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26 September 201

Information Documents

SG/Inf(2018)28

“Refugee and migrant children in Europe” – Progress in implementation of the Action Plan (2017-2019)

Executive summary

This document provides an overview of the state of implementation of the actions of the Council of Europe Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019), in the first 16 months since its adoption by the Committee of Ministers of the Council of Europe at its 127th meeting in Nicosia (Cyprus) on 19 May 2017.

During this period of implementation, the Action Plan has reflected a priority area for the Council of Europe and has proven its pertinence in view of developments since 2017. Its transversal approach – secured by the co-ordinating role of the Special Representative on Migration and Refugees – has streamlined the efforts of the Organisation and has fostered in-house co-operation for a solid and coherent response to the challenges faced by member states in protecting children in migration. The Action Plan initiatives also support member states in addressing the recommendations of monitoring bodies and of fact-finding mission reports of the Special Representative. The activities are aptly complemented by other Council of Europe initiatives such as those on social inclusion and gender equality.

All activities foreseen for 2017 have been successfully developed, initiated and in some cases already completed by the 17 units involved in the implementation of the three pillars of the Action Plan. The activities proposed for 2018 have been initiated and are ongoing. The implementation of several projects will be initiated once the intergovernmental work on relevant guidelines is complete.

The Action Plan has been a useful tool to communicate on the role of the Council of Europe as an actor in promoting human rights in the context of migration. The initiatives undertaken contribute to achieving the objectives of the UN Global Compact for Safe, Orderly and Regular Migration and the UN Global Compact on Refugees, both expected to be adopted later this year. They also indirectly contribute to the realisation of a number of the goals in the European Commission's Communication on the protection of children in migration. The experience of the first sixteen months has shown examples of thematic co-operation with other international partners, which need to be further pursued and reinforced.

The costs of implementation in 2017 were covered in almost equal share from the ordinary budget and from extra-budgetary resources. The development of cost-effective projects has allowed for important activities to be carried out despite the financial constraints. Further funding is necessary to consolidate the financial investment already made.

The activities carried out during the first period of implementation have fostered dialogue on migration between different sectors of national authorities. This dialogue has reconfirmed the need to pursue the existing holistic approach at the level of the Organisation and to promote cross-sectorial and transversal co-operation on refugee and migrant children at the level of member states. Political engagement with and national ownership over the implementation of the Action Plan is the prerequisite for its successful completion and sustainability in the long-term.

1. INTRODUCTION

On 19 May 2017, at its 127th session, the Committee of Ministers adopted the Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019). The Committee of Ministers decided to receive regular updates on the progress and results of the Action Plan through interim and final reports. This document is the interim mid-term report, which takes stock of achievements and lessons learned in the first 16 months since the adoption of the Action Plan (May 2017-September 2018).

The report analyses the added value of the transversal and co-ordinated approach to the implementation of the Action Plan (Section 2) and the concrete outputs of the Action Plan according to its main objectives (Section 3). It also discusses the complementarity of the Action Plan with other activities undertaken by the Organisation (Section 4) as well as the strategic partnerships and complementarity with external actors (Section 5). After a brief financial overview (Section 6), the report summarises the lessons learned and makes suggestions for future strategies and action (Section 7).

2. PROTECTION OF REFUGEE AND MIGRANT CHILDREN – PRIORITY ACTION FOR THE COUNCIL OF EUROPE

2.1. A coherent and transversal approach

With hundreds of thousands of children arriving in Europe in 2015[1], the Secretary General of the Council of Europe proposed in March 2016 a list of immediate and priority actions by member states and the Organisation to better ensure the safety and proper treatment of migrant and asylum-seeking children entering Europe, with a special focus on those who were unaccompanied or separated.[2] At the same time, the Secretary General appointed

Ambassador Tomáš Boček as his Special Representative on Migration and Refugees with the protection of refugee and migrant children as one of the key priorities for his mandate. Since his appointment, the Special Representative has conducted eight fact-finding missions in ten member states of the Council of Europe. The findings and recommendations of his mission reports and of his Thematic Report on refugee and migrant children (22 March 2017) showed the need for Organisation-wide action.

Consequently, an Action Plan was developed in close co-operation with various entities of the Council of Europe and through active dialogue with member states. It was designed as the Organisation's coherent response to support its member states in addressing the situation of refugee and migrant children in Europe. Its successful implementation relies on the substantive activities run by 17 different bodies and divisions within the Organisation. The Special Representative has co-ordinated the overall implementation of the Action Plan and has promoted the Action Plan outside the Organisation, including for the purpose of fundraising for its implementation and to highlight complementarity with instruments of other stakeholders.

The transversal approach has secured a comprehensive and co-ordinated response of the Organisation to the challenges faced by member states. The exchange of valuable in-house expertise and experience has been instrumental to achieving high quality of outputs. For example, work on alternatives to detention has relied on exemplary co-operation between the Secretariat of the Steering Committee for Human Rights (CDDH), the European Committee on Legal Co-operation (CDCJ), the Children's Rights Division, the European Committee for the Prevention of Torture (CPT), the Registry of the European Court of Human Rights (ECHR) and the Department of Execution of ECHR Judgments. The preparation of a HELP[3] training course has drawn on expertise from the teams of the Commissioner for Human Rights, the Social Charter Division, the Children's Rights Division and the Special Representative.

The Action Plan initiatives also support member states in addressing the recommendations made by relevant monitoring mechanisms and the fact-finding mission reports of the Special Representative. The Action Plan activities are complementary to the Council of Europe's Strategy on the Rights of the Child (2016-2021) and to its Strategy on Gender Equality (2018-2023), as well as to the Council of Europe's Action Plan on Building Inclusive Societies (2016-2019) and its Action Plan on the fight against violent extremism and radicalisation leading to terrorism (2015-2017). The initiatives on linguistic integration, recognition of qualifications and integration through sport are supported jointly with the Action Plan on Building Inclusive Societies. More information on other activities carried out by the Organisation in the field of children in migration, outside the framework of the Action Plan on Protecting Refugee and Migrant Children, is available in Section 4.

2.2. Visibility of the Action Plan

The transversal approach has fostered cross-sectorial communication and has resulted in increased visibility of the Council of Europe in promoting the protection of refugee and migrant children.

The Action Plan and its outputs have been covered, among others, by *France Bleu*, *Radio Prague*, *Irish Times*, *Crotone informa*, *Athens News Agency*, *Xinhua*, *ITAR-TASS*, and *CTK - Prague Daily Monitor*. The Secretary General supported the launch of the Action Plan during the 127th session of the Committee of Ministers in Nicosia, Cyprus.

Communication efforts were undertaken by each entity involved in implementation as well as by the Special Representative. All activities were supported and their results were actively promoted through the Council of Europe Migration Newsletter, presentations at various events, promotional videos and communications on the Council of Europe web portal, website of the Special Representative and social media. Promotional videos featured, among others, the HELP training course on refugee and migrant children, the Conference on alternatives to detention, and the projects on the European Qualification Passports for Refugees, the language toolkit for adult refugees and the handbook on child-friendly migration-related information.

On 20 June 2018, for World Refugee Day, the Special Representative launched a specific web page[4] on his website on the progress made in the implementation of the Action Plan and to provide a user-friendly platform for accessing all resources resulting from Action Plan initiatives. In addition, the Special Representative has raised awareness about the Action Plan and its results in presentations outside the Council of Europe, among which may be cited written and oral contributions to the UN Global Compacts for Safe, Orderly and Regular Migration and on Refugees, the UN Global Study on Detention of Children, the 11th European Forum on the Rights of the Child, and the French Economic, Social and Environmental Council.

The Action Plan brochures, available in English, French, German, Italian and Turkish, have been distributed to permanent representations of Council of Europe member and observer states, to different counterparts working in the field of migration and refugees, to participants during various events related to the Action Plan and migration, and to interested visitors.

3. IMPLEMENTATION: PROGRESS AND RESULTS

The Action Plan has three pillars that correspond to the main objectives the member states decided the Organisation should focus on: to ensure children's access to their rights and child-friendly procedures, to provide effective protection from different forms of violence and to enhance the integration. This Section presents the achieved results following the structure of the abovementioned three pillars.

All activities foreseen for 2017 were successfully initiated and some have already been completed. Most measures proposed for 2018 and 2019 have been initiated and are ongoing. The implementation of several activities will be initiated once the intergovernmental work on relevant guidelines is complete. A few proposed activities have been delayed or scaled down due to resource challenges.

3.1. Ensuring access to rights and child-friendly procedures

The implementation of activities under the first pillar of the Action Plan is well advanced, with almost completed projects on child-friendly information and HELP training, while other activities are ongoing as scheduled.

a. Ensure access to child-friendly information and procedures

A round table on child-friendly information for children in migration, organised on 29-30 November 2017 by the Children's Rights Division, explored the notion of child-friendly information and facilitated the exchange of examples of good and promising practices about how to communicate with children in the context of migration in a child-friendly way. In preparation of the event, workshops with migrant children at national level in five member states gathered their views and recommendations about the information they received during their migratory journey. Children appreciated being asked to give their opinions and were interested to learn more about how their opinions would be used to influence future work.

As a direct follow-up to this roundtable, the drafting of the handbook for professionals on child-friendly information for children in migration was begun in early 2018 and is at an advanced stage. The handbook will provide guidance on communicating with children in a child-friendly way upon arrival and in reception centres as well as during age assessment, guardianship and immigration or asylum procedures. The handbook is expected to be published by the end of 2018 in English; translation and publication in other languages depends on the availability of funding.

In addition, the preparation of a compilation of good practices on migration-related child-friendly procedures was initiated in May 2018 by the Special Representative on Migration and Refugees. It will cover all stages of the migratory process within Europe, as well as connected law-enforcement procedures, durable solutions and procedures for the support of victims of exploitation and abuse. The examples to be selected for the compilation will facilitate state implementation of their obligations in respect of migration-related procedures involving children and will thus encourage the modification of procedures to make them more child-friendly. The compilation is expected to be completed by mid-2019.

b. Ensure that every child has a nationality

The European Committee on Legal Co-operation (CDCJ) examined, at its plenary meeting on 22-24 November 2017, the possibility of undertaking an activity aiming at implementing in practice the principle of avoiding statelessness in relation to child migrants and identifying appropriate solutions in the form of practical guidance.

As a preliminary step, an ad hoc meeting of CDCJ members (or national experts) and key stakeholders, the UNHCR and the European Network on Statelessness will determine how best the CDCJ can provide its expertise and contribute to the ongoing efforts to avoid statelessness, with a particular focus on migrant children. A detailed analysis will be prepared to highlight the current gaps and difficulties encountered in practice and a step-by-step strategy of possible activities to be undertaken by the CDCJ within its next biennium, and if relevant, draft terms of reference will be formulated. The analysis is expected to be presented to the CDCJ for consideration at its plenary meeting in November 2019.

c. Training course on refugee and migrant children

From October 2017 to June 2018, a mixed working group of external and in-house experts has developed a course on refugee and migrant children under the Council of Europe Programme on Human Rights Education for Legal Professionals (HELP). The developed course is composed of seven modules covering the three pillars of the Action plan, and, in particular, international legal framework, child-friendly procedures, alternatives to detention, family reunification, social rights and integration, guardianship, and age assessment. The course was developed on the basis of the HELP methodology and is linked to the courses on asylum and on child-friendly justice.

A training of trainers combining technical as well as content learning was organised by the Human Rights National Implementation Division in Strasbourg on 24-25 May 2018. The course has been available online for free since early September 2018 to all those enrolled. Before the end of 2018 it will be adapted to the country-specific contexts and legislation in Greece, Italy, Spain, and Turkey, and launched in those countries.

The course will equip legal and other professionals working with refugee and migrant children with the skills necessary to protect the human rights of these children. Those invited to participate in the trainings will be identified by HELP partners, the respective National Training Institutions and Bar Associations. The course represents the support needed for the national implementation of guidelines and knowledge developed under the umbrella of all three pillars of the Action Plan.

3.2. Providing effective protection

The already completed and the ongoing activities under the second pillar of the Action Plan contribute today to a more effective implementation of existing standards by reviewing their content and increasing awareness about them, by identifying good practices and by providing policy advice.

a. New guidelines regarding effective guardianship and age assessment

The differences in guardianship systems across the member states as well as the challenges to their effectiveness increase the risk that children's rights will not be upheld and refugee and migrant children will not be able to access effectively legal procedures. In addition, human rights compliance procedures for age assessment must be in place to mitigate the potentially detrimental impact of age assessment on the child's physical and mental health. The Ad hoc Committee for the Rights of the Child (CAHENF) was tasked by the Committee of Ministers with contributing to the Action Plan by developing European standards in the areas of guardianship and age assessment and, after their adoption, by identifying follow-up activities. For this purpose, the CAHENF set up a Drafting Group of Experts on Children's Rights and Safeguards in the context of migration (CAHENF-Safeguards).

With considerable progress already made, it is expected that the draft recommendation on guardianship will be approved by the CAHENF in autumn 2018, following which the text will be submitted to the Committee of Ministers for adoption. The recommendation will contribute to guiding Council of Europe member states in ensuring the quality of guardianship services and children's access to guardianship services and social services without discrimination. It is expected that the implementation of the guidelines in the recommendation will result in the reinforcement of protection afforded to unaccompanied and separated refugee and migrant children.

The draft text on age assessment is expected to be approved by the CAHENF at its first meeting in 2019, and subsequently submitted to the Committee of Ministers for adoption.

The CAHENF will consider follow-up measures for the implementation of both recommendations after their adoption.

b. Appropriate shelter for children and their families

It is envisaged that the Steering Committee for Human Rights (CDDH) will work on the preparation of a recommendation or other non-binding instrument on appropriate standards for the reception and accommodation of refugee and migrant children (in open structures and in a non-custodial environment) in the 2020-2021 biennium. The Drafting Group on Human Rights and Migration (CDDH-MIG) will hold an exchange of views on the topic at their 5th meeting on 17-19 October 2018.

c. Assistance in restoring family links and reunification, in accordance with existing norms

The preparation of a handbook on standards and good practices to restore family links and reunify families was initiated in June 2018 by the Special Representative on Migration and Refugees. The handbook is expected to summarise, in a practical way, the legal standards applicable to family reunification and provide examples of good practices on restoring family links and reunifying families. The handbook is expected to directly impact professional practice across a wide cross-section of stakeholders working with children, together with the HELP course, to improve their capacity in restoring family links and to illustrate the co-operation between different actors involved in family reunification. The handbook is expected to be completed by mid-2019.

d. Avoid resorting to deprivation of liberty on the ground of migration status

The Action Plan seeks to bring resort to children's deprivation of liberty for immigration purposes to an end. This aim is pursued by gradual action and from several angles: by promoting alternatives to immigration detention and CPT standards on immigration detention, and by enhancing the monitoring in places where children could be detained.

Alternatives to immigration detention

On 25-26 September 2017, the Czech chairmanship of the Committee of Ministers of the Council of Europe hosted the Conference "Immigration Detention of Children: Coming to a Close?" The Conference offered a platform for exchange across diverse sectors and concluded that alternatives to immigration detention are not only necessary where children are concerned but can be an effective and pragmatic policy of migration management while upholding the best interests of the child. The conclusions of the Conference contribute to the ongoing work of the Council of Europe in this field.

In January 2018 the Steering Committee for Human Rights (CDDH) published its "Analysis of the legal and practical aspects of effective alternatives to detention in the context of migration", prepared by its Drafting Group on Human Rights and Migration (CDDH-MIG) for the biennium 2016-2017. The analysis gives a coherent and detailed overview of the applicable international human rights standards in the field and clarifies the similarities and the differences between various bodies of the Council of Europe, the United Nations and the European Union. It identifies a range of different types of alternatives as well as essential elements that render alternatives to immigration detention effective. The analysis also reflects on the ways in which the Council of Europe could engage in further follow-up work that is of practical value to member states in the field.

As a result, a set of actions were initiated as of April 2018, which collectively seek the effective implementation of alternatives to immigration detention by relevant authorities. The actions encompass the preparation of know-how and user-friendly materials on effective alternatives to detention (handbook and guidance), capacity building among professionals and enhancing the overall awareness of good practices and lessons learnt in effectively implementing alternatives. On 5 July 2018 a joint event with the UNHCR in Sofia focused on relevant case law and Council of Europe, European Union and UNHCR action on alternatives to detention.

CPT standards on immigration detention

On 15 March 2017 the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published a factsheet on immigration detention to present its standards based on hundreds of visits to places of immigration detention. The factsheet covers, among others, safeguards during detention, description of suitable premises, open regime, the provision of healthcare, effective monitoring and complaint mechanisms. It recalls the need for establishing meaningful alternatives to detention and for making every effort to avoid resorting to the deprivation of liberty of migrant children. It has been translated into seven non-official languages (Albanian, Bosnian, Croatian, Hungarian, Italian, Serbian and Turkish) and translation into six other languages is under way.

The CPT's standards are used as a major source for the ongoing codification of European rules on immigration detention within the Council of Europe. The CPT's work on immigration detention has led in some countries to improvement of immigration detention conditions or to legal amendment precluding detention of children for immigration purposes.

Monitoring places where children are deprived of their liberty as a result of immigration procedures

The Parliamentary Assembly of the Council of Europe (PACE) and the Children's Rights Division in co-operation with Defence for Children International Belgium launched on 11 October 2017 a Guide for Parliamentarians on monitoring places where children are deprived of their liberty on immigration grounds. The Guide provides practical advice and checklists to enable parliamentarians to conduct visits, to interview detained children and detention staff, and to undertake effective follow-up to their visits. The Guide is available in English, French and Arabic.

Organised in the framework of the PACE Campaign to End Immigration Detention of Children and in co-operation with the Children's Rights Division, training courses for ombudspersons and parliamentarians took place in April and November 2017. The sessions conveyed skills for interviewing and visiting children in immigration detention and techniques for effective monitoring. The training incited interest also from representatives of the UNHCR, the CPT, members of the Office of the Commissioner for Human Rights and a member of the Japanese General Consulate in Strasbourg. A good geographical representation was achieved with participants from 14 member states and 2 states with observer status.

The Guide and trainings have already had a twofold impact. On the one hand, they have raised awareness among policy-makers and ombudspersons for children of the challenges faced by children in detention; and, on the other hand, they have equipped these stakeholders with the necessary skills to conduct effective monitoring visits and thus to become agents for change. This is expected to contribute to a stepped up involvement of parliamentarian and ombudspersons on this topic.

Additional activities undertaken by the PACE in the context of migration are reflected in Section 4 of this report.

e. Ensure protection from violence, including trafficking and sexual exploitation

On their migration path, children are exposed to numerous risks associated with smuggling and often become victims of trafficking in human beings or/and of sexual exploitation and abuse. Activities addressing all these aspects were carried out during the reporting period.

Preventing and suppressing the smuggling of migrants, including children

On 23 June 2017 the European Committee on Crime Problems (CDPC) organised in Strasbourg an international conference on the smuggling of migrants. The conference discussed good practices and concrete measures to prevent and combat the smuggling of migrants, to develop strategies for co-operation and information exchange, and to protect the rights of smuggled migrants. The conference concluded that the Council of Europe mechanisms against human trafficking (GRETA), violence against women (GREVIO) and the sexual exploitation of children (the Lanzarote Committee) should continue to be supported and strengthened in order to ensure the protection of the rights of smuggled migrants. The conference conclusion suggested that the Council of Europe further explore on measures to prevent smuggling and to promote international co-operation.

As a result, the CDPC decided at its plenary session in December 2017 to set up two working groups to work on measures to prevent the smuggling of migrants and on measures to improve international co-operation respectively. The working groups' membership comprises highly qualified practitioners from member states, specialists from academia and the research community, and representatives of international partners such as EUROPOL, the International Organisation for Migration (IOM), the United Nations Office on Drugs and Crime (UNODC), the International Labour Organisation (ILO), and the UNHCR. The working groups held their first meetings in Paris on 20-22 June 2018. Both working groups discussed how the Council of Europe could assist its member states in identifying and implementing concrete actions with a view to producing guidelines and recommendations aiming at developing national strategies and practical measures to prevent and suppress smuggling of migrants. The working groups developed several preliminary proposals which will be finalised at the next meetings to take place in autumn 2018. Among those proposals may be cited the creation of a Network of Prosecutors on Migrant Smuggling, a 24/7 network of points of contact for strengthening the timely exchange of information between relevant actors, and recourse to more modern and flexible measures of co-operation.

Combating child trafficking

In its 6th and 7th General Reports, published in December 2016 and 2017 respectively, the Group of Experts on Action against Trafficking in Human Beings (GRETA) highlighted important gaps in the prevention of child trafficking and the identification and protection of child victims of trafficking. The risks faced by children and young people remain of particular concern, as weaknesses in child protection systems in many countries lead to failings in ensuring timely responses to the rights and needs of migrant and asylum-seeking children at risk.

The development of a compendium of good practices in the fight against child trafficking has been initiated and is expected to be completed before the end of 2018. The compendium is intended to provide support to member states in addressing gaps identified by GRETA when it comes to the identification and assistance of victims of trafficking among migrant and refugee children and the prevention of (re)trafficking.

During the reporting period, GRETA has continued its monitoring work in member states. Its most recent reports called on authorities to set up procedures or to proactively identify child victims of trafficking among unaccompanied migrant children, and to refer them to specialised assistance.[5] The urgency of measures to prevent trafficking and to address disappearances among unaccompanied children by providing suitable care arrangements and support for family reunification was emphasised in several recent reports.[6] GRETA's recommendations have resulted in measures being taken to improve migration-related legislation, policy and practice in Belgium, Bosnia and Herzegovina, Ireland, Poland and Portugal.

Protecting children from sexual exploitation and abuse

Following an urgent monitoring round, on 3 March 2017 the Lanzarote Committee issued a special report "Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse". The report highlighted situations that expose children affected by the refugee crisis to a risk of sexual exploitation and sexual abuse and recommended how to avoid such risks and protect children, in particular those who are unaccompanied and those who go missing after arrival. The impact of the Lanzarote Committee special report has been to raise awareness of the risks faced by children on the move and to reinforce their protection from sexual abuse and exploitation through concrete recommendations.

The Lanzarote Committee is expected to examine at its 22nd meeting (7-9 November 2018) the measures taken by the 41 parties concerned by the urgent monitoring round to implement in particular the special report's priority recommendations. It will also exchange views on promising practices put in place to provide follow-up to the other recommendations of the special report.

The Congress of Local and Regional Authorities organised in 2017 in Belgrade the second seminar for local government associations focusing on the Pact of Towns and Regions to Stop the Sexual Violence against Children. One of the workshops was dedicated to "Mechanisms to protect children affected by the refugee crisis at international and national level". These seminars are intended to inform municipalities and encourage them to sign up to the Pact. Since June 2017 messages of interest for signing up were received from two cities in Turkey and one region in Germany and actual signatures from four cities in Serbia. To date, a total of 76 cities, regions and NGOs from 20 countries have signed the Pact to stop the sexual violence against children. The promotion of the Pact will continue but might take a different form, depending on the budgetary and human resources available in the future.

3.3. Enhancing refugee and migrant children's integration

Social inclusion of refugee and migrant children and youth who are in Europe is achievable through integration in education, durable solutions and active participation in society. The activities under the Action Plan pave the way towards these intermediate steps by engaging national governments and civil society. The initiatives on linguistic integration, recognition of qualifications and integration through sport are supported jointly with the Action Plan on Building Inclusive Societies.

a. Provide education

The Action Plan identified linguistic integration and recognition of qualifications as priorities for effective access to mainstream education and for inclusion.

Linguistic integration

In November 2017, the Education Department launched a toolkit "Language support for refugees." It offers practical and free support to NGOs and the volunteers, and to national and regional bodies involved in the provision of language support to adult refugees. It encompasses a collection of guidelines, tools and teaching material likely to respond to a range of needs, both of refugees and volunteers, and may be used for designing language courses. It is currently available in seven languages. Following a call for tenders 14 NGOs and associations around Europe were selected to raise awareness and help disseminate the toolkit (through translation, training, communication and visibility initiatives, etc.). Based on the feedback of the piloting of the existing toolkit, an expert group will consider the best approach for a similar toolkit targeted specifically at a younger public in the course of 2019-2020.

A survey of member states' experience on provision of education to migrants and refugees and on integrating them into mainstream education systems is being developed in close co-operation with the Association of Language Testers in Europe (ALTE) and will be launched in September 2018, with preliminary analyses to be provided by the end of the year. Three surveys have been organised since 2007 focusing exclusively on adult migrants. This new survey also considers young migrants, including adolescents. Its primary purpose is to map the language requirements and civic integration requirements for migrants in Council of Europe member states. The results of the survey will be used for the identification of good practices and for further discussion, with the preparation of a guide and the organisation of an intergovernmental conference envisaged in 2019.

The feasibility of a Recommendation on the linguistic integration of migrants will be analysed by the Steering Committee for Education Policy and Practice (CDPPE) in 2019 after a discussion on the level of implementation of the existing recommendations of the Committee of Ministers on this matter.

Recognition of qualifications

The Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS No.165), jointly drafted by the Council of Europe and UNESCO, is the standard-setting text for the recognition of qualifications in Europe. Under the leadership of the Council of Europe, the Convention Committee adopted on 14 November 2017 a Recommendation on the Recognition of qualifications held by refugees, displaced persons and persons in a refugee-like situation, together with an explanatory memorandum.

The European Qualifications Passport for Refugees (EQPR), developed by the Education Department, is a project supporting the recommendation. The project promotes a reliable methodology to assess refugees' qualifications in the absence of full documentation. It helps public authorities and institutions by supporting refugees to be admitted to further studies or enter the job market in the host country.

A pilot phase run in Greece in 2017 assessed 92 applications and issued 73 Passports. A more extensive, second phase of this project was launched on 28 March 2018 and will be run in 2018-2020. This phase involves new partners from Armenia, Canada, France, Germany and the Netherlands – along with the original partners from Greece, Italy, Norway and the United Kingdom. Through the use of online technologies, the project will be able to assess refugees' qualifications in any participating country, widening the scope of potential candidates and reducing the costs. Finally, the creation of an Alumni Network will better prepare future refugee candidates for the assessments, help other EQPR holders to use their EQPR and improve and expedite the integration into host societies. The second phase of the project will include the assessment of a number of applications on the basis of claimed secondary school education qualifications and will therefore be of relevance to youth/young adults. The first two evaluation sessions under the second phase of the project took place in June and July 2018 in Greece and in Italy respectively. Ninety persons were interviewed during the two sessions.

b. Provide durable solutions

Refugee and migrant children who remain in Europe must have access to long-term solutions to enable them to rebuild their lives and to live their lives in dignity and safety. The Council of Europe adopted in 2007 a framework for the development of durable solutions for unaccompanied children in the form of a life project and now intends to provide a similar framework for young refugees in transition to adulthood.

Life projects

More than ten years since its adoption, the CAHENF will undertake a review of the implementation of Recommendation CM/Rec(2007)9 of the Committee of Ministers on life projects for unaccompanied migrant minors. A draft questionnaire has been prepared for examination by the CAHENF and it is expected that the review will be initiated in the second part of 2018. Related training tools may be created following the completion of the review and depending on the availability of funding.

The review of the implementation of the recommendation should encourage member states to consider the systems in place to implement durable solutions. It is an opportunity to examine the way in which member states provide for children to participate in the planning of their life projects. The relevant training tools are expected to support a more effective implementation of this recommendation and implicitly to improve access to durable solutions.

Transition to adulthood

The Joint Council on Youth (CMJ), following a decision taken at its 36th meeting (March 2017), is currently drafting a Committee of Ministers' recommendation to member states on supporting young refugees in transition to adulthood. A fourth draft was circulated in June 2018 after incorporating the results of national consultations.

The objective of the draft recommendation is to ensure that young refugees receive additional temporary support after the age of 18 to enable them to access their rights, and to recognise the role of youth work and the youth sector in promoting better access to these rights. Even though they are no longer children, some young refugees who arrived in Europe as children and have since turned 18 are still in need of additional temporary support in order to become autonomous and to integrate into European societies. The draft recommendation seeks to complement Recommendation CM/Rec(2007)9 on life projects for unaccompanied migrant minors.

c. Provide opportunities to participate in society

Media

The 2017 report "Media coverage of the 'refugee crisis': A cross-European perspective", commissioned by the Media and Internet Division, examined the narrative developed by print media in eight European countries and how they contributed to the public perception of the "crisis". In 2018 an explorative study "Spaces of inclusion – needs for refugees and migrants in the domain of media communication and responses by community media" was published. The study analysed the role played by community media in framing the public debate on migration.

The conclusions of the report and of the study showed that ongoing efforts to properly equip and prepare journalists for the challenging task of contextualised and evidence-based reporting on migration were essential. They also emphasised that it is equally vital to ensure that sufficient opportunities are provided to migrant and refugees themselves to develop their independent voices and make them heard in public debate. The results of the report and the study were presented by the Media and Internet Division and discussed in PACE and at several media events, which fostered discussions between civil society, institutions and media on the role and responsibilities of media in enabling (or hindering) social empowerment and participation of all members of society.

In addition, the Media and the Internet Division has provided support to the Media against Hate campaign led by the European Federation of Journalists and, in particular, to two workshops which focused on community media projects promoting dialogue and cohesion and on the promotion of counter-narratives with respect to young and women refugees. Both workshops succeeded in providing media literacy skills to young citizens of different backgrounds and in encouraging projects countering discrimination.

Sports

In July 2017, the Enlarged Partial Agreement on Sport (EPAS) launched a platform on the integration of migrants via sport. The platform fosters the sharing of expertise and good practices between relevant stakeholders at international, national and local level, such as government authorities, the sports movement and NGOs. It provides its users with useful and practical information and includes otherwise isolated projects and facilitates the promotion.

As of 1 September 2018 the platform had collected 42 projects, run in 20 countries in around 30 sport disciplines and therapeutic techniques. Depending on the availability of funding, EPAS envisages activities aimed at supporting member states in the implementation of Recommendation CM/Rec(2012)1 of the Committee of Ministers on the protection of child and young athletes from dangers associated with migration. In addition, to promote integration opportunities, research measuring the impact of sport in the integration process of refugee and migrants, with a focus on children and youth, will propose a methodology and relevant indicators for use by authorities and civil society. The latter activities are suspended until funding is identified for the implementation.

4. ADDITIONAL RELEVANT ACTIVITIES

The Action Plan is a list of targeted, short-term and priority actions. It is not however an exhaustive list of all Council of Europe activities in the field of children in migration. The following are only some examples of the additional activities currently under way in this area. All actions reinforce each other to amplify each other's impact.

Special Representative on Migration and Refugees

The protection of refugee and migrant children is one of the four priorities set by the Special Representative in his First Activity Report. In addition to his involvement in the implementation of the Action Plan, since May 2017 the Special Representative has carried out fact-finding missions to Serbia and two transit zones in Hungary, to Bulgaria and to Spain with a special focus on the situation of refugee and migrant children. The mission reports assess the situation of refugee and migrant children and the protection and integration mechanisms set up in the countries concerned. The urgency and the pertinence of the Action Plan initiatives have been reconfirmed by the dynamics in migration flow and the findings of the Special Representative following missions carried out since the launch of the Action Plan in 2017. At the same time, the activities under the Action Plan have been instrumental in addressing the recommendations made in all fact-finding mission reports by the Special Representative. The dialogue with Council of Europe member states and within the Organisation with a view to implementing recommendations of fact-finding mission reports is essential in assisting member states to tackle the challenges they face.

The Special Representative provides input to the Secretary General on migration issues and on ways to strengthen the Organisation's assistance to member states. He is also responsible for the organisation of an intersecretariat co-ordination group on migration, which acts as a platform for joint and complementary action on migration-related activities within the Council of Europe. The Special Representative promotes the work of the Council of Europe concerning refugee and migrant children and seeks opportunities for synergies and complementarity in all his exchanges with major international partners.

The Council of Europe Development Bank

Assistance to migrants and refugees is one of the statutory priorities of the Council of Europe Development Bank (CEB).

The CEB continued to help member countries to provide emergency support in favour of migrants and refugees through the Migrant and Refugee Fund (MRF), focusing in particular on the needs of the most vulnerable groups.

At the end of 2017, 21 CEB member states and the European Investment Bank had contributed to the MRF, raising over € 25 million. Among CEB member states, the largest contributors were France, Germany and Italy. Up to February 2018, the CEB approved roughly € 22 million in grants in favour of 8 countries. Recently approved projects focus on the most vulnerable among migrants and refugees, such as unaccompanied children, victims of sexual and gender-based violence and single parents with underage children.

In 2017, the European Union contributed €50 million to the CEB managed Turkey Refugee Account. This amount will finance the construction of a state hospital in Kilis (Turkey) close to the Syrian border, in order to provide better medical care to both the Syrian refugees and their host community.

In addition, the CEB continues to partially finance, through loans, investment projects presented by its member countries to facilitate integration of refugees and migrants. In 2017, the CEB approved 8 projects benefiting also migrants and refugees.

Standards on administrative detention of migrants

A Committee of experts on administrative detention of migrants (CJ-DAM), acting under the authority of the European Committee on Legal Co-operation (CDCJ) has been instructed to codify existing international standards relating to the conditions of immigration detention in closed administrative centres and, as appropriate, in other places of non-penal detention in the form of a recommendation of the Committee of Ministers and using as a model the European Prison Rules. The elaboration of the draft codifying instrument started in May 2016 and is expected to be completed in 2019.

Parliamentary Assembly of the Council of Europe

In addition to the joint initiatives under the umbrella of the Action Plan, the Parliamentary Assembly of the Council of Europe (PACE), via its Committee on Migration, Refugees and Displaced Persons, has been running since 2015 the Parliamentary Campaign to End Immigration Detention of Children. The campaign has been recently extended for a third phase, during which it will focus on promoting positive and protective alternatives to immigration detention of children through parliamentary visits to facilities where unaccompanied children and children with families are accommodated. Such visits have already enabled parliamentarians to witness examples of good practice of care and accommodation of unaccompanied migrant children and assess the contrast between closed centres and open residential homes.

PACE has equally contributed with valuable reports, resolutions and discussions on various migration-related topics, among which may be cited the following: comprehensive responses to the refugee crisis; transit migration across the Mediterranean; migration as an opportunity for development; integration in times of critical pressure; extra-territorial processing of asylum applications; the human rights impact of the "external dimension" of European Union asylum and migration policy; guardianship; family reunification; child-friendly age assessment; missing refugee and migrant children in Europe; and trafficking and exploitation of migrants and refugees.

Refugee and migrant women

On 7 March 2018 the Committee of Ministers adopted the new Council of Europe Gender Equality Strategy 2018-2023. The protection of the rights of migrant, refugee and asylum-seeking women and girls is for the first time included among the six priority areas. The activities under this priority will contribute to the implementation of the Action Plan. They will also support the systematic integration of a gender equality dimension in states' policies and measures concerning migration, asylum and integration, in order to secure the human rights and fundamental freedoms of migrant, refugee and asylum-seeking women and girls, men and boys, without discrimination due to their traditional or cultural attitudes.

The Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is developing expertise in the area of women refugees with respect to the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). GREVIO monitors compliance of state parties to the Istanbul Convention, including in the area of migration and asylum. During its country evaluations, GREVIO regularly visits accommodation facilities for asylum-seekers and assesses the measures put in place to protect women and girls from different forms of violence and to secure their access to support services and information. Its reports address in special chapter the support and protection migrant and refugee women and girls receive against gender-based violence, their living conditions and the access to international protection on the basis of gender-based persecution and to gender-sensitive procedures.

Social inclusion

The European Commission against Racism and Intolerance (ECRI) has continued in its fifth monitoring cycle with the analysis of trends on migration and integration during its country visits and through its thematic work. In its 2017 annual report ECRI noted that migration has continued to be represented by xenophobic populist circles as a threat to social cohesion and security. Despite this, ECRI has reported on measures taken by several countries to facilitate the integration of migrants who have a right to remain in the country, mainly refugees and beneficiaries of subsidiary protection. A large spectrum of measures has been taken in particular in the areas of housing, education and employment. ECRI concluded that, across Europe, there is a need to adopt more inclusive migration policies which provide dignified support to migrants, including refugee and migrant children. In the upcoming cycle of country monitoring ECRI will look into the steps taken by member states to integrate groups who are most in need of targeted integration policies. It will focus, among others, on key areas of integration and inclusion, such as education and family reunification.

In 2017 the Intercultural cities programme of the Council of Europe launched the "Inclusive Integration Policy Lab", which is an initiative to promote cooperation and co-ordination among local, regional and national authorities in the field of diversity management and inclusive integration. At its most recent meeting in June 2018, participants reviewed a "model" integration strategy with a view to reaching agreement on the key principles and structure of national inclusive strategies. Governments were invited to present and explain their plans for migration, refugees and integration, including children and discuss with cities the role they can play in designing and implementing those policies. Participants also discussed the roadmap, methodology, format and priorities for the future work of the Policy Lab.

The Youth Department regularly holds activities in the European Youth Centres to develop the capacity of young multipliers, including many refugees, to support the social inclusion of young refugees. Particularly relevant in this context are the two study sessions co-organised with Voice of Young Refugee in Europe (VYRE) on "Empowering young refugees" (2017) and "Young refugees combating the rise of populism" (2018). The European Youth Foundation has financially supported 17 youth-led projects in 2017 and 2018 on the theme of refugees and migrants, including international youth activities and pilot activities led by young refugees themselves. The activities build the capacities of those working with young refugees and also enhance their networks in Europe. They help in the preparation of policy guidelines by identifying needs and contribute to a clearer understanding of the added value youth work has in the social inclusion of young refugees and migrants.

5. STRATEGIC PARTNERSHIPS AND COMPLEMENTARITY

The Council of Europe acknowledges the important work that has already been carried out or is well under way in other organisations. It has actively engaged with such organisations and their work in order to contribute to the global effort to promote the human rights of refugee and migrant children. This report outlines a non-exhaustive list of examples in which the Action Plan initiatives have shown their added value and support for other work in the field.

5.1. Transversal co-operation

United Nations Global Compact on Migration and Global Compact on Refugees

In September 2016, at a High-Level Summit to address large movements of refugees and migrants in New York, United Nations member states decided to conclude a Global Compact on Refugees and a Global Compact for Safe, Orderly and Regular Migration. The Special Representative on Migration and Refugees has followed developments closely and participated in the 2017 consultation phase orally and in writing. Negotiations on the texts began in 2018 with the publication of drafts of both Compacts. The Special Representative submitted written comments on the Global Compact for Migration in March 2018 and on the Global Compact on Refugees in June 2018. His comments underlined the need to protect migrants' and refugees' human rights as part of a migration and refugee management strategy and outlined the role the Council of Europe can play in the implementation of the compacts. The documents, available on the Special Representative's website, describe in detail how in practice the initiatives under the Action Plan support Council of Europe's member states in meeting the targets set out in the Compacts.

European Union - European Commission

On 12 April 2017 the European Commission adopted a Communication on the protection of children in migration, which proposed a number of priority areas for member states to focus on in order to improve the protection of children in migration and ensure a closer link between asylum and child protection services. The initiatives under the Action Plan aptly complement the priority actions in the Communication in respect of guardianship and age assessment, access to child-friendly information and child-friendly procedures, integration and durable solutions. Prevention of trafficking, smuggling and sexual exploitation of refugee and migrant children, implementation of alternatives to immigration detention and family reunification are additional areas.

of potential co-operation. Due to such complementarity, the implementation of the Action Plan is conducive to the implementation of the priority action listed in the Communication. Regular contacts between different sectors of both organisations play an important role in preventing duplication of activities and in promoting congruent activities.

5.2. Thematic co-operation

Smuggling of migrants

There has been great interest in and participation by international and regional organisations such as the UNODC, the UN experts panel on Libya, the International Criminal Court, the European Migrant Smuggling Centre, Europol, academics and some non-Council of Europe states in the Action Plan initiatives on preventing and suppressing the smuggling of migrants. The Council of Europe is in a prime position to gather and disseminate research and data collection relevant to all member states. The Council of Europe could work in close co-operation with other global and regional intergovernmental and supranational organisations in the provision of training for border officials and other relevant law-enforcement entities, thereby enhancing available expertise to detect smuggling networks and efficiently distinguishing between victims and offenders.

Alternatives to immigration detention

The Prague Conference on alternatives to immigration detention brought together a variety of international and regional organisations to ensure synergies and complementarity of action in this field. Both the UNHCR and the European Union used the opportunity to inform participants of the activities and programmes, as well as to exchange information on their future priorities and joint ways forward. The event engaged representatives of the Inter-American Court of Human Rights. The conference also contributed to the European Commission's 11th European Forum on the Rights of the Child on 6-7 November 2017, which addressed children's deprivation of liberty. In addition, in autumn 2018 the Council of Europe intends to organise jointly with the European Commission an event on alternatives to immigration detention.

Youth work

The Youth Partnership between the European Commission and the Council of Europe has supported various activities aimed at building knowledge on the inclusion and participation of young refugees and the capacity of youth work and youth policy fields. The preparation of a policy brief and the Summer School "Young refugees as actors for social inclusion and intercultural dialogue" in 2017 in Braga, Portugal, paved the way for the work of the Joint Council on Youth in the drafting of the guidelines on transition to adulthood. A youth knowledge book – a publication based on research on how to improve the work with young refugees – and a practical guide for youth work with young refugees, focusing on intercultural learning, access to social rights, young women refugees and youth participation and mental health and trauma, are accessible online as of September 2018. A seminar on the role of the youth sector in supporting young refugees in December 2018 will explore synergies and build cross-sectorial co-operation and partnerships among different actors, with the aim of improving the social inclusion of young refugees, their access to rights and their participation.

Children's rights

The work currently undertaken by the CAHENF complements the position taken by the UN Committee on the Rights of the Child. Effective guardianship will enable children to access social services and be of relevance to achieving Sustainable Development Goal (SDG) target 11.1.[7] Action Plan initiative on the integration of unaccompanied refugee and migrant children are of particular relevance to SDG target 8.6.[8] Strengthening the implementation of the life projects recommendation ties in closely with the obligations of member states under the UN Convention on the Rights of the Child and the General Observations of the UN Committee on the Rights of the Child on the child's right to an adequate standard of living. Work undertaken to date will enable the Council of Europe to contribute to the United Nations Global study on children deprived of liberty.

The preparatory work on age assessment has included regular exchanges of views with the Fundamental Rights Agency of the European Union (FRA), the European Asylum Support Office (EASO), the European Border and Coast Guard Agency (Frontex), and the European Commission.

Protection from sexual exploitation and abuse

The special report by the Lanzarote Committee on "Protecting children affected by the refugee crisis from sexual exploitation and abuse" drew on input from comments made by the FRA secretariat on the draft version of the report and from FRA publications (their monthly and thematic reports). In 2017 the findings and recommendations of the report were promoted in events organised by the IOM and INTERPOL. The IOM has indicated that it will use the recommendations in their policy advocacy work and capacity-building activities.

Combating child trafficking

In 2017 the Council of Europe joined the Inter-Agency Coordination Group against Trafficking in Persons (ICAT). The membership provides an opportunity to work towards complementarity with the members of ICAT (OHCHR, UNODC, UNHCR, IOM, ILO, UNICEF, UN Women, OSCE, and the International Centre for Migration Policy Development), and to avoid duplication.

6. FINANCIAL OVERVIEW

The costs of the implementation of the Action Plan represent the ordinary and extra-ordinary budget for the activities proposed, developed and carried out by the 17 involved units and bodies of the Organisation.

In 2017, the cost of the implementation of the Action Plan was € 1,209,211; of which € 616,132 was allocated from the Organisation's ordinary budget and € 593,079 from extra-budgetary resources (including € 238,079 from voluntary contributions).[9] For 2018-2019, € 642,001 is expected to be used from the ordinary budget, while extra-budgetary resources committed for the implementation of the Action Plan amount to € 753,294 (including € 580,23 from voluntary contributions).[10] The voluntary contributors to date are Andorra, Belgium, Hungary, Italy, Liechtenstein, Monaco, Serbia, and the International Association of Former Council of Europe Staff members (AIACE).[11]

Important activities require further financial support in order to be implemented. The completion of projects already initiated under the Action Plan – on child-friendly information, alternatives to immigration detention, social inclusion of young refugees, life projects and recognition of qualifications – currently requires a further € 804,000 in extra-budgetary resources.

The relevant units estimate that an additional € 1.3 million may be necessary for projects which are still to be defined for Action Plan initiatives referring to follow-up to guidelines on age assessment and guardianship, follow-up action on protection of children from sexual exploitation and abuse and support for integration of refugee and migrant children in mainstream education.[12]

7. CONCLUSIONS

Protecting refugee and migrant children in Europe – through access to rights, effective protection from violence and enhanced integration – is a long-term objective of the Council of Europe. Its achievement depends on multiple factors, including the co-operation of various actors who are in contact with children in migration. The already completed and the ongoing activities under the Action Plan contribute to increased awareness in the field, enhance the engagement of different actors in the implementation of Council of Europe priorities and provide the practical tools to facilitate the effective implementation of existing standards. The Action Plan clearly represents an essential means of action for the Organisation and can complement other international organisations' efforts.

The first 16 months of implementation have also shown the added value of streamlining the Organisation's work on refugee and migrant children being done by different sectors. The co-ordination provided by the Special Representative has ensured coherence in the implementation of the different activities and enhanced efficiency. The challenges encountered during the first 16 months of implementation have revealed a number of valuable lessons which can usefully inform the strategy to be pursued by the Council of Europe in its future work.

First, it has become clear that more support for developing inter-agency co-operation at national level is crucial. As noted above, the implementation of the Action Plan has relied on the collective work of several sectors of the Organisation. Accordingly the development of various policy recommendations in the framework of the Action Plan has been entrusted to different intergovernmental bodies, working on children's rights, legal co-operation, human rights, education and youth. Each sector has shown different perspectives on and levels of engagement with the topic of migration and refugees.

This experience has mirrored the different levels of engagement with migration and refugees in domestic systems where the view of migration management ministries is often dominant. Representatives in some committees have had to rely on extensive consultations at national level before committing to any decision within their respective committees in the Council of Europe. These consultations have enriched the discussion on migration between different sectors at national level and the exchange of views has been an added value in itself. It is important that such consultations continue on a regular basis: social welfare, child protection, migration, youth, education and human rights sectors need to work together.

The Council of Europe has a role to play in advocating and promoting this co-operation and in connecting these sectors. For the same purpose, some thought should be given as to how a more direct dialogue could be established between the migration management ministries and the Council of Europe.

Secondly, there is a need for sustained engagement at national level and throughout different sectors with the objectives and initiatives of the Action Plan. Experience shows that high engagement with certain topics has resulted for example in rapid agreement on the principles concerning the guidelines on guardianship and in support for activities concerning international co-operation on suppressing the smuggling of migrants. For this reason the support of the Committee of Ministers expressed for the Action Plan at its adoption remains indispensable for implementation and national authorities need to follow suit.

Thirdly, it has become clear that more communication on the Action Plan and on its initiatives among national authorities in different sectors will increase the visibility of achieved results in intergovernmental forums outside the Council of Europe and thus complement the co-operation of the Council of Europe with those organisations. As noted above, the Council of Europe is not alone in working on the improvement of the situation of refugee and migrant children. Visibility of its work is essential for efficient co-operation with other organisations and stakeholders.

Lastly, a wise use of the financial investment already made in Action Plan activities requires further funding for the completion of projects especially in view of the current budgetary situation. For example, the preparation of guidelines will be postponed to the next biennium. The Action Plan activities have been financially supported both by ordinary and extra-ordinary budget resources.

At the same time, with the support of extra-budgetary resources, including voluntary contributions, important projects have been successfully initiated and some activities have been re-designed so that core objectives and proper planning for follow-up can be achieved with the existing budget. The streamlining method of the Action Plan has also enabled the development of cost-effective projects that address, in addition, recommendations made by monitoring bodies and by the Special Representative in his fact-finding mission reports. What has been achieved despite the existing constraints is consistent contribution to the work concerning children affected by migration and has confirmed the Council of Europe's place as a relevant actor in the field of migration. Further funding is necessary to consolidate the investment made to date.

The experience derived from the implementation of the Action Plan so far demonstrates the value of continuing with a holistic and transversal approach at the level of the Organisation and the promotion of cross-sectorial co-operation and communication on refugee and migrant children at the level of member states. A shared understanding that refugee and migrant children should be treated first and foremost as children and rights holders is the foundation of the Action Plan and the prerequisite of its success. To this could be added special focus on the protection of refugee and migrant girls and on long-term integration solutions, to meet the objectives of the Action Plan.

The sustainability of the Action Plan initiatives depends on this shared understanding and on member states taking ownership over its implementation and achievements. Only serious engagement in each sector – child protection, migration management, law enforcement, social services, youth and education – combined with the awareness of how the sectors interact as described by the Action Plan can result in the improvement of the safety and lives of refugee and migrant children in Europe.

There are sixteen more months of implementation ahead. The success of this endeavour depends on the continued commitment from the Organisation and its member states.

Table 1. Status of implementation of the Council of Europe Action Plan on Protecting Refugee and Migrant Children (2017-2019)

on 1 September 2018

Action Plan activities	Details on implementation
1. ENSURING ACCESS TO RIGHTS AND CHILD-FRIENDLY PROCEDURES	
<i>a. Access to child-friendly information and procedures</i>	
Round-table on child-friendly migration-related information	Roundtable organised by the Children's Rights Division on 29-30 November 2017. Round table report and report "Child-friendly information for children in migration: What do children think".
A handbook on promoting child-friendly information for refugee and migrant children on access to rights and relevant procedures, including good practices, to be drafted and translated into several languages	Work started by the Children's Rights Division in early 2018 and is well advanced. The handbook is expected to be published by the end of 2018 in English.
A compilation of good practices on migration-related child-friendly procedures	Initiated by the Special Representative on Migration and Refugees in May 2018, expected to be completed by end of June 2019. Concept note
A HELP training course on the rights of refugee and migrant children	Preparation started in October 2017 and work was completed by the Council of Europe Programme on Human Rights Education for Legal Professionals (HELP) in June 2018. Training of trainers session on 23-24 May 2018. The course will be available online for free to all those enrolled and will also be adapted and launched in Greece, Italy, Spain and Turkey in autumn 2018.
<i>b. Ensure that every child has a nationality</i>	
Identifying solutions to avoid statelessness for child migrants and refugees.	The European Committee on Legal Co-operation (CDCJ) examined, at its plenary meeting on 22-24 November 2017, the possibility of undertaking an activity aiming at implementing in practice the principle of avoiding statelessness in relation to child migrants. An ad hoc meeting of CDCJ members (or national experts) and key stakeholders will propose a step-by-step strategy of possible activities to be undertaken by the CDCJ within its next biennium, and if relevant, draft terms of reference. The analysis would be presented to the CDCJ for consideration at its plenary meeting in November 2019.
2. PROVIDING EFFECTIVE PROTECTION	
<i>a. New guidelines regarding effective guardianship and age assessment</i>	
New guidelines on effective guardianship and age assessment Identify measures and follow-up action for the implementation of the guidelines	A Drafting Group of Experts on Children's Rights and Safeguards in the context of migration (CAHENF-Safeguards) was set up to draft these guidelines. Work on a draft recommendation on effective guardianship is well advanced; its text is expected to be approved by CAHENF in the second half of 2018, following which the text will be submitted to the Committee of Ministers for adoption. Consultations on the text on age-assessment are ongoing. The draft text is expected to be approved by the CAHENF at its first meeting in 2019, and subsequently submitted to the Committee of Ministers for adoption. The CAHENF will consider measures for follow-up action for the implementation of the guidelines following the adoption of the texts.
<i>b. Appropriate shelter for children and their families</i>	
Draft instrument on standards of reception and accommodation of refugee and migrant children	Work is envisaged to be initiated by the Steering Committee for Human Rights (CDDH) in 2019 and completed in the biennium 2020-2021. The Drafting Group on Migration and Human Rights (CDDH-MIG) will hold an exchange of views on the topic at their 5th meeting on 17-19 October 2018.
<i>c. Assistance in restoring family links and reunification, in accordance with existing norms</i>	
A handbook on standards and good practices to restore family links and reunify families	Initiated by the Special Representative on Migration and Refugees in June 2018, expected to be completed by end of June 2019. Concept note
<i>d. Avoid resorting to deprivation of liberty on the ground of migration status</i>	
Conference within the Czech Chairmanship of the Committee of Ministers of the Council of Europe "Immigration Detention of Children: Coming to a Close?" Prepare a guidance and/or a compilation on alternatives to detention	The conference took place in Prague, on 25-26 September 2017. A report on the conference is available here. Analysis of the legal and practical aspects of effective alternatives to detention in the context of migration, published on 28 January 2018 by the Steering Committee for Human Rights (CDDH). As of April 2018, several actions were initiated to promote alternatives to immigration detention: preparation of know-how and user-friendly materials on effective alternatives to detention (handbook and guidance), capacity building among professionals, and enhancing the overall awareness of good practices and lessons learnt in effectively implementing alternatives. On 5 July 2018 a joint event with the UNHCR in Sofia focused on relevant case law, Council of Europe, European Union and UNHCR action on alternatives to detention.
Translate and distribute CPT factsheet on immigration detention	Factsheet on immigration detention published on 15 March 2017 (factsheet translated into Albanian, Bosnian, Croatian, French, Hungarian, Italian, Serbian and Turkish). Translation into six other languages is under way.
	The guide was developed by the Children's Rights Division in cooperation with Defence for Children International Belgium for the Parliamentary Assembly of the Council of Europe (PACE), it was launched on 11 October 2017.

Elaboration of a practical training guide for visiting/monitoring places where children are deprived of their liberty as a result of migration procedures, in the framework of the Parliamentary Campaign to End Immigration Detention of Children	Guide for Parliamentarians: Visiting places where children are deprived of their liberty as a result of immigration procedures It is also available in French and Arabic. Two training courses, organized by PACE and the Children's Rights Division, took place in Strasbourg in April and November 2017. The course included participants from 14 member states and 2 states with observer status.
Training for members of national parliaments and ombudspersons' staff on visiting/monitoring places where children can be deprived of liberty as a result of migration procedures	
<i>e. Ensure protection from violence, including trafficking and sexual exploitation</i>	
Organise a conference to develop strategies aimed at preventing and suppressing the smuggling of migrants, including children	Conference was organized by the European Committee on Crime Problems (CDPC) on 23 June 2017. International Conference on Smuggling of Migrants Final observations of the Conference
Identify measures and follow-up action for the implementation of the strategies for preventing and suppressing the smuggling of migrants	At its plenary session in December 2017 the CDPC decided to set up two expert working groups to analyse and propose follow-up action: the Working Group on Prevention of smuggling of migrants and the Working Group on fostering international co-operation and investigative strategies in fighting the smuggling of migrants. Their first meetings took place on 20-22 June 2018 in Paris.
Develop and keep updated a compendium of good practices in the fight against child trafficking	The preparation of the compendium of good practices is ongoing; completion is expected before the end of 2018.
Monitor to identify gaps and needs in the current procedures for the identification of victims of trafficking among migrant children and refugees	GRETA reports during the reporting period addressing the situation of refugee and migrant children, in particular unaccompanied and separated children: 7 th General report, Belgium, France, Greece, Hungary, Ireland, "the former Yugoslav Republic of Macedonia", Norway, Serbia, and Sweden. Relevant visits to Germany, Italy, Luxembourg, Netherlands, and Spain.
Awareness-raising seminar on combating sexual exploitation of refugee and migrant children	On 13 June 2017, in Belgrade, the Congress of Local and Regional Authorities organised the second seminar for local government associations focusing on the Congress Pact to stop the sexual exploitation of children. Conclusions of the seminar.
Identify measures and follow-up action for the implementation of recommendations of Lanzarote Committee	On 3 March 2017 the Lanzarote Committee issued a Special Report "Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse". The Lanzarote Committee is expected to examine at its 22nd meeting (7-9 November 2018) the measures taken by parties to implement the special report's priority recommendations. It will also exchange views on promising practices put in place to provide follow-up to the other recommendations of the special report.
3. ENHANCING REFUGEE AND MIGRANT CHILDREN'S INTEGRATION	
<i>a. Provide education</i>	
Develop, translate, publish and pilot a toolkit for volunteers offering language support	The Education Department launched the toolkit in November 2017. The toolkit is currently available in 7 languages (www.coe.int/lang-refugees) A Call for Proposals has also been launched by the Education Department and is currently underway for the dissemination of the toolkit during 2018 in the Member States.
Conduct a survey of member states' experience on provision of education to migrants and refugees and on integrating them into mainstream education systems	A survey of member States' experience on provision of education to migrants and refugees and on integrating them into mainstream education systems is being undertaken by the Education Department in close cooperation with the Association of Language Testers in Europe (ALTE). It will be launched in September 2018.
Draft recommendation on the linguistic integration of migrants	The feasibility of a Recommendation on the linguistic integration of migrants to be analysed by the Steering Committee for Education Policy and Practice (CDPPE) in 2019 after a discussion on the level of implementation of the existing recommendations of the Committee of Ministers on this matter. Collection of texts: Children and Adolescents from a migrant background: Integration and Education
A pilot project on the assessment of qualifications through a European Qualifications Passport for Refugees (EQPR) held by refugees	On 14 November 2017 was adopted a Recommendation on the Recognition of qualifications held by refugees, displaced person, and persons in a refugee-like situation and its explanatory memorandum. A pilot phase of the EQPR run by the Education Department in Greece in 2017 assessed 92 applications and issued 73 Passports. A more extensive, second phase of this project was launched on 28 March 2018 and will be run in 2018-2020, with the participation of the national information centres on recognition of Armenia, Canada, France, Germany, Greece, Italy, the Netherlands, Norway and the United Kingdom. The first two evaluation sessions under the second phase of the project took place in June and July 2018 in Greece and in Italy respectively; 90 refugees were interviewed.
<i>b. Provide opportunities to participate in society</i>	

Promoting diversity inclusiveness in mainstream media	<p>The Media and Internet Division published in 28 February 2018 an explorative study on the needs of refugees and migrants in the domain of media communication "Spaces of Inclusion – needs for refugees and migrants in the domain of media communication and responses by community media" and in April 2018 a report concerning media on the massive arrival of refugees "Media coverage of the 'refugee crisis': A cross-European perspective."</p> <p>Presentation and discussion of the mentioned publications in PACE and in different forums, such as: the Civil Media 2017 Conference in Salzburg, 15-17 June 2017; the Conference on Media and Migration 2017, Hamburg, 24-25 November 2017; the Vienna Conference "Media Democracy under Pressure" on 22 May 2018; and the NECS Conference in Amsterdam "Media Tactics and Engagement" on 27-29 June 2018.</p> <p>Support for two Media against Hate workshops. The workshop in Poland, 7–9 June 2017, focused on presentation of various community media projects promoting dialogue and cohesion. The workshop in Germany, 23–25 November 2017, focused on the promotion of counter-narratives with respect to young and women refugees.</p> <p>Factsheet on media and refugees</p>
Promoting integration through and in sport	<p>In July 2017, the Enlarged Partial Agreement on Sport (EPAS) launched a migrant integration via sport platform. There are currently 41 projects, run in 19 countries in around 30 sport disciplines and therapeutic techniques, on the platform.</p> <p>Depending on funding: supporting member states in the implementation of the CM/Rec (2012) 10 on the protection of child and young athletes from dangers associated with migration; research measuring the impact of sport in the integration process of refugee and migrants, with a focus on children and youth.</p>
<i>c. Provide durable solutions</i>	
<p>Review the implementation of Recommendation CM/Rec(2007)9 on life projects for unaccompanied migrant minors</p> <p>Develop training tools on life projects for unaccompanied migrant minors</p>	<p>A draft questionnaire has been prepared for examination by the CAHENF and it is expected that the review will be initiated in the second part of 2018. More materials on life projects.</p>
<p>Prepare policy recommendations on assisting young refugees and migrants, in particular unaccompanied minors, in their transition from childhood to adulthood</p> <p>Disseminate the policy recommendations. Pilot awareness-raising and training with youth workers, staff of reception centres and NGOs. Organise study sessions with refugees and youth organisations on advocacy for application of the guidelines</p>	<p>The Joint Council on Youth (CMJ) – following a decision by its 36th meeting (March 2017) – is currently drafting a Committee of Ministers' recommendation to member states on supporting young refugees in transition to adulthood. Since then, an intense drafting and consultation process has been ongoing.</p>

[1] UNICEF, *Regional Humanitarian Situation Report* (January 2016).

[2] Protecting children affected by the refugee crisis: A shared responsibility, Secretary General's proposals for priority actions, 4 March 2016, SG/Inf (2016) 9

[3] HELP is the Council of Europe Programme on Human Rights Education for Legal Professionals.

[4] www.coe.int/action-plan-child-refugee

[5] Belgium, France, Hungary, "the former Yugoslav Republic of Macedonia", Norway and Serbia.

[6] Belgium, Greece, Ireland, Serbia and Sweden.

[7] By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums.

[8] By 2020, substantially reduce the proportion of youth not in employment, education or training.

[9] The amount of extra-budgetary resources includes € 385,735 in contributions to projects under the PACE Campaign End Immigration Detention of Children and the Action Plan on Building Inclusive Societies.

[10] The amount of voluntary contributions includes € 75,333 voluntary contributions earmarked to the project on recognition of qualifications (2018-2019 co-funded under the Action Plan on Building Inclusive Societies, as well as € 290,000 committed but not yet transferred voluntary contributions.

[11] In addition, Azerbaijan, Germany, Norway, San Marino, Switzerland, and the European Union made voluntary contributions in support of the activities covered by the Action Plan on Building Inclusive Societies.

[12] At the time of the adoption of the Action Plan, these activities have not been budgeted and relevant information was to be provided subsequently by the responsible units.

Related documents

No related documents