



REFUGEE CHILD PROTECTION IN  
POST-CONFLICT  
ENVIRONMENTS

EXAMPLES FROM COTE D'IVOIRE AND  
SOUTH AFRICA





War  
is not  
healthy  
for  
and children  
and other  
living  
things



# UNHCR

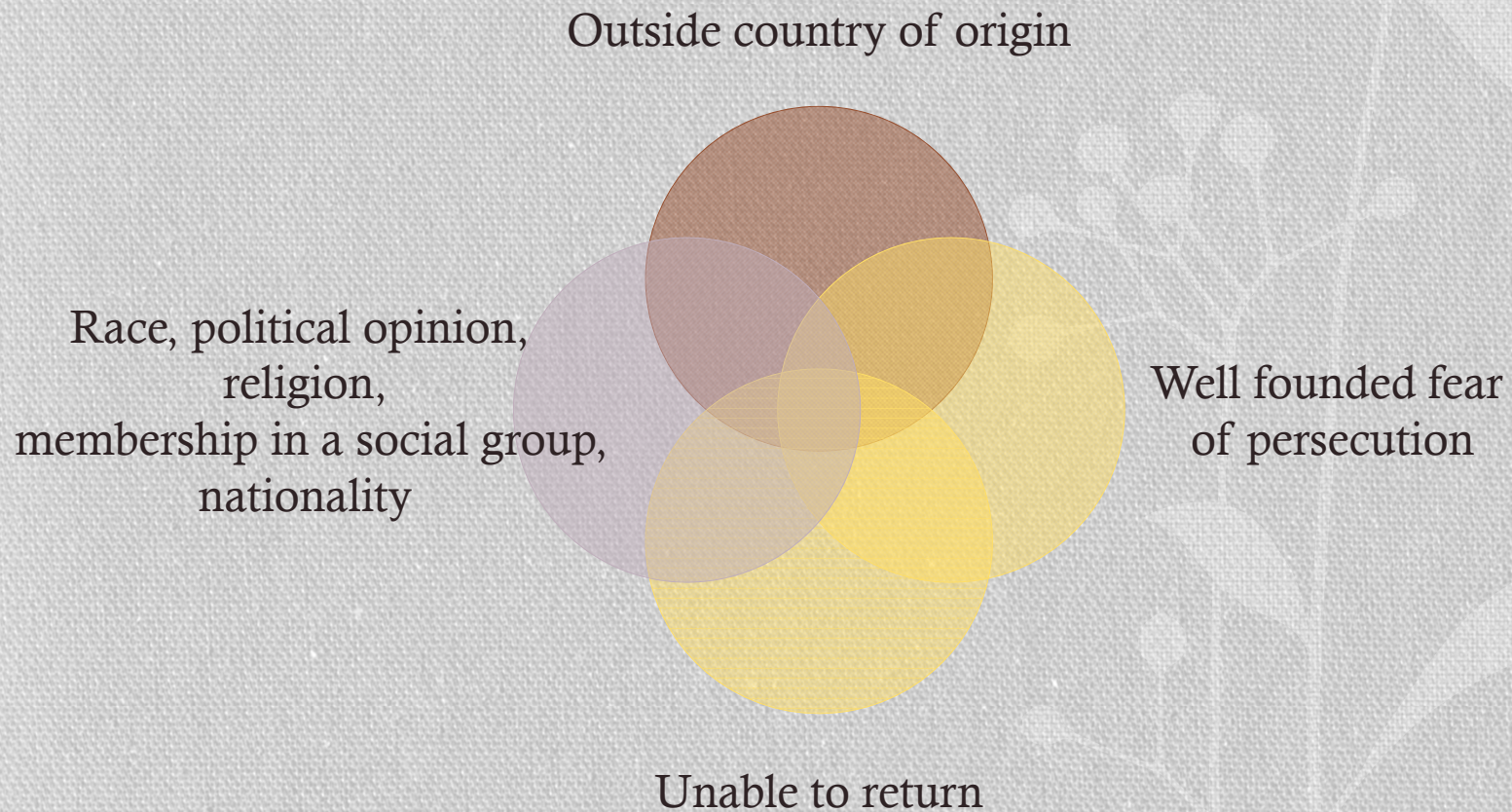
- United Nations High Commissioner for Refugees
- UN agency established by the UNO General Assembly in 1950
- Mandate covers persons of concern :
  - International protection
  - Cooperates with governments in supervising implementation of refugee treaties
  - Supports governments in assistance to refugees
  - Partnerships and advocacy
  - Search for Durable solutions
  - Non-refoulement

**1** refugee without hope  
**is too many.**





# Refugee Venn Diagram





# Millennium Development Goals





# Child Protection

- ½ of all Refugees are children
- Children require special care and assistance
- Children are vulnerable
- Children are dependent
- Children are developing
- Forced displacement **exacerbates** children's **exposure** to neglect, exploitation and sexual and other forms of violence and abuse. Children are at **particular risk** and require **special attention** due to their dependence on adults to survive, their vulnerability to physical and psychological trauma, and their needs that must be met to ensure normal growth and development...
- UNHCR's Age, Gender and Diversity Policy (2011)



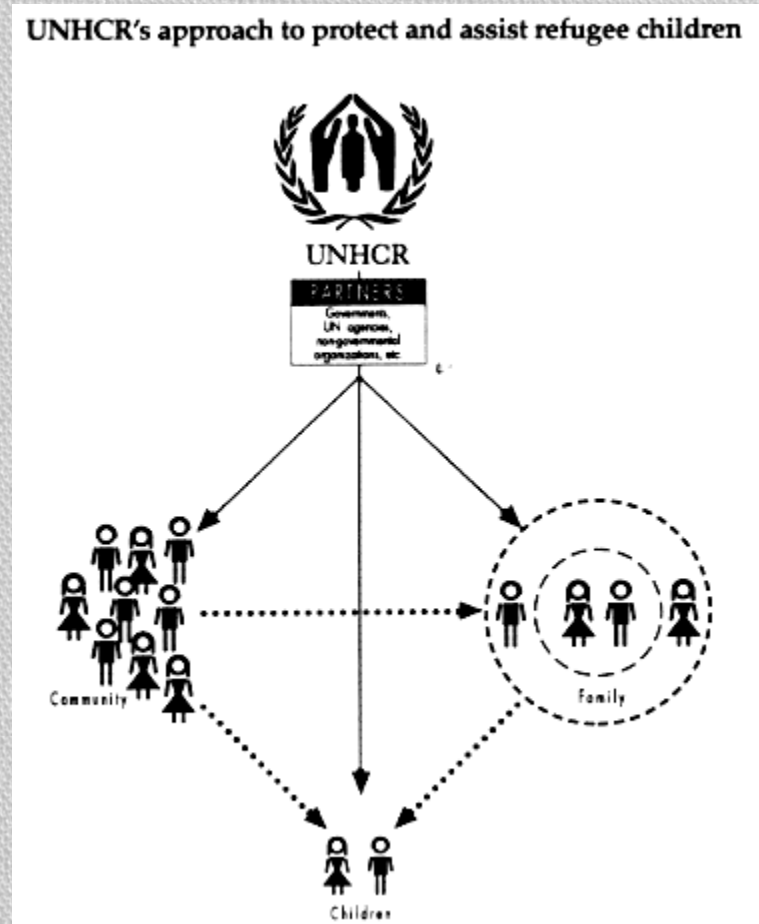
# UNHCR and Child Protection

- ❶ Girls and boys are safe where they live, learn and play
  - ❷ Children's participation and capacity are integral to their protection
  - ❸ Girls and boys have access to child-friendly procedures
  - ❹ Girls and boys obtain legal documentation
  - ❺ Girls and boys with specific needs receive targeted support
  - ❻ Girls and boys achieve durable solutions in their best interests
- 
- UNHCR Framework for the Protection of Refugee Children, (2012)



# CRC “Triangle of Rights”

- “Best interests” rule
- Non-discrimination
- Participation
- Culture
- Psycho-social well-being
- Health and nutrition
- Education
- Prevention and Treatment of Disabilities
- Personal Liberty and Security
- Legal Status
- Unaccompanied Children
- You Feel That They Have Lost Their Hearts







# Best Interest Determinations: Cote d'Ivoire





# When is a BID required?

- **Temporary care arrangements for unaccompanied or separated children** in exceptional situations.
- The identification of **durable solutions for unaccompanied and separated children**
- The possible **separation of a child from her/his parents (or person holding custody rights by law or custom) against his/her will** if competent authorities are unable or unwilling to act.
- **Unresolved custody situations in which** national authorities are unwilling or unable to adjudicate on.
- The identification of **durable solutions for unaccompanied and separated children**
- Complex cases **prior to family reunification**



# What Is “Best Interests Determination (BID)”?

Describes a **formal process**:

- - strict procedural safeguards to determine the child’s best interests;
- - adequate child participation without discrimination;
- - involvement of decision makers with relevant areas of expertise;
- - a balance of all relevant factors and rights at stake.





# Why Is BID Important?

- **Enhances coordination and cooperation**
  - - Establishes roles and responsibilities different actors.
  - - Encourages accountability of stakeholders.
- **Acts as a key child-protection tool**
  - - Identify child-protection issues and trends.
  - - Guide programming for child protection.
  - - Identify quality child-protection community services.
    - Establish referral mechanisms.
  - - Assess impact of protection and child-protection interventions.



## Case Study: Sarah Wleh

- Sarah was separated from her father and mother due to their deaths in 2002 and 2011, respectively. Upon the death of her mother, Sarah began living with her cousin, Danielle WLEH in Neru Village. Danielle often went to Abidjan to sell for business. Danielle's adult husband, known by Helen and "Daola" began raping Sarah while Phoebe was away. Sarah eventually ran away. When found, she told Danielle about Daolo's sexual violence towards her. As Sarah became ill due to the repeated sexual violations, MSF brought her to Tabou to treat her. Upon examination by MSF, they found evidence to corroborate Sarah's story (see attached medical certificate). UNHCR and SAARA decided the child should not go back to her cousin's family because she was in imminent danger, and at risk of further rape or even death, as Daolo had often told Sarah if she told anyone, that he would kill her. On 02 May 2013, the child was placed in the care of Chamille RYAN. She has been the child's primary caregiver since this time.



# Identification of Durable Solutions within BID

## Considerations:

- Safety, security and protection
- Prospects for successful tracing and family reunification
- Feasibility of voluntary repatriation in the near future
- Family relationships (including siblings)
- Continuity of care for fostered children
- Developmental needs
- Access to services for children with specific needs
- Views of the child and the parent/caregiver
- Custody issues
- Possible risks linked to the durable solution



# Considerations Durable Solutions

## **Voluntary Repatriation**

- Access to adequate support services in home country
- Language issues for children in the home country
- Availability and validity of documents (birth registration, school certificates etc.)

## **Resettlement**

- Custody
- Domestic violence
- Locations of one of the parents unknown
- Polygamous marriages
- Must fall within resettlement submission category

## **Local Integration**

- Access to national support services without discrimination
- Obtain necessary legal documents for children/caregivers to secure legal status/ identity

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# Programmatic Case Study: Ivory Coast

- Birth Registration
- Tracing (ICRC)
- Local Tracing
- Statelessness
- Manual Labor
- Education
- Psycho-social Support



# Inter-agency/Externally Funded Projects: South Africa





# Lego Project





# Nine Million Campaign





# Nine Million Campaign





# Suitcase Project

“My life is like a suitcase without a handle”



<http://pubs.iied.org/pdfs/Go2959.pdf>



THANK YOU!

