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ON MY OWN:

Protection challenges for unaccompanied and separated children in Jordan, Lebanon and Greece

INTERSS  S



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This report was produced by INTERSOS in the framework of the Mixed Migration Platform.

The Mixed Migration Platform (MMP) is a joint-NGO initiative providing quality mixed migration-related information for policy, programming and advocacy work, as well as critical information for people on the move. The platform was established by seven partners - ACAPS, Danish Refugee Council (DRC), Ground Truth Solutions, Internews, INTERSOS, REACH & Translators Without Borders (TWB) - and acts as an information hub on mixed migration in the region.

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Authors: Luigi Achilli, Hannah Leach, Monica Matarazzo, Marina Tondo, Alba Cauchi, Triandafilía Karanika

Photos: Timon Koch

Maps: Giovanni Manetti

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EXECUTIVE SUMMARY

The findings in this report conducted by INTERSOS and MMP indicate that, although the individual contexts in Jordan, Lebanon and Greece are unique, challenges evident for Unaccompanied and Separated Children (UASC) across all three countries do bear common themes. Despite legislative discrepancies, it is clear that the best interests of the child, as set out in the 1989 Convention on the Rights of the Child, are consistently violated by: inconsistent or non-existent implementation of updated procedural safeguards; strained institutional capacity; and both state-level and public scepticism around 'security concerns' posed by UASC.

The findings also demonstrate how motivations for irregular migration appear commonly driven by the need for security when threatened by forced conscription or exploitation and/or when seeking better livelihoods opportunities. Furthermore, institutional capacity, or allocation of adequate funds for the protection of UASC, remains strained in all three contexts. When coupled with poorly coordinated monitoring and the unavailability of UASC-disaggregated data, the protection space for this vulnerable group shrinks even further.

Legal status challenges, with regards to regular entry and stay, sit at the intersection of an intricately linked chain of successive protection risks for UASC in Jordan, Lebanon and Greece. In Jordan, this is characterised by the post-2014 policy shift requiring that refugees, including minors, registered after this date reside within formalised camps, contrasted by the reality that at least 80% of this community live in host communities. In Lebanon, UASC are prevented by law from entering and residing within the country regularly, due to the required presence of an adult guardian at all junctures. Meanwhile, in Greece, the medical inaccuracy and poor implementation of the age assessment process continue to threaten the right of UASC to access asylum and child-specific support.

Such legal status challenges place UASC at risk of arrest, detention and in the cases of Greece and Jordan, relocation and even deportation. Consequently, the threat of this compels UASC to avoid accessing humanitarian support or registering officially with national authorities, further compounding the quantitative ambiguity around their presence or movement patterns. This immediately impacts on their access to education, healthcare, psychosocial support, shelter and legal representation, again exacerbating their already acute vulnerability. In order to survive, void of the support to which they are entitled, findings indicate that many UASC turn to a series of negative coping mechanisms including child labour, transactional sex, working irregularly and incurring unfeasible levels of debt.

The contradiction in the criminalisation of children as adults throughout the migration process, contrasted by their lack of voice in decisions concerning their wellbeing, must be reconciled. A child protection approach that continues to centralise the vulnerability of UASC - without recognising their agency within the decision-making process, including their decision to move, service provision they receive and policy decisions that affect them - will ultimately fall short of insuring their best interests.



Acronyms

AP	-	Associated Press
ASC	-	Asylum Seeker Certificate
BID	-	Best Interest Determination
CRC	-	Convention on the Rights of the Child
EKKA	-	National Centre for Solidarity
EU	-	European Union
fYRoM	-	The former Yugoslav Republic of Macedonia
GoJ	-	Government of Jordan
GoL	-	Government of Lebanon
GSO	-	General Security Office
ILO	-	International Labour Organisation
IOM	-	International Organisation of Migration
IS	-	Islamic State
ISIS	-	Islamic State of Iraq and Syria
ISF	-	Internal Security Forces
ITS	-	Informal Tented Settlement(s)
JMD	-	Joint Ministerial Decision
MoE	-	Ministry of Education
MoH	-	Ministry of Health
Mol	-	Ministry of Interior
MoU	-	Memorandum of Understanding
MMP	-	Mixed Migration Platform
NCFA	-	National Council for Family Affairs
NGO	-	Non-Governmental Organisation
PoC	-	Persons of Concern
SGBV	-	Sexual and Gender-Based Violence
UAC	-	Unaccompanied Children
UASC	-	Unaccompanied and Separated Children
UAM	-	Unaccompanied Minors
UN	-	United Nations
UNICEF	-	United Nations International Children's Emergency Fund
UNHCR	-	United Nations High Commissioner for Refugees
UVE	-	Urban Verification Exercise

CHAPTER 1: INTRODUCTION

1.1. Focus, methodology and research goals

The overall objective of this report is to provide evidence to better inform decision-making within the humanitarian and policy-making communities regarding the protection of children on the move. It aims to document the risks and vulnerabilities that children on the move face when they travel unaccompanied or separated from their primary caregivers. Its primary aims are:

- a. To improve knowledge and facilitate the exchange and provision of information on children on the move;
- b. To help strengthen UASC protection policies, identifying best practices and gaps.

Data and information were collected directly from children on the move, documenting their experiences and their understanding of exploitation. The investigation was carried out in countries where INTERSOS implements child protection programmes and has direct access to children on the move, both in reception centres, Informal Tented Settlements (ITS), and child-friendly spaces in camps. Data collection was conducted between January and May 2017 in Thessaloniki and the island of Lesbos in Greece, as well as the administrative region of Central Macedonia; in the greater Amman area and the northern governorates of Irbid and Karak in Jordan; and in the governorates of Beirut, Bekaa and Mount Lebanon in Lebanon.

The research also relied on interviews with key stakeholders¹, as well as with local authorities. The wide range of data collected from a variety of stakeholders, combined with triangulation strategies helped to increase the validity and the reliability of the findings.

Initially, the research team conducted a brief, but comprehensive survey of the existing UASC literature on the research question in the selected countries in order to identify the main protection issues faced by UASC and prepare for the primary research. Data was subsequently collected through a series of in-depth interviews with UASC, as well as semi-structured interviews with relevant actors in charge of UASC protection, and other stakeholders. Since patterns of UASC displacement to countries neighbouring Syria and from the Middle East to Greece are contextually specific, questions were tailored accordingly and research tools were likewise context-specific. This strategy allowed for a comprehensive understanding of the implementation of protection procedures. Furthermore, the research explored how the various reception procedures for UASC were experienced by the children themselves, the authorities in charge of their protection and other relevant stakeholders involved in the process.

¹ Refer to full list of stakeholders, detailed on Acknowledgements page.

Interviews	Jordan	Lebanon	Greece	Total
Children	3	12	4	19
Local authorities	0	2	2	4
Other stakeholders	10	12	21	43
Total	13	26	27	66

A senior researcher conducted nine focus groups in the target countries with UASC ranging from 13 to 17 years of age (groups of four to six children). The interviews and focus groups were conducted in the language of the interviewed person; interpreters and cultural mediators were employed for this purpose. The researchers also ensured that a range of different nationalities were represented in the interviews. Additionally, with the help of local authorities, the research team sought access to underrepresented groups. Six female UASC were interviewed in total in Lebanon. The availability of female respondents is reflective of the relatively low percentage of unaccompanied and separated girls in the total migrant flows in the selected countries.

Data collection was carried out thanks to the support of MMP and in line with field-tested INTERSOS confidentiality procedures. Throughout the research, ethical standards for studies involving minors were consistently respected: UASC were approached and interviewed in accordance with child protection principles and in the presence of specialised staff who made sure their best interests were the priority at all times.²

Finally, there were two main limitations with regards to the research:

1. Despite an understanding of the risk of introducing bias into the research by an overrepresentation of male perspectives, the specific displacement patterns of the selected countries incurred a focus on male minors at the expense of their female counterparts. Future research would ideally further disaggregate this topic as regards gender analysis, where possible.
2. The researcher was not granted access to UASC in Jordan, therefore, the research focus shifted to analyse the correlation between documentation complexities and family separation. As a result, findings in this section regarding UASC in particular were collated and triangulated with the help of protection specialists. Findings in the Jordan chapter otherwise examine protection challenges for minors at risk of becoming unaccompanied or separated due to legal status challenges.

1.2. Background

Who are Unaccompanied and Separated Children (UASC)?

Unaccompanied and Separated Children are minors moving, voluntarily or involuntarily, for a variety of reasons, who become separated from their parents or other caregivers.

² All research regulations of the countries where research was conducted were respected. Participation in research was always voluntary. When first approached, participants were provided with information about the consent form and the information sheet in a language and in terms understandable to them. Where appropriate, specific queries and responses provided by the lead researcher were also noted in writing and subsequently signed by both the enumerator and the research participant, and then attached to the consent form. The anonymity of the research participants has been preserved through the use of pseudonyms for all interviewees. Finally, only the researchers had access to the raw research data.

There is, however, no universally accepted definition of UASC. Countries around the world have developed different operative definitions for minors on the move, including “displaced children”, “unaccompanied minors” and “separated children”.

As a general rule, many countries appear to be using the definition contained within the United Nations (UN) Convention on the Rights of the Child (CRC). At the international level, the CRC defines unaccompanied children as “children [...] who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so”.³ As defined in Article 1 of the Convention, separated children are minors “who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children being accompanied by adult family members”.⁴ Even upon agreement of terms, there is not necessarily agreement on interpretation, leading to a diverse range of rights and entitlements for minors, and equally challenges in data collection and coherent monitoring of UASC migration patterns.

According to recent data, the number of UASC has increased five times over the past six years on a global scale.⁵ In 2016 alone, 100,264 children arrived in Greece (63,920), Italy (28,223), Spain (1,674) and Bulgaria (6,447), fleeing severe economic distress, political unrest, and warfare – more than one third were unaccompanied or separated children.⁶

Most UASC arriving to Europe by sea in 2016 were boys between 15 and 17 years of age. 92% of the 28,223 children who arrived in Italy were unaccompanied (25,846). The top countries of origin for UASC reaching Europe in 2016 were, in order, Syria, Afghanistan and Iraq, with smaller but significant numbers from Gambia, Eritrea, and other African countries.⁷ These figures, however, only represent a fraction of the total number of UASC



3 Article 1 of the 1989 UN Convention on the Rights of the Child

4 Comment 6 of Section 7-8 of the 1989 [UN Convention on the Rights of the Child](#)

5 UNICEF (2017) [A Child is a Child: Protecting Children on the Move from Violence, Abuse and Exploitation](#)

6 UNICEF (2017) [Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016](#)

7 Ibid.

who remain outside their country of origin or their place of habitual residence. Many UASC do not register with the authorities because they are unable or afraid to do so, or they have been advised by family members, peers or smugglers to continue on to another destination. Others who have been exploited or trafficked are unable to contact the authorities in Europe - in many instances, unaccompanied or separated children may not appear in official statistics because they did not apply for international protection for these reasons. Conversely, they may be statistically 'invisible' if they have been referred to specialised child trafficking procedures.

1.3. UASC protection

A number of reports and studies have shown how unaccompanied and separated minors are particularly at risk of abuse, detention, exploitation, neglect, and violence.⁸ To protect children against threats of this kind, the UN General Assembly adopted the CRC in 1989. This convention is one of the most widely ratified international treaties for working with UASC, and its provisions are to be applied "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" (Article 2). In September 2016, the member states of the UN reaffirmed their commitment to addressing the specific needs of children travelling as part of large movements of refugees and migrants,⁹ especially children who are unaccompanied or separated from their families, in the New York Declaration for Refugees and Migrants.¹⁰

The CRC has four core principles: the best interests of the child (Article 3); non-discrimination (Article 2); the right to life and survival and development (Article 6); and the right to be heard (Article 12). These four principles should ideally form the linchpin of any state or community-based policy on UASC. In addition to this normative and legal framework, the convention delineates a number of fundamental rights aimed at safeguarding the psychological, cognitive and neurobiological development of children and adolescents. It also pays particular attention to the role of the family in providing care for children, the special protection needs of children deprived of their family environment and the particular protection needs of asylum-seeking and refugee children.

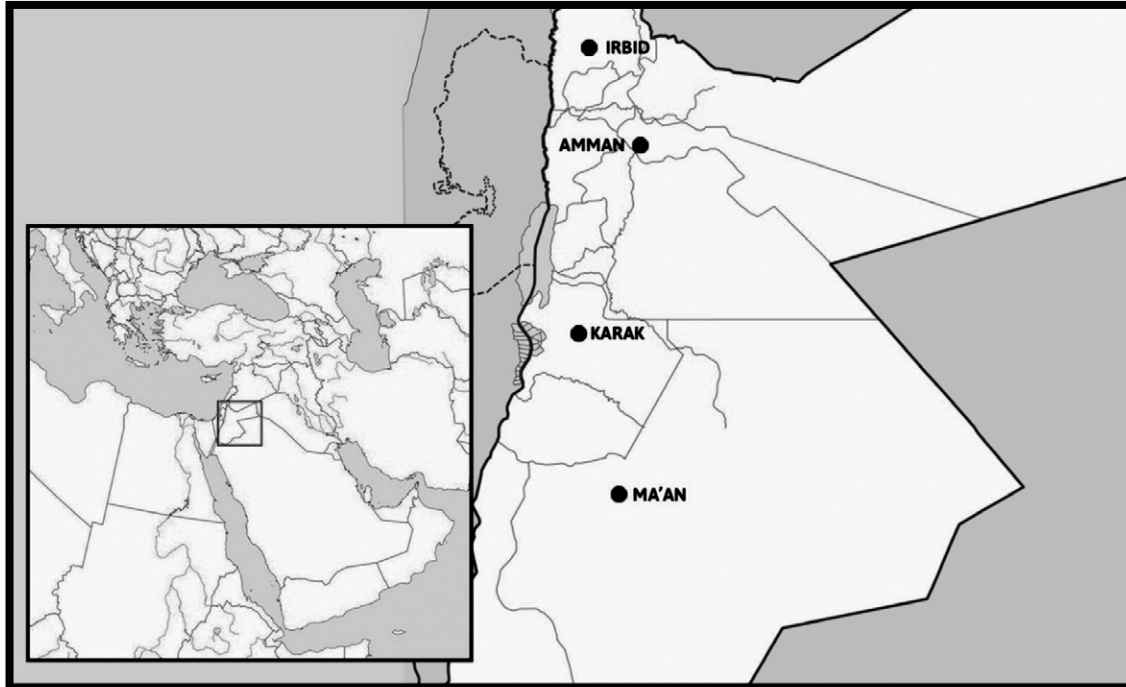
Despite the fact that the CRC was ratified by 195 countries - every member of the UN, except the United States of America - children continue to be subject to abuse, violence and discrimination throughout the migration process. Unaccompanied children are especially vulnerable during their journeys due to the challenges associated with embarking on a migration journey without an adult caregiver. UASC also suffer because those actors in charge of their protection are often faced with legislative climates that sideline or misinterpret their best interests.

8 (Ed.) Kanics, J., Senovilla Hernández, D., Touzenis, K., (2007) UNESCO, [Migrating Alone: Unaccompanied and Separated Children's Migration to Europe](#); Oxfam (2016) [The impact of protection interventions on unaccompanied and separated children in humanitarian crises: An evidence synthesis protocol](#); UNICEF, REACH (2017) [Situation Overview: Unaccompanied and Separated Children in Transit in Ventimiglia, Italy](#), February 2017; Save the Children (2017) [Out of Sight, Exploited and Alone: A joint brief on the situation for unaccompanied and separated children in Bulgaria, the Former Yugoslav Republic of Macedonia, Serbia and Croatia](#), April 2017

9 This report builds on Jørgen Carling's argument against the separation of "migrant" from "refugee". Such a clear-cut distinction undermines the humanitarian principles that should inspire our response to emergencies and obscure the complex motivations that guide someone's journey to another country. As such, this report uses the inclusivist definition, detailed in the UN Department of Economics and Social Division's Recommendations on Migration Statistics report, of a migrant as "any person who changes his or her country of usual residence" to indicate any person who moves to another country, under different circumstances and for a variety of reasons. UN Department of Economic and Social Affairs, Statistics Division (1998) Statistical Papers, Series M, No. 58, Rev. 1: [Recommendations on Statistics of International Migration, Revision 1](#). Carling, J. (2015) [Refugees are Also Migrants. All Migrants Matter](#), 3 September 2015

10 UN General Assembly (2016) [New York Declaration for Refugees and Migrants](#), 19 September 2016

CHAPTER 2: JORDAN¹¹



2.1. Local context

As of June 2017, over 659,000 Syrians had registered with the United Nations High Commissioner for Refugees (UNHCR) in Jordan. The influx of Syrians fleeing the war makes Jordan the country with the highest per capita rate of Syrian refugees in the Middle East region, following Lebanon. Figures are even more striking when the Government of Jordan's (GoJ) claim that the number of Syrian refugees in the country is approximately 1.3 million, constituting 20% of its entire population, is taken into account.

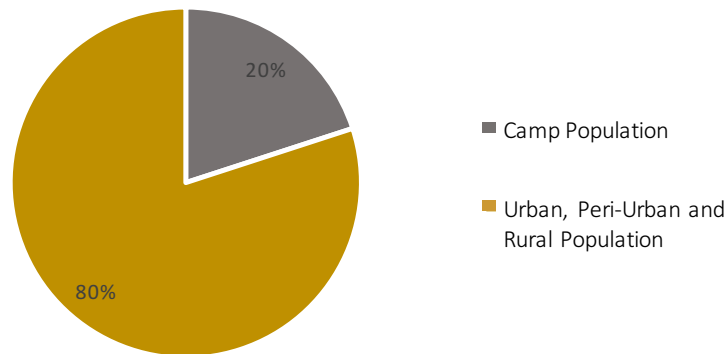
The exodus of Syrian refugees into Jordan has been facilitated by several factors, in addition to the longstanding cultural and geographic ties between the two countries. Jordan has historically served as a safe haven for forced migrants in the Middle East, a role explained by the country's location and its general openness towards Arab migrants.¹² Over several decades, waves of refugees have entered Jordan: Palestinian refugees in the wake of the establishment of the State of Israel in 1948; displaced people from the Lebanese Civil War in 1975; and Iraqi refugees from the Gulf War in 1991. Since 2011, the Jordanian government has also hosted Syrian refugees fleeing their war-torn country. Most refugees have found shelter in urban centres, such as the capital Amman, and the country's northern border governorates. As of July 2017, only 141,000 registered refugees (around 20% of the total refugee population) were living in camps.¹³

11 In this chapter and the following, UASC from Syria will be used as examples (as opposed to other nationalities) because they represent by far the largest refugee group in Lebanon and Jordan. However, Syrians are neither the only refugee population in the two countries, nor necessarily the most vulnerable ones. For instance, several studies have shown more discriminatory policies enacted by Lebanon and Jordan against Syrian Palestinian refugees seeking refuge in Lebanon since 2011. UNHCR (2016) [The Situation of Palestinian Refugees in Lebanon](#), February 2016

12 De Bel-Air, F (2007) American University of Cairo, [State Policies on Migration and Refugees in Jordan](#), 23-25 October 2007

13 UNHCR (2017) [UNHCR Syria Regional Refugee Response-Jordan: Inter-Agency Information Sharing Portal](#)

Registered Syrian refugees in Jordan - April 2017



Source: UNHCR (2017) [Jordan Factsheet: April 2017](#) (2017)

By 2014, the GoJ had de facto closed its borders with Syria.¹⁴ UNHCR and the International Organisation for Migration (IOM) concur that almost no new refugee arrivals have been recorded since then, and that only a very limited number of Syrians have entered the country - women, children and civilians with urgent medical needs, who had previously been stranded with many other refugees in 'no man's land' between Syria and Jordan, known as the *berm*.¹⁵ Unlike Lebanon and Greece, quantitative reporting on UASC entering the country after 2016 has been scarce. The most recent data from the International Rescue Committee (IRC) indicates that upwards of 3,000 UASC have entered Jordan since 2012.¹⁶ As a result, the focus of the research conducted in Jordan is centred on family separation of minors that occurs as a result of documentation complexities incurred by the GoJ's recent changes to legal status policies.

2.2. Legal framework

Jordan signed the CRC in 1990 and ratified it by Royal Decree in 1999. It is not, however, a signatory to the UN 1951 Geneva Convention on Refugees. The country receives refugees and asylum seekers within the framework of its Law of Residency and Foreigners' Affairs¹⁷ and it is subject to the principle of *non-refoulement*¹⁸ under customary law. Moreover, refugees can receive temporary protection from UNHCR under the framework of a Memorandum of Understanding (MoU) signed in 1998 by the Jordanian Ministry of Interior. Yet under international law, Jordan has no legal obligation to accept and assist Syrians fleeing war.

Concerning legislative developments that impact children in general, and UASC in particular, the Jordanian Government adopted the Juvenile Law in 2014,¹⁹ whereby all foster care procedures relating to children being cared for by non-relatives are processed through the Juvenile Court. Other relevant existing laws and policies concerning the care

14 Achilli, L. (2016) [Back to Syria? Conflicting patterns of mobility among Syrian refugees in Jordan](#), 3 February 2016

15 Amnesty International (2015) [Syria-Jordan border: 75,000 refugees trapped in desert no man's land in dire conditions](#), 15 September 2015; European Commission Humanitarian Aid and Civil Protection (ECHO) (2017) [ECHO Factsheet. Jordan: Syria Crisis](#), January 2017

16 IRC (2016) [Alone in Azraq: a Syrian teenager's story](#), 18 April 2016

17 Jordan Department of Residence and Foreigners' Affairs (1973) [Law No. 24 of 1973 on Residence and Foreigners Affairs](#)

18 Article 2 (f) of the MoU between UNHCR and the Government of Jordan states: "The principle of non-refoulement should be respected that no refugee seeking asylum in Jordan will be returned to a country where his life of freedom could be threatened because of his race, religion, nationality, membership of a particular social group or political opinion". Government of Jordan; UNHCR (1998) [Memorandum of Understanding Between the Government of Jordan and UNHCR](#), 17 March 1998

19 Ministry of Social Development, [The Hashemite Kingdom of Jordan, Jordan \(2014\) Law No. 32 of 2014 concerning Juvenile Law](#), 2 November 2014

and protection of children include Sharia Law; the Personal Status Law (revised in 2010); and the Ihtidan System (1967).²⁰ Furthermore, the Jordanian National Plan of Action for Children (2003-2013) has a strong focus on protecting children in difficult circumstances, and has a focus on children without parental care. The Special Juvenile's Law was enacted in 1951, and was soon followed by the Jordanian Juveniles Law No. 16 in 1954. In 1968, Law No. 24 further incorporated the principles and premises that take into account the nature of childhood. It included definitions and procedures that consider the child as a human being who passes through developmental states during which they develop an awareness of the nature of their actions. Among the more recently enacted legislation concerning juveniles are laws that allow all children and/or their representatives to bring cases to the domestic courts to challenge the violation of a child's rights - if the victim of a crime has not yet reached 15 years of age, however, the complaint must be lodged by the child's guardian. Evidently, UASC are faced with a lack of guardianship that complicates their representation when seeking access to justice.

2.3. UASC protection challenges and vulnerabilities

Legal status challenges

During the second half of 2014, the GoJ started to more closely regulate the freedom of movement of UASC and more generally, of Syrian refugees, within urban areas. On 14 July 2014, it instructed UNHCR to stop issuing Asylum Seeker Certificates (ASC) to Syrians who had left the camps without proper exit documentation. This new policy has affected many UASC, particularly in their ability to access health and education services, in turn increasing their vulnerability. ASCs are generally, although inconsistently, acquired prior to the issuance of the Jordanian Ministry of Interior's (Mol) service card, which grants refugees access to public healthcare and education services in host communities, and needs to be renewed on a yearly basis. Reports are conflicting as to the obligatory nature of the ASC in obtaining the Mol card - as possession of an ASC determines whether you are regarded as a registered or non-registered refugee - with status details reportedly detailed on the card itself (RR indicating registered refugee and NRR indicating non-registered refugee). As of early 2015, the cost of renewing the card was around \$70 per person, rendering it inaccessible to large and lower-income households. As a result of advocacy by the international community, procedures were streamlined and fees for the issuance and renewal of Mol cards were reduced.²¹ Nonetheless, by the end of August 2016, nearly 42% of registered refugees living outside the camps - including UASC - still lacked a valid Mol card.²²

Lack of proper documentation constitutes a matter of concern for displaced communities, as the refugee population that is not registered and/or documented is increasingly perceived as a threat to national security. Terrorist attacks at the Berm and in Karak have exacerbated this perception and police checks and controls are on the rise.²³ Those who are not in possession of documentation frequently face administrative detention, while background checks are conducted.

Field research revealed reports of authorities treating minors as adults in legal terms, despite existing child-specific legislation and clearly delineated procedural channels. Minors caught working illegally risk forcible relocation to camps and, if accused of

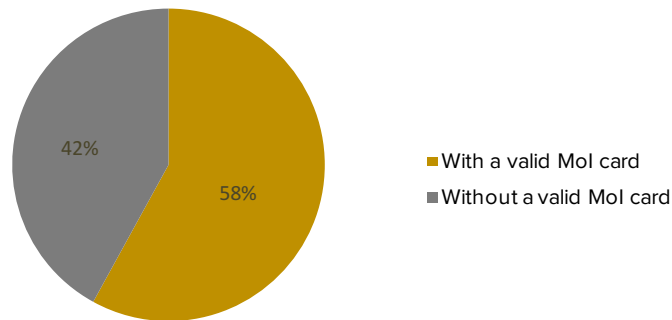
20 The Ihtidan system places children with foster families under Sharia Law, constituting "alternative family-based care for children unable to live with their immediate relatives". Save the Children (2015) *Kinship Care Report: Syrian Refugee Children in Jordan*, March 2015

21 UNHCR (2016) *Frequently Asked Questions: Work Permits for Syrian Refugees in the Urban Environment in Jordan*, 14 April 2016

22 NRC (2016) *Securing Status: Syrian refugees and the documentation of legal status, identity, and family relationships in Jordan*, 8 November 2016

23 Institut de Relations Internationales et Stratégiques (IRIS) (2017) *Jordan and the Berm - Rukban and Hadalat: 2017-2018*, March 2017

Registered Syrian refugees in Jordan



Source: Norwegian Refugee Council (NRC) (2016) *Securing Status: Syrian refugees and the documentation of legal status, identity, and family relationships in Jordan*, 8 November 2016

affiliation with armed groups in Syria, can be deported. In this sense, minors - and adults alike - seldom have the possibility to appeal the decision and are generally not provided with legal counsel during this process; without parental care, UASC have even fewer chances to prevent deportation. While there is no data available on the number of forcibly relocated and deported children, interviews with key informants seem to suggest that this trend is on the rise.²⁴

Entry/Legal Status Challenges

Nour was 10 years old when she came to Jordan with her father, mother and two brothers. It was 2012, at the beginning of the Syrian crisis. According to Nour's father, it was easier at that time: "Jordan was very welcoming, the borders were open. The difficult part was arriving to Jordan. We travelled down a long and dangerous road. However, when we reached Jordan, the worst part was behind us. We were transported from the frontier to Raba' al Sarhan [the transit centre jointly managed by the Jordanian government and UNHCR]. There we were registered with UNHCR and then transferred to Zaatari...It was easier back then". After registering with UNHCR, the family settled down on the outskirts of Amman. Here, Nour's mother gave birth to a third child. Two years after they entered Jordan, however, Nour's mother had to move back to Syria to visit her own mother who was severely sick. Given her ill health, Nour's grandmother wanted to see her daughter for the last time.

Nour's mother travelled to Syria with her youngest child, leaving Nour behind with the rest of the family. A few months later, after the death of her own mother, Nour's mother sought to rejoin her family in Jordan, yet the border was already closed. Despite several attempts, Nour's mother never managed to cross the border back into Jordan. Nour and her father and brother continued to live together until the Jordanian authorities caught the father residing without an updated Mol card. Soon after, he was deported back to Syria, and Nour and her brother were taken in by an aunt living in Jordan. In clear violation of the CRC principle outlining the detrimental impact of separating minors from their parents, unless for their own protection, Nour and her brother became separated children.

24 INTERSOS (2017) Protection Monitoring on Forced Encampment and Deportation in Jordan; Associated Press (AP) (2017) [Number of Syrians Deported from Jordan Spikes](#), 17 May 2017

Arrest, detention, and encampment

Although Jordan recently revised its juvenile justice system to match international standards,²⁵ minors on the move are often arbitrarily detained without access to legal counsel. Data collected in mid-2017 confirmed that minors are particularly vulnerable to being arrested and held at police stations and juvenile detention centres for working without authorisation. Furthermore, there are indications that a growing number are then forcibly relocated to a shelter for minors in Azraq Camp. Interviews with refugees and humanitarian actors have revealed that the only legal pathway for these detained unaccompanied minors to be reunited with their families is through the family reunification process. If the minor's parents and/or relatives reside in Azraq Camp, the reunification procedure is usually carried out without delay. If the child has relatives living legally outside the camp, however, reunification procedures are less clear and take longer; reunification in these cases is based on the possession of valid documentation, not on the best interests of the child. Indeed, if a minor has parents residing irregularly within a host community and relatives staying inside the camps, s/he is reunited with the relatives in the camps. Furthermore, if the relatives of the minor are residing irregularly in a host community, the reunification procedure does not apply, and the children are held in the shelter indefinitely, or at least until they turn 18 - when they should be moved into the general population in Azraq Camp.

This forced encampment policy has exposed minors to considerable risks. To begin with, forcible relocation to camps can cause family separation. Nuclear families are frequently broken apart and children are separated from their parents, despite living in the same country. Field research for this report revealed multiple cases of children who have been separated from their families residing in host communities and who were either relocated to a specialised shelter in Azraq camp or placed with their grandparents in its vicinity. Furthermore, Azraq camp's isolation from services and livelihood opportunities exacerbates its residents' vulnerability. Its harsh climate exposes minors to a number of respiratory diseases. Many children have also reported concerns regarding their lack of security and inter-community tensions. With prolonged waiting periods for family reunification ranging from months to years, children being held in specialised centres in the camp's vicinity often opt to escape the centre at night, with all the dangers this journey poses, running the risk of becoming migrants with an irregular status.



25 ILO (2014) [Elimination of child labour, protection of children and young persons](#), 2 November 2014

Detention

Khaled and Mohammed, two brothers from Dara'a, 16 and 18 years old respectively, settled with their family in northern Jordan in 2014. In early 2016, they were caught by the police working in a pastry factory without a work permit. Mohammed was sent to jail, while his younger brother Khaled was sent to a juvenile detention centre. After six days, during which the family struggled to locate them, the two brothers were reunited in the UNHCR registration center in Rabaa al Sarhan and were eventually relocated to Azraq camp.

In the camp, the two brothers found themselves in a dire situation: accommodated in a caravan, they struggled to access services, having to walk several kilometres in extreme heat to reach shops and water. Feeling like detainees, they had to cope with the trauma of being separated from their parents and siblings, and being held in such a remote, inhospitable location in the desert. In order to support themselves, they borrowed money from others, incurring debts in the process.

After three months in Azraq, the two brothers eventually obtained a leave permit, re-joined their family and never returned to the camp. Under the custody of his brother, Khaled qualified as a separated - but not unaccompanied - child and could, therefore, be housed with his brother in one caravan, joining him on the leave obtained via the official permit system. Unfortunately, in late 2016, Mohammed was caught for a second time by the police. This time he had no Mol card (his original Mol card having been invalidated at Azraq camp and replaced with an Azraq camp card): he was eventually deported to Syria under ambiguous circumstances.

Access to services

UASC face significant challenges in accessing basic services.²⁶ For example, public hospitals supported by the UN provided free healthcare to Syrian refugees for three years after the beginning of the Syrian conflict. This service, however, overburdened the country's public health capacity. Since July 2014, primary healthcare services have been available to all registered Syrians at reduced prices, but only upon the presentation of a health certificate, which is given by the GoJ to all Syrian refugees upon presentation of a valid Mol card. The certificate, however, only covers a limited range of health conditions and services. With regards to obtaining the documentation that is necessary for minors to access services, the lack of influence that children tend to have on legal status decisions taken by their parents or guardians increases their vulnerability.

In terms of access to education, a number of issues also create barriers to enrolment and attendance, ranging from financial constraints and restriction of movement, to structural weaknesses in the Jordanian education system.²⁷ Although the Jordanian Ministry of Education (MoE), as part of the Jordan Compact of mid-2016, decided that Syrian children without legal documentation should be allowed to enrol in public schools as of the Autumn 2016 semester, evidence suggests that the implementation of this decision has been uneven across the country.²⁸ As a result, several public schools still require refugee children to provide an Mol card in order to be admitted, a problematic requirement for

26 Amnesty International (2016) [Living on the Margins - Syrian Refugees in Jordan Struggle to Access Health Care](#), 23 March 2016

27 Ibid.

28 The Government of Jordan (2016) [The Jordan Compact: A New Holistic Approach between the Hashemite Kingdom of Jordan and the](#)

many UASC living outside of the official registration system. Furthermore, despite such policies permitting the entry of undocumented UASC into the education system, evidence suggests that the motivation to enrol or attend is still affected by fear of apprehension by the authorities on the way to school, due to missing documentation.²⁹ Our findings conclude that the difficulty in obtaining relevant documentation for service access also compels UASC in particular to revert to negative coping mechanisms, including registration with non-family members upon entry or marriages of convenience.

An additional barrier among refugees - adults and minors alike - to obtaining legal documentation and, therefore, access to public services, is the risk of being apprehended and relocated to camps while renewing valid legal documentation. This seems to be caused mainly by police officers' - intentional or unintentional - disregard for the procedures in place. Authorities often require documentation that, according to new regulations, is no longer needed. Interviews with humanitarian staff have revealed many cases of 'deportation by mistake'. According to our findings, police stations and governorate officials have detained and, in a few cases, deported individuals in possession of regular documentation. Even though UNHCR is currently supporting police stations through monitoring visits and training sessions, this situation of inconsistency has ultimately fostered refugee distrust and bitterness toward the authorities. Several cases of family separation were witnessed during field research, including cases of parents who approached police stations for renewal and where they were subsequently arrested for documentation irregularities and relocated to the camp in the matter of hours, leaving their children behind.

Ultimately, those UASC who are successful in obtaining guardianship or accessing the foster system outside of camps still face significant challenges in obtaining the legal documentation necessary to access relevant services, due to their irregular migratory status, not to mention gender-based and socio-cultural integration issues specific to the Middle Eastern context.³⁰

Child labour

The GoJ agreed in 2016 to formalise work permits for a number of Syrians, accommodating them into the labour market. Despite this policy, this issuance of work permits for Syrians remains low. By January 2017, according to figures from ILO, the number of Syrians with work permits in the country was only 44,900³¹ and a CARE survey of June 2017 stated that only 23% of interviewed Syrian respondents in Jordan reported working with a valid work permit.³² Difficulties in accessing work permits continue for a number of reasons: employers might not regularise their employees as employing irregular migrants is cheaper; prior to receiving a work permit an employee must have his/her status in the country regularised; and procedures for obtaining work permits are often not well known to refugees. This directly impacts minors, who are compelled to work illegally to support their families in situations of precarity, because of these access challenges. However, there is no guarantee that formalising the work permit process for greater numbers of adult Syrians displaced within Jordan will lead to an immediate

[International Community to deal with the Syrian Refugee Crisis](#), 7 February 2016

29 Child protection specialists, Mixed Migration Platform Informal Findings Workshop, Amman, Jordan, July 2017

30 It was not possible within the scope of this research to further investigate such integration issues, however several key informant interviews with local protection specialists were triangulated to confirm such a conclusion.

31 ILO (2017) [Work Permits and Employment of Syrian Refugees in Jordan: Towards Formalising the Work of Syrian Refugees](#), 28 June 2017

32 CARE International (2017) [7 Years into Exile: How urban Syrian refugees, vulnerable Jordanians and other refugees in Jordan are being impacted by the Syria crisis](#), 20 June 2017

reduction in the prevalence of child labour or protection concerns.³³ Moreover, the distinction between “child labour” and “child work” is a crucial one, in order to promote the full agency of the child in their given cultural context. It has been noted by other humanitarian actors that work is not necessarily perceived as a negative practice for children in many parts of the world, but even as a crucial lifeline, by families faced with the economic pressures of protracted displacement.³⁴

Debt levels and child labour, and their associated vulnerabilities, among refugees are on the rise, resulting in people more frequently resorting to negative coping mechanisms. For example, there are reports of Syrian families arranging marriage for minors at an earlier age, a practice often reluctantly used to ensure the economic status of families and a safer space for their daughters.³⁵ In 2014, an ILO assessment reported that almost 50% of households relied largely or entirely on the income generated by a minor.³⁶ According to ILO, the number of child labourers in the country has more than doubled since 2007, totalling 69,000 by 2016, an estimated 44,000 of whom were engaged in hazardous labour at the time of the report.³⁷ It is thought that the levels of child labour remain extremely high, particularly in urban and agricultural settings and in ITS.³⁸ Participation in informal sector work puts children at risk of being relocated to camps, as they are under the legal age (18 years) for work permit entitlement. Although there are consequences for children who are caught working illegally, action is seldom taken against those who employ them, despite the presence of legislation that criminalises such a practice.³⁹ Exclusion of UASC from the education system (either by choice due to a lack of trust or involuntarily due to inconsistent education policy implementation and anti-Syrian discrimination) can also be correlated to a rise in informal child labour in their current context of displacement.⁴⁰

Child labour

Hamza was 16 years old when he left his village near the Syrian Golan Heights. He escaped with his grandparents and three younger sisters in 2013, after the death of his parents when his house was bombed. They legally crossed the border into Jordan. Here, the family lived together in a crumbling two-bedroom house on the outskirts of Irbid, not far from the house his uncle moved into right after the outbreak of the war in Syria. The boy worked to support the entire family. In the beginning, his uncle provided some financial help. However, this help eventually came to an end, as he exhausted his savings. The uncle’s wage was barely enough to cover the needs of his family. As a result, Hamza had to drop out of school and find an irregular job as a peddler in a local market, placing him at risk of exploitation and detention.

33 Ibid.

34 Mixed Migration Platform (MMP) (2017) [Underage, Undocumented and Alone: A gap analysis of undocumented unaccompanied and separated children on the move in Jordan, Lebanon and Greece](#), July 2017

35 Un Ponte Per (2012) [Comprehensive Assessment on Syrian Refugees Residing In the Community In Northern Jordan](#)

36 ILO (2014) [Rapid Assessment on Child Labour in the Urban Informal Sector in Three Governorates of Jordan](#)

37 ILO (2016) [National Child Labour Survey 2016 of Jordan: Summary Report on Main Findings](#), 16 August 2016

38 INTERSOS (2016) Final report on the Findings of the Child Labour Assessment in Informal Tented Settlements (ITS) of Irbid governorate, Jordan

39 Ministry of Labour, Government of Jordan (1996) [Article 12, Jordanian Labour Law no. \(8\)](#)

40 MMP, Informal Findings Workshop with protection specialists, Amman, Jordan, July 2017

Discrimination and societal tensions

At the beginning of the Syrian crisis, the large influx of refugees was met by demonstrations of solidarity, hospitality and tolerance on the part of Jordanians. Family ties as well as shared linguistic and cultural traditions facilitated the arrival of Syrian refugees. However, the protracted nature of the crisis has affected these relationships.⁴¹ Against this background, UASC seem to have become a focus for reduced Jordanian tolerance. Adolescents, male teenagers and young men in their early twenties are often labelled as security threats at risk of being recruited by terrorist organisations or of becoming radicalised. Informal interviews with the authorities have revealed the seemingly pervasive notion that Syrian refugee communities are fertile grounds for the proliferation of Islamic State (IS) and Al Nusra Front militants.⁴² Media sources from 2017 have cited the link between affiliations of refugees residing in Jordan with militant groups in Syria as justification for their deportation by state officials. These sources have also reported an alleged spike in deportations following a security incident at the Rukban border crossing in June 2016.⁴³ These broader security concerns seem to coincide with the current increase in the number of minors arrested and deported to camps.

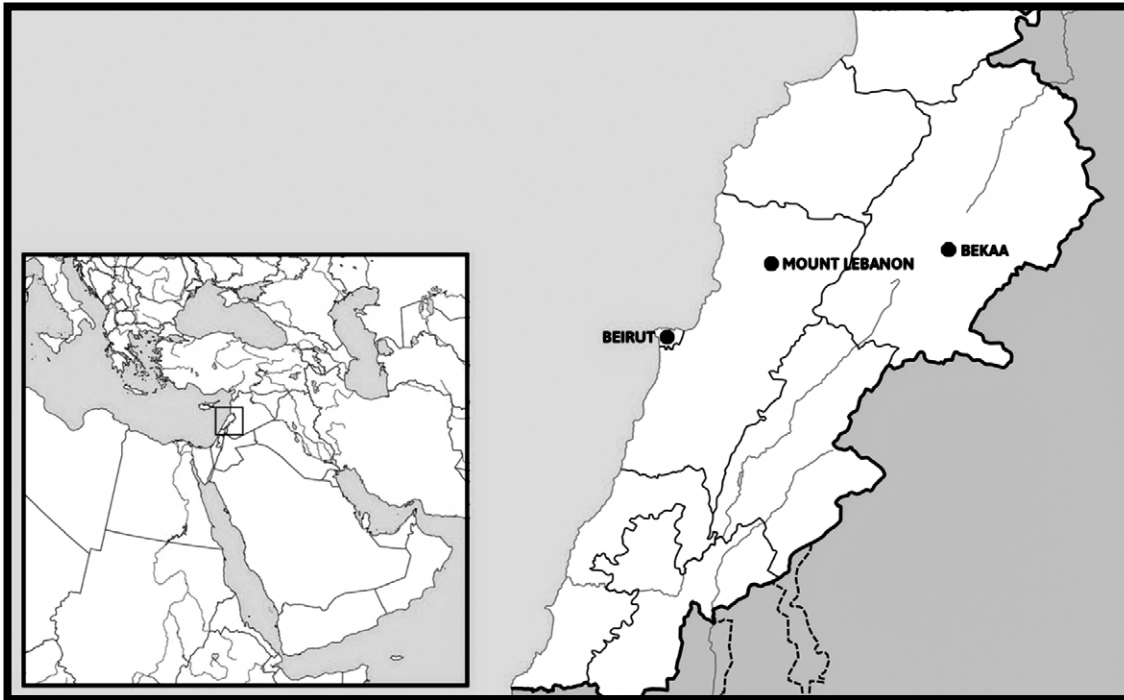


41 Ibid.

42 Institut de Relations Internationales et Stratégiques (IRIS) (2017) [Jordan and the Berm - Rukban and Hadalat: 2017-2018](#), March 2017

43 Syrians for Truth and Justice (2017) [The Kingdom of Jordan Endangers the Lives of Syrian Refugees by Forcibly Deporting them to Syria: The Deportation of Refugees to Syria Violates the "Principle of non-Refoulement in International Law"](#), 5 June 2017; Reuters (2017) [Forced back to Syria? Jordan's unregistered refugees fear deportation](#), 22 February 2017; AP Archive (2017) [Number of Syrians Deported from Jordan Spikes](#), 17 May 2017; AP (2017) [Aid officials report spike in Jordan's deportations of Syrian refugees](#), 12 May 2017 (this tweet indicates the source of the original article published by AP, which was subsequently removed).

CHAPTER 3: LEBANON



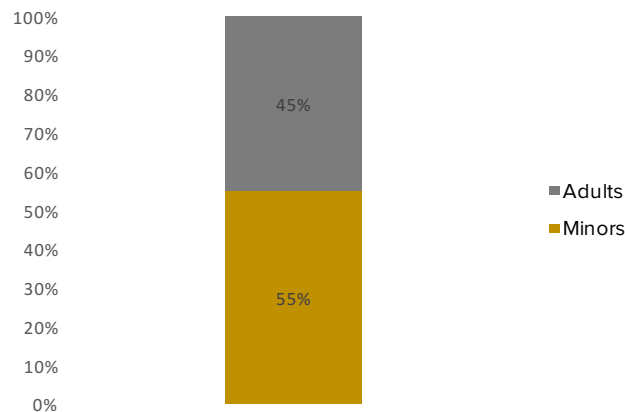
3.1. Local context

As is widely known, Lebanon is the country with the highest number of registered refugees per capita in the world. Communities of Syrians, Palestinians, Iraqis, Kurds, and Sudanese nationals together constitute over a quarter of Lebanon's total population; Syrians alone are said to represent 25% of the total. As of December 2016, the number of registered refugees from Syria was just over one million people. Since a significant number of refugees are either unregistered or entered the country irregularly following increasingly restrictive entry measures, however, the real number is likely to be higher. In January 2015, Lebanon ended the open-door policy which had previously allowed Syrian refugees easy access to the country and UNHCR was instructed by the government to cease registration and the issuing of UNHCR refugee certificates to Syrians.⁴⁴

Even though Lebanon has benefitted from the unprecedented expansion in international aid and development grants provided to deal with the crisis, the presence of so many refugees has proved an economic strain on the country's resources - including competition for jobs, natural resources, services and infrastructure. Increased combat activities in Syria have also negatively affected the security situation in Lebanon, fostering social tensions between local communities and the refugee population.

⁴⁴ Despite this halt in official registration, UNHCR are still monitoring new Syrian refugee arrivals to the country. Instead of the previously issued registration certificate, Syrians instead receive a code which can still be used to access humanitarian services. Unlike the registration certificate, this code is not, however, valid for residency renewal or entry purposes.

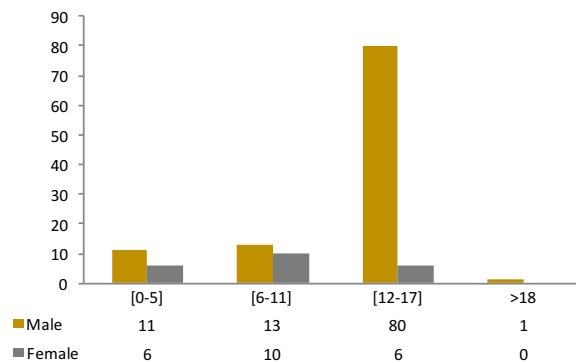
Registered Syrian Refugees in Lebanon as of June 2017



Source: UNHCR (2017) [UNHCR Syria Refugee Response - Lebanon: Interagency Information Sharing Portal](#)

There is no comprehensive data on the number of unaccompanied and separated minors in Lebanon. Restrictive policies implemented by the Lebanese government since 2015 have increased the number of refugees without valid documentation in the territory, and consequently heightened the complexity of monitoring and tracking UASC. Many avoid the authorities in order to escape detention. One indication of the likely protection challenges facing UASC is the number of Syrian child refugees in Lebanon - UNHCR data shows that children represented 55% of registered Persons of Concern (PoC) as of June 2017.⁴⁵

UASC by Age Range and Gender



Source: INTERSOS – Mount Lebanon (2017)

According to INTERSOS data in Mount Lebanon,⁴⁶ for the period spanning January to May 2017, the number of UASC increased by a considerable 157%, compared to the same period in 2016.

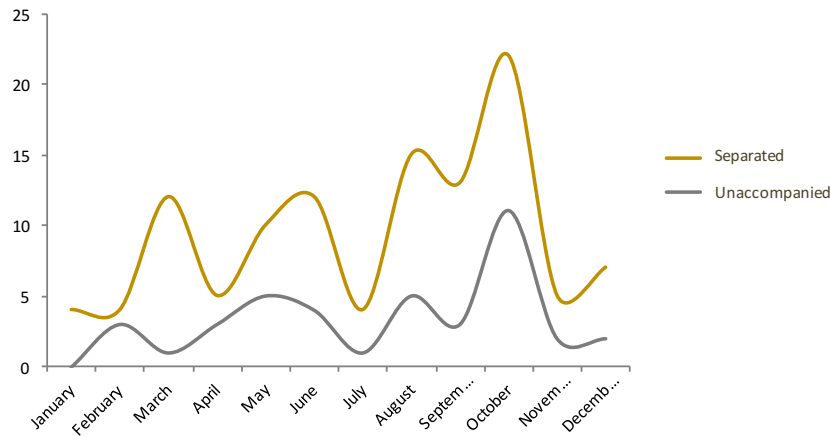
The number of unaccompanied children alone increased fivefold during this period. Triggers for UASC migration differ depending on gender, city of origin and other factors, yet many boys leave in order to escape forced conscription (70% of those INTERSOS supports, for example) or to support families back home through remittances. Girls may be escaping sexual violence or other protection risks in their countries of origin.⁴⁷

45 As of 6 May 2015, UNHCR Lebanon has temporarily suspended new registration as per Government of Lebanon’s instructions. Accordingly, individuals awaiting to be registered are no longer included. UNHCR (2017) [UNHCR Syria Regional Refugee Response - Lebanon: Interagency Information Sharing Portal](#)

46 Data taken from INTERSOS Mount Lebanon Case Management database as of 2016 and 2017. Mount Lebanon was selected as most unaccompanied children identified by INTERSOS Lebanon were recorded here as opposed to other regions.

47 UNHCR (2014) Refworld, [Protection of Refugee Children in the Middle East and North Africa](#), October 2014

UASC - Monthly Distribution - 2016



Source: INTERSOS – Mount Lebanon (2016-2017)

3.2. Legal framework

Though Lebanon ratified the CRC in 1991, it is not a signatory to the 1951 Geneva Convention on Refugees, nor to its 1967 Protocol. The country implements some provisions of the 1951 Convention on a voluntary basis and it is bound by the customary law principle of *non-refoulement*. Accordingly, it generally refers to asylum seekers as being “displaced”, as “persons registered as refugees by UNHCR” or as “*de facto* refugees”. Yet, the protection offered to refugees is limited in terms of asylum. As a consequence of the country’s non-recognition of refugee status, Syrians - including UASC - do not have the privilege of specific procedures with regard to their legal status in the country. This is particularly true of the renewal and regularisation of legal stay and the right to seek asylum.

3.3. UASC protection challenges and vulnerabilities

In response to the protracted nature of the crisis, the Lebanese government changed its policy towards Syrian refugees in recent years and implemented a number of restrictive measures. These measures have led to a decline in the living conditions of UASC in the country, resulting in myriad protection challenges.

Legal status challenges

All Syrians refugees entering Lebanon must obtain an official document of entry at the border and then undergo a complex bureaucratic procedure to regularise their stay. Obtaining and maintaining valid legal residency, therefore, is a significant challenge. Between January 2015 and June 2016, there were two options for a Syrian national to obtain residency: sponsorship by a Lebanese citizen or reliance on a UNHCR registration certificate. If a Syrian did not sign a mandatory “pledge not to work”, or if they were found by the authorities to be working, those registered with UNHCR would have to renew their residency on the basis of a sponsor. From June 2016, the “pledge not to work” was replaced by the “pledge to abide by Lebanese Law”, which had to be signed on a yearly basis. Moreover, most Syrians wishing to renew a residency permit had to pay a US\$200 fee for each person above the age of 15. A fee waiver introduced by the government in late March 2017 exempted some from paying this fee, but it only applies to Syrians who

entered the country before 2015 and does not currently contain explicit exceptions for unaccompanied minors.

Alongside these new border entry regulations, residency renewal procedures have made it impossible for unaccompanied and separated minors over 15 to regularise their stay. All Syrians over 15 in Lebanon are required to have their own legal residency, separate to the residency of their parents. If a minor wishes to undergo residency renewal, a legal guardian should be present to sign on their behalf. Unaccompanied minors, therefore, do not have any legal pathway to residency, despite being legally required to regularise their stay. This gap in the legislative framework is confirmed by the lack of legal residency of all unaccompanied minors interviewed within the scope of this research.

As a consequence of these legal status challenges, it is estimated that approximately 70% of Syrians - including UASC - currently lack legal residency in Lebanon.⁴⁸ Those Syrian nationals found by the authorities to lack proper documentation are subject to departure orders, though these have yet to be enforced as deportations.⁴⁹ These new regulations, however, have effectively facilitated abuse at the hands of security forces and through legal sanctions - including financial exploitation, violence, indictment and imprisonment - negatively impacting the living conditions of UASC in the country.⁵⁰

LACK OF DOCUMENTATION

Hamza and Mahmood are both 17 years old. They left Syria at the end of October 2016 and entered Lebanon a week later, once the restrictive entry and registration measures had already come into force (which further complicated the already unfeasible criteria and documentation required to regularise their stay in the country). Like many other unaccompanied minors before them, they left for a combination of reasons including fleeing forced conscription at the hands of *Daesh*,⁵¹ and hoping to find a job to support their families. They crossed the border separately and irregularly with the help of smugglers. They then met for the first time in Lebanon where they shared a flat together with other minors in Bourj Hammoud - a town to the northeast of Beirut.

At the time of this research project, the boys did not have any source of support apart from UNHCR cash assistance that they were receiving. In addition, when they found work, a large part of their salary was destined for their relatives in Syria - they became a key source of livelihoods for their families back home. Neither had any relatives in Lebanon. According to them, however, it was the lack of documents that increased their vulnerability more than the absence of adult caregivers. As Hamza pointed out, “we live in fear of being arrested and beaten [by the authorities] every time we step outside of our homes for food. Even approaching the Syrian embassy is dangerous - a GSO (General Security Office) checkpoint is right beside the entrance of the embassy. [...] We move only in our area in Bourj Hammoud because we know where the GSO checkpoints are”. Limiting their movements, however, proved ineffective. Curfews for refugees and night raids on refugee homes are frequent in many Lebanese municipalities. During one of these raids, Hamza was arrested and temporarily detained.

48 Human Rights Watch (2016) [Human Rights Watch Submission to the Committee on the Rights of the Child on Lebanon](#); UNHCR (2017) [Syria Regional Refugee Response - Lebanon: Interagency Information Sharing Portal](#)

49 Personal communication (2017) INTERSOS Lebanon, Protection specialists, June 2017

50 Human Rights Watch (2017) [Lebanon: Events of 2016](#)

51 Also referred to as Islamic State in Iraq and Syria (ISIS), Islamic State in Iraq and the Levant (ISIL) or Islamic State (IS), “Daesh” is the acronym of “al-Dawla al-Islamiya fi Iraq wa al-Sham” (lit. Islamic State in Iraq and the Levant)

Arrest and detention

As a signatory to the CRC, Lebanon should ensure that children are only ever detained in exceptional circumstances for the shortest appropriate period of time and in conditions that ensure the rights enshrined in the Convention.⁵² In Lebanon, however, the government approach often risks criminalising the child's irregularity, rather than providing child-focused support and protection services, though this varies across individual governorates. Sentencing in the Mount Lebanon area, for example, does reportedly focus more on the protection needs of children in custody,⁵³ though it is quite common for minors to be arrested for juvenile vagrancy and for a lack of valid documentation. Syrian nationals found without proper documentation are often detained and abused by the authorities, or find themselves at risk of receiving a deportation order.⁵⁴ This, in turn, has affected Syrians' freedom of movement. Minors and adults alike fear crossing checkpoints or approaching the authorities and public institutions because of the risk of being arrested and detained as a result of their irregular status.

Since the entry into force of the aforementioned restrictive measures, minors in Lebanon have frequently been held by the authorities at checkpoints and subsequently relocated to detention facilities. According to Lebanese law, these centres should hold all minors in child-designated areas and only then for short periods of time.⁵⁵ Exact age-disaggregated figures on immigration detention are lacking in available statistics from government or human rights organisations. However, our research findings confirm that minors accused of affiliation with terrorist groups or other crimes can spend lengthy periods of time in detention in the same facilities as the general adult criminal population. Though there are no reports of direct mixing within cells in prison detention facilities, this does reportedly occur in police stations, due to overcrowding, directly violating Article 37 (c) of the CRC and increasing the risk of abuse and violence at the hands of security personnel and adult inmates. Moreover, detention of minors as a result of irregular entry or stay tends to be limited to a number of days, primarily due to a lack of capacity for the sheer numbers of irregularly residing displaced Syrians in the country. In addition, personnel performing key functions in the protection of minors have a "duty to report" the presence of irregular migrants, including children, to the relevant authorities. Even though we do not know whether humanitarian practitioners necessarily comply with this obligation, the regulation could discourage minors from accessing key services.

Shelter and Alternative Care

In the context of Lebanon, unaccompanied minors - even more so than separated children - are particularly vulnerable. In Lebanon, they have few options and live alone in precarious situations, without any caregivers.

Minors, by law, cannot live without adult supervision in Lebanon. However, there is no comprehensive alternative care system in the country that provides foster care, adoption or accessible shelters. In addition, access to shelters for Syrian children is restrictive and challenging. There are a number of reasons for this. First of all, there are very few shelters

52 UNHCR (2015) [Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights' Compilation Report](#)

53 MMP, Informal Findings Workshop with protection specialists, Beirut, Lebanon, June 2017

54 While Lebanon is customarily bound by the principle of non-refoulement, local authorities have consistently bypassed this obligation by engaging in the practice of "legal deportation" - i.e. issuing deportation orders and demanding that refugees leave. Frangieh, G. (2015) [Lebanon Places Discriminatory Entry Restrictions on Syrians, Legal Agenda](#)

55 Lebanese Law, Article 1 of Law 422/2002 (2002) Protection of at-Risk Children or Children Violating the Law

in the country; those which exist are overcrowded and prioritise vulnerable Lebanese children. A Child Protection Officer at the United Nations Children’s Fund (UNICEF) noted that orphanages in Lebanon, contracted by the government through local NGOs, take in Lebanese minors but often refuse their Syrian equivalents. Moreover, UASC often voluntarily avoid shelter facilities as staying there could prevent them from working and sending remittances back to their families in Syria (which, as previously mentioned, is one of the main reasons that unaccompanied children come to Lebanon).

Unaccompanied minors in Lebanon fall under the protection of the Union for the Protection of Juveniles in Lebanon (UPEL). UPEL is a public service association contracted by the Government of Lebanon (GoL) to monitor and manage cases of children at risk in the country. When minors - including unaccompanied children - need to be placed in a shelter, UPEL is mandated by law to inform the juvenile judge (or special prosecutor) and require his/her official approval. The judge, however, is required by law to ensure that the person is legally residing in the country. If the minor cannot prove legal entry or stay, the judge must bring the minor to a police station, putting the child at risk of arrest and detention. In practice, however, our research indicates that not all juvenile judges inquire about legal residency when placing children in shelters, and that legal protection is ultimately determined by the goodwill of the individual judge/official. Furthermore, if unaccompanied children without valid residency papers are arrested, or approach police stations to report abuse and access justice, the security forces must call UPEL to intervene. UPEL tries to guarantee the protection of the minor, which could include preventing arrest for a lack of residency, but if an incident occurs outside of UPEL’s working hours, police officers are obliged to contact the general prosecutor who is mandated to inquire about the minor’s legal status. In summary, unaccompanied minors - but also separated children who do not have any legal pathway to residency - are held/arrested for a lack of residency at the hands of the very institutions that should protect them. As a result, they are often detained in violation of national and international law.

The increase in the number of identified UASC in the last ten months has placed UPEL’s capacity to find sufficient shelter under considerable pressure. The current lack of foster care or adoption options makes the situation worse. As a result, unaccompanied minors are often forced to live alone and unsupervised. UASC now face a lack of space, poor access to shelter and a deficit in alternative care options. Indeed, informal sources from INTERSOS report that around 20% of Lebanon’s unaccompanied minors live alone on the streets, due to unaffordable rent costs.

Access to services

Restrictions on freedom of movement directly infringe upon the ability of UASC to access public health care services in host communities. Recent studies in Lebanon show how a lack of proper health coverage is one of the greatest challenges faced by refugee minors with limited legal status - including UASC; this is something that also reflects the current situation in Jordan.⁵⁶ Another common problem amongst UASC is access to education. Barriers range from financial constraints and restrictions on movement, to the lack of official legal status. For example, residence permits are required for Syrians to access the public education system, in order to obtain official diplomas and certificates. As access to the procedures for renewing residency

56 UNHCR, UNICEF, WFP (2016) [Vulnerability Assessment of Syrian Refugees in Lebanon 2016](#), 16 December 2016

permits and regularising one's status are challenging for Syrians, and particularly for unaccompanied minors, completing education cycles proves almost impossible.⁵⁷ For example, Human Rights Watch estimates that nearly half (over 250,000 children) of school-aged Syrians registered in Lebanon do not attend school.⁵⁸ The large number of UASC and children who are not registered add to this figure.

Child labour

In 1993, Lebanon and Syria signed a bilateral agreement that granted reciprocal freedom to residents of both countries to stay, work and carry out economic activities. Child labour amongst Syrians is a widespread phenomenon, and legally, Syrians who are 15 years old and above can work in three sectors: agriculture, construction and manual labour. However, due to the difficulties that both UASC and adults face in finding an employer who is willing to sponsor them, the issuance of work permits for Syrians remains low. As a result of their involvement in irregular labour, many refugees fear that they will be detained or deported - a situation that seems to replicate, at least in part, a scenario already seen in Jordan. All interviewed UASC claimed to work, mostly irregularly and occasionally, for an average of five days a month: a level of employment that is hardly sufficient to cover their daily needs.

Most UASC consulted reported working long and exhausting shifts. Their pay depends on a combination of factors including age, gender and legal status. In the Bekaa Valley and other rural areas, UASC are often involved in agricultural work. On the other hand, this research found that boys in urban areas work mostly in car workshops, restaurants, garbage collection and as porters; girls usually sell clothes, undertake domestic work, or work in hairdressers, bakeries or supermarkets. Research also revealed that begging or hawking is very common for minors. According to a recent study carried out largely in Beirut and Tripoli, of a sample of 1,510 mostly Syrian children, "the most common type of work is begging (43%), followed by street vending (37%). Incomes averaged US\$11 per day, but vary considerably, from US\$9 for begging and windscreen washing to US\$21-36 for illicit activities or prostitution".⁵⁹

Most interviewed minors claimed to be the main, if not the only, source of family income, due to the lack of an adult breadwinner. The high prevalence of child labour amongst Syrians is not necessarily perceived by local communities as being inherently negative. However, the absence of a caregiver, as well as the lack of valid documentation, seem to exacerbate the exposure of UASC to exploitation. In the Bekaa Valley, for example, Syrian refugees used to earn around US\$10 for five hours of work, prior to the outbreak of the Syrian conflict. Minors (including UASC) can today work an entire day in the fields for US\$4.

57 Terre des Hommes (2016) [Because we struggle to survive: Child Labour among Refugees of the Syrian Conflict](#), May 2016

58 Human Rights Watch (2016) [Growing Up Without an Education: Barriers to Education for Syrian Refugee Children in Lebanon](#)

59 UNICEF (2015) [Small Hands Heavy Burden: How the Syria Conflict Is Driving More Children into the Workforce](#), 2 July 2015

CHILD LABOUR IN THE BEKAA VALLEY

Aisha is 13 years old and the breadwinner in her family. "I am the one who takes care of them," she says when asked who looks after her three brothers. They are all younger than her - six, seven and nine years old. Aisha and her brothers came to Lebanon with their parents. They entered the country legally on a tourist visa. Their parents took the children to the Bekaa and returned to Syria alone, promising to come back in a couple of weeks. They never came back. Now, the children live in an unfinished building with coarse, unpainted walls near an ITS in the Bekaa Valley. Her father gave them some money, which did not last long.

Aisha should be in school with her younger brothers but instead spends her days working. She first worked in a jam factory six days a week, from six in the morning to six in the afternoon. Her already meagre salary of US\$8 a day was made even more miserable as US\$2 had to go to the "shawish" - the coordinator of the tented camp who hires out people to nearby farmers, auto repair shops and other employers. "The shawish takes all the girls there", she says. "You cannot be employed if you are younger than 15 years old. However, he has a special agreement with the owner: he takes the I.D. of a girl over 15 and allows younger girls to work".

After a couple of months, Aisha quit her job because she found work on a farm, picking crops in a field in the Bekaa Valley. Minors are paid less than adults, so there is a high demand for child labour. Aisha explains how the pay was still very low but the working hours had slightly improved: "The job was difficult, even more than working in the factory, but at least I could stay with my brothers as I finish my shift at 3pm". Eventually, Aisha left this job because it was too exhausting and too far from her house. Luckily their neighbours and others help Aisha and her brothers to get by.

Discrimination and societal tensions

Interviewed minors complained about growing levels of discrimination and racism, and reported several incidences of bullying. Assessments suggest that in areas accommodating large Syrian refugee populations, relations between Syrian refugees and host communities are strained and tend to deteriorate over time.⁶⁰ At present, there remains a gap in the existing literature on how UASC in particular have been affected by social tensions of this kind. Some studies show how intercommunal tensions seem to be on the rise, and how this phenomenon has increased minors' isolation.⁶¹ For example, a growing number of Syrian children - including UASC - have dropped out of school due to bullying by their Lebanese peers.⁶² Research also revealed the widespread belief among the most vulnerable Lebanese nationals that Syrians are benefitting from generous support from the international community, from which vulnerable Lebanese citizens are excluded. Public and media discourse has contributed to a rise in the number of attacks on Syrians in Lebanon. In a recent survey, 43% of Syrian refugees - including UASC - reported incidents at the hands of authorities or civilians: raids and searches, harassment, insults, detention, beating, and extortion.⁶³

Exploitation

UASC in Lebanon are often subject to multiple and simultaneous forms of exploitation including, and not limited to, labour, monetary and sexual exploitation.⁶⁴ The residency

60 Cassidy, J. (2015) *The New Yorker*, [The Economics of Syrian Refugees](#), 18 November 2015; Thibos, C. (2014) [One million Syrians in Lebanon: a milestone quickly passed](#), 3 June 2014

61 World Vision (2015) [Social cohesion between Syrian Refugees and Urban Host Communities in Lebanon and Jordan](#), 10 November 2015

62 Ibid.

63 Thibos, C. (2014) [One million Syrians in Lebanon](#), 3 June 2014

renewal process itself reportedly opens up refugees to sexual and financial abuses at the hands of security forces, landlords and employers. UASC, as described above, mainly work under the worst forms of child labour and are more prone to labour exploitation due to their heightened vulnerability and lack of legal recourse. Aware of the reticence of UASC in approaching the local authorities, employers often refuse to pay the agreed salary or force them to work longer hours under dangerous conditions. Many interviewed UASC also complained that landlords took advantage of them by charging high rents for inadequate shelter. There are also concerning accounts of Syrian women and underage girls being brought to Lebanon through false employment opportunities, held captive in slave-like conditions, and ultimately forced into prostitution by criminal rings.⁶⁵

Interviews with research participants revealed that prior to their departure to Lebanon, many UASC were aware of the risks of exploitation in the country, indicating that UASC decided to flee Syria for Lebanon despite such an awareness, as their only means of survival.

The recent policies introduced by the GoL described above have pushed UASC to resort to negative coping mechanisms. Recent studies report that a growing number of minors (including UASC) have reverted to 'survival sex' to cope with the economic challenges of their protracted irregularity.⁶⁶ This study's findings seem to echo those of a recent study on the impact of the Syrian crisis on the nature of human trafficking in Syria and the surrounding region. The report indicates that "much of the exploitation taking place is not carried out by organised transnational groups, but rather involves family members, acquaintances and neighbours. Families and communities displaced by the war are often left with no viable alternatives for survival, other than situations that can be characterised as exploitation. The vulnerabilities they are experiencing therefore contribute to the likelihood of both exploiting and being exploited".⁶⁷ This seems to confirm the situation of many UASC interviewed for this report. The need to support their families back in Syria has considerably increased their vulnerability and the likelihood of working in dangerous and exploitative conditions.

EXPLOITATION

Adnan is a 16 year old Syrian boy from Dara'a. At the age of 13, he was arbitrarily detained and tortured in Syria. Thanks to his uncle's connections, Adnan was temporarily released on parole. His uncle suggested that he leave the country and so, aged 15, Adnan was driven by his father to the Lebanese border. The father entered Lebanon with a hotel reservation (a temporary tourist visa), while Adnan was smuggled into Lebanon through the mountains in Bekaa. After 24 hours, the father went back to Syria and Adnan was left alone in Beirut with no place to stay, no money, no job and no legal documents (legal entry, residency or UNHCR registration). He slept for some time on the beach and found work in a grocery shop, but the employer refused to pay him.

Adnan felt he could not complain to authorities as he had no documents. He refused to be placed in a shelter as their rules prohibit minors from working and he needed to work to send money back to his family in Syria. In Beirut, he was attacked and beaten by a group of men in the street late at night. Again, he did not report the incident, being too afraid to approach the police due to his lack of documentation. At the time of this research, he was working irregularly in a supermarket and living with other Syrian UASC.

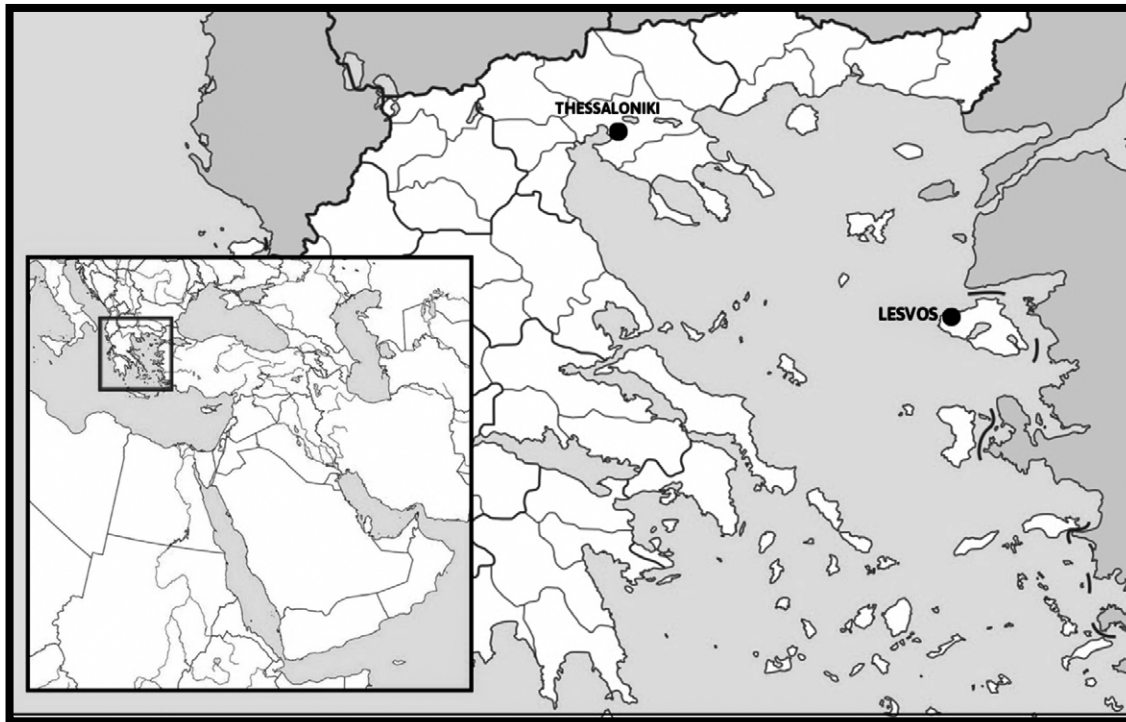
64 Human Rights Watch (2017) [Lebanon: Events of 2016](#)

65 Shaheen, K. (2016) The Guardian, [Dozens of Syrians forced into sexual slavery in derelict Lebanese house](#)

66 According to UNHCR, 'survival sex' or 'transactional sex' is "a term used to describe the exchange of sex for material goods or protection, or the sale of sex in order to survive. Survival sex is frequently a direct consequence of gaps in assistance, failures of registration systems or family separations, and affects men, women, boys and girls". UNHCR (2014) [Woman Alone: The fight for survival by Syria's refugee women](#); UNHCR (2011) [Action against Sexual and Gender-Based Violence: An Updated Strategy](#)

67 ICMPD (2015), [Targeting vulnerabilities: The impact of the Syrian war and refugee situation on trafficking in persons](#)

CHAPTER 4: GREECE



4.1. Local context

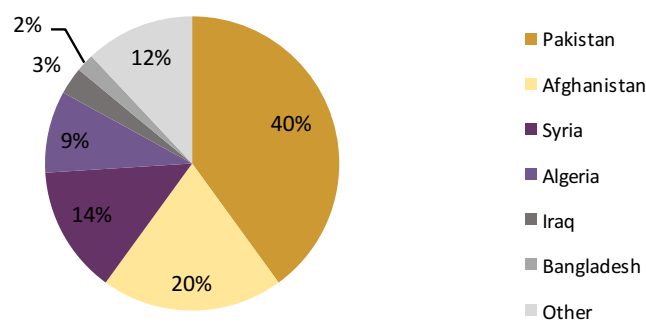
In 2015, Greece became a key transit country to Europe for refugees and other migrants fleeing both immediate danger and economic distress. Hundreds of thousands of Syrians, Afghans, Iraqis, Pakistanis and other foreign nationals entered Greece with the goal of traveling along the so-called 'Balkans route' towards Northern and Western Europe. In March 2016, the situation changed as a result of two key events: the decision of the former Yugoslav Republic of Macedonia (fYRoM) to seal its border with Greece and the inception of the EU-Turkey Agreement, stemming arrivals via the Balkan route. This transformation effectively changed Greece from a short-term transit country into a potentially long-term host country, a reality that conflicted both with the aspirations of stranded asylum seekers and public opinion on migration in Greece. Between March and November 2016, the Greek asylum service received 41,741 new claims, a 216% increase on 2015 figures. This unprecedented number of asylum applications overwhelmed the system and, together with slow relocation and family reunification processes, led to protracted delays in claims processing.⁶⁸ Eight months on, many migrants - including UASC - continue to face psychosocial distress and harsh conditions in Greece as they await a determination of their claims for asylum, relocation or reunification. The indefinite waiting and intolerable state of some of the camps has driven many migrants to consider smuggling as an alternative to legal channels of resettlement.

68 Greek Asylum Service (2016) [Asylum Statistics November](#)

A significant aspect of recent European migration trends is the number of minors, 315,390, according to UNICEF, who have arrived in Greece.⁶⁹ Data on the number of UASC arriving in the country has most likely been obscured by several factors, including fewer UASC registering as minors, unaccompanied or separated due to the fear of protective custody. Likewise, reports of doubling counting of minors as both accompanied and unaccompanied on the part of overwhelmed border agencies in neighbouring fYRoM indicate the probable inaccuracy of the fragmented data that is available. Most UASC transited through Greece, but a considerable number found themselves stranded. Over the course of this research, child protection actors agreed that the number of UASC coming to Greece might increase in relative terms in the near future. This trend seems to be increasingly understood as a coping strategy by Syrian families in the context of the continuation of conflict in their country of origin, the recurrence of political instability in the region and the worsening living conditions of Syrians and other refugees and other migrants in transit countries. Stranded families are often left with no other viable option than to send their children to Europe, hoping for a recognition of their asylum claim and the possibility of family reunification. Interestingly, registration of UASC upon arrival in Greece has reportedly improved in 2017, due to reduced arrivals and the likelihood that minors will register as such in order to claim their right to remain, thereby avoiding return to Turkey under the EU-Turkey Agreement.⁷⁰

All refugees interviewed during this research had reached Greece from Turkey. However, while most other migrants pass through Turkey travelling across the Eastern Mediterranean route, displacement patterns to Turkey vary considerably. In this sense, migrant countries of origin are not the only determinant in their journeys. Syrians could have settled temporarily in Jordan or have travelled directly from Syria; Afghans and Pakistanis could have spent a considerable amount of time in Iran or Turkey, in order to gather enough money to continue their journeys. Research participants indicated how UASC follow similar routes to those of adults in their journeys to and from Greece. Once in Turkey, UASC tend to cross overland into Greece or depart on board wooden and fibreglass boats, rubber dinghies, fishing boats and large cargo ships. At the time of this research, the vast majority of those interviewed indicated that they had reached Greece from isolated areas near the Turkish ports of Izmir and Bodrum or, alternatively, had arrived via the Evros border crossing from Turkey.

UAC referrals to EKKA by nationality from 1 Jan to 31 May 2017



Source: National Centre for Social Solidarity (EKKA) (2017) *Situation Update: Unaccompanied Children (UAC) in Greece*, 19 July 2017

69 Figures are compiled from a combination of Ministry of Interior (Mol) and UNHCR data. Personal communication with UNICEF Knowledge Management Officer, August 2017

70 Ibid.

There is a lack of comprehensive standardised available data on migrants arriving in the EU and data on the number of children who have migrated to Europe and registered, as the definition of UASC differs greatly depending on the source. According to a UN report,⁷¹ the unavailability of accurate data has a detrimental impact on the Greek asylum system in dealing with the sheer mass of processing, the irregularity of movements that render flows difficult to track and the differences in national and international operating procedures and definitions. Discrepancies across data sets and how UASC are defined have complicated decision-making of authorities and specialised support provision.⁷²

4.2 Legal framework

Greece is signatory to the 1951 Geneva Convention on Refugees and its 1967 protocol and has ratified the CRC. According to the EU Article 11-3 of the Directive 2013/33/EC1, which sets out minimum standards for the reception of asylum seekers, minors should not be detained except under “exceptional circumstances”, and unaccompanied minors must be placed in accommodation centres with special provisions for minors.⁷³ On the other hand, Greek law does not rule out the detention of unaccompanied minors who enter Greece without valid papers, though it does discourage this practice.

4.3. UASC protection challenges and vulnerabilities

Age assessment

Interviews with practitioners revealed serious concerns over the disregard for child safeguards, defined by recent ministerial decisions, that have been inconsistently implemented by the Hellenic police and relevant actors in charge of the UASC age assessment process. In Greece, specific procedures have been drafted to assess the age of minors who enter the country unaccompanied. In 2016, following a Joint Ministerial Decision (JMD) between the Ministry of the Interior (Mol) and the Ministry of Health (MoH), it was expressly stated that these procedures must take into account the “gender-specific characteristics and cultural particularities” of the individuals under examination.⁷⁴ The legal provisions also outlined the rights of the individuals to the presumption of minority, informed consent, the use of the least invasive method for age assessment and refusal without any impact on procedure results.

In practice, however, relevant ministerial decisions have been systematically ignored. Interviews with practitioners and minors seem to confirm the findings of other reports that have raised serious concerns over age assessment procedures for minors.⁷⁵ Firstly, authorities seem to almost exclusively privilege medical examinations over paediatric and psychological tests. The former method - generally entailing X-rays and dental examinations - is considered by experts as inaccurate and intrusive.⁷⁶ As a result, the probability of doubtful conclusions over someone’s age increases substantially. The authorities seem to have effectively inverted a child’s rightful presumption of minority to an alleged assumption of age of majority.⁷⁷ When doubts remain upon completion of the

71 2016 UNICEF (2017) [Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016](#)

72 Mixed Migration Platform (MMP) (2017) [Underage, Undocumented and Alone: A gap analysis of protection challenges for unaccompanied and separated children on the move in Jordan, Lebanon and Greece](#), June 2017

73 Ec.europa.eu (2013) [Directive 2013/33/EU](#) of the European Parliament and Council of 26 June 2013, which sets out standards for the reception of applicants for international protection, 29 June 2013

74 269 Joint Ministerial Decision 1982/2016, Gov. Gazette B'335/16-2-2016.

75 Mixed Migration Platform (MMP) (2017) [Underage, Undocumented and Alone: A gap analysis of undocumented unaccompanied and separated children on the move in Jordan, Lebanon and Greece](#), June 2017

76 European Asylum Support Office (EASO) (2013) [Handbook on age assessment practices in Europe](#), 21 December 2013

77 Age of majority is defined as “the age when a person attains full legal capacity, even if there may still be many things that cannot be

age assessment procedure, the person who is examined is considered to be an adult, in overt contravention of the principle that says the minority of the child should always be presumed. The Greek legal system allows the person(s) in question the possibility to challenge this decision; most appeals, however, are rejected. With little or no possibility to alter the age determination decision, undocumented minors are at risk of exclusion from their right to child protection and exposed to further hardships. The inaccuracy of age assessment examinations also increases the statistical margin of error by underestimating the number of unaccompanied minors in the country.⁷⁸

A recent report highlighted how the length of status determination procedures for 16 and 17 year old asylum seekers in both Italy and Greece is a concern for minors seeking protection, as they fear reaching legal adulthood before the process is completed.⁷⁹ Backlogs in age assessment procedures mean that UASC, together with other children, are often assumed to be adults and therefore may not be able to access specialised support services.

Protective custody/detention

According to Greek Law, minors should not be detained. Unaccompanied minors “may remain in detention as a last resort solution, only to ensure that they are safely referred to appropriate accommodation facilities for minors”. This detention “cannot exceed twenty-five days”, but “if it is not possible to provide for their safe referral to appropriate accommodation facilities, detention may be prolonged for another twenty days. Minors who have been separated from their families and unaccompanied minors shall be detained separately from adult detainees”.⁸⁰

Despite this legal framework, the limited resources of the overstretched reception system have led to a different reality. As a result of the provisions of the EU-Turkey Agreement,⁸¹ over 21,000 children - among whom 2,300 were UASC - found themselves stranded in Greece.⁸² As a result, new arrivals have been kept in protective custody, reportedly for their own protection.⁸³ Governmental and non-governmental entities have established a number of specialised shelters for UASC. These facilities, however, have severely limited capacity. Consequently, many minors on the move are held in detention centres (closed facilities or police stations) or in open facilities where a larger adult migrant population is also detained while awaiting the completion of their asylum process. Not only has the administrative detention of UASC been implemented systematically, but the conditions of detention are often “unacceptable”.⁸⁴

According to the research participants, the past months have witnessed a radical improvement in the situation for refugees and other migrants in Greece. The shortening of processing times and bureaucratic delays for asylum seekers, as well as the faster pace of relocation and more efficient family reunification procedures have all had positive

done legally or, indeed, many things now in the UK which can be done younger, especially at 16 years. In the UK at the moment the age of majority is 18 years.” (n.d.) Collins Dictionary of Law (2006)

78 Ec.europa.eu (2013) [Directive 2013/33/EU](#) of the European Parliament and Council of 26 June 2013, which sets out standards for the reception of applicants for international protection, 29 June 2013

79 REACH, UNICEF (2017) [Children on the Move in Italy and Greece: Italy and Greece](#), June 2017

80 Article 26 of [Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection](#), 26 June 2013; Article 8-11 of [Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection](#), 26 June 2013

81 fYRoM’s decision to seal its border with Greece, and the EU-Turkey Agreement, seem to have stemmed the flow of people along the Balkan route. However, while there are question marks over Turkish capacity and willingness to provide support for the more than two million refugees living within its borders, none of the fundamental security, political or economic motivations behind the flow of people into the region have been addressed: ensuring the continued demand for smuggling services borne out of conditions of precarity. Achilli, L. (2017) Migration Policy Centre (EUI), [What Does It Mean to Disrupt the Business Models of People Smugglers?](#), 9 April 2017

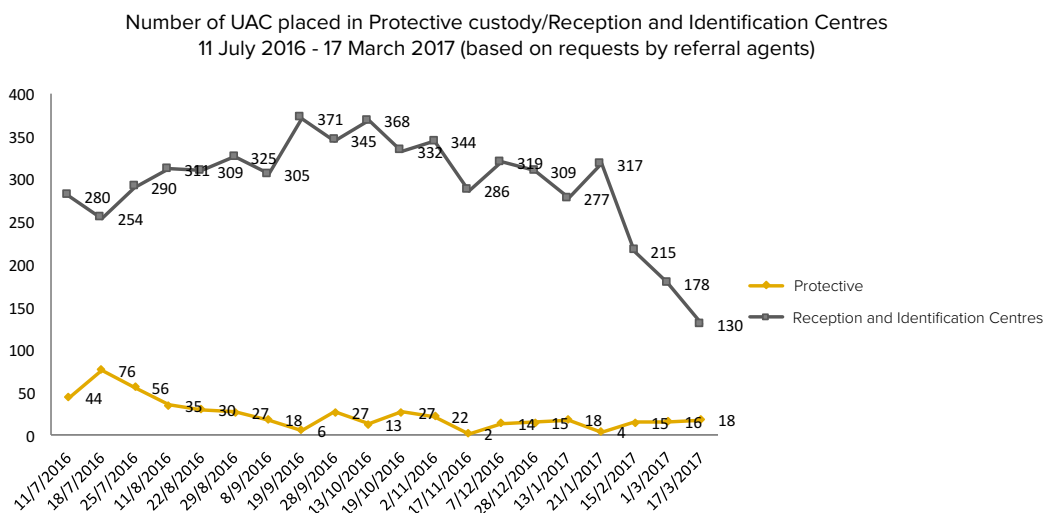
82 UNICEF (2017) [Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016](#)

83 EKKA (2017) [Situation Update: Unaccompanied Children \(UAC\) in Greece](#), 19 July 2017

84 Asylum Information Database (AIDA) (2016) [Country Report: Greece, 2016 Update](#)

effects, reducing both the time that UASC spend in detention and the congestion at reception centres. However, interviews with humanitarian organisations and minors show how unaccompanied and separated minors continue to face arbitrary detention despite such developments. A lack of adequate shelter, the length of asylum assessment procedures and the inaccuracy of the age assessment mechanism still leave minors in either protective custody or prolonged detention.⁸⁵

Protective custody has fostered a general sense of distrust among UASC towards child protection mechanisms: a significant number of children choose not to register as minors. The lengthy period of time spent in detention centres, coupled with poor living conditions there, directly discourage registration. This includes individuals of 17 years or below who have not registered as children because they want to avoid detention. It also includes those who believe that the time spent in protective custody will jeopardise their chances of moving forward, a belief often encouraged by smugglers. The system of protective custody has indirectly encouraged many UASC to avoid the child protection system altogether, and to attempt irregular journeys through Greece instead.⁸⁶ Interviews with minors, and actors in charge of their protection, revealed that on many occasions allegations of child trafficking do involve minors who left protective custody voluntarily in order to rejoin their families in Europe with the help of smugglers.



Source EKKA – National Centre for Social Solidarity (EKKA) (2017) *Situation Update: Unaccompanied Children (UAC) in Greece*, 19 July 2017

Guardianship

According to the Greek civil code, prior to the appointment of a permanent guardian, public prosecutors undertake the role of “special temporary guardian” of the minor.⁸⁷ However, in violation of this section on the protection and best interests of the child, appropriate guardianship has rarely been implemented in practice. According to a Safeguard report, public prosecutors are generally poorly informed of the psychosocial conditions of the minors to which they are appointed. They are also overwhelmed

85 Amnesty International (2017) *A Blueprint for Despair: Human Rights Impact of the EU-Turkey Deal*

86 Digidiki, V., Bhabha, J. (2017) Harvard University, *Emergency within an emergency: The growing epidemic of sexual exploitation and abuse of migrant children in Greece*, 13 April 2017

87 Greek Civil Code Articles 1589-1654. CARDET, Defence for Children International - Italy et al. (2014) *IMPACT, Improving Monitoring and Protection Systems Against Child Trafficking and Exploitation, National Report Greece*



by large caseloads, and a lack of expertise necessary for carrying out their tasks as guardians. More often than not, they limit their role to the mere identification and designation of a permanent guardian without any determination of the best interests of the child.⁸⁸ This research has also revealed the arbitrary nature of assigning guardianship by the prosecutor which, more often than not, hinders the quality of the service and leaves many minors without adequate support. All these shortcomings create “fragmented services” and drastic differences in the quality of protection for UASC across the country.⁸⁹ Evidence of good case practice often lies in areas where a smaller proportion of minors allows for greater care and attention to be provided through the support of local NGOs. Interviews with public prosecutors highlighted the importance of a careful dialogue between prosecutors, minors and humanitarian organisations in the determination of the best interests of the child. Slow and ineffective coordination between these actors has directly increased the time children spend in “protective custody” and exacerbated the vulnerability of minors. Informants have pointed out how the forced relocation of UASC to specialised shelters and safe areas could result in the loss of social networks and the emergence of negative coping mechanisms including selling drugs, theft and ‘survival sex’.

Asylum, deportation and relocation

In 2016, 16,900 children lodged asylum applications in Greece, 2,424 of whom were UASC.⁹⁰ The total quantity of asylum seeker applications received by Greece overloaded an already unprepared national system. This caused a severe backlog in registration and processing procedures, further increasing the length of the asylum process.⁹¹ Asylum

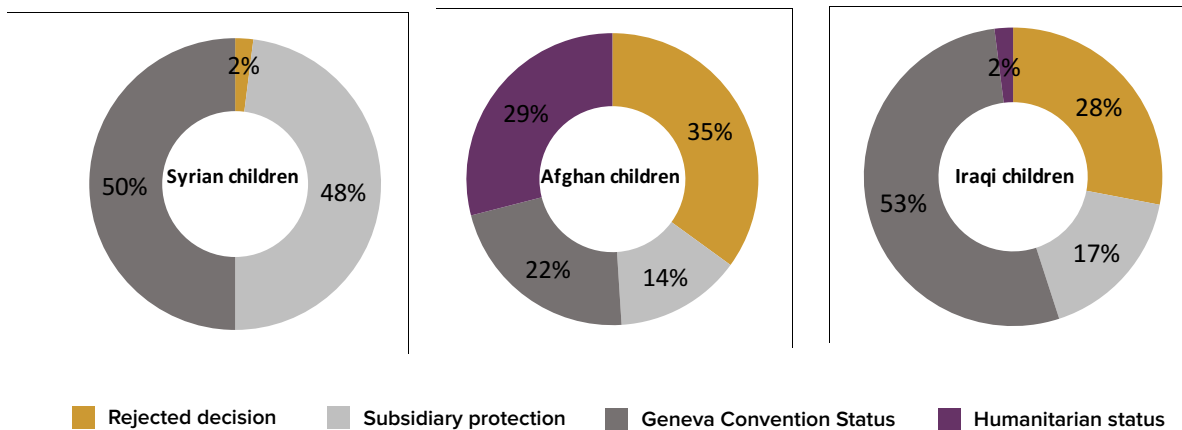
88 Safeguard Europe (2016) [Safeguard: Transnational Report Europe](#), November 2016

89 Ibid.

90 UNICEF (2017) [Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016](#)

91 Digidiki, V., Bhabha, J. (2017) Harvard University, [Emergency within an emergency: The growing epidemic of sexual exploitation and abuse of migrant children in Greece](#), 13 April 2017

grants and denial rates ultimately depend on the nationality of the asylum seeker. Syrians - the largest population of children seeking asylum in Greece in 2016 - have the highest success rates: 50% of applications are accepted; 2% are rejected; and 48% result in subsidiary protection.⁹² On the other side of the spectrum, Afghans represent the second largest population of UASC asking for asylum and the rejection rate stands at 35%, with the remaining claims granted either humanitarian status (29%), subsidiary protection (14%), or Geneva Convention Status (22%).⁹³



Source: UNICEF (2017) *Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016*

In 2016, only 165 unaccompanied minors were relocated from Greece, and only 48% of pre-registered⁹⁴ UASC were eligible for relocation programmes.⁹⁵ The reluctance of other European member states to receive the agreed-upon number of refugees, combined with challenges posed by the inconsistent implementation of the Dublin Regulation,⁹⁶ represent two key factors driving the low numbers of relocations.⁹⁷ Furthermore, child deportation remains a serious protection concern. In April 2016, Amnesty International alleged that hundreds of unaccompanied children had been deported to Turkey since the beginning of the year.⁹⁸ Following the implementation of the EU-Turkey Agreement, Greek law has exempted UASC from deportation, as they are considered one of the most vulnerable groups.⁹⁹ This exemption, however, does not apply to accompanied minors, 44 of whom have been deported with their families since the implementation of the Agreement.¹⁰⁰

92 Subsidiary protection is an international protection for persons seeking asylum who do not qualify as refugees. [Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted](#), 29 April 2004

93 2016 UNICEF (2017) *Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016*

94 Between May and July 2016, the Greek Asylum Service implemented a "pre-registration" of refugees and migrants residing on the Greek mainland, with the help of UNHCR and the European Asylum Support Office (EASO). The purpose of this process was to give people the opportunity to file an asylum claim in Greece or another European country. Hellenic Republic, Ministry of Interior and Administrative Reform, EASO, UNHCR (2016) *What is preregistration?*

95 UNICEF (2017) *Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016*

96 Asylum in Europe, UNHCR, European Council on Refugees and Exiles (ECRE) (2009) *The Dublin Regulation*

97 Digidiki, V., Bhabha, J. (2017) Harvard University, *Emergency within an emergency: The growing epidemic of sexual exploitation and abuse of migrant children in Greece*, 13 April 2017

98 Gayle, D. (2016) The Guardian, *EU-Turkey refugee plan could be illegal, says UN official*, 2 April 2016

99 2016 UNICEF (2017) *Refugee and Migrant Children - Including Unaccompanied and Separated Children - in Europe: Overview of Trends in 2016*

100 Ibid.

EU-TURKEY AGREEMENT AND RELOCATION

When Mohammed was interviewed in Veria camp - a refugee camp located southwest of Thessaloniki - he was 17 years old and tired of waiting for a relocation that kept being postponed. A widespread feeling of boredom was prevalent throughout the camp. Mohammed explained how “many people who are bored get tired of waiting and want to leave. They don’t want to wait for relocation. It can take a year or more, and even then, it is not even certain you will be relocated. They leave with smugglers: it is faster. You pay them and you go”.

Mohammed left Syria in early February 2015 when he was 15 years old. He undertook the journey with his cousin, who was 17. Both boys came from Al-Hasakah Governorate in the northeastern Kurdish region. They are of Kurdish origin, and left because Kurdish groups were forcibly recruiting teenagers to fight against ISIS.¹⁰¹ According to Mohammed, “it does not really matter what the colour [of the political group] is, or what the ideology is that they embrace: PKK, KDP, PYD or KNC¹⁰² are all the same! They come and take you. And there is nothing you can do about it!” The decision to leave was taken in agreement with his family. Both Mohammed’s and his cousin’s families agreed they would leave for Europe - Mohammed’s father had already paid for his eldest son to leave. Like his brother, Mohammed used the money from his parents to pay smugglers along the route. The two boys left for Mersin (Turkey) where they planned to meet their uncle and continue their journey.

After a long and dangerous journey through Turkey, during which they successfully met up with their uncle, the group arrived in Lesbos. They stayed in the capital of the island, Mithilini, for three days, and then took a ferry to Athens, from where they went to the north of Greece by bus. At this stage it was already mid-February and fYRoM was about to seal its borders with Greece. The group spent around 40 days in Idomeni camp on the border waiting for their turn to cross. Idomeni quickly became a sizeable informal camp, where many irregular migrants were stranded. When it became clear that the crossing was barred for irregular migrants, regardless of nationality, Mohammed and his family took the first bus to Veria. Fearing deportation to Turkey, the uncle paid a smuggler for his onward journey to fYRoM. Mohammed, on the other hand, had run out of money and so decided to wait for relocation, with no guarantee that he would reach his final destination.

Shelters, safe spaces and communities

According to interviews with NGO staff, the Greek authorities recently communicated to the European Commission that the management of UASC shelter programming was due to become the responsibility of national institutions by July 2017. Humanitarian actors raised serious concerns regarding the tight timeframe for the handover process, the challenges in upholding minimum standards for UASC shelters in all facilities, and the state of the Greek governmental finances, as delayed payment of national programmes risks negatively impacting the provision of services to UASC. This adds to a situation that is already far from optimal.¹⁰³ Availability of space for UASC in Greek shelters is

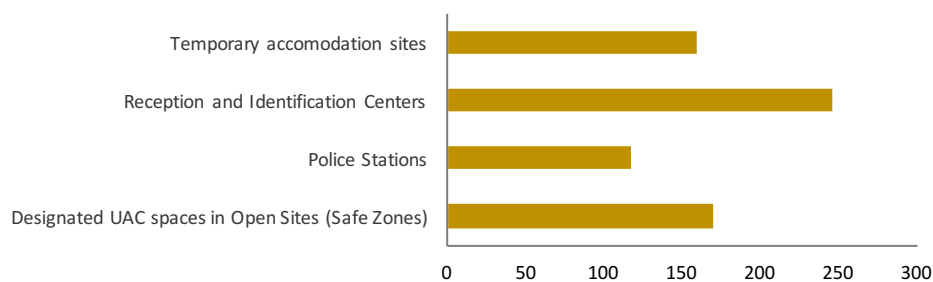
101 The Islamic State of Iraq and Syria (ISIS)

102 The Kurdistan Workers’ Party (PKK), Kurdistan Democratic Party of Syria (KDP), Democratic Union Party (PYD) and Kurdish National Council (KNC) are different Syrian Kurdish opposition groups fighting in Syria.

103 Mixed Migration Platform (MMP) (2017) [Underage, Undocumented and Alone: a gap analysis of protection challenges for children on the move in Jordan, Lebanon and Greece](#), June 2017

limited. Despite recent efforts to increase the number of appropriate accommodation places for UASC, the needs are far from being met. As of July 2017, the number of available shelter places was only 1,226, despite the presence of an estimated 2,350 unaccompanied children in Greece, leaving approximately half of them on EKKA's waiting lists for accommodation referrals. Out of these 1,124 children left without shelter, official data only accounts for approximately half of them. Data from EKKA reports that 169 are in designated spaces for unaccompanied children (UAC) in open sites (safe zones); 117 in protective custody in police stations; 246 in reception and identification centres; and 159 in temporary accommodation sites.¹⁰⁴ The remainder that are unaccounted for presumably face considerable protection risks due to a lack of available shelter. It is reasonable to think that, despite efforts to increase capacity, there will still be a large gap in places available in the near future. The lack of available shelters also affects individuals that have recently reached legal adulthood, incurring a sudden loss of support specifically for minors and access to safe spaces. In a few instances, NGOs have ensured that individuals are accommodated in centres where young men can still receive assistance during this transition phase. However, more often than not, becoming an adult is coupled with a distinct reduction in an individual's protection space.

Number of UAC on the waiting list by location as of 19 July 2017
(based on requests by referral agents)



Source: EKKA (National Centre for Solidarity) (2017)¹⁰⁵

Exploitation

Various human rights agencies have reported ill-treatment and violence against refugees and migrants, including UASC, by the national authorities.¹⁰⁶ Limited reception places in hotspots, inhumane and inappropriate conditions in detention facilities and the exclusion of UASC from cash transfer programmes¹⁰⁷ expose UASC to increased risks of trafficking, child abuse and sexual exploitation. UASC are particularly at risk of physical and sexual violence in the harsh conditions of the camps, where a large number of child abuse cases go unreported.¹⁰⁸ Interviews with minors and NGO staff have revealed that 'transactional sex' and 'survival sex' have become common coping mechanisms for children arriving

104 EKKA (National Centre for Solidarity) (2017) [Situation Update: Unaccompanied Children \(UAC\) in Greece](#), 19 July 2017

105 Ibid.

106 Centre for the Advancement of Research and Development in Educational Technology (CARDET), Defence for Children International - Italy et al. (2014) [IMPACT, Improving Monitoring and Protection Systems Against Child Trafficking and Exploitation, National Report Greece](#)

107 Ibid.

108 FXB Centre for Health and Human Rights, Harvard University (2016) [A Harsh New Reality: Transactional Sex Among Refugee Minors as a Means of Survival in Greece](#)

in Greece from the Middle East. Limited appropriate shelter availability, the lack of legal income opportunities and the length of the asylum procedures were cited as the root causes of coping mechanisms that lead to the sexual exploitation and abuse of UASC. A number of newspaper articles reported cases of minors resorting to transactional sex as a means of survival on the streets of Athens, a phenomenon which is seemingly more common among Afghan UASC.¹⁰⁹ A report on the practice of transactional sex among UASC confirms that the phenomenon is common both in rural and urban areas and that all minors in such situations of vulnerability are at risk, regardless of sex or nationality.¹¹⁰ This research appears to confirm that the recent tightening of border control between Greece and fYRoM has exacerbated this trend: whereas before, UASC turned to 'transactional sex' to finance their onward journey via smuggling routes, this has increasingly become a survival mechanism among children and adolescents still stranded in Greece.¹¹¹



109 Refugees Deeply (2016) [Refugees Caught Up in Child Prostitution in Athens](#), 14 July 2016

110 FXB Centre for Health and Human Rights, Harvard University (2016) [A Harsh New Reality: Transactional Sex Among Refugee Minors as a Means of Survival in Greece](#)

111 Ibid.

CHAPTER 5: PUTTING THE “CHILD” IN CHILD PROTECTION

Article 3 of the CRC states that “in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”. This should be the case in all actions relating to UASC, regardless of their status in a given territory. However, for a variety of reasons, children’s voices are often not heard. There is a clear absence of input from children when migration decision-makers determine ‘best interests’ of the child. This subverts the ‘child rights approach’ endorsed by the CRC, which formally and explicitly recognises children as having rights. Though difficult to define, ‘participation’ might best be regarded as the process of sharing power with the people most affected by the decisions made on their behalf. Considering children’s participation - as actors with a voice in discussions regarding their own vulnerability - requires a considerable shift in societal and organisational structures, and in cultural attitudes toward the minor.

This research in Jordan, Lebanon and Greece highlights how two factors contribute to the fundamental disregard for this aspiration and have ultimately led to the existence of flawed protection mechanisms put in place by the international community. Firstly, interviews with key stakeholders have revealed the widespread belief among authorities that UASC are a potential security threat; the general idea being that children are easier to indoctrinate and could more easily fall prey to terrorist groups such as Daesh. Accordingly, research participants pointed out how UASC - especially in Lebanon and Jordan - were often perceived by authorities as potential criminals, a perception that led to the systematic violations of their rights, including their immediate deportation and detention. This approach is perhaps most clearly embodied in the concept of protective custody/detention, which takes primacy over the protection needs, objectives and aspirations of the minors in question.

Secondly, the findings of this research confirm the findings of studies that have shown how the factual disregard for UASC voices might be embedded in the dominant approach to child protection. Examination of the conceptualisation of the best interests of the child by the CRC in recent decades has suggested that children are often sidelined when international actors determine what is best for them. Numerous studies have shown how international programmes have often interpreted the best interests of the child in terms of reflecting the priorities of donor countries rather than the child’s own interests.¹¹² According to this literature, the CRC universalises a Western conception of childhood that erodes individual autonomy and promotes dependency on professional intervention.¹¹³

112 Pupavac, V. (2001) *Misanthropy Without Borders: The International Children’s Rights Regime*. *Disasters*, 25(2): 95–112; Cantwell, N. (2014) UNICEF, [The Best Interests of the Child in Intercountry Adoption](#)

113 Boyden, J. (1990) *Childhood and the Policy Makers: A Comparative Perspective on the Globalization of Childhood*; James, A. and Prout, A. (eds.) *Constructing and Reconstructing Childhood: Contemporary Issues in the Sociological Study of Childhood*. Falmer, London; Lewis, N. (1998) *Human Rights, Law and Democracy in an Unfree World*; and Evans, T. (ed.) *Human Rights, Fifty Years On: A Reappraisal*. Manchester University Press, Manchester. According to these studies, international standards on children rights are based on the assumption that children’s needs, development and best interests are uncontested universal concepts that could (and should) be applied in all contexts. The childhood development model proposed by the CRC is based on a Western conceptualisation. This conceptualisation underestimates the impact of cultural, social, economic and political factors and focuses on individual processes and specialised management.

The CRC was borne out of an era of humanitarian assistance that was largely characterised by a “top-down”, paternalistic approach to such agreements, as opposed to one that promotes the agency and capabilities of minors.¹¹⁴ This is evident through the prevailing tendency among authorities and the international community in Greece to enact ‘appropriate care provision’ for UASC by endorsing the use of protective custody. The latter can be seen as administrative detention and has, at times, led to the disruption of social relationships and the exacerbation of children’s vulnerability.

This lack of participation of UASC in decision-making that affects their lives makes it difficult to recognise that their migration decisions are often taken for reasons similar to those of adults, and has curbed their (legal) mobility, thereby increasing their vulnerability to exploitation. For example, research in this area shows that when channels of legal mobility diminish, the likelihood of UASC getting involved in smuggling and trafficking increases dramatically. It has been claimed that 20% of unaccompanied minors in Greece disappear from reception centres within 24 hours of their placement there.¹¹⁵ The average stay is only 60 days, which raises questions about the role reception centres play in providing safe spaces for UASC. Furthermore, there are countless reported incidents of UASC working for smuggling groups. UASC are employed to escort migrants across the border because of their own first-hand knowledge of the route, to directly recruit clients, or to help provide the various services needed by migrants (such as food or accommodation) because of their long-term relationship with local communities in the transit countries. They do this work in order to pay the required fees or to have a decent livelihood, or most likely because there was no viable alternative in order to survive - as evidenced by the interviews for this research. It is hard to say whether these people were the exploited, the exploiters, both or neither. What these interviews ultimately tell us is that the programmes and policies developed to protect children from violence, abuse and exploitation might infringe upon their mobility and leave them at risk of harm.

Regardless of their circumstances and the reasons for which they are on the move, unaccompanied and separated children are often exposed to considerable risks and dangers. UASC, however, are not by default more at risk than their adult counterparts. Recent research has demonstrated how mobility provides UASC with a source of empowerment and one of the few available paths to social adulthood. In order to further advance a child protection approach, one should recognise not only the vulnerabilities to which UASC are exposed but also acknowledge their agency. Such an approach should recognise their resilience, their right to empowerment and skills. Moreover, the possibility that their autonomous journey could actually provide them with the occasion to improve their livelihood strategies and future prospects should be acknowledged. Protection actors working with children on the move should take into account the potential positive outcome that mobility can produce in children’s lives throughout the migration process.

The very concept of vulnerability needs to be considered within a proper context, taking into consideration the age of UASC, level of maturity, socio-cultural background and personal views. For example, separated children face a different range of vulnerabilities to those of unaccompanied minors, such as abuse and exploitation at the hands of family members and as a result of challenging socio-cultural family dynamics in the context of displacement. In this sense, the opinion of the child should be at the centre of any assessment regarding best interests and the evaluation of the effectiveness of the protection mechanisms in place. This would also entail a rethinking of the category of “child”. According to Article 1 of the CRC, a child is every human being below the age of

114 Stoecklin, D. (2014) [Children’s Rights and the Capability Approach: Challenges and Prospects](#), 14 July 2014

115 Fili, A. (2014) [Unaccompanied Minors in Greece: Passing on the Responsibility](#)

18 years, regardless of his/her level of maturity, unless the laws applicable to the child in a given country state otherwise. However, several studies have demonstrated how this definition can obscure the vulnerability as well as the capabilities of an individual.¹¹⁶ This is particularly important in light of the fact that many unaccompanied minors will continue to move, reside or work irregularly, with or without humanitarian protection. As one Syrian child worker living near an ITS in the Bekaa Valley in Lebanon told us: “I don’t want to be put in a shelter, I just want to be able to work freely without being stopped and detained by the government”.



116 Hashim and Thorsen, for example, show that the western category of “childhood” is of little use in many African societies where adulthood is embedded in social relations and generational hierarchies rather than in chronological age and cognitive development. Iman Hashim, Dorte Thorsen (2011) [Child Migration in Africa](#), The Nordic Africa Institute, Zed Books, London, New York

CHAPTER 5.1: CONCLUSION

JORDAN

Findings in Jordan are unique in comparison to the other country contexts of Lebanon and Greece for several reasons. Firstly, as set out in the methodology section, a lack of accessible data or understanding on the presence of UASC entering the country led to a refocusing of the research approach towards family separation of minors as a result of documentation complexities. This research indicates that child rights stipulated in the CRC continue to be violated across a range of thematic areas. Despite reassuring developments in child protection legislation to better align Jordan's frameworks with international standards, tightening registration policies and inconsistent implementation at the state level, coupled with a lack of institutional capacity, have created considerable protection challenges for displaced minors across the country - the large refugee population hosted by the country has put its institutions under further strain.

The interviews conducted for this research confirmed the findings of prior studies, which indicated growing rates of forced encampment and deportation of minors to Syria as a result of a restrictive regularisation environment, and ensuing documentation complexities incurred by labour violations of minors attempting to support their families financially. The separation of minors from their families that takes place as a result of such legal status challenges is further compounded by the difficulty in reunifying undocumented children with family members also residing irregularly in host communities. It is here that humanitarian and state protection actors face little option other than to violate the best interests of the child, given the lack of alternative legal recourse. The complexities of Jordan's existing camp registration and temporary leave/bail-out system¹¹⁷ contribute to a higher prevalence of negative coping mechanisms as a result of families' irregularity, including increased early marriage, child labour and premature abandonment of education. Minors are consequently at risk of arbitrary administrative detention or 'child rights approach', a conclusion that was confirmed by our research interviewees, though the explicit scale of such *refoulement* remains unclear.

Despite a lack of explicit data on numbers of UASC entering or residing in Jordan, it is evident that access to education, healthcare, guardianship or foster care are again problematised for this group by the same legal documentation and status complexities faced by those entering the country as accompanied minors. According to our consultations with protection specialists, this is particularly the case for UASC residing irregularly in the country, outside of the vicinity of formal camps. This deficiency in UASC-specific data could also be indicative of a poor understanding of inconsistencies in registration of such minors entering Jordan, either as 'adults' or as members of families to which they bear no blood relation; confirmation of such anecdotal information through further research could provide valuable insights.

117 The bail-out procedure is an official process by which refugees could previously obtain permission to leave camps and reside within host communities. Obtaining such permission is only possible upon fulfilment of certain requirements, including the presence of a relative of Jordanian nationality that can act as a sponsor, over the age of 35, residing outside the camp. Conflicting reports provide differing information on whether or not the bail-out process is still underway, having supposedly been suspended in January 2015 and replaced with a temporary leave permit system that requires the eventual return of registered refugees to the camp territories. UNHCR is still reporting on such figures, indicating that the process has resumed; however, numbers still remain unclear.

LEBANON

Despite a differing context to Jordan, legal status challenges are likewise at the crux of protection concerns for UASC in Lebanon. As confirmed by the research findings, recent restrictive changes to entry criteria for displaced Syrians have created a climate of irregularity for UASC in particular. Despite the legal obligation to regularise their status following irregular entry (considering extremely limited channels for legal entry), UASC are faced with a distinct lack of available pathways to do so, due to criteria that demand the presence of an adult relative for legal entry and/or stay.

This state of irregularity compounds the vulnerability of UASC on several fronts. According to this research, fear of detention has actively discouraged this group from seeking assistance from the humanitarian community or reporting abuses at the hands of security forces or irregular employers. For these same reasons, our interviewees reported avoiding school due to the risk of crossing GSO checkpoints en route. Because an adult presence is required if a minor wants to legally rent a property, UASC reported residing in large groups in makeshift accommodation that exposes them to physical protection risks and potential exploitation by landlords. Negative coping mechanisms are therefore common, encompassing 'survival sex' and situations of exploitative child labour. These factors ultimately place UASC at the heart of a continuous cycle of migration status violations and exploitation, for which there is currently no legal remedy.

As outlined by those interviewed, the capacity of key protection institutions such as UPEL - together with a lack of shelter, formal foster care or adoption frameworks - mean there is little by way of a protective safety net for those attempting to survive when living unaccompanied or separated in Lebanon. In addition, rising intercommunity tensions stemming from the tense socio-economic climate, which is compounded by the number of Syrian refugees Lebanon hosts, do not make life easier for UASC in Lebanon.

GREECE

The legislative protection environment for UASC entering Greece is considerably more developed than in the contexts of Jordan and Lebanon. Directives and procedural safeguards at both the European and the national level provide for explicit protection for UASC, and more generally minors, throughout the entry and asylum process. Nonetheless, violations of child rights expressly outlined in the CRC, particularly around the age assessment process, continue to place UASC at risk of arbitrary administrative detention, exposure to the most invasive medical examinations, sexual and financial abuse and the presumption of adulthood, all of which threaten their access to specialised support services. Despite promising developments at the national level in recent years that would improve protection-based legislation, in relation to the age determination process specifically, the research findings indicate a widespread inconsistency in implementation of specified steps.

In the midst of this often lengthy and invasive determination process, UASC in Greece face a chronic lack of shelter and an institutional approach that directly impacts their access to the guardianship and representation afforded them under both European and Greek asylum law. As reflected in the other country case studies, a lack of harmonised data collection directly feeds into inadequate service provision and allocation of resources, and poor coordination between the local, national and international procedural levels as regards protection of UASC. Furthermore, and as is the case in both Lebanon and Jordan, shifting entry policies along the eastern Mediterranean route have led to an increased prevalence of negative coping mechanisms among UASC. This is confirmed, for instance, in increased reports amongst respondents of the use of 'survival' or 'transactional sex'.

CHAPTER 6: RECOMMENDATIONS

6.1 Jordan

Access to services

Government of Jordan

- Pending regularisation, ensure that all UASC, regardless of location, can access essential assistance (specifically healthcare) and formal education regardless of their registration status
- Access to legal documentation - and hence to services - should be facilitated for UASC in general and for separated children under legal guardianship or foster care in particular
- Family members of individuals facing deportation orders should be allowed access to humanitarian actors for the provision of protection and assistance information to facilitate informed decisions

Humanitarian actors

- Raise awareness of available services for UASC amongst host and refugee communities
- Conduct protection monitoring focusing on the cultural, integration and gender issues faced by separated children under legal guardianship or foster care to help identify protection concerns to better inform humanitarian assistance
- Implement projects addressing access to shelter issues for UASC
- Provide additional resources for youth access to health education in the camps and in host communities
- Ensure UASC with disabilities can access specialised services
- Increase UASC access to psychosocial support
- Prioritise UASC residing in ITS due to significant barriers in accessing basic services
- Ensure UASC receive adequate psychosocial support in Azraq camp, especially in Village 5 where large numbers reside

Child labour and exploitation

Government of Jordan

- Ensure national legislation and its implementation continues to develop in line with the CRC principle of the best interests of the child
- Strengthen support of social protection programmes and assistance to address specific needs of children at risk of Sexual and Gender Based Violence (SGBV) and SGBV survivors

Humanitarian actors

- Expand outreach, awareness raising and protection for those who report abuse and exploitation in order to reduce and eliminate cases
- Prioritise cash modalities as a tool for UASC protection. Increased access to income would reduce resorting to negative coping mechanisms
- Offer vocational training to UASC
- Conduct focus groups discussions with UASC to better understand their needs and interests
- Conduct further research to better understand why some Syrian refugees do not want to obtain work permits (known reasons include the fear of losing access to assistance or resettlement, the ability to obtain informal work without a permit, and that permits may not provide protection against exploitation and abuse in workplaces)
- Distinguish strategies in response to child labour between ITS, camp and host community environments due to the unique protection challenges present in each area

Legal status and documentation

Government of Jordan

- Strengthen the ongoing Urban Verification Exercise (UVE) to ensure comprehensive access for UASC to services, expand self-reliance and legal work and slow the growth of the undocumented UASC population
- UASC potentially subject to deportation should have an opportunity to contest the evidence against them, through judicial review
- UASC apprehended by police should be reunited with their families in line with the best interests of the child, instead of forcible separation from their families and relocation to Azraq camp reception areas

Humanitarian actors

- Raise awareness of the legal framework of Jordan with regard to children's rights, labour law and the employment of minors

6.2. Lebanon

Shelter and alternative care

Government of Lebanon

- Provide child protection-sensitive practice training courses to the Internal Security Forces (ISF), as the first point of contact with UASC
- Ensure the presence of a lawyer to assist UASC detained in police stations, if UPEL social workers are unavailable
- Promote clear selection criteria for residential care

Humanitarian actors

- Advocate for the availability of child-friendly waiting rooms at the ISF premises
- Raise awareness within the government of alternative care options
- Establish an oversight mechanism containing monitoring procedures for alternative care

Child labour and exploitation**Government of Lebanon**

- Provide ISF, border patrols and those working directly with UASC with capacity building and training on adequate and safe assessment of UASC
- Identify alternatives to detention and arrest
- Ease restrictions on movement for 15-17 year old UASC to enable their access to services
- Abolish the curfew system imposed discretionally by some municipalities

Humanitarian actors

- Integrate livelihoods and education programming, for instance via vocational opportunities that prioritise UASC
- Empower women in female-headed households of separated children through cash assistance and skills training
- Negotiate with shawish and employers to mitigate the impact of child labour

Legal status and documentation**Government of Lebanon**

- Establish a mechanism with juvenile judges that does not depend on each judge but surpasses judiciary appointments and harmonises the approach to focus on protection rather than the irregularity of residency permits

Humanitarian actors

- Harmonise the approach of UN bodies and partners in addressing the needs of UASC and establish an inter-agency referral mechanism that takes into consideration the specific vulnerabilities and challenges faced by UASC

6.3. Greece**First screening and age assessment****Government of Greece**

- Provide adequate training to immigration officials to identify signs of abuse and exploitation among new UASC arrivals, and to sensitively verify kinship relationships of children on the move
- Ensure child protection officer presence at hotspots, during the registration phase and in all reception facilities hosting UASC

- Ensure the age assessment process follows procedure, taking into account the child's mental well-being and avoiding all risks of violation of physical integrity

Protective custody/detention

Government of Greece

- Ensure detention of UASC who enter the country irregularly is always a last resort measure and occurs for the shortest period of time necessary
- Appoint trained and independent translators to facilitate effective communication
- If transfer to community-based apartments is not an option, move UASC away from the general population to child-friendly spaces within camps

Guardianship, shelter and alternative care

Government of Greece

- Provide adequate training to guardians to safeguard the best interests of UASC and strengthen the legal guardianship system to immediately appoint well-trained individuals

Humanitarian actors

- Increase the number of shelters or community-based apartments for UASC so as to provide alternatives to administrative detention

Asylum, deportation and relocation

Government of Greece

- Ensure that UASC receive accurate, timely and accessible information regarding their rights and the support available to them
- Improve family tracing and family reunification procedures, always prioritising UASC

Exploitation and abuse

Government of Greece

- Establish specialised shelters to assist UASC victims of exploitation and abuse
- Provide child-centred training to authorities who interact with vulnerable UASC

Humanitarian actors

- Increase the awareness and understanding of the local community in order to facilitate the detection and prevention of exploitation of UASC
- Establish telephone hotlines for UASC victims of exploitation and abuse
- Raise awareness among UASC on the risks of exploitation and abuse as well as the available protective resources
- Prioritise cash modalities as a tool for UASC protection in order to reduce negative coping mechanisms

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