children are established
- ☒ Legal representatives are trained and are given guidance on representing children in legal proceedings in a child-friendly manner
- ☒ Guardians, legal representatives and/or support persons are assigned to support and represent unaccompanied children
- ☒ Children are given the option to have a trusted adult with them during the interview

Other programmatic actions

- ☑ National legislation and policies promoting and guaranteeing children's rights are mapped and support to align national refugee legal and policy frameworks and procedures with national and international child rights legal frameworks are provided
- ☑ Refugee and asylum-seeking children's access to and appropriateness of national systems are evaluated, and strategies to work with relevant national bodies to address barriers are in place
- ☑ Existing SOPs, protocols, and guidelines for the different protection procedures are reviewed and revised to ensure that children's rights are defined, and staff and agency roles and responsibilities are clarified
- ☑ Data on children accessing and participating in protection procedures, such as disaggregated data and pattern and trend are compiled and analysed, actions to improve the implementation of protection procedures for children are implemented
- ☑ Child protection programmes are prioritised, including by allocating adequate financial resources to make sites accessible and child-friendly, and for staff capacity development and monitoring
- ☑ Ongoing consultations with children and families are organised to assess and monitor the child-friendliness of protection procedures and identify areas for improvement



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ANNEX 1: CHILD-FRIENDLY COMMUNICATION IN INTERVIEWS



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OPENING THE INTERVIEW

- Be aware of the physical environment: the legal representative, guardian or other adult support person should sit close to the child, the interviewer opposite or to the side of the child, and the interpreter to the side of the interviewer and the child.
- Clearly introduce yourself and explain your role, and give the name and role of other persons present. Make sure the child is comfortable with the persons present in the interview and that there is a relationship of trust (break the ice). Remember that the process of building trust may take time and is not always linear. Trust can be established early on by being kind, caring, honest and transparent and sharing information in a child-focused and appropriate way.
- Equipment such as computers, cameras, finger printing equipment and its purpose should be explained to the child and should not present an artificial barrier between the adult/interviewer and the child. Typing notes on computers should be avoided while interviewing children.
- Have resources available such as play or learning material which might be helpful to engage the child – this may include paper and drawing tools such as pencils or markers, and some soft toys such as puppets.
- Explain the purpose and process of the interview, what the child can expect and what you expect from the child. It is useful to explain the process of the interview to the adult(s) supporting the child and the child, and assess their expectations, gently correcting any misconceptions or wrong expectations that the child might have and alleviating any fears. Explanations should be given in language that is child-friendly and

appropriate for their age, maturity, developmental stage and abilities. Care should be taken to ensure that interviews are conducted with both the caregiver and the child, and organize a separate interview with the child if the child experiences protection risks from the caregivers or prefers not to discuss specific issues in the presence of caregivers.

- Acknowledge the difficulty the child might have talking about their issues and concerns and avoid probing for details if the child displays signs of distress.
- Explain that the information shared by the child is confidential, when you may need to break confidentiality and how you will do this.

CONDUCTING THE INTERVIEW

- Observe the child carefully during interview; identify signs of distress and take appropriate action. If protection issues are identified, take timely, appropriate action.
- Start with easy, broad questions, followed by more specific questions. Use a checklist or form to guide you but ask questions in your own words and order.
- When a child is explaining a specific incident or situation, continue to ask follow-up questions that help the child continue the story or explanation such as “what happened next?” or “can you tell me more about your family?” Once the child has finished telling you the overall story, you should ask more detailed questions about a specific aspect of the story – for instance “Can you tell me more about when you were separated from your mother?” Although this process takes longer because it requires the interviewer to listen to aspects of the child’s story that may not be directly relevant to the interview, it is more child-centred and more likely to obtain accurate information from the child.
- Keep it informal, pleasant and friendly – a discussion rather than a question-and-answer session – to create an atmosphere of trust.
- Use simple, age-appropriate language that the child can easily understand. Use verbal and non-verbal communication methods depending on the age and level of maturity and development of the child. Drawings and diagrams are helpful in many cases to help the child explain things such as their family, the layout of where they live or their feelings, and should be used regularly with children. Non-verbal communication methods are very useful for helping children who are less-verbal or have speech impediments or learning difficulties to demonstrate their answers or views.
- Assure the child that there are no right and wrong answers and that it is okay to say that they do not know or do not want to answer. Should a child state that they do not want to answer, tell the child that they can take some time to think about it and you will return to the question later. If, when you return to the question, they still do not want to answer, reassure the child that it is okay not to answer but ask if they would like to tell you later or write it down.
- Collect all information related to the circumstances of the flight in a comprehensive but sensitive manner to avoid additional harm. Prior to the interview, you should have already gathered any existing information so as to avoid unnecessarily making the child and their family repeat themselves.
- Show empathy and patience. Avoid indicating disbelief and/or criticism, be encouraging and show that the information shared by the child is important.
- Listen to the child carefully; resist providing too much guidance or talking excessively. Resist filling silences which you find uncomfortable. Consider the flow of the discussion; do not jump from question to question without introducing new topics; do not interrupt the child.
- Use open questions as much as possible, avoiding leading and yes/no or “why” questions. Topics should be approached from different angles to provide several opportunities for the child to share information to provide a complete account.

- Leave time and space for the child to express their feelings and/or concerns, and to ask questions. Paraphrase what has been said by the child and provide an opportunity for the child to confirm, elaborate or correct. When giving the child information, it can be useful to give them the opportunity to tell you what they have understood.
- Never force children to speak. Children should not be forced to discuss or reveal experiences and the lead should always come from the child. Take note of non-verbal signals that indicate that the child does not wish to continue.
- Give the child an opportunity to ask questions. If you cannot answer a question immediately, tell them you will get back to the question, or that you do not know the answer. Answer questions as honestly as you can, while ensuring age-appropriate information.
- Give children a break for water, the bathroom or a few minutes free from questions.
- Accept the child's emotions and show care and empathy.

CLOSING THE INTERVIEW

- Close the interview in an appropriate manner and on a positive note, including explaining the proceedings, nature and purpose, and potential consequences of the interview for the child. Allow time and space for the child to express his or her feelings and concerns and ask questions.
- Give the child and/or caregiver clear information about the next steps and approximate timelines. Provide the office's contact details if the child or caregiver wishes to contact the organization.
- Ensure referral to appropriate services following the interview.



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ANNEX 2: SEVEN KEY STEPS FOR COMMUNICATING WITH CHILDREN IN DISTRESS

- 1. NEVER FORCE CHILDREN TO SPEAK:** Children should not be forced to discuss or reveal experiences and the lead should always come from the child. Take note of non-verbal signals that indicate that the child does not wish to continue.
- 2. GIVE CHILDREN ADEQUATE TIME:** Do not expect the whole story to be revealed in one session. Very often, it is best for the child to reveal bits of their memories at a time. Do not rush to fill silences – these may provide important spaces for quiet reflection.
- 3. PROVIDE EMOTIONAL SUPPORT AND ENCOURAGEMENT:** Do this in whichever ways are appropriate to the child's culture, gender, development stage and individual preferences.
- 4. ACCEPT THE CHILD'S EMOTIONS:** Accept all emotions, including guilt or anger, even if they seem to you to be illogical reactions to the event. Denying or negating emotions, such as encouraging them to “smile” or “stop crying” may shut down communication with the child. Talking through painful experiences may enable the child to view them in a different light and let go of their sense of responsibility for what has happened. It is helpful to convey to the child that the feelings they are experiencing are quite normal and understandable.
- 5. NEVER GIVE FALSE REASSURANCES:** If raised expectations are not met, this may increase the child's loneliness and lack of trust towards adults. Helping the child face the reality of their situation is almost always preferable to avoiding it, provided that this is done in an atmosphere of trust and support.
- 6. HELP CHILDREN AND CAREGIVERS FIND SOLUTIONS:** Talking about difficult situations may enable children to work out their own solution, especially in the case of older children and adolescents. Provide information and options and help children and caregivers think through the consequences of different options. Sometimes, just listening in an attentive and supportive way is extremely helpful. Help young people arrive at their own decisions (this applies to adults as well) whenever possible, rather than providing advice. Where the interviewer needs to take action, either because it is in the child's best interests or it is required as part of the protection procedure, explain this to the child and caregiver clearly and empathetically.
- 7. SOME REGRESSION IS NORMAL AND MAY BE NECESSARY:** Regression is a return to behaviour typical of younger children. For example, children or adolescents may need personal care, affection and physical contact more characteristic of younger children in order to overcome the emotional problems they are facing.
- 8. STRENGTHEN COPING AND SOCIAL SUPPORT.** Help children identify positive ways to cope with their distress, such as by asking what helps them feel better or gives them a sense of achievement. Help children identify social supports that can help them in their daily life – for instance, ask them who they feel close to and who they think can help them when they have problems.

Source: UNHCR, “Listen and Learn: Participatory Assessment with Children and Adolescents”, 2012.⁶²

⁶² UNHCR, *Listen and Learn: Participatory Assessment with Children and Adolescents*, 2012, available at: www.refworld.org/docid/4fffe4af2.html



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