



Initiative for Child Rights in the Global Compacts' submission to the High Commissioner's Dialogue Protection Considerations Session, November 2020

Child protection must be a priority

This submission is made by the Initiative for Child Rights in the Global Compacts (the Initiative) - a multi-stakeholder partnership bringing together over 30 civil society, trade union, UN and philanthropic organisations around a shared agenda - to create a continuum of care, protection and support for refugee and migrant children and to ensure that children's rights are at the heart of the Global Compact on Refugees and the Global Compact for Safe, Regular and Orderly Migration. Many of our members are actively participating in the High Commissioner's Dialogue.

Introduction

The **consequences of the COVID-19 pandemic will be extensive and long-lasting** for many, but **especially for people affected by conflict and displacement, most of whom are children**. It has exacerbated challenges and created new protection risks for forcibly displaced girls and boys. This has been made even worse as protection and recovery and resilience programming for children affected by displacement has not been a priority or properly funded for too long.

It is crucial that governments meet **recent commitments for international responsibility-sharing and collaboration** to prevent and respond to forced displacement. The Global Compact on Refugees recognizes the disproportionate and distinct impact that conflict and forced displacement have on children and upholds that States and other actors must contribute adequate resources and expertise to respond to the needs and right of children including age, gender and diversity sensitive responses, best interest determinations, and participation.

The Initiative is calling on States and the international community to **strengthen responses rapidly and significantly for forcibly displaced children**, including (but not solely) child protection funding and integration across both COVID-19 and non-COVID-19 responses.

The COVID-19 pandemic is increasing protection risks for children in forced displacement

The pandemic is affecting the daily lives and futures of girls and boys everywhere, with **refugee and displaced children more likely to be negatively impacted**. With services under strain as COVID-19 spreads, migrants, refugees, and their families are likely to suffer more as they often live in over-crowded and overstretched camps or disadvantaged urban areas with already limited access to essential services. This is pushing more children into extreme poverty, increasing exposure to exploitation and abuse including child labour; selling or exchange for sex; domestic and gender-based violence; early pregnancy and child marriage. The impact on mental health is considerable, and the short and long-term effects of this are not yet known.

Girls are particularly affected, at increased risk of sexual and gender-based violence (GBV), early marriage, and deepening gender-based inequalities. At the end of June 2020, rates of GBV related to COVID-19 increased by 90% in humanitarian field sites where the Global Protection Cluster is responding. A recent needs assessment among refugee and Jordanian women and girls has shown that 69% of respondents agree that GBV, particularly domestic violence, has increased since the pandemic began¹.

COVID-19 measures are having a **devastating impact on children with disabilities and major underlying issues**, one of the most vulnerable groups in conflict, as they struggle to access already inadequate services.

¹ Close to Contagion: The impacts of COVID-19 on displaced and refugee girls and young women, Plan International, May 2020

The **impact on education – a core component in any child protection system - has been unprecedented**, with millions of refugee children out of school at the height of the pandemic. Remote and distance learning programmes are a luxury too far for children in displacement camps and precarious urban contexts. Previous crises have shown that the longer children are out of school, the greater the risk that they will not return. UNHCR and the Malala Fund have projected that half of all refugee girls will not return to school. The impact of school closures also exacerbates gender-based inequalities and violence. Broader societal impacts will be immense. The price children will pay is their childhood and their future.

Challenges for fulfilling the rights of forcibly displaced children

As children's protection needs have increased, **access to child protection services has decreased**. Services in many countries are stretched to their limits, and humanitarian actors are struggling to respond to the scale of need with restrictions in place. Forcibly displaced populations are finding it even more difficult to access services due to high costs, lack of documentation, and administrative barriers.

Border closures and service restrictions are **limiting people's access to international protection and asylum**. This is having distinct and drastic consequences for children. International resettlement and complimentary pathways were down by close to 70% by mid-2020 compared with 2019, when less than 5% of needs were met.

There are reports of **increased use of detention 'disguised as' quarantine** and of forced returns of unaccompanied and separated children and children in families without due process, best interest determination or vulnerability screenings².

There are reports of States in many regions using **forced return** as a response measure to COVID-19³ yet States have an obligation under international law to ensure that no-one faces the risk of refoulement by being returned to places where their life, safety or human rights are threatened.

Child protection has not been a priority

COVID-19 has highlighted the effects of decades of under-investment in and the low priority given to child protection in emergencies.

Most people forced to flee conflict, violence and persecution are children, yet **child protection remains chronically under-funded**:

- Only 0.6% of the Overseas Development Aid and 0.53% of humanitarian funding goes to child protection
- GBV accounts for only 0.12% of all humanitarian funding⁴;
- Funding for protection is only 17% of the total requirement in the 27 operations monitored by the Global Protection Cluster⁵;
- Only 12% has been secured for COVID-19 specific protection work outlined in the Global Humanitarian Response Plan; and
- Only 2% of the overall funding requested through humanitarian appeals was for child protection interventions in 2019 according to a recent publication by the Alliance for Child Protection.

The first Global Refugee Forum held in December 2019 was an important opportunity to make political and financial commitments to meet the needs of children, the greatest avenue for recovery. Whilst many governments and other stakeholders made important and welcome pledges focused on education, very few pledges have been made so far on equally needed child protection services.

² <https://www.unicef.org/press-releases/covid-19-dangers-mount-migrant-children-forcibly-returned-northern-central-america>

³ <https://www.unicef.org/press-releases/forced-returns-migrants-must-be-suspended-times-covid-19>

⁴ The Hidden Impact of COVID-19 on Child Protection and Wellbeing, Save the Children, 2020

⁵ COVID 19 Protection Risks & Responses Situation Report No.7, 24 August 2020 - <https://www.globalprotectioncluster.org/covid-19/>

What should States and the International Community do now to make child protection a priority?

It is time for States and the international community to reflect, acknowledge, take decisive action to:

1. Guarantee Child Rights

States must ensure that measures to contain COVID-19 in no way impact on international obligations towards children. In particular, States should:

- Ensure children's right to asylum, family reunification and protection.
- Halt collective expulsions, including arbitrary pushbacks.
- Not detain children for migration purposes. Develop non-custodial and family and community-based alternatives to detention.
- Work with UNHCR, NGOs, and other stakeholders to achieve the vision of the Three-Year Strategy on Resettlement and Complementary Pathways.

2. Deliver on Commitments and Increase Pledges

- *Build on existing commitments* made in relation to refugee and internally displaced contexts, including Global Refugee Forum pledges on implementing the Global Compact on Refugees.
- *Analyse them through the lens of children and age, gender and diversity*⁶. Do this with children.
- *Make more pledges* that will address child protection needs.

3. Provide Child Protection Services

Put in place strong, well-funded national and community-based child protection systems that are equipped to prevent and respond to the specific needs of refugee, migrant and displaced children. Ensure that services responding to gender-based violence and mental health services are in place for all children, and are inclusive of migrant, refugee and displaced children as well as of children with disabilities. Consider implementing the Minimum Initial Service Package (MISP) for reproductive health in crises situations which include GBV response services as essential.

4. Include refugee, migrant and displaced children in existing national systems

Strengthen and adapt laws, policies, services, and programmes so that they are inclusive of refugee, migrant and displaced children and promote and support the meaningful participation of children.

5. Ensure Access to Education

Agree and implement a global COVID-19 education action plan and safe school reopening plan that leave no-one behind and include the specific needs of refugee, migrant and displaced children and prevent additional dropouts. If digital learning is organized, ensure displaced children have access to it. A gender and inclusion lens with steps to remove bias and discrimination within and across education systems should be central to this¹. Commit to increased funding for education for all to recover from this crisis.

6. Increase Funding

Do an accurate costing of and **increase sustainable funding** accordingly for quality child protection programming to ensure disability and gender sensitive child protection services for every child, including refugee, migrant and displaced children.

COVID-19 has highlighted our failing of children in crises. But it is an opportunity to change course. It can be remembered as a point in history when governments took decisive and positive action to meet the undeniable need for supporting the protection, recovery and self-reliance of refugee and displaced children. Children represent the greatest resource for recovery, community resilience, and peaceful societies. We must support them now for the sake of their futures and that of our societies.

Further information and Contacts:

For more information about the Initiative, including a list of members, see: www.childrenonthemove.org

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⁶ GRF pledge guidance: Child Focused (Initiative) - <https://www.unhcr.org/5da819547> and Age, Gender, Diversity - <https://www.unhcr.org/5d4c0b6e7>