

## Celebrating World Children's Day: listening to the voices of unaccompanied children in Europe and their guardians

Tineke Strik MEP and the European Guardianship Network hosted a conversation between European policymakers, guardianship organisations and young people who had arrived in Europe as unaccompanied children on November 16, 2023 in the European Parliament on **Strengthening guardianship for unaccompanied children in Europe**. Today, on World Children's Day, 2023, we share key messages from this conversation.



*"It was moving and enriching to listen to the experiences of unaccompanied minors after their arrival in the EU. It made me much more aware of the problems they encounter with the procedures and their integration in the new society. Learning from their opinions and recommendations would definitely improve policies and legislation."*

– Tineke Strik, MEP

**Hilde Vautmans MEP** also met and exchanged with the young persons at the Parliament.

*"Every child deserves protection, especially the most vulnerable. Guardians play a crucial role in providing child-friendly support to unaccompanied children. Protecting the safety and the rights of children must always be a cornerstone of every aspect of our European migration and asylum policy."*

**Ewa Kopacz MEP, Vice President and European Parliament Coordinator on Children's Rights**, sent a message of support: *"I commend the tireless efforts undertaken by guardians to provide both legal and practical guidance and support to children under their care. The work undertaken by guardians not only determines the child's present but also their future. Therefore, I welcome the work of the network to develop best practice and policies, guided by the principal of the best interests of the child across the EU. As unaccompanied children will continue to arrive in Europe, it is incumbent upon us to ensure our laws, policies and practices reflect the obligations enshrined in the provisions of the Charter on Fundamental Rights and the UNCRC for every child."*

**The European Guardianship Network** brings together organisations which deliver guardianship to unaccompanied children across EU Member States, alongside governmental contact points for guardianship, as well as European agencies (such as FRA and the EUAA) and other international organisations (including UNHCR, UNICEF and IOM) and civil society organisations involved in guardianship. EGN's goal is to enable members to deliver high quality, child rights-based, and accessible guardianship services. We also contribute our experience and expertise to help shape responses to unaccompanied children at a European policy level. Our work is rooted in the EGN **Standards** which are framed by the rights and needs of children, and are based in the principles set out by the Fundamental Rights Agency in its guidance on the topic.

## Right to a guardian

Unaccompanied children arrive in Europe in many different ways, in different circumstances and have different futures ahead of them, whether in Europe or in other parts of the world.

What all of these children have in common is the right to, and need for, a guardian who can immediately provide support and assistance, including access to child-friendly information, protection, help them access the needed services and help them plan for the future.

From the State perspective, guardians are a vital safeguard to fulfilling their obligations to children, as guardians help children navigate asylum and migration procedures and participate in decision making procedures. Guardians also can help connect actors working with the situation of children. They will aim to ensure that the best interests of children are a primary consideration in all actions concerning. Where a child may be moving between EU States, cooperation between guardians in different countries may be essential to facilitating family reunification, supporting relocation from one country to another or preventing trafficking.

**Guardianship is recognized under EU law and policy as a key safeguard for unaccompanied children and should be actively strengthened in the European Asylum and Migration reform and in implementation of EU law. The European Guardianship Network (EGN) calls on the European Parliament, the Council and the Commission to achieve this.**

## Lifting up the experience of children

A key role of a guardian is to make sure children and young people have a say and are heard by the people around them. At the European Parliament, three young people from Greece, Belgium and the Netherlands who had arrived in Europe as unaccompanied children reflected on their experiences.

### ***Some of the messages young people shared in the European Parliament***

*“One of the most important things is to have a guardian who stands besides you. I am an independent young woman and I am strong enough to take care of myself, but having a guardian really helped me, feeling less alone in this world. I think unaccompanied children are often underestimated in their capabilities and their voices need to be heard, so they have the power to become what they want. I have fought very hard to get the proper higher education and now I am studying to become a doctor.” - Sania*

*“When I came from Afghanistan to Belgium I was appointed a guardian within a couple of weeks. I didn’t know what a guardian was. He taught me a lot of things, especially about cultural things in the new country, legal procedures and what I could expect. He was interested in me and he was there for me on a regular basis, to make sure I felt alright, which was very important to me. My guardian was someone that listened to me and protected me. We did go on walks together which helped bonding and building trust. I was very happy I was placed in a foster family with the help of my guardian, so I could quickly learn the language. Having a guardian also after turning 18 would be of a major asset helping with integration.” - Mansoor*

*“When you come to a new country, everything is different than in your own country. I fled from Syria and without my guardian I would have been very confused and I wouldn’t have known what to do with myself. It is very important to have a person you trust, like a guardian, who tells you what to expect and how procedures work. This makes your life so much easier. It is very important that the guardian has professional experience, can show empathy and has enough time to listen to you. Unfortunately, there is often not enough time because there are not enough guardians for the children. There should be a focus on schooling and the choices we can make within the educational system. A guardian can support with that. - Rastivan*

One young person was due to join the meeting but his travel documents did not come through; we share his message to our meeting:

*"Having a guardian means entrusting the well-being and guidance of a young soul to a responsible and caring individual.*

*To have a guardian as an unaccompanied child means being under the care and protection of a responsible and nurturing figure. It's a relationship where trust and guidance intertwine, creating a foundation for growth and well-being. A guardian is a steady presence, offering support and comfort in the journey of life. It's a commitment to shaping a secure and positive environment, where the young one can flourish and discover their own path. A guardian is the compass that steers the unaccompanied minor through the vast sea of life, providing direction and stability." - Bahram*

### **Reflecting together on ways to strengthen guardianship in Europe**

It is a crucial time for EU action to strengthen guardianship. With high numbers of children arriving in Europe, and this likely to continue given the current global situation, the need for qualified and well supported guardians is crucial. Looking ahead, from EGN perspective, some of the challenges we see for guardianship are:

- Increasing numbers of children arriving in certain countries,
- Need to appoint guardians as early as possible after arrival to avoid difficulties in procedures and risks to children
- Managing the case load for guardians and support for guardians
- Strengthening the quality of guardians by continuous training and ensuring specialized knowledge
- Minimising changes in guardianship and helping guardians and children build up a trusting and stable relationship
- Being able to scale up in the face of increase in numbers of children arriving
- Being able to respond to different needs that different children may face
- Working with different procedures and different authorities
- Cooperating across Member States in cases where children move between countries

The ongoing CCEAS reform triggers both new challenges and opportunities for guardianship. The EU Strategy on the Rights of the Child, including the Commission's initiative to strengthen integrated child protection systems, offers the chance to help ensure all actors work together to address the different dimensions of the child's situation, nationally and across borders. Member State implementation of EU rules should provide important momentum, alongside monitoring to ensure that the right safeguards for children are in place.

### **Some of the perspectives we heard from our panellists**

*"We will only achieve a common European asylum system if we ensure a proper implementation of the rules. There are still many national differences in the protection and treatment of unaccompanied minors, which also affects the right of unaccompanied minors to a qualified and dedicated guardian. The young people told us how crucial such guardian is for their wellbeing, safety and integration. So it is up to the Commission to monitor Member States' compliance with the European standards and take action if they fail to fully protect the minors." - Tineke Strik MEP*

*"The best interest of the child remains one of the fundamental principles for EU asylum law. Strong guardianship systems remain essential in giving it meaning, and we very much aim to support the progress achieved in this area over the last years and also in the future, including through the legislation proposed under the new Migration and Asylum Pact." - Anna Schmidt, DG Home, European Commission*

*"All children have the right to feel safe and protected. The Commission Recommendation on integrated child protection systems coming up next year will aim to strengthen and bring together relevant services to protect all children in a coordinated way with children's best interests at the centre" – Marta Kuljon, DG Justice, European Commission*

*.. "At EUAA, we strongly believe that the participation of children and young is key, and we will also engage with refugee youth to gather firsthand information" – Nilde Robotti, EU Asylum Agency*

There are very different models of guardianship around Europe, from professional guardians supported by a central agency, systems of volunteer guardian models to hybrid models, and they should all be held to the same standards. The European Guardianship Network is an essential resource for this, and we are grateful to the EU for the co-funding which allows it to happen.

#### **Looking to the future – a message from the EGN Chair, Tanno Klijn**

The European Guardianship Network is determined, ambitious and forward looking in terms of what can be achieved:

- ✓ We commit to being proactive, facilitating regular exchange on experience and practice (as happened in the immediate aftermath of war in Ukraine).
- ✓ We continue to build support for our members to strengthen guardianship, including through contributing to the work of FRA and EUAA on training and resources, as well as through our ProGuard tool which allows stakeholders to map and assess their systems.
- ✓ Our child participation working group will help continuously improve how members ensure the voices of unaccompanied children are heard and taken into account.
- ✓ As regards cross border cases, we will continue to work together to shine a spotlight on how guardians and other actors can work more effectively and to help develop better cooperation between guardians in different countries
- ✓ Taking on board learnings from Covid and the Ukraine war, we also work towards creative and agile systems of guardianship, that can work closely with other actors in times of emergency.
- ✓ Promoting our Standards for the Delivery of Guardianship to Unaccompanied and Separated Children
- ✓ Contributing to European and national implementation of legal safeguards for unaccompanied children

Our thanks go to Ms Tineke Strik for hosting the conversation in the European Parliament, to Sana and Rastivan and Mansoor for joining in our discussion, as well as Bahram who contributed his messages, to Anna Schmidt (DG Home) and Marta Kuljon (DG Justice, Child Rights) of the European Commission, as well as to Nilde Robotti (EU Asylum Agency). We were glad to be joined by EGN members from over 20 countries and EGN partners, UNHCR and IOM. We are grateful to Hilde Vautmans MEP for her exchanges with the young persons and Eva Kopacz MEP for her message of support.

Read more on guardianship here:

- European Guardianship [Network](#)
- EGN [contribution](#) to the consultation of the European Commission on “protecting children – integrating systems”