

TABLE OF CONTENTS

Children on the Move Framing Review	4
A map of existing protection frameworks, overarching issues, and areas for improvement	
Children on the Move Learning Review	38
Risk factors, Responses, and Recommendations	
Appendix: Case Studies About Children on the Move	72
Examples of Good Practice: Germany, Sweden, and the United Kingdom	73
In Transit: On and Through Lesbos, Greece	96
En Route Through Europe: On the Western Balkan Route via Serbia	123
Exclusionary Practices: The Difficulty of Entering the United States and Australia	144
The Impact of Persistent Exclusion: Rohingya Leaving Myanmar	166
Internal Migration: From Bihar to Rajasthan, India	184
Living Rough: On the Street in Senegal	198

This report was researched and authored by Jacqueline Bhabha (principal investigator), Christine Bohne, Vasileia Digidiki, Elizabeth Donger, Rochelle Frounfelker, Jeff Glenn, Alexandra Lancaster, Susan Lloyd McGarry, Nevena Milutinovic and Shanoor Seervai, with assistance from Arlan Fuller of the François Xavier Bagnoud (FXB) Center for Health and Human Rights at Harvard University.

We are grateful to the Oak Foundation for supporting this research and report.

Photos by Angela Duger and Hector Lucero. All rights reserved.

Design and layout by Tezeta Tulloch.

©2016 Francois Xavier Bagnoud Center for Health and Human Rights. Available for non-commercial use under the Creative Commons Attribution-Noncommercial 3.0 Unported License for all content, except for photographs. Copyright notice continued on last page.

Suggested citation: Bhabha, Jacqueline, et al. *Children on the Move: An Urgent Human Rights and Child Protection Priority*. Boston: Harvard FXB Center for Health and Human Rights, 2016.

EXAMPLES OF GOOD PRACTICE

Germany, Sweden, and the United Kingdom



1

The movement of children to and within Europe is an enduring aspect of migration, covered by international, regional, and domestic law. Children seeking asylum are entitled to protection and humanitarian assistance, but they are also entitled to the same rights as all children under the United Nations Convention on the Rights of the Child.¹ In addition to these international provisions, European Union (EU) law requires all EU Member States to comply with minimum requirements for the reception and care of children, though in practice the experiences of asylum-seeking children vary significantly between EU countries. In 2015, close to 1.3 million migrants crossed the Mediterranean to seek asylum in Europe; at least 29 percent, or one in three, were under the age of 18.² Migration to Europe last peaked at around 672,000 asylum applications in 1992 due to the war in former Yugoslavia. No country was prepared to handle the effective doubling of asylum applications that has occurred since. While some EU countries have sound policies and high-quality infrastructure for child migrants, even these were put to the test by the recent upsurge in child migrant arrivals. Addressing the urgent needs of children on the move during the crisis of 2015 has required across the board innovation fueled by the political will of governments, non-governmental organizations, and civil society.

This case study is a rapid assessment of good practices in three EU countries, Germany, Sweden, and the United Kingdom, for the protection and integration of child migrants to the European Union. For Germany the case study focuses on the school education of migrant children. In Sweden, it analyzes policies and institutions for unaccompanied minors seeking asylum. Finally, the UK section of the study considers holistic age assessment procedures and multi-agency safeguarding hubs.

GERMANY

Research Findings

There is no national education policy in Germany—the Länder (the sixteen federal states) regulate culture and education.³ Each state has its own mechanism for integrating asylum-seeking children into the school system, although most have one or another version of German-language classes for the first few months. In Berlin, these are referred to as “welcome classes”; in Hamburg, they are referred to as “international preparatory classes”; for the sake of simplicity, this report refers to them as transition classes. It focuses on secondary education since very young children in many states (for example, in Berlin, those below the age of seven years) are directly enrolled in regular classes at a primary school.⁴

Regardless of their immigration status or length of stay, all asylum-seeking children are guaranteed access to school education; indeed, school attendance is compulsory.⁵ In practice, however, not all asylum-seeking children receive school education upon their arrival in Germany for several reasons: there may be a waiting period for up to a few weeks before a school place becomes available; children and/or their parents may not be aware of the right to education; children living in reception centers—temporary accommodation to house newly arrived asylum seekers—may not have access to a school.

A detailed discussion of the German school system is beyond the scope of this report, but in most states, students are effectively tracked into a *Stadtteilschule* (a district secondary school) or a *Gymnasium* (a more academically oriented secondary school).⁶ Mi-

grant children also attend vocational schools in many states. Most of these states offer a two-year course (one year of German-language education, and a second year of language and practical training) before students can enter proper vocational training.⁷ In most cases, transition classes are run at regular secondary schools, ensuring the integration process begins even while children are acquiring language skills and before they attend regular classes.

The objective of the transition class is to ease integration into regular classes once children have basic command over German. Children are then “mainstreamed” between one to two years after their enrollment in the transition class on the basis of their age and progress. Transition classes are also intended to assist with the social and cultural transition to life in Germany, and include components of practical training, such as how to buy groceries at the supermarket. Although some states (like Bremen) require all secondary schools to run transition classes,⁸ in practice the district schools tend to bear a disproportionate responsibility of running transition classes.⁹ Migrant children almost always integrate into the same school where their transition class took place, and therefore predominantly end up in district schools instead of in the academically oriented gymnasiums.

Good Practices

- 1. School education as an effective integration mechanism for children:** The system of enrolling children in transition classes and subsequently integrating them into mainstream classes is effective, provided that children do not spend too long in separate classes, and are not excluded from school and extracurricular activities.¹⁰ Faced with an unprecedented

Case Table 1.1 Germany: Good Practices and Challenges for Education of Children on the Move

GERMANY: EFFECTIVE EDUCATION FOR CHILD MIGRANTS	Good Practices	Integration through education
		Mass recruitment of new teachers
	Challenges to Integration	Delays in mainstreaming migrant children
		Providing quality age-level education
		Lack of coordination between German states
		Declaring dangerous countries “safe”
		Inability to offer bilingual classes

number of new students, the resolve of government officials, schools, and individual teachers to support migrant children is commendable. Credit is also due to the students themselves, who endure extreme hardship in their quest for a better, safer life. At integration classes observed in Berlin and Hamburg in May 2016, boys and girls of eight or nine nationalities sat together and displayed a remarkable eagerness to learn German.

- 2. Mass recruitment of new teachers:** The Standing Conference of the Ministers of Education and Cultural Affairs estimated around 325,000 recently arrived children needed to be integrated into the school system as of the end of 2015 (including those who arrived in 2014). The expected annual cost is 2.3 billion euros, largely devoted to the hiring of 20,000 new teachers.¹¹ Recruiting teachers has been

one of the biggest challenges, and in most states ministries of finance have allocated funds for the hiring of additional teachers. States have made a concerted effort to hire teachers with expertise in teaching German as a second language and sensitivity to cultural differences.¹² Many teachers hired in 2015 were retired teachers, social workers, volunteers, or other educated persons with some interest and/or experience in teaching. Many of those recruited are motivated by an interest in migration and a sense of social responsibility. Many also serve as de facto counselors to students, and are a vital source of support, particularly for unaccompanied children. Since there is almost no funding for schools to hire additional support personnel, this mentorship substitutes for full-time mental health professionals and social workers to help migrant children with

the challenge of integration.¹³ Teacher recruitment is not without challenges—some full-time German teachers are reluctant to take on these classes, either as a matter of workload or status. Because many of the new teachers do not have the training required of full-time German teachers, they are placed on short-term contracts and paid less than regular teachers; given the magnitude of the crisis and the sustained need for migrant children to have supportive teachers, it would seem advisable to raise salaries over the coming period.

Challenges to Integration

1. Constraints on space and resources lead to delays in getting migrant children into mainstream classrooms:

Due to the overwhelming demand for language teachers, space, and other resources, not all migrant children have access to high-quality education. A large-scale expansion of the existing infrastructure for the education of non-German speaking children is required to cope with the ongoing migration crisis. Transition classes that previously catered to children who did not speak German (a system that has been in place for decades) have not been able to absorb the large number of refugee children arriving in 2015; although more transition classes have been started in most states, these are still inadequate.

- While children are waiting for school enrollment, some reception centers—depending on the school regulations of that specific state—hold classes on their premises. Asylum seekers are required by German law to live for at least six weeks but no longer

than three months at these centers; in practice, however, many have to spend several months at such centers. Classes at reception centers help to prepare children for transition classes at school. Concerns about future integration arise when children spend too long in reception school classes; generally and where possible, it is considered preferable for children to commute via public transport or school bus to school. In accordance with the German axiom, “short legs, short distance,” classes at transition centers are best suited to serving the needs of the youngest children.¹⁴

- Students waiting to be placed in a transition class may experience isolation; when such transitional placements last for a prolonged period of time, students may find integration more challenging. Children who remain in transition classes once they have acquired enough German to attend regular classes are deprived of the right to level-appropriate education.
- In Berlin, migrant children separated into transition classes have greater difficulty finding space in regular classes once they have acquired proficiency in German. Particularly in gymnasiums, where German children themselves compete for space, migrant children are treated as a lower priority. They may have to wait several months before they are admitted into regular mathematics or English classes. The timeliness of this transfer depends, in part, on the willingness and capacity of individual teachers or school principals to support migrant children.

2. Providing quality age- and level- appropriate education: Providing quality education for children on the move is challenging for numerous reasons: typically these children do not speak the language and enter the classroom with lower education levels (some have little or no prior education).¹⁵ In some secondary schools in Hamburg, in addition to transition classes, children begin to study Mathematics, English, Art, and Sport. Given the varying ability of students, this is beneficial to those who already have substantial prior education, but places an additional burden on those with little or no previous educational experience.¹⁶

3. Lack of coordination between states: Germany's federal nature has both positive and negative implications for the education of child migrants. While states have the capacity to learn from the good policies and practices of others, in the absence of a uniform policy, some states have adapted more rapidly, reflecting factors including population size, material resources, and the number of asylum seekers in that particular state. The distribution of asylum seekers is uneven for two reasons: (1) unequal distribution by the federal border police; (2) movement of people who choose to live in a location other than the one to which they have been assigned.¹⁷ The disadvantage of the federal system is that there is poor coordination across states and as a result, great variance in the education accessible to asylum-seeking children.

4. Declaration of potentially dangerous countries as "safe countries of origin": Like most European countries, Germany is seeking to stem the flow of migrants through its borders. It expanded the list

of countries it declares to be countries of safe origin in 2014 and 2015 to include Albania, Bosnia-Herzegovina, Ghana, Kosovo, Macedonia, Montenegro, Senegal, and Serbia.¹⁸ In 2016, the lower house of parliament approved a proposal to add Tunisia, Morocco, and Algeria to the list. The objective is to speed up the process of sending asylum seekers back to these countries of origin. Returning asylum seekers to a country that has a poor human rights record is particularly dangerous for children. As the experience of deportation of Kosovar child asylum seekers in Germany following the end of the Balkan war demonstrates, this removal process is disruptive to the education of children who begin learning German and are then abruptly removed from school and transported to another location where they may need to adapt to a different education system, or may not have access to education at all.¹⁹

5. Inability to offer bilingual education: The right to education is enshrined in numerous international law instruments, including Article 26 of the Universal Declaration of Human Rights, and Article 28 of the Convention on the Rights of the Child. Article 29 (c) of the Convention further states that education of the child should be directed to "the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own." Given the diversity in the countries of origin of migrant children, as well as the resource constraints on offering even German-language education, bilingual or bicultural programs seem unfeasible in

the short- or medium-term. Further, education is the single most important measure for integration of children,²⁰ and if migrant children are to be granted asylum and remain in Germany, it is imperative for them to learn German and be mainstreamed into the education system. This process of integration needs to be combined with sensitivity to and recognition of the importance of the language and culture of the country of origin.

Conclusion

The migrant children who are enrolled in transition classes and are able to attend regular classes once they learn German are well positioned for integration if they do receive refugee status and remain in Germany. Though this process of integration is not without challenges — integration into a different culture takes more than language acquisition — education is the best starting point, even for older children. The success of integration programs depends, in large part, on the commitment of individual teachers and schools to be inclusive of migrants, and on the commitment of policymakers in each of the states to stretch existing resources in order to expand and reform the education system as needed.

SWEDEN

This section of the report draws on the following definitions provided in General Comment No. 6 of the UN Committee on the Rights of the Child:²¹

Unaccompanied children (also called unaccompanied minors) are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.

Separated children are children who have been separated from both parents, or from their legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.

Research Findings

Historically, Sweden has been one of the main receiving countries for unaccompanied minors from war-torn countries. Unaccompanied children pick Sweden over other EU countries for several reasons, including: (1) High-quality reception conditions, accommodation and social services; (2) A relatively child-friendly asylum process; (3) A relatively generous and expedient process for granting unaccompanied minors permanent residency. Sweden received approximately 4,000 asylum applications from unaccompanied minors in 2013, and almost 7,000 applications (29 percent of the total number to Europe) in 2014. The applicants were mostly boys, between the ages of 16 and 17, from Afghanistan, Somalia, and Syria.²² In 2015, this number increased five-fold, and Sweden received over 35,000 asylum applications from unaccompanied minors; the largest number (more than 23,000) came from Afghanistan.²³

Sweden has a well-developed system in place to address the needs of unaccompanied minor children throughout the asylum process. The system includes the appointment of a lawyer and a separate individual as a custodian (legal guardian) for each child, the provision of accommodation, and of social services (including health and education). Sweden grants asylum to unaccompanied children on one of three grounds: (1) because they are refugees with a fear of persecution; (2) because they are children

in need of “subsidiary protection” who are afraid to return to their home country for fear of being sentenced to death, torture or inhumane treatment, or because they are at risk due to armed conflict; (3) because they are children who have experienced “particularly distressing circumstances,” such as a health issue or the situation in their home country.²⁴ While (1) is a minimum requirement under EU law, (2) and (3) are particular to Swedish law.²⁵ A proposal to drastically alter this system is under debate, and new asylum regulations will likely go into force in 2016. Please see the section entitled “New Asylum Law” for a detailed discussion.

The first point of contact for all asylum seekers (including unaccompanied minors) is the application unit of the Swedish Migration Agency, which handles the legal aspect of the asylum application. Unaccompanied minors receive a guide available in multiple languages about how to apply for asylum; this guide may be a valuable resource throughout the asylum process, except for children who cannot read. Children are placed in temporary accommodation at a transit home near the unit where the asylum application must be lodged.

Once the Agency chooses the municipality to send the child to pending the asylum decision, the child is transferred to the care of that municipality. The number of children each municipality is responsible for is determined on the basis of population and current numbers of asylum seekers hosted.²⁶ The municipality provides accommodation and care for the child, including education and other social services. Municipalities also appoint an adult custodian for each child to accompany him or her to asylum proceedings, and to ensure the child is receiving the care to which he or she is entitled.

Asylum decisions for unaccompanied minors have typically taken one year, but wait times are likely to exceed one year for the large number of children who applied in the fall of 2015. The Migration Agency is unable to provide an estimate of exactly how long the process will take.²⁷ If an unaccompanied minor’s asylum application is approved, he or she receives a residence permit (usually permanent, but in some cases, temporary) to stay in Sweden. Unaccompanied minors with permanent residency are entitled to care from the municipality until the age of 21, including an allowance, education, healthcare, and accommodation at a home intended to help them transition to life in Sweden. Until the 2016 change in the law is enacted, unaccompanied minors may also bring their parents and siblings to Sweden under the right to family reunification.²⁸ Refused applicants have the right to enter into an appeals process at the Migration Court; if the final appeal is denied, the unaccompanied minor is transferred to his or her country of origin or to an alternative country. Minors do not travel unless someone is able to receive them at their point of arrival.²⁹ In the event that this is not possible, a minor must wait in Sweden until he or she turns 18 and can then travel as an adult.

Good Practices

- 1. An independent guardian for each child:** Appointing a guardian for asylum seekers is widely regarded as a best practice for protecting the best interests of unaccompanied minors. An adult who is external to the asylum decision (therefore separate from the appointed legal counsel), and is not directly responsible for care provision, can advocate for the child. Custodians in Sweden are paid a

small fee (around 2000-2500 Swedish Krona, or \$250-300 per month) but the expectation is that adults take on this position as a part of a broader commitment to civil society.³⁰

- Under the Convention on the Rights of the Child, an unaccompanied child seeking refugee status is entitled to the same protection as any other child deprived of his or her family environment. Scotland and Northern Ireland in 2015 passed legislation to appoint independent guardians for unaccompanied children as well as those suspected of being trafficked. England and Wales are still to pass a similar law; the biggest obstacle seems to be the high cost of running such a program.³¹ Given the financial constraints on the various agencies that provide care and support to children, and the time constraints on social workers, who often do not have expertise in the complexities of migration law, it is imperative to have an independent person to advocate for the best interests of the child.³² In Sweden, while the system of appointing a custodian for each child works effectively, the attentiveness varies based on the individual's commitment to the child.

2. Safe accommodation: While an unaccompanied minor awaits the asylum decision in Sweden, he or she attends school and lives in an HVB (Hem för Vård eller Boende, homes for care or residence) or with a foster family. Separated children may live with relatives other than their parents if the municipality determines that the living conditions are safe. The municipality-operated HVB homes aim for high standards: children almost always

have a private room, there are separate bathrooms for girls and boys, and there are high staff-to-child ratios and staff on duty at night. In practice, however, many homes do not meet these standards: in some cases, girls have been placed in homes predominantly housing boys, and have had to share bathrooms with boys.³³ The Swedish media has reported cases of alleged rape and sexual violence in residential homes. There is variance in the quality of both at foster homes and at the homes of relatives; a social worker from the municipality is expected to visit the child once every six weeks at a minimum.³⁴

- The difficulty in ascertaining an unaccompanied minor's welfare at such a home poses a constant challenge to social workers and nongovernmental organizations. A safe and supportive foster family can provide a better environment for an unaccompanied minor than a group home, but a negligent one is particularly detrimental to his or her well-being.³⁵ Social workers make it a point of visiting children in such accommodation one on one, in a safe environment, in order to make the best possible assessment.³⁶

3. Adaptability in a time of crisis: The crisis in the fall of 2015 put a major strain on the existing infrastructure for unaccompanied minors. It was impossible for Sweden to maintain the high quality of its accommodation and services in the face of a five-fold increase in the number of unaccompanied minors from the previous year.

- The positive nature of Sweden's response should not be minimized —

Case Table 1.2 Sweden: Good Practices and Challenges for Protection of Unaccompanied Minors

<p>SWEDEN: CARE AND PROTECTION FOR UNACCOMPANIED MINORS SEEKING ASYLUM</p>	<p>Good Practices</p>	Independent guardian for each child
		Safe accommodation
		Adaptability in time of crisis
		Contingency planning for the future
	<p>Challenges to Child Protection</p>	Division of responsibilities between central and municipal authorities
		Lower standards in reception and transit
		Lower standards in residencies and monitoring foster care
		Deficiencies in the guardianship system
		Lack of prioritization of most vulnerable
		Opportunities for child exploitation
		Stricter border controls and anti-immigrant policies

the municipalities as well as ordinary citizens exhibited both the will and the capacity to provide children with the highest level of possible, given available time and resources. The Migration Agency employed new staff and redeployed other staff to handle the volume of asylum applicants arriving on a daily basis. Swedes came out in large numbers to state their willingness to accept refugees, attended training sessions to learn about volunteer opportunities, and donated food as well as warm clothes.

- New homes needed to be opened at short notice. In Mölndal, a munic-

ipality near the city of Gothenburg, when almost 100 children arrived in a single day, children were housed on mattresses on the floor of school gymnasiums.³⁷ In Malmö, which received the highest volume of asylum applications, the premises of an old mental hospital that had been closed for several years were rapidly turned into 15 transit centers for unaccompanied minors, and other unused public buildings were converted into transit homes. Municipalities ordered hundreds of Ikea mattresses and laid them on the floor of school gymnasiums to create makeshift transit homes when existing ones were full. The liv-

ing conditions in these accommodations did not meet previous Swedish standards, but every child had a roof over his or her head, a mattress, access to food, water, and a toilet, and round-the-clock staff.³⁸

- 4. Contingency planning for the future:** Some municipalities are developing systems that rapidly expand and adapt to unpredictable situations. The municipality of Gothenburg entered into a “Voluntary Sector Organization Public Partnership” in May 2016.³⁹ Nongovernmental organizations with expertise in different areas, such as Save the Children, the Red Cross, and Stadsmissionen (an NGO that traditionally provides accommodation and care for the homeless) will provide integrated services for child migrants. Under this agreement, Stadsmissionen has set up a new home capable of accommodating 20 children.⁴⁰ As of June 2016, plans for the home included a staff of 15 (with two awake throughout the night) and separate rooms for each child. A similar agreement is under consideration in the municipality of Malmö.⁴¹

Challenges to Child Protection

- 1. Allocation of responsibilities between central and municipal authorities:** The clear division of responsibility between the Migration Agency and the municipalities has both positive and negative implications for child protection. Separation of the legal aspects of the asylum process (including age assessment, discussed in detail in the next section of this report) from social services makes it easier for

the child to develop trust with adults who are tasked with his or her care. It may however be overwhelming for the child to interact with such a large number of adults; more importantly, dispersed responsibility may lead to some key protection issues being overlooked or to poor communication between various agencies. Further, local authorities may have different resources and methods of allocating responsibility,⁴² and the absence of an integrated data system makes coordination difficult. The Swedish government and Migration Agency should ensure greater oversight and evaluation of municipalities. This action could help address current deficiencies in access to social services, education, healthcare, and housing.⁴³

- 2. Lower standards of reception and transit housing conditions:** Available transit homes filled up rapidly due to the unprecedented numbers of unaccompanied minor arrivals. The homes are designed to house children for no more than 48 hours,⁴⁴ but in 2015, children spent a few weeks—and sometimes months—at such homes. Many children did not receive education or other services while at a transit home, a particular challenge given the length of time some children were compelled to spend there.⁴⁵
- 3. Difficulty in maintaining standards of residence homes and monitoring foster care:** Once children were transferred to the designated municipality, the challenge of finding housing continued. Residence homes intended to sleep one child per room were filled beyond capacity. Typically, these homes are operated

by the municipality or by private owners, but private owners undergo a lengthy approval process by the Health and Social Care Inspectorate, which may take up to six months. This approval process was dramatically sped up out of necessity, leading to deterioration in the operating standards of some homes, most critically with respect to the child/staff ratio. Visits to unaccompanied minors placed in the homes of adult relatives could not be carried out as regularly as deemed necessary.

- 4. Deficiencies in the guardianship system:** The effectiveness of guardianship rests on each municipality, and even more so on the performance and commitment of each guardian. Better training and monitoring of guardians could help to reduce the disparities in guardianship. Not all municipalities offer training for guardians, and even those that do were not always able to provide timely training.⁴⁶ The increase in the number of unaccompanied children led to delays in appointing a custodian for each child, sometimes for more than a month.⁴⁷ Further, custodians took on more than the standard number of children (typically 1-4, with a maximum of 10), and were unable to provide effective care to each child.⁴⁸
- 5. Lack of prioritization of the most vulnerable unaccompanied children:** The increase in the number of asylum applications led to significant backlogs in the asylum system. As a result, particularly vulnerable unaccompanied children, including victims of trafficking, those who had experienced sexual violence, and those with physical or mental health needs were not prioritized. The asylum applications of girls, children who have

experienced trauma, and those at risk of experiencing abuse must be handled with greater sensitivity and urgency, and access to psychiatrists and mental health professionals must be increased.⁴⁹

- 6. Opportunities for child exploitation:** Sweden's liberal policy for unaccompanied minors has created loopholes for child exploitation, including but not limited to the following:⁵⁰ Parents may force a child to undertake the dangerous journey to Sweden in the hope that he (or she) will get permanent residency and therefore bring the family over. Children may be compelled to lie that they are traveling alone in order to avail of the benefits that come with unaccompanied minor status when in fact they have traveled with family members. Unaccompanied children are particularly susceptible to trafficking.⁵¹ From a child protection perspective the benefits of a generous policy far exceed the costs of the loopholes, but these cannot be disregarded altogether.
- 7. Stricter border controls and anti-immigrant policies:** While recognizing the very substantial obligations for Sweden arising out of the current migration crisis, given the failure of responsibility-sharing across the EU member states, it is nevertheless disappointing to witness the restrictive political response promulgated by the Swedish authorities at the time of this writing. The response significantly shrinks the likelihood that unaccompanied minors will continue to receive asylum in Sweden, despite their eligibility for such protection as a matter of international law. As of November 2015, Sweden introduced greater security at the border; and as of January 4, 2016, unaccompanied minors seeking

asylum are required to provide a valid form of identification when traveling on transport vehicles to Sweden and upon arrival at the reception center of the Migration Agency. Many asylum-seeking unaccompanied minors (particularly from Afghanistan, the largest source country) do not carry such identification. As a result, although asylum-seeking children already in Sweden will continue to have access to safe accommodation, education, and other integration services, regrettably extremely vulnerable children arriving at the borders are being turned away, and risk being sent back to potentially dangerous circumstances if, as is likely, they do not receive asylum in another European country.

New Asylum Law

A proposal to bring Swedish rules of asylum in line with the minimum EU law standards is under discussion in Sweden. The proposed legislation will apply for three years, and imposes the following key restrictions:⁵²

1. It introduces temporary residence permits, rather than the permanent ones: asylum seekers who are granted refugee status will receive a three-year permit, and those who are eligible for subsidiary protection will receive a 13-month permit. When the permit expires, it will be reviewed and extended if the grounds for protection still exist. Permanent residence may be granted in some cases, but for persons under 25, this is only granted if the person has completed secondary education or the equivalent. A child may be granted a permanent residence permit based on his or her health.

2. It limits the right to family reunification: children who applied for asylum after November 24, 2015, and are granted subsidiary protection, will not have a right to family reunification, in violation of the family unity provisions of the CRC. Children who are granted refugee status will have the right to be unified with their parents.
3. It does not grant asylum to persons in particularly distressing circumstances unless their deportation is in contravention of Sweden's convention obligations.
4. It seeks to make medical age assessments of asylum-seeking youth mandatory, in order to resolve cases of unaccompanied minors whose age is under question.

Conclusion

While Sweden is better prepared to care for a large number of unaccompanied minors should they arrive later in 2016, at present the number of arrivals is relatively low due to border control.⁵³ Without underestimating the strain the Swedish system faced in 2015, it is important to note that makeshift accommodation in Gothenburg or Malmö is likely to be safer for unaccompanied children than anything available to the same children in countries such as Afghanistan, Syria, and Eritrea. The sense of panic over the large influx of asylum seekers in 2015 and growing anti-immigrant sentiment in some parts of Sweden are significant obstacles to effective child protection. The government claims that the border controls and new legislation are necessary because Sweden needs “breathing space,” and that its “limit has been reached”; however, Sweden is far better equipped to address the needs of asylum-seeking chil-

dren than their home or their neighboring countries.⁵⁴

THE UNITED KINGDOM

Age Assessment

Age assessment is one of the most controversial challenges that arise in handling the asylum applications of children and young people, particularly if they are unaccompanied. This case uses the term *child* to refer to those clearly under 18, and *young person* to refer to those who may be under the age of 18. Many asylum applicants claiming to be children lack documentary evidence to prove it. Even if a young person has documentary evidence of age, this may be fabricated, particularly if the young person is a victim of trafficking. While some young people are clearly children and others are clearly adults, there is significant scope for doubt.⁵⁵ The challenge is particularly acute when the asylum applicant's credibility in response to questions about age is in doubt. Applicants may dishonestly assert their age to take advantage of child-specific benefits associated with the asylum process in some jurisdictions.

UK statutory guidance on the care of unaccompanied children states, "Age assessments should only be carried out where there is significant reason to doubt that the claimant is a child. Age assessments should not be a routine part of a local authority's assessment of unaccompanied or trafficked children."⁵⁶ The assessment should not be an administrative process or conducted to determine the exact age of the child; rather the purpose of the assessment should be to en-

sure that "the child or young person receives the appropriate services and educational support for their age and development."⁵⁷

Since there is little agreement about what constitutes "significant" doubt, in practice, age assessments are carried out with greater frequency than child rights experts believe necessary.⁵⁸ This is because casting doubt on the age of a young person may be difficult and upsetting, generating distrust between asylum applicants and distrust in the individuals conducting the assessment (in the UK, the responsible official is a trained social worker, but in other EU countries, like Sweden, it is an official of the Migration Agency). The assessment may also increase the risk of disappearance, because a young person may see repeated questioning as an attempt to send them back to their country of origin or another unsafe environment. Once again, trafficked children and young people are at particular risk because many go missing within 48 hours of being cared for.⁵⁹

Given how contentious the conduct of age assessments is, why should they be conducted at all? The answer is that, from the perspective of child protection, taking a young adult into a residence or other facility intended for children and placing him or her in close contact with vulnerable children, poses a risk to both the adults and the children concerned, risks that must be minimized. The question then arises as to the best methods for conducting an age assessment.

Good Practices

- 1. Holistic age assessment procedures:** The European Network of Ombudspersons for Children has stated that an age assessment should involve physical, so-

cial, and psychological evaluation, should be open to appeal, and that every person claiming to be a child should be treated as one until a final decision is made.⁶⁰ Giving the benefit of the doubt to a young person claiming to be a child is also a central tenet of a set of guidelines with step-by-step instructions on how to conduct an age assessment published by the Association of Directors of Children's Services (ADCS) in the UK in October 2015.⁶¹ It is important to note that a young person above the age of 18 may still be in need of care and protection, even if he or she is not actually entitled to the rights to which children are entitled.⁶²

- 2. Preparation and research before the assessment:** There is no prescribed way in which an age assessment should be carried out, but the assessment should exhaustively draw on all sources of information available. In the UK, if conducted with sensitivity and adherence to ADCS guidelines, interviews by trained social workers are regarded as a good practice for assessing the age of a young person. Prior to the interview, the social worker should gather as much information as possible to assess the specific case of the young person, including but not limited to: whether the young person has been trafficked, the young person's needs, and the young person's accommodation and living conditions before and after the interview. Under UK law, a suspected victim of trafficking must be presumed to be a child and accorded special protections pending any age assessment.⁶³

- 3. Timely age assessment to enable children to participate:** No attempt should be made to carry out the age assessment when a young person first initiates his or her application for asylum. In Sweden, the age the child provides when initiating the application is almost always accepted. In cases in which a young person is obviously above 18 but claiming to be a child at the time of application, the Migration Agency changes this age.⁶⁴ If there is doubt about the young person's age, he or she is registered as a minor, and an age assessment is carried out later in the asylum process. Similarly, in the UK, a young person's age assessment is not conducted upon arrival. Rather, the policy provides that young people should be placed in suitable accommodation to "recover from the experiences they had before they left their home country and whilst on their journey."⁶⁵ Adequate food and rest has a significant impact on a young person's capacity to participate in any age assessment.

- 4. Open communication before, during, and after the assessment:** The purpose of the interview must be explained to the child, and the interview should take place in a venue where the child feels safe and in the presence of an interpreter if he or she does not speak the language of the interviewer. Once an assessment is complete, the young person should be informed of the decision at the earliest, in the presence of an interpreter. The young person should be given an opportunity to respond to the decision, and also made aware of his or her options to challenge the decision. For this reason, he or she should receive a full copy of the assess-

Case Table 1.4 United Kingdom: Good Practices and Challenges for Age Assessment of Children on the Move

UNITED KINGDOM: AGE ASSESSMENT OF CHILDREN ON THE MOVE	Good Practices	Holistic age assessment procedures
		Research before assessment
		Assessment timed to enable child to participate
		Open communications throughout
		Merton guidelines for age assessment
	Challenges in Age Assessment	Continued use of medical assessments
		Poor adherence to guidelines

ment. If the young person is determined to be a child, his or her care should continue in accordance with the care of unaccompanied children. If the young person is determined to be an adult, he or she should receive support in the transition to adult asylum services.⁶⁶ If an age assessment needs to be conducted for an “accompanied” young person, in the care of his or her relatives, the assessment must proceed with the same benefit of the doubt given to the young person as in an unaccompanied case.

5. The Merton guidelines for age assessment: A 2003 UK High Court judgment in an age determination case concerning the London Borough of Merton offers detailed guidelines. The key points are noted below:⁶⁷

- Age must not be determined solely on the basis of the appearance of the applicant.

- The decision maker must seek to elicit the general background of the applicant, including family circumstances and history, educational background, and activities during the previous few years. Ethnic and cultural information may also be important.
- Local social services cannot simply adopt a decision made by the Home Office. The onus is on them to decide whether an applicant is a child.
- If the decision maker forms the view that the applicant is lying as to his or her age, the applicant must be given the opportunity to address the matters that have led to that view, so that he or she can provide an explanation.
- It is not necessary for there to be a verbatim note of the interview; but such a note would enable the court to be more confident of its accuracy and to address any suggestion that the in-

interviewer put words into the mouth of the applicant by asking leading questions that led the young applicant to accept what was suggested.

- The UK uses a standard form for recording the outcome of an age assessment, but the purpose of the form is not to adhere to it; rather the assessment should take place as a semi-structured discussion.
- The judgment takes note of the guidance set out in draft guidelines issued by the London Boroughs of Hillingdon and Croydon.⁶⁸
- It is beneficial to have two assessing workers.
- Age assessment is best undertaken over a period of time, involving other professionals, such as residential social worker staff, teachers, and other young people.
- It is very important to ensure that the young person understands the role of the assessing worker, and comprehends the interpreter. Attention should also be paid to factors such as the level of tiredness, trauma, bewilderment, and anxiety that may affect the young person undergoing the assessment.

Challenges

- 1. Continued use of medical assessments:** Medical age assessments are rarely used in the UK but widely used in the EU. Medical assessments may involve a pediatrician's report or a skeletal examination of the wrist, collarbone, and/

or dental X-ray imaging. "Age determination is an inexact science and the margin of error can sometimes be as much as five years either side," according to the 1999 guidelines of the Royal College of Paediatrics and Child Health in the UK.⁶⁹ Dental examinations have a margin or error of around two years, according to the Royal College. Further, using radiation for non-medical reasons is regarded as a poor and unnecessary practice.⁷⁰ Medical examinations therefore could lead to wildly inaccurate conclusions about the age of a young person. Even if they are one part of the overall process, these become a barrier to child protection, and should not be privileged over interviews and the gathering of other information.

- 2. Poor adherence to guidelines:** An age assessment that is conducted in violation of any of the good practices listed above can be detrimental to a young person's well-being. In particular, if social workers are dismissive of a young person and focus on ascertaining the exact age rather than prioritizing care and protection, the assessment turns into an accusation and a trial.

Conclusion

Not every assessment will be accurate, and for this reason, decision makers should bear in mind that treating a child as an adult is far worse than treating an adult as a child. An asylum-seeking child in the UK has a right to the support of a social worker, safe accommodation, and access to education and healthcare. Further, his or her application is processed differently from an adult's: children are not subject to detention, nor are they sent back to another country on their own unless it is deemed safe.

Case Table 4.4 United Kingdom: Advantages and Limitations of Multi-Agency Safeguarding Hubs

UNITED KINGDOM: MULTI-AGENCY SAFEGUARDING HUBS (MASHs)	Advantages	More accurate risk assessment
		More thorough case management
		Multipractitioner approach improves standards and understanding
		More efficient processes and resource use
		Reduced time of child waiting for social services
	Limitations	Misunderstandings about information sharing
		Cultural barriers often overlooked
		Lack of clarity about accountability

Multi-Agency Safeguarding Hubs

The UK is also in the process of establishing multi-agency safeguarding hubs (MASHs), local multi-agency bodies that connect the core services required for child protection and care. MASHs, developed at the local level, function differently from one another, but the central principle of the MASH model is that it enables various agencies to communicate, share information, and make decisions in a timely manner. The following agencies should be involved in a MASH: children’s social care, police, health, education, probation, housing, and youth offending service.⁷¹ Coordination and virtual information sharing are also effective ways for multiple agencies to work together, but co-location is the most thorough way of integrating agencies and allowing for the rapid processing of information. MASHs have the following advantages:⁷²

- The assessment of risk is more accurate, because it is based on coordinated intelligence;
- Cases are managed more thoroughly;
- Bringing practitioners together improves understanding as well as standards;
- Processes and resources are used more efficiently; and
- The time children must spend waiting for social services, and as a result, the time in which a child could go missing, is reduced.

While all agencies are not trained to address the needs of trafficked young people, the close relationship between agencies at

a MASH may help to identify cases of trafficking.⁷³ If a child is not able to access the services he or she needs at the hub, he or she should be referred to a “specialist” non-governmental organization.⁷⁴

Despite their advantages, MASHs also have some limitations worth briefly noting:

- Misunderstandings can take place about what and how much information needed to be shared;
- MASHs address the structural barriers that prevent children from receiving care, but cultural barriers tend to be overlooked; and
- There is often a lack of clarity about who is accountable for what at the hub.

CONCLUSION

The protection and integration of children seeking asylum poses numerous and complex challenges even to countries with a long-standing commitment to human rights and social welfare. From interviews with public officials and nongovernmental actors in Germany, Sweden and the UK, it became apparent that even when the best interests of the child are treated with the utmost care, every contingency cannot be accounted for. “We need to be prepared to be a country of immigration,” a German advisor on education and refugee management noted. “We need to find a solution for every possible situation. The authorities need to learn to be adaptive,” said a Swedish social worker for unaccompanied asylum-seeking minors. Adaptation, however, should not come at the cost of child rights—bureaucratic timelines need to be relaxed, but standards of care should not

be compromised. In both Germany and Sweden, innovative, on-the-spot solutions were required when established systems choked in 2015. In the short term, this is critical in order to prioritize the needs of children on the move; in the medium to long term, resilience needs to be built into systems so that crises are better managed and fewer children slip through the cracks.

ENDNOTES

- 1 United Nations (UN) General Assembly, Convention on the Rights of the Child (CRC), 1577 UNTS 3, November 20, 1989, <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- 2 Eurostat, “Asylum Statistics,” data extracted: April 20, 2016, http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics
- 3 Article 30 of the “Basic Law” of Germany gives the Länder this authority. Germany does not have a national constitution, but the Basic Law is its equivalent.
- 4 Michael Schwan (Advisor in Refugee Management, Dept. for Education, Youth & Science in Berlin), FXB Personal Interview, Berlin, May 20, 2016.
- 5 Office of the Standing Conference of the Ministers of Education and Cultural Affairs (KMK), “Integration of newly arrived children,” Berlin: KMK, Unpublished.
- 6 Kolja Wohlleben, “Education as Refuge: Systemic Challenges to Refugee and Migrant Education in Hamburg, Germany,” unpublished paper (Cambridge, MA: Harvard Graduate School of Education, March 2016).
- 7 Sybille Siegling (Office of the Standing Conference of the German Ministers of Education and Cultural Affairs), FXB Personal Interview, Berlin, May 20, 2016.
- 8 Helmut Kehlenbeck (expert on intercultural affairs, Senator for Children and Education, Bremen Germany) FXB Personal Interview, Berlin, May 20, 2016.
- 9 Wohlleben, “Education as Refuge.”
- 10 Judith Kumin (expert on refugee resettlement in Germany), FXB Phone Interview, Cambridge, April 8, 2016.
- 11 Siegling, Interview.
- 12 Office of the Standing Conference, “Integration of newly arrived children.”
- 13 Siegling, Interview.
- 14 Schwan, Interview.
- 15 Karin Fagerholm and Rhea Verheul, “Safety and Fundamental Rights at Stake for Children on the Move” (Amsterdam/Stockholm: European Network of Ombudspersons for Children [ENOC], 2016).
- 16 Kathrin Brockmann (Teacher, Stadtteilschule Stübenhofer Weg, Hamburg), FXB Personal Interview, Hamburg, May 23, 2016.
- 17 Schwan, Interview.
- 18 Asylum Information Database, “The Safe Country Concepts – Germany.” Website.
- 19 Human Rights Watch (HRW), *Rights Displaced: Forced Returns of Roma, Ashkali and Egyptians from Western Europe to Kosovo* (New York: HRW, October 2010), 54-60, www.hrw.org/report/2010/10/27/rights-displaced/forced-returns-roma-ashkali-and-egyptians-western-europe-kosovo.
- 20 Kumin, Interview.
- 21 CRC Committee, *General Comment No. 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, CRC/GC/2005/6, September 1, 2005; see also Rebecca O Donnell, “Identification, Reception and Protection of Unaccompanied Children,” Connect Project Report,

2014, http://www.connectproject.eu/PDF/CONNECT-Project_Report.pdf

22 European Migration Network, “Policies, practices and data on unaccompanied minors in 2014: SWEDEN,” European Commission, 2014.

23 Swedish Migration Agency, “Applications for Asylum Received 2015,” updated April 15, 2016, <http://www.migrationsverket.se/English/About-the-Migration-Agency/Facts-and-statistics-/Statistics.html>

24 Swedish Migration Agency, “How to apply for asylum: for people applying for asylum without a parent, parents, or other custodial guardian,” updated September 2, 2014, <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Children-seeking-asylum/Without-parents.html>

25 This law changed on June 1, 2016, as detailed in the next section.

26 Swedish Migration Agency, FXB Email Interview, Gothenburg, May 19, 2016.

27 Swedish Migration Agency, Interview.

28 Eva Åkerman Börje (Ambassador, Swedish Ministry of Justice, Dept. of Migration & Asylum Policy) FXB Phone Interview, Cambridge, April 7, 2016.

29 Swedish Migration Agency, “How to Apply for Asylum.”

30 Shaima Muhammad (Unit for Unaccompanied Asylum Seeking Children, Mölndal, Sweden), FXB Personal Interview, Gothenburg, May 19, 2016.

31 Nadine Finch (Immigration judge/ expert on child migration in the UK), FXB Phone Interview, Cambridge, April 6, 2016.

32 Finch, Interview.

33 Human Rights Watch, *Seeking Refuge: Unaccompanied Children in Sweden* (New York: HRW, June 2016), 2-3, https://www.hrw.org/sites/default/files/report_pdf/sweden0616web_1.pdf.

34 Muhammad, Interview.

35 Åsa Pedersen (Regional Manager, Save the Children Sweden), FXB Personal Interview, Gothenburg, May 19, 2016.

36 Muhammad, Interview.

37 Muhammad, Interview.

38 Sofia Wachtmeister (Project Collaborator, Red Cross Youth Sweden), FXB Phone Interview, Cambridge, May 25, 2016.

39 Pedersen, Interview.

40 Åsa Blennerud (Project Manager, Gothenburg City Mission), FXB Personal Interview, Gothenburg, May 19, 2016.

41 Wachtmeister, Interview.

42 O Donnell, “Identification, Reception and Protection of Unaccompanied Children.”

43 Human Rights Watch, *Seeking Refuge*.

44 Fagerholm and Verheul, “Safety and Fundamental Rights at Stake for Children on the Move.”

45 Muhammad, Interview.

46 Human Rights Watch, *Seeking Refuge*.

- 47 Human Rights Watch, *Seeking Refuge*.
- 48 Muhammad, Interview.
- 49 Human Rights Watch, *Seeking Refuge*.
- 50 Åkerman Börje, Interview.
- 51 O Donnell, "Identification, Reception and Protection of Unaccompanied Children."
- 52 Government Offices of Sweden, "Proposal to temporarily restrict the possibility of being granted a residence permit in Sweden," updated April 8, 2016, <http://www.government.se/press-releases/2016/04/proposal-to-temporarily-restrict-the-possibility-of-being-granted-a-residence-permit-in-sweden/>
- 53 Swedish Migration Agency, Interview.
- 54 The People's Campaign for the Right to Asylum (Sweden), "The proposed new measures – their implications," accessed June 19, 2016, <http://www.folkkampanjforasylratt.se/en/info/atgarderna/>.
- 55 UK Visas and Immigration, "Assessing Age: Instruction," Updated June 15, 2015. <https://www.gov.uk/government/publications/assessing-age-instruction>
- 56 Debbie Busler, Katrina Cowell, Helen Johnson, and Jacinta Kane, "Age Assessment Guidance," Age Assessment Task and Finish Group (United Kingdom: Association of Directors of Children's Services, October 2015), http://adcs.org.uk/assets/documentation/Age_Assessment_Guidance_2015_Final.pdf.
- 57 Busler et al., "Age Assessment Guidance."
- 58 Chloe Setter (Head of Advocacy, Policy & Campaigns, End Child Prostitution, Pornography and Trafficking UK) FXB Phone Interview, Cambridge, April 8, 2016.
- 59 Busler et al., "Age Assessment Guidance,"
- 60 Fagerholm and Verheul, "Safety and Fundamental Rights at Stake for Children on the Move," 18.
- 61 UK Visas and Immigration, "Assessing Age: Instruction."
- 62 Finch, Interview.
- 63 Busler et al., "Age Assessment Guidance," 7.
- 64 Swedish Migration Agency, Interview.
- 65 Busler et al., "Age Assessment Guidance," 10.
- 66 Busler et al., "Age Assessment Guidance."
- 67 Merton Judgment, "R (B) v London Borough of Merton [2003] EWHC 1689 (Admin)," London: High Court of Justice, 2003. http://www.asylumlawdatabase.eu/sites/asylumlawdatabase.eu/files/aldfiles/UK_060%20Judgment.pdf
- 68 Merton Judgment.
- 69 UK Visas and Immigration, "Assessing Age: Instruction."
- 70 Finch, Interview.
- 71 UK Home Office, "Multi Agency Working and Information Sharing Project," Final Report, July 2014, <https://www.gov.uk/government/publications/multi-agency-working-and-information-sharing-project>.
- 72 UK Home Office, "Multi Agency Working and Information Sharing Project."
- 73 Setter, Interview.
- 74 Ibid.

BIBLIOGRAPHY

- Busler, Debbie, Katrina Cowell, Helen Johnson, and Jacinta Kane. "Age Assessment Guidance: Guidance to assist social workers and their managers in undertaking age assessments in England." Age Assessment Task and Finish Group, Association of Directors of Children's Services, October 2015. http://adcs.org.uk/assets/documentation/Age_Assessment_Guidance_2015_Final.pdf.
- Committee on the Rights of the Child (CRC Committee). *General Comment No. 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, CRC/GC/2005/6, September 1, 2005.
- _____. *General Comment No. 14 on the right of the child to have his or her best interest taken as a primary consideration (art. 3, para. 1)*, CRC/C/GC/14, May 29, 2013.
- European Commission. "Action Plan on Unaccompanied Minors (2010-2014), Communication from the Commission to the European Parliament and Council, SEC (2010) 534." Brussels: May 6, 2015.
- European Migration Network. "Policies, practices and data on unaccompanied minors in 2014: Sweden." European Commission, 2014.
- _____. "Policies, practices and data on unaccompanied minors in the EU member states and Norway: Synthesis Report." European Commission, May 2015.
- Eurostat. "Asylum Statistics." Data extracted: April 20, 2016. http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics
- Fagerholm, Karin and Rhea Verheul. "Safety and Fundamental Rights at Stake for Children on the Move." Amsterdam/Stockholm: European Network of Ombudspersons for Children (ENOC), 2016. <http://enoc.eu/wp-content/uploads/2016/01/ENOC-Task-Force-Children-on-the-Move-1st-report-25Jan2016.pdf>
- Federal Office for Migration and Refugees (BAMF). "Germany's Asylum Procedure – in Detail." Nuremberg: BAMF, October 2015.
- Finch, Nadine. "Unaccompanied Migrant Children 2008 - 2014." London: Private Report for UNICEF UK, Unpublished.
- Government Offices of Sweden. "Proposal to temporarily restrict the possibility of being granted a residence permit in Sweden." Updated April 8, 2016. <http://www.government.se/press-releases/2016/04/proposal-to-temporarily-restrict-the-possibility-of-being-granted-a-residence-permit-in-sweden/>
- Human Rights Watch (HRW). *Rights Displaced: Forced Returns of Roma, Ashkali and Egyptians from Western Europe to Kosovo*. New York: HRW, October 2010. www.hrw.org/report/2010/10/27/rights-displaced/forced-returns-roma-ashkali-and-egyptians-western-europe-kosovo
- _____. *Seeking Refuge: Unaccompanied Children in Sweden*. New York: HRW, June 2016. https://www.hrw.org/sites/default/files/report_pdf/sweden0616web_1.pdf
- Merton Judgment. "R (B) v London Borough of Merton [2003] EWHC 1689 (Admin)." London: High Court of Justice, 2003. http://www.asylumlawdatabase.eu/sites/asylumlawdatabase.eu/files/aldfiles/UK_060%20Judgment.pdf
- O'Donnell, Rebecca. "Identification, Reception and Protection of Unaccompanied Children." Connect Project Report, 2014. http://www.connectproject.eu/PDF/CONNECT-Project_Report.pdf
- Office of the Standing Conference of the German Ministers of Education and Cultural Affairs (KMK). "Integration of newly arrived children." Berlin: KMK, Unpublished.
- Rietig, Victoria. "A Shared Challenge: Europe and the United States Confront Significant Flows of Unaccompanied Child Migrants." Migration Policy Institute, December 9, 2015. <http://www.migrationpolicy.org/article/top-10-2015-issue-8-shared-challenge-europe-and-united-states-confront-significant-flows>
- Setter, Chloe, and Nadine Finch. "Proposal for a Revised National Referral Mechanism (NRM) for Children." Anti-Trafficking Monitoring Group, September 2014.

- Somskanda, Sumi. "Germany's Refugee Crisis Comes to the Classroom." *Foreign Policy*, September 15, 2015. <http://foreignpolicy.com/2015/09/15/refugees-german-schools-integration-language-assimilation-politics/>
- Swedish Migration Agency. "How to apply for asylum: for people applying for asylum without a parent, parents, or other custodial guardian." Updated September 2, 2014. <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Children-seeking-asylum/Without-parents.html>
- _____. "Applications for Asylum Received 2015." Updated April 15, 2016. <http://www.migrationsverket.se/English/About-the-Migration-Agency/Facts-and-statistics-/Statistics.html>
- The People's Campaign for the Right to Asylum (Sweden). "The proposed new measures – their implications." Accessed June 19, 2016. <http://www.folkkampanjforasylratt.se/en/info/atgarderna/>
- UK Home Office. "Multi Agency Working and Information Sharing Project, Final Report." July 2014. <https://www.gov.uk/government/publications/multi-agency-working-and-information-sharing-project>
- UK Visas and Immigration. "Assessing Age: Instruction." Updated June 15, 2015. <https://www.gov.uk/government/publications/assessing-age-instruction>
- _____. "Processing an asylum application for a child." April 16, 2013. <https://www.gov.uk/government/publications/processing-an-asylum-application-from-a-child-instruction>
- United Nations (UN) General Assembly. Convention on the Rights of the Child, 1577 UNTS 3, November 20, 1989. <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- Wohlleben, Kolja. "Education as Refuge: Systemic Challenges to Refugee and Migrant Education in Hamburg, Germany." Unpublished paper. Cambridge, MA: Harvard Graduate School of Education, March 2016.
- Young-Powell, Abby. "No teacher lets them suffer: inside the German schools taking in refugees." *The Guardian*, November 29, 2015. <https://www.theguardian.com/teacher-network/2015/nov/29/german-schools-taking-refugee-children-syria>

Interviews

- Åkerman Börje, Eva. Ambassador, Swedish Ministry of Justice, Dept. of Migration & Asylum Policy. April 7, 2016.
- Blennerud, Åsa. Project Manager, Gothenburg City Mission. May 19, 2016.
- Brockmann, Kathrin. Teacher, Stadtteilschule Stübenhofer Weg, Hamburg. May 23, 2016.
- Finch, Nadine. Immigration judge/ expert on child migration in the UK. April 6, 2016.
- Herbst, Jennifer. Teacher, Primo Levi Gymnasium. Berlin, May 20, 2016.
- Kehlenbeck, Helmut. Expert on Intercultural Affairs, Senator for Children and Education, Bremen, Germany. Berlin, May 20, 2016.
- Kumin, Judith. Expert on refugee resettlement in Germany. Phone Interview. Cambridge, April 8, 2016.
- Muhammad, Shaima. Unit for Unaccompanied Asylum Seeking Children, Mölndal. Gothenburg, May 19, 2016.
- Pedersen, Åsa. Regional Manager, Save the Children Sweden. Gothenburg, May 19, 2016.
- Schwan, Michael. Advisor in Refugee Management, Dept. for Education, Youth & Science in Berlin. Berlin, May 20, 2016.
- Setter, Chloe. Head of Advocacy, Policy & Campaigns, End Child Prostitution, Pornography and Trafficking (ECPAT) UK. Phone Interview. Cambridge, April 8, 2016.
- Siegling, Sybille. Office of the Standing Conference of the Ministers of Education and Cultural Affairs. Berlin, May 20, 2016.
- Swedish Migration Agency. Email Interview. Gothenburg, May 19, 2016.
- Wachtmeister, Sofia. Project Collaborator, Red Cross Youth Sweden. Phone Interview. Cambridge, May 25, 2016.

©2016 Francois Xavier Bagnoud Center for Health and Human Rights. Available for non-commercial use under the Creative Commons Attribution-Noncommercial 3.0 Unported License for all content, except for photographs. The Harvard FXB Center for Health and Human Rights holds the philosophy that there should be no financial barriers to access information. The Attribution-Noncommercial license (<http://creativecommons.org/licenses/by-nc/3.0/>) lets people freely copy, distribute, remix, and build upon contributors' work, provided it is not used to make a profit and the original authors and the FXB Center are appropriately acknowledged. These conditions can be waived if the FXB Center, as copyright holder, grants potential users explicit permission.

Suggested citation: Bhabha, Jacqueline, et al. *Children on the Move: An Urgent Human Rights and Child Protection Priority*. Boston: Harvard FXB Center for Health and Human Rights, 2016.



The FXB Center for Health and Human Rights at Harvard University is a university-wide interdisciplinary center that conducts rigorous investigation of the most serious threats to the health and wellbeing of children and adolescents globally. We work closely with scholars, students, the international policy community and civil society to engage in ongoing strategic efforts to promote equity and dignity for those oppressed by grave poverty and stigma around the world.

FXB Center for Health & Human Rights
Harvard T.H. Chan School of Public Health
651 Huntington Avenue, 7th floor, Boston, MA 02115 USA
Tel: +1 617 432 0656 • Fax: +1 617 432 4310
Email: fxbcenter_info@hsph.harvard.edu
<http://fxb.harvard.edu>