

Inclusion of Refugee Children in National Child Protection Systems:

Guidance for Practitioners in East Africa



Acronyms and Abbreviations

BID	Best Interest Determination
CBCPM	Community Based Child Protection Mechanism
CDC	Centers for Disease Control and Prevention
CP	Child Protection
CPiE	Child Protection in Emergencies
CRRF	Comprehensive Refugee Response Framework
EAC	East African Community
MOU	Memorandum of Understanding
MTEF	Medium Term Expenditure Framework
NGOs	Non-Governmental Organizations
NPA VAWC	National Plan of Action for Violence Against Women and Children
PF4C	Public Financing for Children
SDG	Sustainable Development Goals
UASC	Unaccompanied and Separated Children
UN	United Nations
UNCT	United Nations Country Team
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNDP	United Nations Development Programme

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SECTION 1

Introduction

1.1 Background

This joint UNHCR-UNICEF initiative contributes to bridging the divide between humanitarian response and development work¹, by providing concrete suggestions on actions that country teams can take to support better integration of refugees in national child protection systems and services, as well as harmonization between child protection procedures in humanitarian response and national child protection procedures.

Whilst both UNHCR and UNICEF recognize the need for strengthened integration of refugees in national plans and systems in order for refugee children to be better protected and to access basic services, the realisation of this objective has been challenging in practice. Consequently, the needs of refugees are often addressed in parallel, often creating duplication of systems and services for refugee children. Using the national child protection system to address the needs of all children will avoid duplication of services and promote greater harmonization between child protection response in development and humanitarian situations. Provision of assistance through public authorities for social services and child protection is also a clear strategic direction set by the New York Declaration on refugees and migrants.²

The first phase of this regional initiative included a review of current practice regarding inclusion of refugee children in national child protection frameworks and systems in seven countries in the Eastern Africa, Great Lakes and the Horn of Africa regions: Ethiopia, Kenya, Rwanda, South Sudan, Sudan, Uganda, and Tanzania.³ The initial review, jointly commissioned by UNICEF and UNHCR, presented promising practices and identified opportunities for better integration of refugee children into national child protection and social welfare systems. These included:

- Ensuring that national legal frameworks are inclusive of refugee children;
- Tapping into national development plans;
- Including refugee children in national child protection policies and standards;

- Ensuring that the child protection workforce is capacitated to address the needs of refugees;
- Considering refugee communities in national surveys and research;
- Strengthening the capacity of birth registration systems to facilitate access for refugee children; and
- Pursuing regional entry points.

In the second phase of this initiative, Regional Office teams provided remote, as well as in-country support to Tanzania and Rwanda UNICEF and UNHCR teams to undertake a process of consultation with their respective government counterparts with a view to jointly explore opportunities for integration of refugee children in national child protection system and services. This included focused discussions on increasing integration and harmonisation, building upon existing good practices and opportunities which were identified in the formative review. The outcome of initial consultations resulted in two consultative workshops being conducted in Kigoma, Tanzania and Kigali, Rwanda, bringing together key line ministries, UNHCR, UNICEF, implementing partners, and other stakeholders. Draft Road Maps were developed for each country, articulating commitments for short, medium and long term actions.

The key insights emerging from this process which are further extrapolated upon in the guidance include:

- The importance of regular UNICEF-UNHCR engagement to jointly identify timely opportunities for better inclusion and harmonisation
- Once opportunities are mapped out, further work on joint engagement of Government counterparts in consultative processes helps solidify planning for short, medium, and long term initiatives
- UNICEF and UNHCR can play an important role in supporting and facilitating the exchange of information across ministries on strategic and operational aspects of our respective areas of responsibility at both national and sub-national levels. This in turn helps

¹ Humanitarian action comprises assistance, protection and advocacy in response to humanitarian needs resulting from natural hazards, armed conflict or other causes, or emergency response preparedness. It aims to save lives and reduce suffering in the short term, and in such a way as to preserve people's dignity and open the way to recovery and durable solutions to displacement. See IASC: Introduction to Humanitarian Action, p. 8. Available at: https://interagencystandingcommittee.org/system/files/rc_guide_31_october_2015_webversion_final.pdf Development assistance administered with the promotion of the economic development and welfare of developing countries as its main objective. See: <http://www.oecd.org/dac/stats/officialdevelopmentassistance/definitionandcoverage.htm>

² UN Doc. A/Res/71/1 of 3 October 2016.

³ 'Bridging the Humanitarian-Development Divide for Refugee Children in Eastern Africa and the Great Lakes: Formative review regarding inclusion of refugee children in National Child Protection Frameworks and Systems.' UNHCR and UNICEF, April 2017.

- identify and leverage opportunities for inclusion and harmonisation
- Involvement of relevant government entities at both national and district level is important to ensure the engagement of both policy makers as well as local authorities in refugee hosting areas
- Timing is important – and should be guided by national planning and budgetary cycles.

1.2. Purpose and Aims of the Guidance Document

This Guidance document provides practical steps for practitioners to work with government entities towards better inclusion of refugee children in national child protection systems. Given the specific focus on child protection, the content is targeted to Child Protection and broader Protection staff; however, it can also be used to inform similar initiatives involving other sectors and technical areas. While the examples provided refer to practices and lessons learned from the East Africa region, they can also serve as a guide for operations in other regions.

The specific aims of this document are to provide technical guidance to country operations wishing to launch a national consultative process resulting in:

1. Identification of challenges and possible opportunities for increased inclusion of refugee children in national systems and harmonization between child protection procedures in humanitarian response and national child protection procedures
2. Identification of priority actions to further integrating

- refugee children into national child protection and social protection systems; and
- 3. Multi-year plans or road maps, including, ideally, costed plans reflecting priority actions to be taken in the short, medium and long-term.

The Guidance is premised on a government's role as primary duty bearer for the protection of all children, including refugee children, recognising that several ministries may be involved in the Child Protection sphere, and that assistance and services should primarily be provided through national and local service providers. It builds on the formative review, and the insights gained from consultative national processes in Tanzania and Rwanda.

SECTION 2

National Child Protection Systems and Protection of Refugee Children: Towards an Integrated Approach

2.1 Inclusion and Integration: A Timely Opportunity

Both UNHCR and UNICEF have long-standing commitments to reinforcing national child protection systems.⁴ In refugee contexts, much of this work has focused on Child Protection in Emergencies (CPiE) or humanitarian interventions. However, both UN agencies and governments recognize the value of more comprehensive and longer-term approaches to child protection. Key actors support a move to more integrated approaches and the avoidance of parallel systems and systems strengthening measures which promote child protection systems that are inclusive of all children.

At the international level, new development frameworks and child-focused commitments have reinforced the protection of children's rights, including the rights of those easily overlooked or marginalized. In 2015, the 2030 Agenda and its Sustainable Development Goals (SDGs)⁵ were adopted by 193 UN Member States as the defining framework for global development. The SDGs include several child-protection targets. The 'global goals' commit governments and development partners to 'leaving no one behind' including the 'most marginalized.' All countries have agreed to develop Agenda 2030 national implementation plans, including support for marginalised groups, such as refugees, and systems to track progress towards meeting their SDG commitments.

The Grand Bargain, an initiative emanating from the World Humanitarian Summit, also includes a commitment by main donors and aid organizations to strengthen engagement between humanitarian and development actors and to use existing resources and capabilities better to shrink humanitarian needs over the long term with the view of contributing to the outcomes of the Sustainable Development Goals.⁶

The Global Partnership to End Violence Against Children was established in support of the ambitious target to end violence against children by 2030 and it is now the central coalition for global advocacy and action to combat violence against children. Tanzania is selected as a 'path finder' country for the Global Partnership, with strong Government commitment, and is entering its second costed multi-year National Plan of Action to End Violence against Women and Children.

Regarding the international protection of refugees, the 2016 New York Declaration for Refugees and Migrants marks a shift towards a greater focus on 'refugees and host communities'⁷ noting that displacement is a long-term development issue. The New York Declaration also calls for the development of Comprehensive Refugee Response Frameworks (CRRF) through multi-stakeholder approaches. A key element of the CRRF is the emphasis on the delivery of assistance to the extent possible through national actors, including public authorities for social welfare and child protection, as well as civil registration.⁸ The formative review and this Guidance highlight child protection practices towards the harmonization and inclusion of refugee children in national child protection systems, aligned with the objectives of the CRRF in Uganda, Somalia, the United Republic of Tanzania, and Ethiopia.⁹

At the regional level, the East African Community finalized a Child Policy as a regional, and institutional framework to facilitate national efforts to promote children's rights and wellbeing for its member states.¹⁰ The EAC policy also provides a useful basis for this initiative which specifically considers the longer term protection and assistance for refugee children and children in refugee hosting cities and rural areas.

4 As noted in UNHCR ExCom Conclusion No. 107 (LVIII) – Conclusion on Children at Risk (2007), UNHCR Framework for the Protection of Children (2012), and UNICEF Child Protection Strategy (2008).

5 A/RES/70/1. 'Transforming our world: the 2030 Agenda for Sustainable Development.' For example, paragraph 8, 'We envisage a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination; of respect for race, ethnicity and cultural diversity; and of equal opportunity permitting the full realization of human potential and contributing to shared prosperity. A world which invests in its children and in which every child grows up free from violence and exploitation... A just, equitable, tolerant, open and socially inclusive world in which the needs of the most vulnerable are met.' <https://sustainabledevelopment.un.org/post2015/transformingourworld>.

6 See <https://www.agendaforhumanity.org/initiatives/3861>

7 As noted in 'Refugee Compacts: Addressing the Crisis of Protracted Displacement', (and the full report) which suggests ten recommendations for meeting the long-term needs of refugees and host communities. www.cgdev.org/refugee-compacts or www.rescue.org/refugee-compacts. The Center for Global Development - International Rescue Committee Brief, April 2017.

8 UNHCR. 'Comprehensive Refugee Response Framework: from the New York Declaration to a global compact on refugees.' CRR Task Team, 5 December 2016.

9 See UNHCR 'Comprehensive Refugee Response Framework: from the New York Declaration to a global compact on refugees' that notes the governments of Somalia, Uganda, and the United Republic of Tanzania have expressed interest in participating in a pilot.

10 Burundi, Kenya, Rwanda, South Sudan, Uganda, and the United Republic of Tanzania.

2.2. National Child Protection Systems

Over the past several years child protection actors have shifted from individual thematic approaches to a systems approach for protecting children. UNICEF's approach is to create a protective environment, where girls and boys are free from violence and exploitation, where laws and practices minimize children's vulnerability and address known risk factors, and where children themselves are equipped to build their own resilience¹¹. UNICEF considers a child protection system to be comprised of "the set of laws, policies, regulations and services, needed across all social sectors – especially social welfare, education, health, security and justice – to prevent and respond to child protection related risks".¹² In order to be effective, child protection systems need to reach the most vulnerable. This means, as articulated in UNICEF's State of the World's Children 2016 Report, all children having the same opportunities to survive, develop and attain their full potential. Fundamentally, it is about fairness and opportunity and requires an integrated approach to closing the gaps, working across development and humanitarian sectors, at national, local and community levels, to reach every child.¹³

In some countries refugee children are specifically referred to and provided for in the national legislation, in others the legislation refers generally to all children being entitled to the same comprehensive rights (*see more on this in the section on National Legal Frameworks And The Protection Of Refugee Children*). Depending on the context, legislation may not be systematically and effectively translated into policies which are in turn linked to greater access to services. The particular challenges of refugee children and their families may be overlooked or addressed in a parallel system. They may have more difficulty accessing protection and other services where

such systems are not adequately developed with the needs of refugee children in mind. Whilst National child protection systems should include refugee children, in practice there are often gaps in implementation.

Actors involved in child protection include duty bearers across all levels and several domains of government including, but not limited to, the Ministry of Social Welfare (sometimes referred to as the Ministry of Social Affairs), the Ministry of Justice, and the Ministry of Interior (which often includes the police force). The national child protection architecture varies from country to country, but typically involves a dedicated department for children's affairs or a national commission for child protection tasked to establish and lead child protection services. Often the national structure is mirrored at provincial or district level, with district commissioners or administrators responsible for implementation of national child protection policies and operational guidelines. Child protection coordination structures also vary from context to context, and in some countries may be under the auspices of the Prime Minister's Office, as is the case in Tanzania.

It is also important to recognize that both formal and non-formal actors play a vital role in the child protection system in the country. Community mobilisers, volunteers, and children, parents, families, and communities themselves are key elements of the child protection system. Increasingly service providers are mindful that children and their families should participate actively in child protection work, and not be viewed as passive 'beneficiaries'. It is the relationships and interactions between the various components of the system and actors within them that comprise the system.¹⁴

2.3 National refugee and asylum systems

Governments are the primary duty bearer towards refugees and asylum seekers in their territory. Countries that have signed the 1951 Convention are obliged to protect refugees on their territory and treat them according to internationally recognized standards. In order to implement these international obligations, governments establish national asylum/refugee systems which can be structured in a variety of ways, but typically

Refugee Affairs falls under the Ministry of Interior. Specific Refugee Affairs Departments typically handle registration of asylum applications, refugee status determination (RSD), legal protection functions, and refugee camp management. Refugee Affairs Departments can also coordinate the overall refugee response and at times provide sector specific services. In some countries governments are fully responsible for these

11 UNICEF 'Eastern and Southern Africa Regional Office' https://www.unicef.org/esaro/5480_child_protection_strategy.html

12 UNICEF Child Protection Strategy (2008). The UNHCR Framework for the Protection of Children (2012) also formulates a similar, but slightly modified definition of Child Protection Systems for UNHCR and outlines specific elements of a CP system.

13 UNICEF, 2016, State of the World Children Report, https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf

14 Better Care Network, 2012, 'A better way to protect children: conference report'

functions. In other countries, UNHCR handles some or all of these functions. Governments can therefore be at different stages in the process of gradually assuming responsibilities for these functions, with technical, and possibly funding support from UNHCR.

In order to fulfil their international obligations to refugees, a State must be able to differentiate those in need of international protection (i.e. those fitting the refugee definition) from other people seeking entry to its territory. This is the purpose of refugee status determination (RSD). How a State does RSD will largely depend on whether a claim for asylum can be examined individually or whether people are arriving in such large numbers that a group determination is the most practical. UNHCR plays a role in government refugee status determination in many countries, including as a member or participant in the functioning of the government institution, or as an observer with varying levels of access and ability to comment on the proceedings or substance of the assessments.

Depending on the context, the Refugee Affairs Department, may have the sole responsibility for refugee affairs with little or no involvement from line ministries or other government departments. When considering inclusion of refugee children in national systems and services it is critical to have a good understanding of the specific mandates of government entities in relation to refugee response in general and protection of refugee

children in particular. The specific policies governments adopt vis-à-vis refugees, which may be more or less progressive, have a direct impact on the situation of refugee families and children and will be a determining factor when considering inclusion of refugee children. The national refugee policy might also be implemented differently for different groups of refugees depending on their nationality. As a matter of policy, UNHCR pursues, whenever possible, alternatives to camps, while ensuring that refugees are protected and assisted effectively and are able to achieve solutions. UNHCR also advocates that cities are recognized as legitimate places for refugees to reside and exercise the rights to which they are entitled.¹⁵

Due to their status as refugees, children have by definition a need for legal protection but might also have specific child protection or social welfare needs. Therefore both national systems - refugee protection and child protection systems, should be engaged in order to address the needs of refugee children in a holistic manner. This also allows cross-learning and sharing the specific expertise that exists within complementary branches of the government, i.e. the refugee affairs and child protection departments or commissions.

¹⁵ See: *UNHCR Policy on Alternatives to Camps*, 22 July 2014, UNHCR/HCP/2014/9, available at: <http://www.refworld.org/docid/5423ded84.html> [accessed 18 January 2018] *UNHCR Policy on Refugee Protection and Solutions in Urban Areas*, September 2009, available at: <http://www.refworld.org/docid/4ab8e7f72.html> [accessed 18 January 2018]

UNICEF and UNHCR: Roles and Complementarities

- **UNHCR** is mandated to protect and assist refugees and to seek lasting solutions for them. “Persons of concern to UNHCR” also include other categories of people whose protection and assistance is of interest to UNHCR such as asylum-seekers, internally displaced persons, returnees, and stateless persons.
- **UNICEF**’s mandate covers all children, including refugees, and is guided by the Convention on the Rights of the Child.

Working through national systems:

- UNHCR’s work on children and youth is systems based, a direction endorsed by the UNHCR Executive Committee already in 2007. A key aim is therefore to supplement and reinforce the national asylum and child protection systems areas where gaps exist.¹ The New York Declaration (2016) also calls for assistance to be delivered through national actors, including public authorities for social welfare and child protection, as well as civil registration.¹⁶
- UNICEF’s Strategic Plan 2018-2021 focuses on realizing the rights of every child, including the most disadvantaged. This is to be achieved through strengthening national service delivery systems; multi-sectoral planning and action; enhanced systems for humanitarian response and risk-informed programming; and a greater focus on reaching the most disadvantaged children in national plans.

Working Together:

- A global Memorandum of Understanding between UNHCR and UNICEF outlines the roles of the two organizations and provides a framework for cooperation in countries of asylum and origin.
- In many countries the global MoU is complemented by a Letters of Understanding and/or country-specific or regional work-plans or frameworks for collaboration.
- Strengthened collaboration and partnership between the UNICEF and UNHCR and their respective lead government line ministries is critical for providing better assistance to all children, including refugee children. It is most effective when it draws upon the comparative advantage of each organization.

2.4. Achieving integration

Efforts to promote integration is multi-faceted and includes a review and revision of legal and policy frameworks, national plans, budgets, social protection schemes, capacity building of government social workers and child protection actors delivering services in refugee settings. A more integrated approach, results in refugee children having better access to protection and services. In order to achieve this, joint efforts should focus on the following elements:

- **Promoting government leadership for the overall child protection response:** Establishing stronger linkages between refugee response and national child protection programmes promotes the Governments’ overall leadership for the protection of all children within its territory in line with international obligations under the CRC. This also constitutes an important step

towards bridging the divide between development and humanitarian child protection interventions and initiatives. Ultimately, the aim is also to strengthen the governments’ child protection capacity to respond to refugee and other emergencies, should the country e.g. face a new influx of refugees.

- **Harmonizing child protection procedures and practices:** Based on the premise of the government’s primary responsibility for the protection of all children, it is important to ensure that humanitarian actors align programmes and practices with national legal and policy frameworks and procedures to the extent possible and provided that national procedures are aligned with international law. Harmonization of procedures and practices also facilitate inter-linkages between humanitarian response and national

¹⁶ UNHCR. ‘Comprehensive Refugee Response Framework: from the New York Declaration to a global compact on refugees.’ CRR Task Team, 5 December 2016.

¹⁷ It should be noted that some refugee child protection procedures specifically apply to resettlement to a third country, and are therefore also informed by global guidelines and procedures.

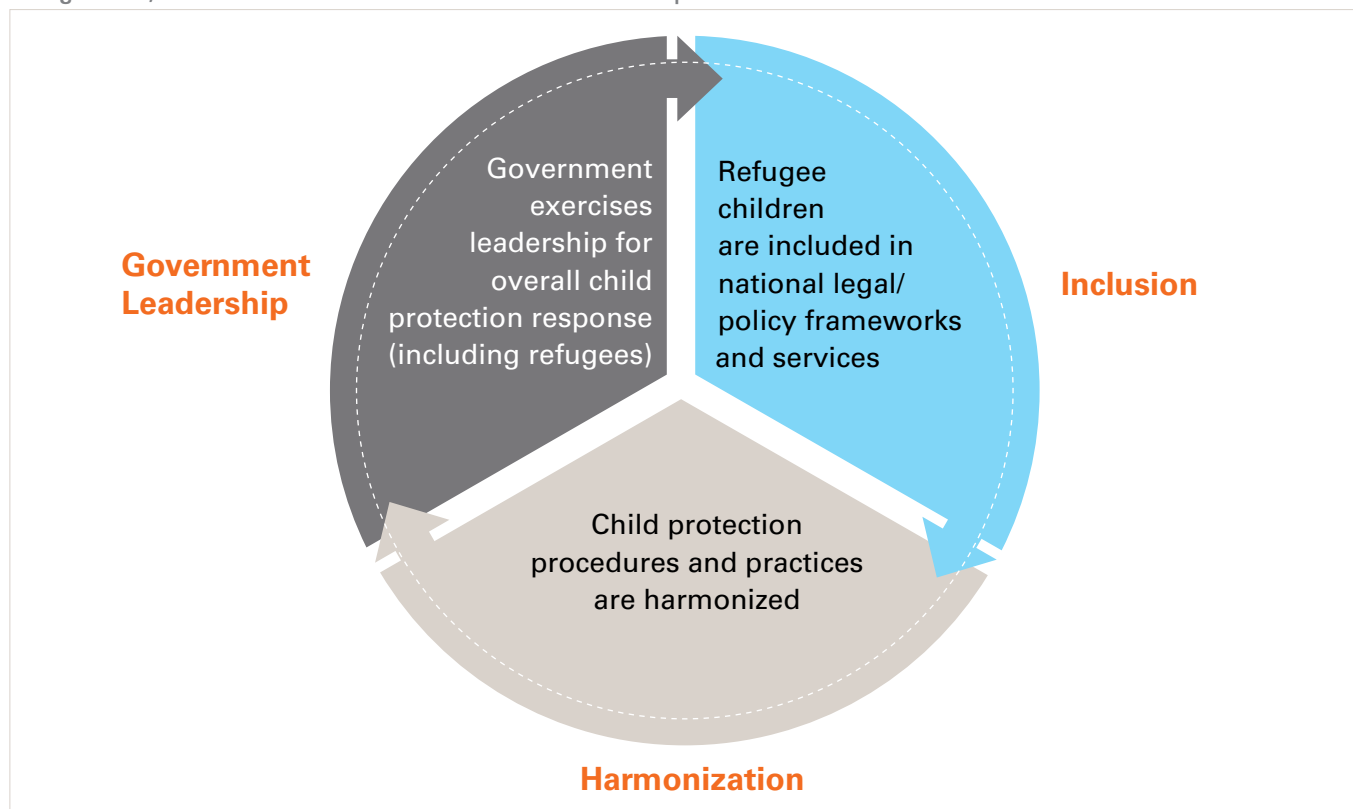
programmes as well as the gradual inclusion of refugee children in national systems and frameworks.¹⁷ There are also situations where some procedures, such as e.g. the best interest procedure developed for refugee settings could serve as a model for establishing a similar procedure for to be used by national child protection authorities for at-risk local children.

- **Including refugee children in national legal/policy frameworks and services:** Child protection and social welfare services in refugee contexts should

ideally be provided through public authorities. This also contributes to increased integration between services provided to refugees and host-communities and prevents the creation of parallel systems. This is more sustainable and enhances governments’ lead over child protection. Where national child protection services are under developed or limited, international organizations and financial institutions should work to strengthen, expand and capacitate national child protection and social welfare systems.

Diagram 1:

An inclusive approach to the protection of refugee children in national child protection systems: Integration, Harmonization & Government Leadership





SECTION 3

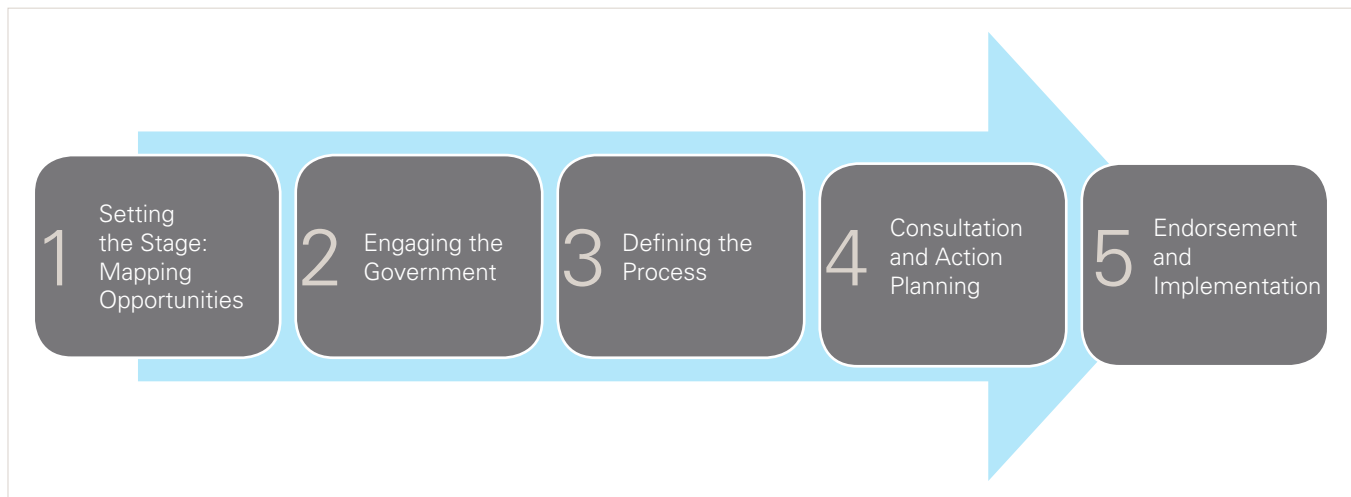
Leveraging National Opportunities to Better Include Refugee Children in National Child Protection Systems

3.1 Introduction

This section outlines a step-by-step process through which UNICEF and UNHCR country teams can gradually and systematically work together towards promoting inclusion of refugee children in national child protection systems and services. The process builds specifically on lessons learned from the work of UNICEF and UNHCR country teams in Rwanda and Tanzania. The process they followed included discussions and planning between UNHCR and UNICEF teams to identify potential opportunities and entry points as well as risks and challenges. This process was followed with focused consultative dialogues with key government stakeholders and workshops to develop country action plans.

Diagram 2:

Step by step approach



3.2 Guidance on the Process

STEP 1 Setting the Stage: Mapping Opportunities and Entry Points

The first step is an internal process between UNHCR and UNICEF which entails undertaking a thorough stock-taking of potential entry points, opportunities, risks and challenges for inclusion of refugee children and opportunities for harmonization in a specific country context. At this step, UNICEF and UNHCR collaboration provides an opportunity to leverage respective advantages: UNICEF contributing its experience in working with the Government on longer term national and district level plans and the national budget cycle; UNHCR contributing its expertise on the legal protection of refugees and the broader refugee response. This also offers an opportunity for increased cross-fertilization and learning for both agencies; e.g. UNHCR staff becoming more familiar with national budget planning and cycles.

Countries have national priorities and processes, and may be advanced or still progressing on strengthening child

protection systems, and may have particular challenges or bottlenecks. Nonetheless, there will in most contexts also be timely opportunities for integration. A key step also entails identification of national child protection priorities, in order to build on these. This also facilitates the engagement of national authorities in the process. This could e.g. entail government prioritization or campaigns of family-based care.

Full integration of refugee children into national child protection systems is a long-term and gradual process. However, some actions can be taken to pave the road for inclusion and harmonization in the short term, for example raising awareness among government social workers on the situation of refugee children, or trainings for humanitarian child protection actors on the national child protection system. When exploring possible entry points, both short and longer term gains should be considered.

EXAMPLES OF COUNTRY LEVEL OPPORTUNITIES FOR INCLUSION OF REFUGEE CHILDREN:

The following national priorities and processes can serve as examples of potential entry points for possible inclusion of refugee children in national systems, policy frameworks and strategic planning:

- Tanzania, has finalized a costed, multi-year National Plans of Action on Violence against Women and Children.
- Rwanda, has prioritized social welfare workforce reform. The national budget process provides an opportunity to leverage funds for child protection and social welfare services and for refugee populations, and/or to advocate for the decentralization of funds.
- Uganda has integrated refugee management and protection in the Second National Development Plan (NDPII), with the goal to assist refugees and host communities by promoting investment and socio-economic development in refugee-hosting areas.
- Ethiopia, Somalia, Tanzania, and Uganda, are pilots for the implementation of the Comprehensive Refugee Response Framework (CRRF).

Step 1 can be conducted through bilateral consultations between the two organizations. A desk review of the current situation, legal and policy frameworks and involvement of government social welfare/child protection authorities with refugee children can also be a very useful complement to bilateral discussions.

Tanzania and Rwanda: A desk review and preparatory discussions between the UNHCR and UNICEF teams was a starting point for the process. These steps enabled specific issues/priorities to be identified, as a basis for selecting specific themes for the consultations.

Key actions

- Analyse the overall child protection needs and the child protection response both in the humanitarian and development context, with a particular focus on refugee hosting areas or urban centers;
- Discuss national priorities, and identify opportunities for integration of refugee children in legislative processes, policies and/or services;
- Identify possibilities for harmonisation of approaches between child protection in the humanitarian and development contexts in the country;
- Assess possible risk factors, challenges and obstacles for harmonization or inclusion, and seek to identify measures to mitigate or address such challenges;
- Agree on key entry points, identify relevant government stakeholders and strategic influencers to be engaged in the discussion, and agree on specific joint or parallel actions that need to be pursued;
- Discuss ways in which to move integration forward, and who is best placed to reach out to which government counterparts;
- Consider undertaking a brief desk review of the current legal and policy frameworks; existing practice relating to refugee children etc.
- Reach out to other international actors with a potential vested interest in inclusion, and develop a framework which can be discussed within the UN Country Team, and with other organisations such as UNDP, the World Bank, UNFPA.
- Agree on broad division of labour, and possible cost-sharing (e.g. costs for a consultative workshop or other meetings or events) for taking this initiative further.

STEP 2 Seeking the engagement of the Government

Following from the initial discussions referred to in Step 1, this stage aims to seek the buy in of the Government for the process and entails meeting with technical counterparts, as well as other relevant stakeholders based on the agreements made in step 1.¹⁸ The discussions should be held with the Department of Refugee Affairs or equivalent, as well as the relevant ministry responsible for children and/or social welfare, but may also involve other government entities such as the ministry responsible for local government. The discussions can be held bilaterally by UNICEF and UNHCR with their respective government counterparts or in a joint meetings involving

both the refugee and child protection authorities. A brief concept note could be prepared as a starting point for the discussion, and the focus should be on the three-fold desired outcomes of the process, namely:

- Increased integration of refugee children in national child protection systems (policies, services etc.)
- Greater harmonization between refugee/humanitarian child protection response and the national child protection response
- Increased government leadership for the overall child protection response.

Key actions

- Seek the agreement of the government to initiate a broader consultative process and ideally their agreement to lead the process (with the joint support of UNHCR and UNICEF).
- Discuss and jointly agree on engagement of different government entities:
 - o Who should be engaged and involved in the process?
 - o What is the agreed outcome?
 - o Who will be the lead line Ministry? Will this responsibility be shared (for example by the Ministry of Social Welfare and Ministry of Refugee Affairs)? Alternatively, the Ministry of Planning might act as the convening Ministry;
 - o Which senior officials should be engaged and by whom?
 - o Should the process include officials and actors at the national and/or sub-national level?
- Consider identifying a national champion(s) for

refugee children and national child protection systems. In some cases, this may already be in place; if not, seek an advocate or leader who can promote a child protection agenda. This could be someone from the Ministry of Planning, Ministry of Social Welfare, or Ministry of Refugee Affairs. A government line Ministry who acts as champion could also act as lead/steer the inter-Ministerial collaboration.

- Engage relevant Government entities in a preliminary technical discussion on the broad themes that the consultative process should focus on, drawing on national strategic priorities (short, medium, and long-term), identified opportunities, and possible entry points (as identified in step 1).
- Meet with senior Government officials to present the outcome of technical level discussions and proposed strategic priorities and implementation actions, seek inputs, suggestions and agreement to start a broader consultative process. Ideally these meeting should be chaired by the lead government line Ministries.

Rwanda and Tanzania: Themes selected for consultation

Rwanda	Tanzania
<ul style="list-style-type: none"> • National level policies and planning • Child Protection Systems and Services/Social Welfare Workforce • Child Protection Systems and Services/Case Management, Alternative Care, Prevention • Social Protection Services 	<ul style="list-style-type: none"> • National level planning and policies; • Social Welfare response; • Birth registration; • Children in contact with the law; and • Community response.

This second step is an opportunity to build consensus and re-enforce relations between all stakeholders, as well as to promote government ownership and engagement with a view to a long-term engagement by all stakeholders. It is an opportunity to focus on strategic prioritisation of objectives and activities throughout the process.

¹⁸ Although this guidance proposes a consultative workshop as the forum through which to engage Government on planning a way forward to strengthen the integration of refugee children into national child protection systems, other more appropriate methods may be utilised such as a series of meetings.

STEP 3 Defining the Process

This Step entails defining how the consultative process will be carried out in practice. A consultative workshop is suggested as one aspect of this overall process as it provides an opportunity to refine joint actions under discussion and solidify agreements. A consultative workshop ensures that all stakeholders are on the same page, and that there is buy in and engagement from all stakeholders. Ideally the consultative workshop should be hosted by the lead line Ministries, supported by UNHCR and UNICEF. Co-hosts could e.g. be the Department of Refugee Affairs and the National Commission for Children. If a workshop is not feasible, an alternative could be a series of thematic meetings held over a period of time, involving different stakeholders as relevant to the various aspects under discussion.

It is critical to decide early whether the consultative workshop should be held at national level in the capital, or at the sub-national level. The benefits and disadvantages should be carefully weighed, for example a national level workshop gives more visibility and is more likely to include more senior government officials with decision-making authority. It also facilitates involvement of a wider range of ministries as well as other actors such as donors, World Bank, other UN agencies. On the other hand, a workshop at sub-national/district facilitates the participation of local authorities such as district commissioners, district social welfare and refugee officials and is closer to where refugee populations are located and where operational planning for service delivery occurs. Regardless of the set-up, engagement of both national level decision-makers and district level authorities is essential. Launching the initiative through a national level workshop/meeting, followed by district level workshops could be an arrangement well worth considering.

As the workshop includes a wide range of actors representing different parts of the government, various

Key Decision Points for Consultative Workshop

- Should the consultative workshop be held at national or district level?
- One workshop or a series of thematic sessions/meetings?
- Who should host/co-host the workshop?
- Which government entities should participate?
- Which partners should participate?
- How much time is needed for the workshop?
- At what location should the workshop be held?
- What is the proposed agenda?
- Who should open/close the workshop?

NGOs and civil society groups, each with their own specific area of expertise, it is important to allow time in the beginning of the workshop for some introductory sessions. A session on national child protection policies and priorities for example, will benefit participants from the Refugee Affairs Department, whereas a session on the child protection situation and response in refugee camps and settlements will benefit participants who have not previously engaged in this.

National or sub-national workshop?:

Tanzania: As the refugee camps are all located in the northeast of the country, the consultative workshop was held at the sub-national level in the northeast with participation from district and regional officials, other UN agencies and NGOs.

Rwanda: A decision was made to hold the workshop in Kigali at the central level in order to ensure participation of all key government entities. This model was also better suited for Rwanda as the refugee camps are spread out over the country.

Key actions

- Engage in joint planning processes in preparation for the workshop (government line Ministries, UNICEF and UNHCR). Schedule sufficient preparatory meetings and discussions with key government officials to test assumptions and ensure that all stakeholders have the same understanding and are in agreement with the objectives, and expected outcomes of the consultative workshop.
- As part of the planning phase, consider:
 - Holding the consultative workshop at a time that allows strategic linkages into the government's and UNHCR/UNICEF's strategic planning processes.
 - Prioritising the participation of government officials over other partners (implementing partners, other UN agencies, and NGOs) in order to have full engagement and buy-in of the government (see Annex 2: Suggested participants for the consultative workshop);
 - Ensuring participation of relevant UNHCR and UNICEF staff throughout the duration of the workshop (Child Protection, Protection, Birth Registration, Social Policy), but being mindful that the number of UNHCR/UNICEF participants should be balanced against the number of government officials;

- Complete necessary discussions with all stakeholders and come to agreement on the process and expected outcomes in the lead-up to the workshop, share relevant background documents that can be used to inform the Action Plan with lead government line ministries and other stakeholders;
- Decide who will be the national convening agency – ideally this would be a joint undertaking for refugee and child protection authorities;
- Come to an agreement on the desired outcomes of the workshop
- Prioritise agreed upon topics for the working group sessions during the consultative workshop.

STEP 4**Consultation and Action Planning Process: Formalising Short, Medium and Longer Term Actions**

Preparatory meetings, and the subsequent workshop form the consultation and action planning process. The opportunities identified during the planning stage (steps 1-2) will frame the consultative workshop.

As the workshop will include a range of actors who have different backgrounds and areas of expertise, a key aim for the first part is to ensure that participants obtain a general overview of the situation and the issues at hand in order to be able to participate meaningfully. This means that participants more familiar with the refugee response have a chance to learn about national child protection priorities and structures. Likewise child protection actors and government participants who are not involved with the refugee response, will benefit from an overview of the situation of refugees and refugee children, the national legal framework and parameters for refugee protection in the specific refugee context. Finally some participants representing for example civil registration, justice, national bureau for statistics, planning or finance will benefit from introductions on both child protection and refugee response. Another aspect to be considered is the inclusion of an overview of existing practice on integration of refugee children in other countries, especially countries from the same region.

The group discussions form the most important aspect of the workshop, as this is where the action planning takes place. It is therefore important to carefully select the themes which will be discussed and clearly frame the group work, articulate the desired outcomes to be achieved by the group, and allocate enough time for the process. For example the groups who participated in the workshops in Tanzania and Rwanda were asked to consider resource implications for suggested actions, however this proved to be overly ambitious for a 1 ½ day workshop. The second and equally important aspect of planning the group work is to secure the most appropriate participation in each group, ensuring that key resource persons and decision makers are represented and able to provide the necessary inputs into the decision making process.

The working groups are tasked to elaborate on key actions under their specific themes, to agree on lead actors and partners for the implementation process, time frames and resource implications. To ensure that the action plan, or road map is well targeted and the actions are achievable, enough time should be given to working groups to prioritize or rank the suggested actions based on a pre-determined criteria, for example highest direct impact on children, cost effectiveness, quick impact actions. There should be a logical sequence between short, medium and longer term actions.

It is also helpful to frame the discussions around the different aspects of integration (see section 2.4.) – i.e. government leadership, harmonization, and inclusion in national frameworks and systems, in order to ensure a continuum of strategically targeted initiatives with short, medium and longer term actions. The groups should consider both national level actions relating to legal and policy frameworks and national programmes but also actions that can be implemented at the sub-national level within the existing legal and policy frameworks.

Suggested agenda items for a consultative workshop

- Opening remarks
- Background on workshop, sharing global trends and good practice
- National child protection legal and policy framework – current priorities
- National legal and policy framework for refugees
- Refugee Child Protection: current issues and response
- Working Group sessions including action planning based on selected themes
- Presentation of key recommendations to Senior Officials
- Agreement on way forward and implementation

Key actions

- Based on the outcomes of the discussions in the previous steps, confirmed participants and identified priority themes, finalize the workshop agenda. It is recommended that the workshop be undertaken over 2 days.
- Finalise the introductory sessions which will ensure that participants are on the same page in terms of key themes and issues, current situation, opportunities and challenges etc.
- Ensure coherency between presenters and facilitators by agreeing on key terms and definitions that will be used throughout this process;
- Carefully select the overarching themes which will be discussed in the working groups based on the entry points and opportunities identified earlier.
- Carefully organise the composition of the working groups and ensure adequate, knowledgeable and resourceful presence of key government officials and relevant technical UNICEF and UNHCR staff in each group.
- Allow enough time for the working groups to structure and prioritize actions
- Ensure enough time for all groups to present proposed actions in plenary, for further questions, clarifications, and refinement
- The Action Plan or Road Map developed during the workshop could include three to four key objectives including the steps that should be taken for finalization, and what actions could be carried out in the short or medium term, including activities at the district (subnational) level; and include a detailed costing for the proposed initiatives to support long-term thinking.
- Agree on the process to be followed for endorsement of the road map

STEP 5 Finalization and Endorsement: Getting Ready for Implementation

The most likely outcome of the workshop is a draft road map defining key actions at both national and sub-national levels, related to harmonization of procedures, inclusion into policy and legal frameworks, and access to services. Further work may be needed after the workshop to refine and prioritize the proposed actions, to ensure that the plan is well structured, achievable and includes strategically targeted short, medium and longer term actions.

Building on the momentum of the workshop it is essential that the road map be finalized within the shortest possible

timeframe, in partnership with the lead government entities who have been involved in the process. This may require several follow-up meetings to jointly refine and prioritise the recommended actions. It is important that clear agreements are made during the workshop on the process to be followed for finalisation and endorsement of the road map or action plan, and the timeframe for completion.

Key actions

- As part of the workshop planning, agree with key stakeholders on a date for the post-workshop follow up meeting – ideally scheduled within a few days of the workshop.
- Seek final inputs as needed from workshop participants/focal points and finalise the draft action plan at technical level (line ministries, UNICEF and UNHCR).
- Seek formal Ministerial endorsement of the document, ensuring that the request is formally made by the Representatives of both agencies. If the government convened the meeting and the process, internal government procedures will need to be followed in order to obtain the official endorsement. The validation process is smoother when discussions continue during regular Representative meetings with Ministers.
- After the consultative process it is important to communicate the outcome through different means for example:
 - o Agency Representatives can brief the UNCT on the outcomes of the consultative workshop in order to ensure that UN agencies are informed
 - o The department of refugees and UNHCR Representative can brief members of their

monthly regional coordination fora¹⁹ on the outcomes of the consultative workshop and the way forward;

- o The national commission for children (or equivalent) and UNICEF can brief both national and district level coordination groups on the outcomes and discussions
- Consider identifying a national 'champion for protection of refugee children' to create awareness and visibility around the initiative;
- Suggest that the lead line ministries present the Road Map to the CRRF steering committee (or equivalent) in CRRF countries. During the consultative workshop

in Tanzania for example, it was proposed that a child protection pilot be implemented and funded through the CRRF process.

- Agree on a mechanism or process to measure progress on the roadmap, for example through regular reviews and stock taking, at least once a year. The process should ideally be co-led by the national authorities for child protection and refugee affairs respectively.
- The finalized road map can be printed as a reader friendly document to create awareness of the initiative and the way forward.

¹⁹ The Department of of Refugee Affairs and UNHCR chair monthly meetings for key stakeholders, including donors, on programming for refugees



SECTION 4

National Child Protection Systems and Protection of Refugee Children

OPPORTUNITY 1

National Legal Frameworks and The Protection Of Refugee Children

Background:

National child protection legislation outlines provisions for the protection and care of children, and their rights under the law. National laws should be in line with the Convention on the Rights of the Child and should apply to all children within a States' jurisdiction "without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status."²⁰ Therefore, refugee children should be included and protected under national law in the same way as national children, but this is not always the case. National legislation does not necessarily, however, need to

specifically reference 'refugee children'; depending on the context, the language used in national legislation may suggest inclusiveness and refer to all children.

Rationale:

According to the CRC, the national government is responsible for the protection of all children within its borders, including refugee children. If the legislation in country is not explicitly inclusive, refugee children risk being excluded from the child protection system and access to services. When the national legal child protection framework includes refugees it sets the legal parameters for child protection responses including in emergencies and displacement situations.

Challenges

- Policymakers and lawmakers may not consider the rights of refugee children as being as important as the rights of nationals or may have concerns regarding cost implications;
- Perception that refugee matters are primarily covered in the specific refugee acts, which typically do not refer in detail to the particular needs of children and how these should be addressed (e.g. alternative care; birth registration, and access to key services such as health and education etc.); and
- Ambiguity regarding applicability of, for example, the children's act to refugee children if this is not specifically mentioned.

How to promote inclusion:

- Undertake a review of existing legal frameworks to determine whether there are gaps regarding the protection of refugee children;
- Identify possible opportunities (e.g. on-going legal reform processes, national campaigns etc.) and/or challenges and strategize accordingly. This could also be done as a joint exercise with the government e.g. during a consultative workshop or in partnership with a law faculty to review legislation;
- If the laws related to children are not yet applicable to refugee children, work with the Ministry of Justice, Ministry of Social Affairs, and Refugee Affairs to advocate for, and support the drafting of amendments;
- Leverage the strong working relationships between the Ministry of Justice, UNICEF and UNHCR (within their respective areas of expertise) to advocate with senior judicial officials for the necessary legal reforms;
- Inclusion of refugee children in national legal frameworks is a long-term intervention. A key element to consider is to time, strategic discussions on inclusion carefully, for example around legal reform review timelines
- Tap into existing Rule of Law mechanisms that exist in country to build on and leverage legislative reforms that may already be taking place in country. UNDP often leads a Rule of Law Working Group;
- Promote pre-service training and in-service refugee protection training for law enforcement officers and social welfare officers which also includes the specific needs of refugee children, in particular in areas hosting refugees; and
- If legal reform does not seem feasible at a specific time, explore inclusion of refugee children in operational directives or national guidance documents or plans.

²⁰ UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, Article 2. available at: <http://www.refworld.org/docid/3ae6b38f0.html> [accessed 17 August 2017]

Field Examples

The right to health and primary education are explicitly mentioned in the legislation of South Sudan, Tanzania, and Uganda. Refugees are entitled to this right at par with nationals; however, the right to be protected from exploitation, violence, abuse and neglect is notably missing in the refugee acts. The exception is the Refugee Act in Kenya (revised in 2014), which does include the right to safety and protection (for further information see the Formative Review).

The Refugee Act and Policy of Tanzania are both currently under review. This exercise is scheduled to be completed by the end of 2017 as part of the Government’s commitments made at the Leaders’

Summit, and as part of the CRRF process. UNHCR is actively working with the Ministry of Home Affairs, and the Ministry for Legal and Constitutional Affairs to assist with this review.

The Child Act in Tanzania states that children should be accompanied by a social welfare officer when being interviewed by law enforcement, Immigration, or Refugee Services officials. This is an example of positive legislation that pursues the best interests of the child. Ensuring implementation of the Child Act, and this particular article, was one of the recommended actions noted during the development of the Tanzania Road Map.

Benchmarks:

- ▶ A review of existing legal frameworks to determine whether there are gaps regarding protection of refugee children has been undertaken;
- ▶ Respective country has signed and ratified all relevant international conventions related to refugees and children;
- ▶ National legislation is aligned with international norms;
- ▶ Rule of Law Working Group includes legislative reform related to children (including refugee children) in its annual work plan; and
- ▶ Law enforcement and social welfare officers have received pre-service and in-service training on refugee protection.
- ▶ Child protection actors involved in humanitarian response are well versed with the national legal framework for child protection.

OPPORTUNITY 2 Tapping into National Development Planning Processes

Background:

National multi-year development plans are policy frameworks that broadly speaking aim to promote economic growth, eliminate poverty, and reduce inequality. These plans also outline how social services for children will be implemented, notably for health, education, and protection. They also provide the basis for fiscal allocations; however, the plans are not automatically linked to the budget cycle or the annual budget. That can mean inadequate spending on programmes or line-item expenditures which benefit children, including refugee children.

Rationale:

Including refugee populations in multi-year development

plans helps ensure that their needs are reflected and addressed in these costed and national longer-term plans. Governments that include refugees in their longer-term national plans ensure more coherence between humanitarian and development programmes. Making the case for increased expenditure on social welfare, child protection, and initiatives for host and refugee communities may allow relevant ministries to access funds for child protection or support for host communities and refugee populations. It is vital to advocate for national budgets that ensure quality financing for children, including refugee children, and for a decentralized budget with increased expenditure on social welfare, child protection, and initiatives to benefit host communities and refugee populations.

Challenges

- Refugee populations, including refugee children, are often overlooked in national strategic planning and budgeting. This risks leaving two of the most vulnerable groups marginalized and overlooked;
- Refugee children and their families can face challenges accessing services if programmes do not envision their participation;
- Tensions can develop between host communities and refugee populations if one group feels the other is prioritised;

- Typically, social welfare ministries and the Ministry for Refugee Affairs receive less funding than other ministries; and
- Budgets may be centralized. Without devolved or

decentralized fiscal allocations, resources may not reach marginalized populations, like refugees, in distant and underserved regions.

How to promote inclusion:

- UNICEF has a role to play in reflecting emergency and displacement situations in their advocacy with line ministries regarding multi-year plans and frameworks;
- UNICEF and UNHCR have a convening role to play in making sure the appropriate stakeholders are actively involved in national development plans and annual budget processes, and advocating for the inclusion of these two groups;
- UNHCR staff can benefit from, and seek to leverage the experience of UNICEF staff regarding national planning procedures and cycles.
- Even where multi-year National Development Plans are already being implemented or a new multi-year plan has been agreed, advocate for budget allocations for children and refugee children in line ministry budgets as part of the annual budgeting processes (including at the subnational level);
- Engage in the budget process. UNICEF and UNHCR can increase effective public spending to benefit refugee populations by actively participating in this process. UNICEF's Social Policy staff are well placed to influence departments' prioritisation and expenditure processes. Both agencies participate in high-level discussions on national planning, including sector working groups;
- UNICEF Social Policy colleagues have a valuable role to play in helping to leverage budgets by engaging in the process and analysis, focusing on improving the quality, not necessarily only the quantity, of spending for refugee populations, host communities, and child protection.²¹ Engaging in the budget process is a medium-term engagement;
- Leverage the role of the UNICEF and UNHCR Representatives to advocate with the Ministry of Finance and lead line ministries to request further funding for refugees and child protection initiatives, and for decentralization of line-item expenditures;
- Leverage the role of the UNICEF and UNHCR Representatives to discuss and advocate with International Financial Institutions, including the World Bank, and major bilateral/multilateral donors for further inclusion of refugees and child protection in National Development Plans and national annual budgets;
- Engage in all stages of the budget cycle to contribute valuable technical skills and awareness about the benefits of spending on children but also to inform the government of children's needs and highlight priorities in budget debates. The annual budget process is a year-long cycle;²²
- Review key milestones and timelines to determine influential entry points for evidence-based advocacy. For example, the Ministry of Finance develops resource projection, budget guidelines and expenditure limits which are circulated to Ministries, Departments and Agencies (MDAs). In most cases the MDAs then submit expenditure proposals;
- Affect government expenditures at the 'upstream' point of budget preparation, rather than later during the execution of the budget; e.g. the preparation of the Medium Term Expenditure Framework (MTEF) provides an opportunity to influence discussions about resources and programmes. The MTEF should guide UNICEF and UNHCR's focus;²³
- Advocate for inclusion of refugee children in social welfare and child protection systems in countries participating in the CRRF process. This process can also present an opportunity to suggest child protection pilots which promote inclusion in national systems and integrated programming to be included in the CRRF process in country;
- Leverage national efforts to develop a National Costed Plan of Action to Combat Violence Against Women and Children including specific reference to refugee children;
- Leverage efforts to include refugee populations and host communities in national social protection initiatives.
- Consider undertaking a study including a cost benefit analysis of harmonizing child protection programmes to include refugee children.

²¹ Processes that Social Policy can engage in with Child Protection may include e.g., a sectoral budget analysis to determine what is being spent, a Public Expenditure Review (PER) to [maximize the impact of available resources](#), or a fiscal space analysis to support scaling up resources.

²² For further information see Annex 3 'UNICEF Uganda Experience On How To Influence Public Financing For Child Protection' in the Formative Review.

²³ For further information see UNICEF, PF4C Technical Guidance Note Series, No. 1: "How to Engage in Budget Cycles and Processes to Leverage Government Budgets for Children". February 2106. https://www.unicef.org/socialpolicy/files/Engaging_in_Budget_Cycles_and_Processes_FINAL.pdf.

Field Examples

During the consultation process in Rwanda, a number of potential opportunities were identified in relation to national social protection schemes. The Government of Rwanda is committed to strengthening social protection, and there is an increased recognition and commitment that refugee populations should be able to benefit from some of these schemes. There is already the commitment for refugees to be able to access national health services for those in urban settings, and the plan to expand this to rural areas. In addition the Government of Rwanda has plans for refugee communities to be included in many of their forthcoming national plans.

Tanzania is one of the pilot countries for the CRRF. The draft Road Map for Tanzania recommended increased social protection initiatives for refugees, ideally harmonized with current social protection programmes (the CRRF process encourages the inclusion of refugees

into national systems and capacity building of regional, district and local structures). The Road Map also recommended including a child protection pilot in the CRRF process in country focusing on the cost-benefit of harmonization of child protection programming for refugee children and children in host communities.

Uganda presents a number of promising practices of how to leverage public financing to benefit refugee communities. Uganda's Second National Development Plan (NDP II) 2015/16 – 2019/20 has the most progressive national development plan in the region in terms of inclusion of refugees. The plan includes an objective specific to refugees outlining six specific interventions directly related to refugees, and a focus on enhancing national response to refugee emergency management (for further information see the Formative Review).

Benchmarks:

- ▶ National annual budgets contain budget lines for refugees and social welfare programmes including at the sub-national level;
- ▶ Social Protection programmes in country adequately include refugee communities and host communities;
- ▶ National Development Plans include specific reference to refugees, refugee children, and outline specific objectives and targets for their inclusion in national plans;
- ▶ Countries developing Comprehensive Refugee Response Frameworks also consider linkages with child protection and social welfare systems and services;
- ▶ Sustainable Development Goals' National Implementation Plans include specific reference to refugee children and include a costed analysis.

OPPORTUNITY 3

Inclusion of Refugee Children in National Child Protection Policies and Standards

Background:

National and sub-national child protection policies, guidelines, and standards are at the core of a functional child protection system as they operationalize international and national legal provisions related to children's rights and protection. Varied examples of national child protection policies include, but are not limited to: justice for children policies, national minimum standards for vulnerable children, national guidelines for alternative care, foster care, or guidelines regarding residential care. While Government leadership on child protection typically falls under the Ministry of Social Welfare, there may be instances where it falls under a different ministry (for example Justice or Health), or there is joint responsibility for certain issues.

Rationale:

For refugee children, inclusion in national child protection policies is essential in ensuring that safeguards and services are applicable to them. It also reinforces the leadership of the Government (Ministry of Social Welfare or equivalent) for the protection of all children, regardless of the setting and status of children. Promoting harmonized policies and practices is important so that parallel systems and operational silos are avoided. Good policies and standards for children may be in place but may not always reference refugee children or set out professional guidance for their care and protection. It is optimal to have one set of standards applicable to all children (specifically including refugee children) encompassing both emergency and development settings. Governments have a responsibility as duty

bearers to provide guidance for child protection and social welfare staff who work with individual refugee children. Furthermore, these policies can clarify roles and responsibilities, for example for social welfare and refugee affairs staff.

Challenges

- Refugee children and communities are at times overlooked as policies and strategies are developed due to the disconnect between humanitarian and development programmes
- Lack of awareness or knowledge among national level policy makers regarding refugees and protection of refugee children and the need to ensure that national policies include provisions for emergencies;
- A perception that refugees are only residing temporarily in the country and for a short period of time and therefore need to be included in national policies.
- Duplication in policies and standards can create confusion in effective implementation of guidelines and standards, promoting parallel systems towards refugee children;
- Separate policies and standards for refugee children could inadvertently promote stigma towards refugee children by staff responsible for their protection and care.

How to promote inclusion:

- Explore opportunities for harmonization of policies and practical guidance at the national and subnational level (which consider refugee settings). Seek to avoid duplication and address gaps;
- Explore harmonization of tools and referral systems for camp and development settings, as well as child protection staff roles and responsibilities, as much as possible. Encourage cross fertilization of experiences (camp and host community);²⁴
- Encourage coordination during the design and planning stages as standards and guidelines are developed at camp, district, and national levels, to promote a harmonized approach rather than parallel systems; emphasise prevention;
- Support government and child protection partners to carry out training and dissemination activities on national standards and policies for relevant line ministries (Social Welfare, Justice, Interior, etc.) in refugee settings;
- Ensure linkages with other sectors (health, education, social protection, etc.), where necessary making references to relevant policies and guidance;
- Support government partners and community based actors to carry out awareness raising on the protection of refugee children (as noted in guidelines and standards) for partners, communities, and children themselves;
- Enable community based child protection actors or camp volunteers to carry out peer support sessions (for example for foster parents in camp and host communities promoting sharing of information and support);²⁵

Promising Practices:

Several promising practices in the region show how refugee children can be included in national policies and guidelines so that they are better protected and social welfare staff know how to address their needs. A number of countries have plans to harmonize existing guidelines.

The inclusion of refugee children in the “Guidelines for the Alternative Family Care of Children in Kenya” is a promising practice. One chapter specifically addresses ‘Care of Children in Emergency Situations’ and includes specific provisions for care and protection of children in refugee situations, acknowledging the Government of Kenya’s commitment to ensure that ‘children in a refugee situation should be given the same level of protection as all other children in Kenya’ (for further

information see the Formative Review).

In Rwanda the Integrated Child Rights Policy, the guiding national child protection policy, has an inclusive approach to all children, including refugees. Joint efforts are also underway between the National Commission for Children, UNICEF and UNHCR to work towards harmonization of alternative care for refugees within the national policy framework.

The Fit Families regulation being finalized in Tanzania provides emergency guardianship for children in need. The Road Map developed during Tanzania’s consultative process recommends extending the scheme to refugee camps for refugee children, highlighting how national guidelines and regulations can be amended to be more inclusive.

²⁴ For further information see Annex 4 Draft Road Map for Rwanda.

²⁵ In both consultative workshops the commitment and engagement of community based child protection actors (including volunteers and parents) was recognized. Participants in the workshops recommended that actors at the community level receive appropriate training and support in line with national and subnational guidelines.

Benchmarks:

- ▶ National Child Protection policies and standards for development and humanitarian situations have been harmonized avoiding parallel systems;
- ▶ Policies and standards used in camp settings have been harmonized with those used in host communities and/or national settings;
- ▶ Child Protection actors in country are aware of the national standards and policies that apply to refugee children, and use these procedures as needed;
- ▶ Community based child protection actors are trained on national and subnational child protection guidelines and standards; and
- ▶ Refugee children themselves are aware of their rights and the (international and national) standards that protect them.

OPPORTUNITY 4

Social Welfare Workforce and Child Protection Workforce Addressing Needs Of Refugees

Background:

A social welfare and child protection workforce²⁶ is the backbone of a functional national Child Protection system. It can include social workers, child protection officers or other relevant categories of staff who operate at national, and sub-national levels. The workforce provides targeted services for children, including asylum seeking and refugee children, facing child protection concerns, be they unaccompanied and separated children, children requiring foster care placements, or requiring support when suffering abuse or neglect. The social welfare workforce is fundamental for the implementation of government child protection policies and services for vulnerable children.²⁷ It is important that regulations and directives anticipate and guide good professional practice for social welfare workers and child protection officers in relation to the protection of refugee children.

Rationale:

Eventually, the requirements of refugee children with specific needs should fall under the responsibility of the government social welfare workforce. This would require a gradual increase in national government capacity to address the needs of refugee children over time. Taking this approach promotes more integrated child protection approaches for refugees and host communities and enhances the governments' overall lead for child protection. Furthermore, many countries require by law or regulation the involvement of statutory social workers e.g. in relation to a decision of removal of children from biological parents in cases of serious abuse or neglect, custody disputes etc.

Challenges

- Discussions and planning for the inclusion of refugee children in the case loads of government social workers is reasonably recent;
- Governments often allocate lower expenditures for social welfare thus impacting the number of social workers and resources available to staff. This can result in reluctance to expand responsibilities to refugee children;
- Refugees are often in remote locations, with no or very limited presence of government social work staff;
- Limited expertise and capacity of government child protection/social welfare workers on care and protection of children in refugee contexts.

²⁶ Social welfare workforce is hereby defined broadly to describe a variety of workers – paid and unpaid, governmental and non-governmental – who staff the social service system and contribute to the care of vulnerable children and families, which include social workers, para-social workers, auxiliary social workers, welfare workers, child and youth care workers, home visitors, community child care workers, health and social welfare extension workers, child protection officers, child/family probation officers, and community development officers.

²⁷ See UNHCR UNICEF 'Bridging the Humanitarian-Development Divide for Refugee Children in Eastern Africa and the Great Lakes: Formative review regarding inclusion of refugee children in National Child Protection Frameworks and Systems. April 2017, final Draft – For Review'.

How to promote inclusion:

UNHCR, UNICEF, and Government partners can work together strategically to better address the needs of refugee children in the national child protection workforce (including at the national and sub-national levels). This includes working together for the continued professionalization of the social welfare workforce, with a harmonized approach so that all staff and volunteers are appropriately trained and can better serve all children, including refugee children.

Professionalization of the Social Welfare Workforce

- Increase knowledge and capacity of the Child Protection workforce on the rights and needs of refugee children; sufficient staff must be available to respond in both development and humanitarian contexts;
- Map the child protection workforce (statutory and informal) in camp and development contexts and assess training needs
- Harmonize training and mentoring plans for the child protection staff and workforce as well as roles and responsibilities of staff in camp and development settings;
- Assess and review how all actors can be better engaged with case management for refugee children (including where appropriate, Best Interest procedures);
- Advocate for deployment of sufficient statutory staff to refugee camps, settlements, and urban centres to meet the needs for refugee children in emergency and longer-term contexts. For example, placement of a government social worker at the camp to coordinate and ensure coherence between camp and development child protection/social work systems and ensure referrals into the statutory system;
- Build capacity of national social welfare and child protection staff on refugee child protection, including specific procedures such as the best interest procedures.
- Support local/district child protection structures during emergency situations as well as more protracted situations, e.g. through the deployment of government-paid social welfare workforce to displacement affected districts (deployments can be agreed upon in advance as part of preparedness);
- Review the national social work curricula, and incorporate aspects related to the rights and needs of refugee children;
- Harmonize training, tools, referral systems, and data collection of all CP actors; and
- Advocate for further funding for the professionalization of the social welfare workforce (staffing, secondment, and training).

One-stop centres for child protection needs, including those of refugee children

- Promote the establishment of one-stop centres to address violence against children and women, a globally recognised good practice. Such centres also offer an opportunity for an integrated response addressing the needs of both host and refugee communities;
- Review the capacity of existing one-stop centres for violence against children, and staff training needs and wherever possible, extend to refugee families; Staff training should be linked to the broader efforts to professionalize and train the social welfare workforce;
- Assess if there are sufficient links between the one-stop centres and host communities, and with services, ensuring that refugee children are accessing these services.
- Harmonize camp level standards and guidelines with national and district levels standards and guidelines from the planning stage;

Re-enforcing linkages/collaboration between formal child protection systems and structures and with community based child protection mechanisms (CBCPM)

- Harmonize camp level standards and guidelines at national and subnational levels
- Explore national mechanisms for community based child protection for possible replication of or harmonization of such structures in refugee camps/settlements;
- Promote day-to-day cooperation between government social workers and para-professional social workers and community child protection volunteers to ensure stronger linkages between formal and informal child protection systems;
- Harmonize regulation, and certification of community-based mechanisms in refugee and host communities and formalise referral linkages between CBCPM and the formal CP system including in refugee settlements;
- Involve government child protection/social workers in training of staff, para-social workers or community volunteers in refugee settlements or in urban contexts;

- Support camp volunteers with training (using the national child protection curricula where appropriate) and enable joint home visits (in camps and in the host community);
- Promote prevention and awareness-raising initiatives, as well as parenting programmes to provide cross-over opportunities between refugee and host communities;
- Training of volunteers/staff should be linked to the broader efforts to professionalize and train the social welfare workforce;

Promising practices: Promoting a harmonized approach to the Social Welfare Workforce by Working for all Children

In Tanzania there are already many good initiatives underway to strengthen the linkages between the child protection system in camps and host communities, some of which are now seen as best practices in the humanitarian sector. Currently, 20 government Social Welfare Officers are providing psychosocial support and case management for refugee children in all three refugee camps, working within the case management frameworks of Plan International and the International Rescue Committee. More than 160 Social Welfare Officers have been deployed since the onset of the emergency. The Tanzania Police Force continues to address specific cases for refugee children presenting at the Police Gender and Children Desks (UNICEF opening remarks during the consultative workshop in Kigoma, Tanzania, June 2017).

Rwanda provides excellent examples of the professionalization of the social welfare workforce. The

National Commission for Children has a long-standing partnership with the Tulane University School of Social Work's Disaster Resilience Leadership Academy, the University of Rwanda, and UNICEF to train a cadre of professional social workers and psychologists and develop the social work curricula. There are plans to include a module on refugee children in the curricula (for further information see the Formative Review and Annex 4: Draft Road Map for Rwanda).

Rwanda also provides excellent examples of community resilience and active community based child protection programmes, including in refugee camps. The Inshuti z'Umuryango or 'Friends of the Family initiative' is a national cadre of 30,000 community-based child and family protection volunteers. In response to the influx of Burundian refugees CBCP systems were established in the Mahama Refugee Camp. There are plans to expand this initiative.

Benchmarks:

- ▶ National social work curricula include specific training on the rights and procedures regarding refugee children (in development and humanitarian contexts);
- ▶ National mapping of social welfare workforce finalised including the staffing requirements to address the needs of refugee children (camp and development contexts);
- ▶ CPCBMs accessed by refugee children and their families (for prevention and response);
- ▶ Agreed upon number of one-stop centres, child refugee sensitive, operational in country, accessed by refugee children and their families on a regular basis;
- ▶ BID processes, where appropriate, are co-led by government social welfare/child protection staff with effective, timely coordination by all stakeholders; and
- ▶ Multi-year sustainable funding for training the social welfare workforce on the needs of refugee communities is secured.

OPPORTUNITY 5**Considering Refugee Communities in National Surveys and Research****Background:**

National surveys and research are important entry points to consider as they establish national baselines which influence policy decisions, programme design as well as budgeting priorities. Yet refugee children and communities are usually not included in household surveys such as Violence against Children surveys, Demographic and Health Surveys (DHS), Multiple Indicator Cluster Surveys (MICS) etc. Similarly there is little information on refugee children in national data collection systems such as education and health management systems (EMIS, HMIS, etc.). Even if refugee communities are included, the information is not, in many cases disaggregated by legal status (e.g. asylum-seeker, refugee, internally displaced, stateless). Consequently, there are no baselines and also no way to measure progress in the health, well-being or overall situation of refugee children. Civil Registration and Vital Registration surveys constitute an exception in this respect. CRVS surveys have in many instances included information on refugee children.

Rationale:

Refugee children and children belonging to other marginalized groups are more often than not invisible in national surveys. The SDG's commitment to leaving no one behind, and assisting the 'most marginalized groups' provides an impetus to include refugee children in national surveys and research. When refugee populations, or other marginalized groups are excluded, national baseline data, population information, and analysis are skewed, and not fully representative of the population overall. In order to produce accurate data which effectively informs policy and practices, UNHCR, UNICEF and government partners should work together to ensure systematic inclusion of refugee children in national data collection mechanisms, analysis and research. Data from national surveys may be used for advocacy for the national budgeting process, or to support national policies and programmes that promote integration and harmonization.

Challenges

- Some policymakers and statisticians do not view data on refugee populations as a priority;
- Inclusion of refugee children and communities in national population surveys would require specific attention to sampling methodologies which would allow inclusion, and oversampling of areas with a high concentration of refugees and additional questions to determine and track the status of respondents as refugees and/or migrants, etc.
- During data collection some areas where refugees live may be remote or more difficult to access, discouraging data collectors to collect their full sample; and
- Funding streams for research and studies are not always inclusive of both the refugee and host community; inclusion would require advocacy with donors.

How to promote inclusion:

- UNICEF and UNHCR could jointly map forthcoming national surveys covering a range of sectors, to explore possibilities for inclusion of refugee communities;
- Advocate for the inclusion of refugee children in all forthcoming surveys and mapping exercises (national and sub-national levels);
- Seek donor support, where needed, for specific allocation that covers possible cost implications for inclusion of refugee communities in surveys; ideally this should be included in the general budget for the planned survey/research;
- Actively work with government partners to include refugee children in national surveys and research (for example Department of Planning, National Bureau of Statistics, Department of Social Welfare, and Refugee Affairs);
- Provide technical support in planning processes across services including health, education, child welfare, justice, social protection, etc. to ensure refugee children are included in surveys and research where relevant;
- Ensure refugee children are included in SDG related research and baseline studies as part of the national implementation of SDGs;

- UNICEF has a comparative advantage as all sections of the organization work with government line ministries to support national surveys for baseline data (notably the National Bureau of Statistics in respective countries on the development of the MICS);
- Data from national surveys should be used for advocacy for the national budgeting process (see Opportunity 2 Tapping Into National Development Plans), and can also be used to support national policies and programmes that promote integration and harmonization (see the example from Tanzania below);
- Advocate and lobby for further integration and harmonized programmes for refugee children based on baseline information from these national surveys and research; and
- Use this baseline information in communications materials and for advocacy with media and donors.

Promising Practices: Leveraging Violence against Children Surveys to influence national priorities

The first Violence against Children (VaC) survey conducted in Tanzania was in 2009. It was one of the first countries in Africa to carry out the study. The Government of Tanzania has shown continuous commitment and leadership to address violence against children through both prevention and response interventions. In December 2016 the Government of Tanzania and key stakeholders finalized a costed National Plan of Action to End Violence against Women and Children (NPA-VAWC 2017/18-2021/22), which is widely acknowledged as a comprehensive tool to address violence against women and children using a multi-year, multi-sectoral approach. The NPA VAWC makes limited, but specific reference to preventing violence against refugee women and children in camp settings.

The importance of national, costed studies and surveys cannot be underestimated. They provide an evidence-base which can inform how refugee children and families can be included in national strategic initiatives. While the NPA VAWC only marginally references refugees, stakeholders have pro-actively used the tool to tap into

and leverage resources to support refugee children and their families. For instance, the UN Joint Programme for Kigoma (a refugee hosting area) specifically references the NPA VAWC, and the strategic objective to prevent and respond to violence against women and children is based on the NPA VAWC. Under this programme assistance and support are also provided to refugees and their families alongside host communities.

Rwanda will soon embark on its upcoming Violence Against Children and Youth (VACYS) strategic plan. A key recommendation from the consultative workshop in Rwanda is to reflect refugee children in this plan, and for refugee children to be consulted during its development. Similarly there was also the recommendation to integrate refugee children in the upcoming Economic Development and Poverty Reduction Strategy (EDPRS III), the country's VISION-2050 plan, and the Revised Integrated Child Rights Policy and strategic plan, all of which highlighted the inter-connectedness of using baseline data to impact the development of national strategies.

Benchmarks:

- ▶ Government line ministries lead on assuring that relevant surveys, national monitoring mechanisms, assessments, and research conducted in-country includes disaggregated information and statistics on refugee children (national and sub-national level);
- ▶ Evidence and data is used to realign on-going child protection and social welfare initiatives to better include child refugees (keeping in mind the increasing focus on programmes benefitting both refugee children and host community children);
- ▶ National Child Protection Systems Mappings, assessments of the Social Welfare Workforce, Civil Registration and Vital Statistics assessments, Violence against Children Surveys, National Household Surveys, Demographic and Health Surveys (DHS) and Multiple Indicator Cluster Surveys (MICS) include information and statistics on refugee children in both urban and camps; and
- ▶ National Violence against Children Initiatives include multi-year costed analysis including programmes to support refugee children and refugee hosting areas.

OPPORTUNITY 6

Strengthening Capacity of Existing Birth Registration Systems to Facilitate Access for Refugee Children

Background:

Birth registration and the issuance of birth certificates is the government's responsibility. Birth registration is the official recording of a child's birth by the State. A birth certificate is a permanent and official record of a child's existence. In line with the CRC, every child has the right to birth registration, a name, and nationality. An effective birth registration system is essential to ensure the protection of children. While birth registration does not in and of itself confer nationality upon a child – birth registration is nevertheless important for the prevention of statelessness because it establishes a legal record of the child's place of birth and who his or her parents are. This constitutes an important form of proof as to whether a child has acquired nationality by birth on territory or based on descent (nationality of parents).

Rationale:

Lack of access to birth registration is a challenge facing

many children, especially in low-income countries. Making sure that all children, including refugee children, are registered at birth is important for their subsequent access to basic social services (i.e. schooling, health services, social protection initiatives in country, etc.). Refugee children might face additional legal or practical obstacles to obtain birth certificates and the lack thereof has specific implications for a refugee child. Legal documentation, including birth certificates will facilitate return and reintegration to their home countries. Lack of birth certificates can make returns more difficult – and adds challenges for returning refugee families, for example in enrolling a child in school. Unregistered children may face difficulties in family reunification as they lack documentation to prove their relationship with their parents. Lacking a birth certificate or other documentation can also result in refugee children not being able to benefit from child-sensitive proceedings during asylum or judicial proceedings. This may have a significant impact on the decisions made.

Challenges

- Discriminatory birth registration legislation which excludes certain categories of children (e.g. non-nationals, refugees, children born out of wedlock);
- Practical obstacles such as difficulties to accessing civil registration authorities due to remote camp location; travel restrictions placed on refugees, prohibitive fees, etc.;
- Operational challenges at the respective government office (e.g. physical lack of registers).

How to promote inclusion:

- Advocate for Civil Registration and Vital Statistics (CRVS), comprehensive assessments, and national strategies to include refugee communities. In Rwanda, for example, refugees will be included in the forthcoming five-year costed CRVS national plan of action;
- Together with Governments, explore ways of overcoming practical obstacles to accessing birth registration for both refugees and host communities;
- Promote a harmonized approach applying the same procedures for nationals and refugees, whilst ensuring that specific barriers affecting refugees are overcome.
- Pursue a multi-sectorial approach to birth registration engaging with multiple line ministries and within each agency (in particular the health sector);
- Establish mobile teams to provide birth registration services in remote locations hosting refugees, but also serving host communities;
- Facilitate access to birth registration for refugee children in host communities;
- Promote a simplified birth registration process;
- Harmonize existing national awareness campaigns on birth registration targeting refugee children and their families; and
- Advocate for further funding for birth registration targeting refugee communities and harmonized programmes in host communities.

Promising practices: Ethiopia and Uganda

In 2016, the Government of Ethiopia made a commitment to provide refugee children access to civil registration services, and a proposal that supports the extension of the civil registration and vital registration system to refugees is being finalized. The proposal includes infrastructure, human resources, and capacity building. UNICEF supported the revision of the national legal and policy framework, which includes registration of the vital events of refugees, which is now pending approval by Parliament. This will address an important protection element for refugee children.

UNICEF Uganda is supporting birth registration through strengthening systems to ensure refugee children

receive official birth certificates. Within the provisions of the Registration of Persons Act of 2015, refugee children born in Uganda are registered with the National Identification and Registration Authority (NIRA). In 2016, within the eight refugee hosting districts, approximately 35 per cent of the 68,000 children registered at birth were from refugee parents, demonstrating the integration of the refugee response within national systems.

UNICEF ESARO “Comprehensive Refugee Response Framework (CRRF): Ongoing Engagement and Opportunities in Ethiopia and Uganda”, 12 June 2017.

Benchmarks:

- ▶ Legislation and policy related to birth registration is inclusive of refugee children;
- ▶ National CRVS strategies include refugee children, encouraging harmonization of procedures for registration of new-borns;
- ▶ Operational solutions (such as mobile registration teams) are put in place to address specific barriers for birth registration affecting refugee communities
- ▶ All refugee children are registered by national civil registration authorities and issued birth certificates.

OPPORTUNITY 7 Pursuing Regional Entry Points

Background:

Several regional organisations in East and Southern Africa have oversight and can develop and/or guide policy making on child rights issues, including refugee children. For example the East African Community (EAC), the Southern African Development Community (SADC), and the Organisation of African Unity (OAU) all address the needs of children and refugee children in their mandates. These regional organizations and their policy frameworks provide an opportunity to further regulate and support countries in the region on matters pertaining to child protection and refugee affairs.

Rationale:

While refugee children have often been overlooked in regional policies, frameworks, and relevant multi-year strategic plans produced by regional organisations, there is a real opportunity to promote integration and harmonization for refugee children into national child protection systems through policy implementation. In many instances UNHCR or UNICEF regional and liaison teams coordinate closely with regional entities, whilst UNHCR and UNICEF country teams coordinate with and support host governments to implement agreed regional policies, plans and initiatives, to which national norms will often be aligned.

Challenges

- Regional policies and plans tend to focus on country nationals, thus implicitly or explicitly excluding non-nationals such as refugees or migrants;
- Children’s needs and issues, including those of refugee children, are often not reflected in regional policies and plans; and
- Regional or national agencies often have limited human and financial resources for implementing mandated activities.

How to promote inclusion:

- Advocate for the inclusion of refugee children when regional child protection policies and frameworks are being rolled out at the country level, even if refugees or refugee children were not referenced in the original policy or framework;
- Liaise with the national child protection coordination mechanism in country to make sure that the needs of refugee children are included as the policy initiative is operationalized at the country level;
- Engage in the discussion on rollout and implementation of regional policies, and advocate working towards costed multi-year plans at the country level;
- Advocate for refugee children's needs (including children on the move/cross-border issues) in high level fora. Where necessary and appropriate advocate, or request advocacy from the Representative or regional colleagues; and
- Promote exchange visits of government officials to other countries in the region to share promising practices and lessons learned. For example, Tanzanian government officials visited Uganda to learn from promising practices in relation to receipt and integration of refugees.

Promising Practice: Including refugee children in rollout of regional standards

The East African Community (EAC) presents promising opportunities in the form of the recently (2016) adopted a Child Policy. Although reference to refugee children is only made in the background section of the document, the EAC 'Minimum Standards for Comprehensive Services for Children,' which is intended to operationalize the policy includes interventions to protect refugee children. These standards were validated in May 2017. A regional action plan will be developed

which provides a new opportunity for advocacy to include specific refugee child protection requirements/ benchmarks (for further information see the EAC Child Policy and EAC 'Minimum Standards for Comprehensive Services for Children'). As host governments in the region now work to align with the policy, efforts should be made to advocate for further inclusion of refugee children.

Benchmarks:

- ▶ Forthcoming regional accords and plans of action to include specific reference on refugee children, including specific objectives regarding refugee children;
- ▶ UNHCR and UNHCR country teams work with their Government counterparts to ensure rollout and implementation of regional guidelines include a focus on refugee children; and
- ▶ EAC Plan of Action for implementation of the EAC Child Policy includes benchmarks relating to refugee children.



ANNEXES

1. Suggested participants for the consultative workshop

Ideally the workshop should be convened and led by the Ministry of Social Welfare and the Ministry of Interior/Home Affairs (depending on which Ministry covers refugees) with clear support from UNICEF and UNHCR. Early work with the convening ministries is important.

Government partners

It is ideal to secure senior level officials for at least part of the workshop. It is also important to make sure there are sufficient numbers of technical level staff from different line ministries.

Possible government ministries/entities to consider including in the consultative process:

Line ministries to be considered for participation includes officials from the Ministry of Social Welfare, Department of Refugee Affairs (or equivalent), Ministry of Justice, Ministry of Interior (for the police), the National Bureau of Statistics, the relevant ministry covering Social Protection initiatives, etc. It may be that both agencies would like to invite Ministry of Education colleagues.

The location of the workshop - at national or sub-national level, will impact who will attend. Representatives for district/provincial level government administration should be invited.

Another aspect to keep in mind is the importance of having high-level officials for opening sessions and plenary, and closing remarks.

NGO partners

It is useful to consider the participation of key NGO partners attend as they have daily contact with refugee children and their families, understand the challenges faced in accessing services, and should have concrete suggestions to provide during working group discussions.

Both national and international NGOs have an important voice for advocacy and programming for children and on refugee issues. Priority should be given to national NGOs to participate. Care should be taken to be sure that participants from NGOs and UN agencies do not outnumber government participants.

Refugees

Another aspect to keep in mind is the participation of refugees themselves in the consultative workshop; where possible this should be encouraged. In the Kigali consultative workshop, three adult refugees, who are also camp leaders, participated. They provided concrete suggestions on coordination and programming in the refugee camps.

UNHCR and UNICEF staff

UNHCR and UNICEF colleagues who attend, and who have not taken part in the preparation for the workshop must be briefed on the aims and objectives of the workshop, and be given roles and tasks to help keep the workshop on track. It is important to have sufficient UNHCR and UNICEF staff participate throughout the consultative workshop but especially during the working group sessions. Ideally both agencies should be represented in in each working group session to steer the discussion to ensure pre-identified opportunities in each technical area are explored discussed and to and record the discussions.

Other potential participants

Inviting UN agencies, such as UNDP, IOM and UNFPA is useful. Some countries in the region have donors who actively contribute funding to child protection initiatives, and possibly the same donors contribute funding to support initiatives for refugees. Having the donors engaged throughout the process is important to ensure buy in and continued commitment and support. The World Bank has been involved in a number of countries in the region, and there are often existing relations with the Bank that can be leveraged during this process. Ideally a multi-year costed plan will be have been developed during this process and the donors may be more interested to help support its rollout the result if they have been involved throughout the process.

2. Checklist: Inclusion of Refugee Children in National Child Protection Policies and Standards

What are the existing national and sub-national Child Protection policies and standards? (Please include Standard Operating Procedures)		
Please list:		
Does the regulatory framework clearly mandate government social/child protection staff to work with refugee children?	Yes	No
Are refugee children adequately included in these documents? If yes, please list:	Yes	No
Is there duplication in the existing standards? i.e. One set of standards for children another specifically focused just on refugee children? If yes, please list: If yes, does this serve a purpose or is there a need to address this duplication?	Yes	No
Are there areas of refugee child protection that are not addressed in existing policies and standards? i.e. Are there gaps in the protection of refugee children? If yes, which ones? What are the proposed plans to address this?	Yes	No
Do the existing national Child Protection policies sufficiently take into account both development and humanitarian contexts? If no, what are the plans to address these proposed changes?	Yes	No
Do the existing national Child Protection policies sufficiently take into account emergency preparedness and response? If no, what are the plans to address this gap?	Yes	No
Do the policies on Alternative Care adequately address the needs of refugee children? If no, what are the plans to address these proposed changes?	Yes	No
Who are the relevant stakeholders mandated to oversee and implement these policies and standards? Please list:		
Is there an accountability and oversight mechanism in place to monitor the use and implementation of these policies and standards? If yes, what is the mechanism? And how is this information shared with the rest of Government, and the public? If no, what are the plans to address this gap? Please specify:	Yes	No
Are all the relevant stakeholders aware of these policies and standards? If no, what are the plans to address this gap?	Yes	No
Are refugee children and their families aware of their rights, and these policies and standards for the protection of refugee children? How is this measured? If no, what are the plans to address this gap?	Yes	No
Are there specific Child Protection policies and standards at the sub-national level? Within these are there specific policies, standards, or SoPs for refugee children? If yes, please list: Is there duplication within these documents? Are there any gaps with regards to the protection of refugee children?	Yes	No

3. Checklist: Child Protection Workforce Addressing the Needs of Refugees

Professionalization of the Social Welfare Workforce		
Do Child Protection Systems guidelines exist (for the national and sub-national levels?) noting coordination, mandate, and leadership responsibilities regarding CP? If yes, are these guidelines and roles and responsibilities mandated (to specific Government agencies)? If no, what are the plans to revise the relevant Guidelines?	Yes	No
Do these Guidelines include specific reference to refugee children? If yes, are they comprehensive and inclusive enough? If no, what is the plan and timeline for the inclusion of refugee children in the Guidelines? Who is the lead for this project?	Yes	No
Does the national social work curricula include substantive training on the needs, rights, and procedures related to refugee children? (In various contexts, including development, humanitarian including emergencies) If yes, have all social workers and para-professional social workers in country received this training? If no, what is the plan and timeline to address this?	Yes	No
Is there a costed plan for training, mentoring, and supporting these social workers and para-professional social workers regarding refugee children? If no, what is the plan and timeline to address this?	Yes	No
Has a mapping been done of the Child Protection workforce who has training on child refugee issues? If yes, has the CP Coordination mechanism in country taken action to address these findings? If no, when is this mapping planned to be conducted?	Yes	No
Is there a pre-existing agreed upon plan for Government social workers to be deployed (seconded) in a sudden onset emergency? If yes, have all selected staff been trained appropriately? If no, what is the timeline to address this?	Yes	No
If no, what is the plan and timeline to address this?	Yes	No

4. SAMPLE ELEMENTS FOR A ROAD MAP FOR INCLUSION OF REFUGEE CHILDREN (Based on outcomes of consultative workshops in Tanzania and Rwanda)

During the consultative workshops in Rwanda and Tanzania, the working groups developed draft road maps for inclusion of refugee children in national legal and policy frameworks as well as services and systems. The below matrix summarizes the proposed actions with a view to serve as an example of actions that could be considered elsewhere. At the time of printing the road maps are still pending further prioritization and final endorsement by respective national authorities – therefore the table does not indicate which actions relate to which country. The matrix is just intended to document types of actions and

initiatives that might be considered in similar processes in other countries. It should be noted that while this matrix entails a wide range of activities for two different operations– the length of the road map or action plan is not significant in itself. What is more important is that there is commitment from all stakeholders to support the implementation of specific actions and that the document includes short and longer term actions and activities at the national, district and village/camp/settlement levels. Joint prioritization of actions will also be useful in moving forward with the plan.

SAMPLE ELEMENTS FOR A ROAD MAP FOR INCLUSION OF REFUGEE CHILDREN (Based on outcomes of consultative workshops in Tanzania and Rwanda)					
Theme	Action	Type of activity	Government	Inclusion	Harmonization
Legal and Policy Frameworks, Policies, Standards, National Programs	Upcoming national violence against children (and women) strategic/actions plans present an opportunity for inclusion of refugees: <ul style="list-style-type: none"> Refugee children/communities are to be consulted as these plans are developed Refugee departments to be included in development of these national plans of action and strategies and in coordination groups established to support implementation 	Participation, Inter-departmental cooperation	X	X	X
	National Guidelines for establishing Children’s Councils to be reviewed to explore how they could inform existing child protection structures at camp level in order to achieve greater harmonization	Expansion of national initiative		X	X
	Facilitate exchange on awareness raising campaigns and prevention – and promote harmonization and greater collaboration regarding e.g. <ul style="list-style-type: none"> Campaigns on child labour, Campaigns on violence prevention Parenting skills trainings and initiatives Campaigns on child marriage and teen pregnancy etc. Child-friendly material Commemoration days (World Refugee Day, Day of the African Child etc.) 	Awareness raising, Prevention			X
	Include a child protection pilot in the CRRF process which can demonstrate the cost-benefit of harmonizing national and refugee specific child protection response.	National plan		X	X
Development Plans	Integrate refugee children in upcoming national plans such as Poverty Reduction Strategy, the Vision-2050 plan, the Child Rights Policy	National plans		X	
	Include refugees in relevant thematic sector plans such as Private Sector development & Youth Employment, Social Protection - sector plan.	Sector plans		X	
	Include refugees in relevant district development plans (both five-year plans and annual plans).	District plans		X	
Child Protection and Social Welfare Services and workforce Birth Registration services	Ministry of Social Welfare/Gender to share the guiding tools and materials used at the national level with UNHCR and partners working in the camps in order to promote harmonization and alignment of practices and procedures (where possible).	Sharing and align tools, material			X

SAMPLE ELEMENTS FOR A ROAD MAP FOR INCLUSION OF REFUGEE CHILDREN (Based on outcomes of consultative workshops in Tanzania and Rwanda)						
Theme	Action	Type of activity	Government	Inclusion	Harmonization	
Child Protection and Social Welfare Services and workforce Birth Registration services	Explore ways to increase the involvement of government child protection/social welfare workers with refugee children: <ul style="list-style-type: none"> • Increase the number of social welfare officers in the refugee hosting areas so they can also cater to case management needs of refugee children • Establishing government social welfare office within the camp. • Explore ways how resources allocated to local government authorities for social welfare can also benefit refugee families and children. 	Expand reach of Social Welfare Workforce	X	X		
	Link the work of the National Parenting Task Force to parenting initiatives in refugee camps e.g. exchange on parenting material used in host community and in camps	Expansion of national initiative		X	X	
	Build capacity of the social welfare workforce (social workers, para-social workers, and psychologists) on needs of refugee children. <ul style="list-style-type: none"> • Include refugee response in social work curricula at university and other relevant social work training institutions • Include refugee response in pre-service curriculum training for front-line service providers; • Include a module on refugee children in national CP training material • Using the national CP training material, capacitate camp volunteers with training (national child protection curricula) and coach volunteers during home visits. 	Build capacity of social welfare workforce	X	X		
	Foster care: <ul style="list-style-type: none"> • Explore ways to harmonize procedures for selection and training of foster parents • Facilitate learning and exchange between families fostering national children and those fostering refugees. • Link vulnerable foster families with existing social protection schemes. 	Streamlining procedures		X	X	
	Case Management: <ul style="list-style-type: none"> • Map host community and camp referral pathways, reporting mechanisms – to facilitate referral of refugee children to services outside of the camp and viceversa for host community children. • Where possible harmonize referral pathways at various levels (community, district etc.) • Review case management training material used in development and humanitarian settings with a view to standardize and harmonize where possible. • Participation of government social/child protection workers in BID panels. 	Streamlining procedures		X	X	
	Expand the national Fit Family initiative (emergency foster care/guardianship scheme) to refugee camps and recruit 'Fit Families' among the refugee community	Expansion of existing national initiative			X	X
	Create linkages between parenting initiatives among refugees and host community: <ul style="list-style-type: none"> • Link the work of National Parenting Task Force to parenting initiatives in refugee camps • Harmonize positive Parenting Initiatives in refugee camps and in host communities (e.g. using same material when appropriate). 	Linking with national initiative		X	X	

SAMPLE ELEMENTS FOR A ROAD MAP FOR INCLUSION OF REFUGEE CHILDREN (Based on outcomes of consultative workshops in Tanzania and Rwanda)					
Theme	Action	Type of activity	Government	Inclusion	Harmonization
Child Protection and Social Welfare Services and workforce Birth Registration services	Continuous capacity building for all actors in contact with refugee children, i.e., training Immigration Officers on Immigration's SOPs for vulnerable groups; law enforcement officers, social welfare officers	Awareness raising, training		X	X
	Facilitate meaningful participation of children (refugee and host community) in existing forums like children's summits, child protection forums, district Children's Committees	Child participation		X	X
	The National Council for Children to endorse the SoPs on alternative care contextualised to humanitarian settings.	Government oversight	X		
	For refugee children in contact with the law consider implementing existing national community rehabilitation initiatives in refugee camps	Linking with national initiative	X	X	X
	Social protection: <ul style="list-style-type: none"> Explore possibilities for inclusion of vulnerable refugee families/households in national Social Protection initiatives Consider aligning criteria and conditions for Cash Based Initiatives with national social protection funds. Explore inclusion of refugees in the Public Works (employment) scheme in both camps and urban areas 	Linking with national initiative		X	X
	Review birth registration procedures with a view to promote full integration in the national civil registration system and procedures rather than pursuing a parallel system	Linking with national system		X	X
	Establish mobile civil registration teams to refugee camps to register births and to issue birth certificates	Facilitate access		X	X
	Awareness-raising: <ul style="list-style-type: none"> Joint community sensitization on the importance of birth certificates to host and refugee communities For local leaders and officials on the status of refugees and their rights to be registered at birth 	Raise awareness			X
	Prioritize refugee hosting region for the roll-out of a national simplified birth registration process			X	
	Refugees who turn 16 should obtain IDs at the sector level, like their peers of the same age			X	X
	Promote greater engagement of local authorities in protection and assistance of refugees, including refugee children. As a starting point: <ul style="list-style-type: none"> Raise awareness with community members and decision makers (at village and ward level) on refugee children Build capacity of local council and local leaders on refugee protection and response. 	Raise awareness			
	Coordination: <ul style="list-style-type: none"> District Council Meetings to cover issues and needs affecting all children (Refugee and host community children) Greater exchange between child protection coordination groups in camps and groups in host community 	Coordination	X		
Establish community rehabilitation Initiative in refugee camp (for children in contact with Law)	Expand existing national scheme			X	X

