

Separated children

This article is based on the Action for the Rights of Children's "Resource Pack on Separated Children" and the Inter-agency Guiding Principles on Unaccompanied and Separated Children. For more information, see the "Further reading" section in this ECM.

Introduction

Children separated from their parents and families due to conflict, population displacement or natural disasters are among the most vulnerable. Separated from those closest to them, these children have lost the care and protection of their families in the turmoil, just when they most need them. They face abuse and exploitation, and even their very survival may be threatened. They may assume adult responsibilities, such as protecting and caring for younger sisters and brothers. Children and adolescents who have lost all that is familiar – home, family, friends, stability – are potent symbols of the dramatic impact of humanitarian crises on individual lives.

The breakdown of social structures and services accompanying major crises means that communities and states themselves may not be in a position to provide the necessary protection and care for children without families. It is therefore imperative that humanitarian organisations ensure that the most vulnerable children are protected.¹

Experience has shown that preserving family unity helps to minimise the effects of catastrophic events on children. However, separations do occur, particularly in situations with large population displacements, and it is therefore essential that activities to limit separations as well as identify children who have been separated, are in place and functioning as quickly as possible. The sooner separated children are identified, the greater will be the chance of successful reunification with their family.

Unaccompanied and separated children

There is an important distinction to be made between 'separated children' and 'unaccompanied children'. When an armed conflict or other disaster occurs, many children become separated from their parents or other caregivers. However, even in emergency situations, relatively few children are

found to be totally alone (truly 'unaccompanied'), even though many have been separated from their parents or usual caregivers. Many may be living with, or accompanied by, extended family members, friends, neighbours or other adults, and are therefore classed as 'separated'.

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

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

Orphans are children, both of whose parents are known to be dead. In some countries, however, a child who has lost one parent is called an orphan.

The family is defined in some places by the child's immediate relatives: parents, brothers and sisters. In other places there may be a far wider extended family, including grandparents, aunts and uncles and more distant relations within a clan, village or community. Ways of caring for children vary, but generally all societies recognise that the best place for a child to be is with his or her family.

Whether children are defined as 'separated' or 'unaccompanied', it is important not to underestimate the vulnerability of separated children. All unaccompanied and separated children should be registered as a matter of urgency for two reasons: registration enables tracing of the child's family, and it facilitates assessment and monitoring of the care situation. It should not be assumed that because a child is with the extended family that they

have the capacity to trace the previous carers, nor that there will not be particular protection concerns for the child.

The impact of separation on children

Children are more susceptible to illness and injury than adults, but separated children also lack the physical protection and psychological and emotional support they need. Without such support, there is a great danger that their full development will be disrupted or impeded.

In the short term, they can be overwhelmed by the practicalities of fleeing their homes, arriving in an unfamiliar location, exhausted from the journey and suffering the shock of dislocation from their family and environment. Refugee children may also be arriving into an alien culture, where they are unable to speak the language or to express their views. In the period following arrival, they are often faced with probing interviews about their backgrounds, identities and motives from officials who lack any understanding of their culture or circumstances. They may be subjected to fingerprinting or invasive medical examinations to establish their ages. They may be detained in 'waiting zones' in reception centres or even in prisons.

Separation does not occur in isolation from other events: a separated child may also have witnessed frightening and possibly violent events and may have experienced loss on a huge scale – loss of parents and family, of home, relatives, friends, school and the security that comes from a familiar environment. In situations of armed conflict or other disasters, the very survival of unaccompanied and separated children may be threatened. And for those children who are too young or for some other reason unable to give information about themselves or their family, the separation may become permanent.

Separation and child development

Separation can have a profound effect on the developing child, both in the short term and in the long term. The impact will vary depending on the child's age, level of intellectual development, emotional maturity and the nature and duration of the separation. There will also be significant cultural variations, reflecting the very different patterns of child care, and in particular the different ways in

which children become attached to parents, older siblings, relatives and other people of significance to the child.

The adverse effects of separation are likely to be limited if the child is looked after by caring adults who provide a level of affection, care and stimulation appropriate to his or her age, stage of development and particular needs. An adequate level of care is rarely available in residential centres or institutions.

A protection framework

All actions and decisions taken concerning separated children should be anchored in a protection framework and respect the principles of family unity and the best interests of the child. The survival of unaccompanied and separated children may be threatened in armed conflict or other disasters. These children are most likely to have their basic rights violated and to risk abuse, exploitation or recruitment into armed forces.

The concept of 'protection' refers to all activities aimed at ensuring full respect for the rights of the individual – in this case a child – as set out in the relevant human rights instruments and international humanitarian law.² There are essentially three complementary types of action to help unaccompanied and separated children:

- **responsive action**, aimed at preventing, putting a stop to and/or alleviating the immediate effects of a specific pattern of abuse;
- **remedial action**, aimed at restoring dignified living conditions through rehabilitation, restitution and reparation;
- **environment building**, aimed at creating and/or consolidating an environment (political, institutional, legal, social, cultural and economic) conducive to full respect for the rights of the individual.³

All children are entitled to protection and care under a broad range of international, regional and national instruments. Of particular relevance for separated children are:

- the right to a name, legal identity and birth registration;
- the right to physical and legal protection;
- the right not to be separated from their parents;
- the right to provisions for their basic subsistence;

- the right to care and assistance appropriate to age and developmental needs;
- the right to participate in decisions about their future.

Primary responsibility for ensuring children's survival and well-being lies with parents, family and community. The national and local authorities are responsible for ensuring that children's rights are respected. Efforts must be made in an emergency to protect family unity and avoid child-/family separation.

How children become separated

There are many reasons why children become separated from their families in emergencies. These can be considered under two broad categories.

Accidental separations

During conflict or natural disasters, especially where this results in population displacement, children can become separated from their family or those who are caring for them. Accidental separations may be particularly traumatic for the child as they may simply not understand what is happening. Reasons as to why such separations occur may include some of the following:

- children wander away from their parents or carers;
- families become separated during flight;
- children flee when their home is attacked;
- death or injury of family members;
- capture or arrest of family members;
- disabled children are unable to keep up with other members of the family;
- police or others taking a 'lost' child to an institution without properly seeking information on the circumstances.

Deliberate separations

The second category refers to separations where a conscious decision has been made on either the part of the child or the parents or carers. It may be that parents or carers have had an opportunity to explain to the child what is about to happen but the impact of separation on the child is still likely to be very distressing. Typically, circumstances may include:

- families under stress (from poverty, famine, breakdown of informal welfare or extended family structures, the death or disability of parents, etc.);

- families sending children to stay with relatives or friends in third countries;
- children choosing to leave their family;
- children who live independently with their parents consent;
- the abandonment of children during flight (children of single parents may be especially vulnerable);
- families handing over children for their safety (to other local people, centres or aid workers);
- children left behind by their foster families (for example, during repatriation) – children of a different ethnic group from that of their carers may be especially vulnerable.

Assessing the situation and locating separated children

From the outset of any emergency situation it is important that information is gathered that will help to inform prioritisation and decision making regarding separated children. While in some situations it may be possible to build on an existing situation analysis, in most emergency situations it is likely that specific assessments will be required with regard to separated children.

Although the assessment will provide valuable information that will assist in making appropriate decisions with regard to separated children, it must be remembered that many complex decisions about the specific protection needs of separated children will have to be made on an individual basis.

Locating separated children

It is essential that separated children are identified as soon as possible in order that their care and protection needs can be assessed and provided for, and that the process of tracing their families can be initiated with minimum delay. Even in large-scale emergencies and refugee movements, relatively few separated children are found to be totally alone (truly unaccompanied). In most cases separated children will be taken in by families or will arrange for their own care without the intervention of any agency. The nature of such care arrangements may be strongly influenced by whether the separation was deliberate or accidental.

Many separated children may be found in a variety of so-called 'spontaneous care arrangements'

including:

- with extended family;
- with unrelated families – friends, neighbours and sometimes complete strangers;
- children forming themselves into a group-living arrangement (including sibling-headed households).

In addition to locating separated children who have been absorbed into spontaneous care arrangements, other groups of 'invisible' children need to be identified:

- **Children associated with armed forces (and groups):**

In ongoing conflict situations, separated children may have been recruited into the armed forces in a number of roles, such as soldiers, porters, cooks, messengers and sex slaves.

- **Disabled and/or sick children:** For a number of reasons, children with disabilities or who are ill may have been abandoned by those who are responsible for their care. HIV+ children or those living with AIDS may also be ignored or abandoned because their chances of survival are deemed to be already limited, or that other children in the family are given 'higher priority'.
- **Children living on the streets:** As they may have no permanent or even regular base, this group of children/young people may often be overlooked.
- **Trafficking:** It is widely recognised that criminal groups often prey on displaced populations taking advantage of their often precarious living situation to traffic individuals, including children, or families. Children may be trafficked for various reasons including illegal international adoption and for sexual purposes.
- **Abducted children:** In conflict situations, where people are fleeing or on the move, children may have been abducted.

Difficulties in locating separated children

Children who are in spontaneous care arrangements may not be considered 'unaccompanied', but they may have significant protection and care needs.



Primary responsibility for children's survival and well-being lies with parents, family and the community

However, while it is essential that separated children are identified as soon as possible, experience demonstrates that it can be extremely difficult to identify some of these groups of children for some of the following reasons:

- Communities may be suspicious of questions being asked by outsiders, unless they understand the reasons behind the questions and trust the people asking them.
- Families who take in children in order to benefit from their presence (e.g., to benefit from their labour or ration card) may be reluctant to reveal their presence for fear of losing the children. Sometimes categories of 'hidden' separated children will have a marked gender imbalance.
- Children themselves may fear that if they are identified as 'orphans' or 'fostered' children, they will experience discrimination and disadvantage in the wider community.
- Groups of children living without adult care may fear that if they are identified they will be split up in different foster homes. It is worth noting that those children who have been absorbed into spontaneous care arrangements, and who have not been identified as 'separated', are potentially most at risk of abuse as their protection needs cannot be identified and monitored, and no family tracing activities will be initiated on their behalf.

Spontaneous care arrangements and potential protection issues

Children placed with the extended family

In many societies, children are considered to belong to the extended family or clan rather than to the nuclear family: it is common for them to be cared for by older siblings, grandparents and aunts, and to spend periods of their childhood with various members of the extended family. When parents die or become separated from their children, members of the extended family automatically take in the children on an interim or permanent basis.

Potential protection issues

However, this does not necessarily mean that these children are provided with a standard of care similar to that provided to the biological children of the family. A number of studies reveal a pattern of discrimination within the extended family which children themselves experience as hurtful and distressing. In many instances, the family is already experiencing material hardship, and very often the additional child is expected to be grateful and to accept that he or she may not be offered the same standard of care as others in the family – e.g., school uniforms and materials. This may lead to a situation in which the separated child feels ‘different’ and isolated, and the result can be poor communication with the caregivers. Caregivers may not appreciate the importance to the child of having opportunities to talk about their feelings about being separated from their families, their sense of loss or grief, and their concerns for the future. In extreme cases children may be at risk of abuse, including sexual exploitation and exploitative labour, or denial of access to schooling.

Spontaneously fostered children

In some societies, the idea of living with strangers is considered to be completely unacceptable, while in others it is more common. Traditional forms of fostering are not usually based on the best interests of the child but rather on a notion of exchange: the child may benefit from being given food, clothing etc., but the foster carers will benefit from the child’s labour. In some cultures it is common for young children to be placed with older foster carers, who provide care for the child on the assumption that they will later benefit from material support when the child grows up. It is

important to note that in some societies there is no expectation that the fostered child will be treated the same as other children in the household: cultural norms in some societies may even dictate that the child should not be treated the same on the basis that he or she will benefit from the experience of a degree of hardship.

Potential protection issues

In order to assess the likely protection issues of spontaneously fostered children it is necessary to understand cultural norms regarding the placement of children with unrelated carers. Research evidence suggests that in refugee situations, when there are significant numbers of separated children, unrelated families may take in an unknown child even when this is culturally uncommon. In some cases, this may be motivated by genuine humanitarian concerns or religious commitment; in others, children may be taken in so that the family can benefit from the child’s labour, for sexual reasons or to enhance the family’s perceived eligibility for certain material benefits. Frequently children are taken in for a mixture of motives. In all situations, it must not be assumed that fostered children will be accorded an adequate degree of care and protection, and it has been observed in many refugee contexts that spontaneously fostered children experience unacceptable levels of discrimination or abuse (including sexual). Economic issues may be as important as cultural norms in explaining the differential treatment of foster and biological children respectively.

Although, as a general rule, children who are taken in by unrelated families should be encouraged to remain if they are receiving an acceptable level of protection and care, it is vital that they are identified both for the purposes of family tracing and in order that a programme of monitoring and support can be established. However, refugee children in spontaneous care arrangements with unrelated host-country families could face specific protection problems, and placement of these children in their own refugee community should be promoted.

Child-headed households

Child-headed households refer to children living independently in groups. Many of these groups are in fact supported by extended family living nearby

or even in the same compound. Children often express a strong preference for remaining together as a group without adult care, and point to a number of advantages:

- siblings can stay together;
- they can retain the family home (though not in refugee or displaced contexts);
- some children see it as preferable to fostering;
- they may experience less isolation and discrimination than living apart in families;
- older children can be more independent.

It is important to bear in mind that in many societies it is common for children, from an early age, to undertake various domestic and child care tasks in respect of younger siblings. This may mean that children from the age of around 12 and upwards may have a great deal of experience of parenting.

Potential protection issues

Children living without immediate adult care – whether in a sibling-headed household or a group of unrelated peers living together – are perceived as having a number of areas of vulnerability and disadvantage, including:

- livelihood problems;
- lack of experience in solving a range of problems;
- vulnerability to abuse and exploitation;
- loneliness and isolation in the community;
- problems for the oldest child in finding a marriage partner;
- problems for the oldest child in attending school due to the responsibilities of fending for siblings (e.g., priority being given to income-generating activities).

A careful assessment of the circumstances of each child-headed household, and a planning process which involves the children themselves, will be required before a decision is made either to provide alternative care arrangements, or to offer a package of monitoring and support. The latter will be essential in order to ensure that they are adequately protected and given the help, both material and social, which they may need.

While all efforts should be made to keep siblings together, there may also be exceptional situations where, for example, very young children living with siblings would be better cared for and protected

by placement with a foster family. If circumstances dictate that siblings cannot be kept together, it is vital that their care placements enable them to have frequent contact with each other and that their care is planned and reviewed jointly.

Family tracing and reunification

The process of tracing the families of separated children and returning them to their care (or placing them with other family members) is a complex process that requires close cooperation among a number of agencies, with defined mandates and close links with the community.

There are several distinct tasks at different stages of the process.

Identification

Experience shows that children who have been through terrible events such as conflict, are likely to recover more quickly from these experiences if rapidly returned to their own family and community.

The identification process establishes which children are separated from their families/carers and where they are to be found; information gathered at the identification point must be sufficient to lead those doing the documentation back to the child.

In populations of refugees or displaced persons where there are separated children, identifying and documenting them should be regarded as an urgent priority. If there is a large caseload of children requiring tracing, consideration should be given to prioritising young children, and making special efforts on their behalf. Young children quickly forget information about their past, and it is important for children to be reunified before they became too attached to ‘interim’ carers, or before they or their family experience further moves.

Documentation

This is the collection and recording of information about the child, his/her family and place of origin, the circumstances of separation and the wishes of the child. Separated children should be registered and documented as soon as possible after identification.

Registration is the compilation of key personal data: full name, date and place of birth, father’s and

mother's name, former address and present location. This information is collected for the purpose of establishing the identity of the child, for protection and to facilitate tracing.

Documentation is the process of recording further information in order to meet the specific needs of the child, including tracing, and to make plans for his or her future. This is a continuation of the registration process and not a separate undertaking.

Family tracing

Family tracing is the process used to find the parents or other family members of the child. Families searching for their child usually do so through the tracing service of the International Committee of the Red Cross. In the case of children, tracing is the process of searching for family members or primary legal or customary care-givers. The term also refers to the search for children whose parents are looking for them. The objective of tracing is reunification with parents or other close relatives.

Verification

This is the process of validating the relationships between the child and family member, and confirming the willingness of both for reunification. Once the parents or other family member of a separated child are located, it is vital that their identity and relationship with the child are confirmed. The purpose of verification is to prevent the child from being handed over to the wrong person. The verification process also allows for an assessment to be made of the suitability of the care arrangement, and ensures that the child agrees and does not have concerns about the placement.

Reunification/placement

This is the ultimate aim of family tracing, to reunite the child with parents or previous family carers, or place the child with other members of the extended family. Families become separated in difficult circumstances. The memories of separation and experiences since separation may make family reunification difficult. It is also important to take into account the circumstances before separation as there may have been pre-existing difficulties. It must be recognised by agencies carrying out reunifications that this may not be an easy time for the child and family. In addition, while this part of the process is

commonly referred to as 'reunification', the reality is that children are often placed with a family with whom the child has never lived previously.

Follow-up

This is the action following reunification to establish that the child settles happily with the family. The term follow-up is often used to describe what may need to be done after children are reunited. It may be used to describe:

- general support to a family; for instance through visits by a social worker who helps the family link up with community support and resources;
- supporting the reintegration of children, for example where there are family or emotional difficulties;
- material support; assistance with school fees or other items.

Where there is a large caseload of children, follow-up can be difficult. It may be necessary to develop criteria for prioritising those children who may require intensive follow up. It can also be carried out through community groups, such as community protection networks which are now being developed in some countries.

It is worth remembering when describing the above process, that the participation of children and families should be emphasised in all phases, building on their knowledge and capacities, and incorporating their efforts into assessments. Children have their own networks and sources of information, and their involvement can contribute important information, for example on where other children may be found.

Notes

- 1 Inter-agency Guiding Principles on Unaccompanied and Separated Children (2004).
- 2 The Convention on the Rights of the Child (1989) and its two Optional Protocols (2000); the four Geneva Conventions (1949) and their two Additional Protocols (1977); the Convention relating to the Status of Refugees (1951) and its Protocol (1967); other relevant international treaties.
- 3 Workshop on protection for human rights and humanitarian organizations – Doing something about it and doing it well. Report on the fourth workshop held at the ICRC, Geneva, 18-20 January 1999 (ICRC ref. 0742).