

**THE NET FOR U  
PRACTITIONERS'  
MANUAL FOR  
WORKING WITH  
UNACCOMPANIED  
MINORS**





DG Home Affairs  
Directorate B Immigration and Asylum

Istituto Psicoanalitico per le Ricerche Sociali | Psychoanalytic Institute for Social Research

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The Net For U Practitioners' Manual, part of the EU co-financed Net For U project HOME/2011/EIFX/CA/1991 (European Commission Directorate-General Home Affairs Directorate B: Immigration and Asylum, UNIT B4: Financial Support – Immigration and Asylum), has been realized by the Psychoanalytic Institute for Social Research with the cooperation of the partners and of all the different involved stakeholders.

First, this tool was drafted on the basis of the national reports and material provided by the project partners coming from different Eu Countries (France, Italy, Germany, Greece, Spain and the UK), by available European and international literature, and inputs of the experts that participated in the Net For U Experts Seminar held in London on October 28<sup>th</sup>-29<sup>th</sup>, 2013.

The final version is a substantial tool created also thanks to the strong cooperation of all the operators who implemented the Net FOR U experimental phase giving their critical points of view that helped the partnership to revise and define better some parts.

Net FOR U is coordinated by Istituto Don Calabria and carried out in partnership with: Association Diagrama Intervencion Psicosociale, Christian Association of Youth Villages, Europeace Youth, The Smile of the Child Association, Fundacion Diagrama Intervencion Psicosocial, International Juvenile Justice Observatory, and Psychoanalytic Institute for Social Research.



**NEeds Tackling and NETworks Tracing FOR Unaccompanied minors integration  
HOME/2011/EIFX/CA/1991**



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***... the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,***

***...the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding...***

*Preamble, UN Convention on the Rights of the Child*





## PART 1 – INTRODUCTION

### 1.1 The Purpose and Use of the Manual

Working with unaccompanied minors (UAMs) is challenging and complex, requiring practitioners to continuously re-invent their approaches on the basis of the individual minor. While much has already been done at the EU level to provide practitioners with concrete guidance in working with unaccompanied minors<sup>1</sup>, this manual focuses on one key concept that is central to the minor's present and future life – family. As indicated in the Preamble to the UN *Convention on the Rights of the Child*, the family is central to a child's natural environment. As such, work with children deprived of their families—such as unaccompanied minors—needs to work towards the establishment of a health family environment that supports the minors' well-being.

The role of family for UAMs varies from case to case, at times representing a source of pain and trauma, at times a source of support, at times both. Regardless of the individual situation, practitioners, in working with UAMS, need to put all of their professional and interpersonal skills and competencies into play in order to best address this difficult, but essential issue. We recognize that there is no one size fits all solution, but the Net For U Manual aims to provide practitioners with greater awareness of the issue and some concrete guidance and tools to better approach the subject.

This manual and accompanying toolkit is intended for use by practitioners who work with unaccompanied minors in reception centres or other settings that may or may not include housing for the minor.

The manual is intended for broad use by *any* professional who works directly with UAMs. As noted, the manual is geared towards increasing practitioner awareness both about the importance of working with families and some of the complexities tied to UAM interventions in general. There are some practical exercises that are intended to facilitate this process as well instruments (in the Toolkit) to help collect and assess information in order to improve the possibilities of developing a realistic life project that helps ensure the minor's independence in the light of his/her capability to undertaken autonomous choices. The practitioner is called upon to make use of and build upon his or her existing skills and capacities throughout.

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<sup>1</sup> IOM *Training Manual for Guardians and Social Workers Dealing with Unaccompanied Minor Asylum Seekers*.

Access: *Training Manual on Social Integration Refugee Children and Unaccompanied Minors for Developing Social Workers' Competences*.





## Unaccompanied minor (UAM)

Unaccompanied minors, also known as Separated children, are defined as non EU nationals or stateless persons below the age of eighteen:

- who arrive in the territory of the Member States unaccompanied by an adult responsible for them (whether by law or custom) for as long as they are not effectively taken into the care of such a person;
- or who are left unaccompanied after they have entered the territory of the Member States.

Within this manual the term *minor* is used interchangeable with the term UAM. *Child* or *children* is only used where done so in the original text of cited documents.

Source: IOM. (2011) *Unaccompanied Minor Asylum Seekers: Overview of Protection, Assistance and Promising Practices*. Also see EMN Asylum and Migration Glossary 2.0.)

## 1.2 The Relevant EU and International Framework

Both EU and International conventions and directives underscore the importance and duty to work with and involve the family while striving to ensure that any intervention is in the best interests of the child. The best interests of the child principle, as spelled out in the UN Convention on the Rights of the Child, represents the starting point for any and all work to be done with unaccompanied minors. This is accompanied by the EU framework<sup>2</sup>, which further underscores the importance of involving and supporting the family when working with minors and UAMs in particular.

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<sup>2</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. COM(2011) 60. *An EU Agenda for the Rights of the Child*.

Communication from the Commission. COM(2006) 367. *Towards an EU Strategy on the Rights of the Child*.

European Commission. 2010. *EU Action Plan on Unaccompanied Minors (2010-2014)*.

European Council. 2010. *The Stockholm Programme. An Open and Secure Europe Serving and Protecting Citizens*.





## **UN Convention on the Rights of the Child**

### **Article 20**

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

### **Article 22**

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

These directives and strategies provide general guidance and should be taken into consideration along with prevailing national law. As noted in Article 22, any minor who cannot be reunified with his or her family should be granted the same treatment and protection as other minors who are permanently or temporarily deprived of their family environment.





## **The best interests of the child represents the primary underpinning principle for any and all actions taken with UAMs<sup>3</sup>.**

***"The ultimate aim in addressing the fate of unaccompanied or separated children is to identify a durable solution that addresses all their protection needs, takes into account the child's view and, wherever possible, leads to overcome the situation of a child being an unaccompanied minor."*<sup>4</sup>**

The best interest of the child model developed by Kalverboer and Zijlstra<sup>5</sup> specifies that decisions need to:

- 1) Assure the child's physical well-being through the provision of adequate physical care and the provision of a safe environment;
- 2) Safeguard the child's care and up-bringing by providing an affective atmosphere, supporting a flexible structure that is adapted to the individual child, and ensuring that parents or guardians provide adequate examples for the child to follow.

The best interests determination should be carried out using strict procedural safeguards in order to make key decisions about the minor's life. The process should facilitate child participation while involving other key decision-makers where appropriate. Child participation and the weighing of different options are essential regardless of the staff and professionals involved<sup>6</sup>.

### **UN Convention on the Rights of the Child - The Best Interests of the Child**

#### **Article 3**

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

<sup>3</sup> European Commission. 2010. *EU Action Plan on Unaccompanied Minors (2010-2014)*.

<sup>4</sup> CRC General Comment N°6, para. 79.

<sup>5</sup> Kalverboer, M & Zijlstra, E. (2006). *Het belang van het Kind in het Nederlands recht*. Cited in IOM *Training Manual for Guardians and Social Workers Dealing with Unaccompanied Minor Asylum Seekers*.

<sup>6</sup> IOM. (2011). *Unaccompanied Minor Asylum-seekers: Overview of Protection, Assistance and Promising Practices*.





## 1.3 Reconceptualizing the Role of Family and Family Tracing

The focus on the family in working with UAMs has often addressed family tracing and family reunification. The importance of both has changed over time though and varies greatly from country to country. Some countries (e.g., the UK) continue to use family reunification as an “intervention tool”, while others rarely send UAMs (e.g., Italy) back to their families in the country of origin. The focus on family here goes beyond these formal mechanisms and addresses the issue of family assessment, contact and eventual family involvement in the minor’s present and future. Practitioners who are thus not directly involved in family tracing should focus on contact and how **to best create a healthy and loving family environment in “...an atmosphere of happiness, love and understanding...”**<sup>7</sup> that fits into the minor’s life project.

***Family contact and reunification in the country of origin are not necessarily in the best interests of the child.***

The focus on family adopted within the Net For U project and in this manual reflects a move away from a structural or target oriented approach in working with UAMs towards a **holistic approach** that strives to address the minor’s emotional, psychological and social needs. The family is seen as fundamental in doing so. While relationships are likely to be complex and potentially painful due to the separation (and potential for past trauma or abuse), effectively supporting the minor on the psycho-social level means being sensitive to and taking up the issue of family. This may be especially important in two typologies of cases: (1) situations where the family is a source of trauma (e.g., domestic violence or abuse) and (2) situations where the family represents a strong support for the minor in overcoming other forms of trauma (e.g., trauma deriving from abuse, violence or mistreatment during the migration experience). It should be generally recognized that the minor’s psycho-emotional state may be extremely fragile and necessitate psychological support.

Practitioners who work with minor’s on a regular basis need to be aware of the legal requirements within the country in regards to family tracing and reunification and what the implications are for the minor. As mentioned, having the right to family reunification<sup>8</sup> does not necessarily mean that the minor wants to go back to the family in the country of origin or that it is in his/her best interest.

Individual country experiences, however, demonstrate that national law and its application can place both practitioners and minors in difficult situations.

Minors may not be inclined to reveal information about their family or country of origin to avoid being sent back.

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<sup>7</sup> Preamble, UN *Convention on the Rights of the Child*

<sup>8</sup> See Council Directive 2003/86/EC.





Similarly, practitioners may find themselves facing difficult decisions when confronted with the need to provide national authorities with information about the minor and his/her family that would lead to family reunification when this is not deemed (by the practitioner) to be in the best interests of the child. This is especially important in cases where the minor does not want to be reunified or have contact with specific family members (e.g., in the case of minors who ran away from home to get away from abuse). Collecting adequate information about the minor's past and family situation is not always easy however due to communication barriers and mistrust of services and practitioners in the arrival country.

***Working in the best interests of the child does not mean helping him or her simply become a legal adult, but help him or her become an independent subject. If he or she cannot return to the family, then he or she needs to acquire the capacity and life skills necessary to ensure full autonomy.***

#### **ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ ***WHAT ARE THE LAWS IN YOUR COUNTRY IN REGARDS TO FAMILY TRACING? WHAT IMPACT DO THEY HAVE ON YOUR WORK?***
- ❖ ***WHAT IS YOUR VIEW ON SENDING UAMS BACK TO THEIR FAMILIES IN THE COUNTRY OF ORIGIN?***
- ❖ ***HOW DO YOU THINK FAMILY CONNECTIONS CAN BE USED TO ADDRESS THE MINOR'S EMOTIONAL, PSYCHOLOGICAL AND SOCIAL NEEDS?***

#### **► What do we mean by family?**

Family can and does mean many things to different people. This manual adopts a broad definition according to which family includes the minor's immediate (i.e., parents, siblings) and extended family (e.g., grandparents, aunts, uncles, cousins) and allows for the inclusion of other individuals that the *minor* considers to be significant in his or her life. It is important to remember that an individual's notion of family is shaped both by individual experience and cultural background or context. This means that **it is up to the individual minor to define who is part of his or her family.**





**ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **WHAT DOES FAMILY MEAN TO YOU? WHAT IMPACT DO YOU THINK THAT YOUR CULTURAL BACKGROUND HAS ON THIS MEANING?**
- ❖ **DOES YOUR IDEA OF FAMILY SEEM TO DIFFER FROM THAT OF THE UAMS THAT YOU WORK WITH?**
- ❖ **DO YOU THINK THAT OTHER PEOPLE CAN REPLACE OR FILL IN FOR PARENTS OR OTHER FAMILY MEMBERS? WHY OR WHY NOT?**
- ❖ **WHAT ALTERNATIVES ARE THERE TO SENDING THE MINOR BACK TO THE COUNTRY OF ORIGIN?**

► **What do we mean by family contact?**

Family contact entails two levels: contact between the minor and his or her family and contact between the service provider and the minor's family. As such we define family contact as:

- any and all contact between the minor and his/her family, whether in the country of origin or other countries (including EU countries);
- any and all contact between the organization working with the UAM and his/her family.

**ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **WHAT DO YOU DO AS A PRACTITIONER TO ENGAGE WITH AND INVOLVE THE MINOR'S FAMILY?**
- ❖ **WHAT DO YOU CURRENTLY DO TO PROMOTE THE CONTACT BETWEEN THE MINOR AND THE FAMILY?**
- ❖ **ARE THERE TIMES WHEN YOU TRY TO DISCOURAGE THESE CONTACTS?**
- ❖ **WHAT BARRIERS HAVE YOU ENCOUNTERED IN HELPING THE MINOR ESTABLISH CONTACT WITH FAMILY MEMBERS? HOW MIGHT THESE BE OVERCOME?**
- ❖ **WHAT BARRIERS HAVE YOU ENCOUNTERED IN ESTABLISHING DIRECT CONTACT WITH FAMILY MEMBERS? HOW MIGHT THESE BE OVERCOME?**





## PART 2 - SETTING THE STAGE: GENERAL CONSIDERATIONS IN WORKING WITH UNACCOMPANIED MINORS

Before working with the minor's family it is important to consider the general approach used in working with the minors during needs assessments, the provision of services and other interactions with the minor. These considerations include:

1. Work on the basis of trust, confidentiality and honesty
2. Understanding the minor's perspective and cultural lens
3. Assess the minor as an individual
4. Deconstructing reality and myth
5. Being realistic about what you can do and what the context has to offer
6. Be realistic about return and/or reunification
7. Balancing the legal case and the human case

Each of these is addressed below along with some questions intended to help guide individual practitioners in thinking about how they currently work with UAMs and where there might be room for improvement.

### 2.1 Work on the Basis of Trust, Confidentiality and Honesty

The creation and maintenance of trust, the assurance of confidentiality, and honesty across the board represent key factors in all dealings with the minor. This means creating spaces in which the minors feel that they are safe, that sensitive information is not shared without their permission, that they are dealt with honestly, creating relationships based on mutual trust in which they feel that they can freely (or more freely) express themselves.

Given the difficulty in obtaining the truth (and potential problems posed by it if the information has to be shared with government bodies), practitioners need to make clear their role, the government's role, and what information they have to share with the government. This is especially important where information is shared that entails family tracing or reunification.





### **ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **WHAT DO YOU DO TO SUPPORT THE DEVELOPMENT OF TRUST AND CONFIDENTIALITY WITH THE MINOR? DO YOU FEEL THAT THIS IS EFFECTIVE AND ADEQUATE?**
- ❖ **ARE THE MINORS AWARE OF WHAT WILL HAPPEN WITH THE INFORMATION THEY SHARE?**
- ❖ **HAVE YOU FOUND YOURSELF IN CONFLICT WHEN CARRYING OUT YOUR PROFESSIONAL MANDATE AND COMPLYING WITH OTHER NATIONAL OR INTERNATIONAL REQUIREMENTS OR LAW? WHAT HAVE YOU DONE TO ADDRESS THIS CONFLICT?**

## **2.2 Understanding the Minor's Perspective and Cultural Lens**

Interventions need to be age appropriate, take into consideration cultural issues (which may be connected to age), and the potentially traumatic life experiences that have the minor experienced in the country of origin before leaving, in transit and upon arrival. This means:

- Notions of "*adulthood and age*" need to be considered thinking to minors' ability and capacity of undertaken autonomous choices. Understanding where the minor is coming from can facilitate the development and implementation of short-term interventions and long-term plans.
- Practitioners need to be aware of and reconsider their own cultural perspective and how that affects their work with the minor. Even when working towards the best interests of the child, an individual practitioner's cultural view is likely to have a significant influence on the work done.
- The minor's view and current psycho-emotional state is likely to be greatly influenced by any trauma experienced prior to departure from the country of origin, during transit and upon arrival. A traumatic past may also lead the minor to be less inclined both to trust practitioners and to communicate or talk about him or herself. *The practitioner needs to be sensitive to the impact of the minor's cultural background on the meaning the minor assigns to the traumatic experience and how he or she deals with it.*





► **Remember**

- ✚ *Recognition of one's own cultural viewpoint facilitates understanding of the minor's situation and perspective.*
- ✚ *Understanding and recognizing the minor's point of view and cultural background can help acquire the minor's cooperation in setting up short-term and long-term plans.*
- ✚ *Abuse and trauma needs to be understood in a cultural context.*

**ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **WHEN CAN YOU CONSIDER A MINOR CAPABLE OF AUTONOMOUS CHOICES ? IS THIS RELATED ONLY TO THE AGE OR CONNECTED TO OTHER CONDITIONS?**
- ❖ **WHICH ARE THE WEIGHT AND THE IMPORTANCE GIVEN BY THE MINOR TO THE WORK?**
- ❖ **WHAT DO YOU THINK OF CULTURES IN WHICH MINORS CONTRIBUTE SIGNIFICANTLY TO THE FAMILY INCOME OR ARE RESPONSIBLE FOR SUPPORTING OTHER FAMILY MEMBERS? HOW DO YOU VIEW MINORS WHO LIVE INDEPENDENTLY AND SUPPORT THEMSELVES?**
- ❖ **WHAT DO YOU DEFINE AS ABUSE OR TRAUMATIC? WHY?**
- ❖ **WHAT DO THE MINORS THAT YOU HAVE WORKED WITH SEEM TO DEFINE AS ABUSIVE OR TRAUMATIC? DOES THIS DIFFER FROM YOUR OWN VIEW?**

## 2.3 Assess the Minor as an Individual

Each minor should be assessed as a distinct individual without the application of "standard" practices or assumptions in regards to what is best for him or her. Needs assessments and other checklists should be seen as tools for practitioners, but should not be seen as ends. Assessments need to be reassessed regularly, going back to the minor to verify the veracity of the information at any given point in time. The minor should have the possibility to change or modify information given previously (provided that there are no legal impediments to doing so).





DO	DON'T
<ul style="list-style-type: none"> <li data-bbox="197 349 778 427">✚ Check back with the minor on a regular basis.</li> <li data-bbox="197 472 778 674">✚ Give the minor the possibility to change his or her story without negative consequences at least on an interpersonal level and, where legally possible, on other levels.</li> <li data-bbox="197 712 778 790">✚ Assume that the minor's state and story is going to change.</li> <li data-bbox="197 828 778 940">✚ Use checklists and data collection tools as exploratory instruments for working with the minor.</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="852 349 1433 461">✚ Use checklists or assessments as a means of collecting one-time information.</li> <li data-bbox="852 510 1433 667">✚ Assume that an expressed desire or consent is "valid" for the entire time period that you're working with the minor.</li> </ul>

**ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **DO YOU CURRENTLY USE CHECKLISTS OR NEEDS ASSESSMENT INSTRUMENTS?**
- ❖ **WHAT FUNCTION DO THEY SERVE IN YOUR WORK? HOW USEFUL ARE THEY?**
- ❖ **WHAT DO YOU DO WITH THE INFORMATION COLLECTED?**
- ❖ **DO YOU GO BACK TO THE MINOR TO SEE IF THINGS HAVE CHANGED?**

## 2.4 Deconstructing Reality and Myth

Our perception of the world is a mix of reality and myth. This applies to all of us throughout our lives and can be said to be necessary in order to take on the challenges that we encounter, especially in undertaking extreme difficulties. Belief in myth, a sort of optimism, can provide people with the strength to get through the "impossible". Arguably it is the myth, the dream, that pushes families to let their children migrate and that enables unaccompanied minors to get through the difficulties and challenges that they face both during the trip and upon arrival. The danger arises when the belief in myth is no longer functional or reduces one's capacity to deal with reality. In other words, too much myth can be detrimental, but so can too much reality. Individuals need a balanced level of myth and reality in order to best deal with the situation that they are in. At times the need for myth may outweigh the need for reality and vice versa.





In relation to practitioners' work with UAMs, this reality-myth balance needs to be considered for four individuals or groups:

- i. the minor;
- ii. the minor's family;
- iii. the practitioner; and
- iv. the society where the minor currently finds him or herself.

Each individual or group is likely to have a different view that, while it is prone to be more or less static over time, influences both relationship dynamics and expectations. One may expect the family's expectations (stemming from their myth-reality position) to be the most static as they do not come into direct contact with the reality in the country of arrival. The practitioner may similarly be in a relatively static situation (although confronted with the reality presented by the minor) whereas the minor is in the most dynamic situation as his or her (perceived) reality has, is and will undergo dramatic changes. The practitioner has the delicate job of seeking to understand all of these situations and assist the minor in achieving the healthiest myth-reality equilibrium; at the same time practitioners should, to the extent possible, support the family in understanding the minor's reality in order to reduce conflict.

Myths frequently occur in regards to the situation (e.g., opportunities for housing, education and employment) within a given EU country, whether defined as a transit country (e.g., Greece, Italy) or "dream" country (e.g., Sweden, Germany). UAMs entering transit countries often have ideas about their ideal destination country that may not correspond to reality. Consequently, their desire to continue migrating should be considered and addressed in order to better understand what they are seeking and why.

Given that UAMs frequently migrate to attain better life opportunities, which may include to work and send money back to the family in the country of origin, disagreement between the family's expectations (based in myth) in regards to the minor's capacity to work and the reality that the minor encounters upon arrival can be a source of extreme stress. Part of the work done with the minor (and with the family when possible) needs to address this point.





► **Remember**

- ✚ Some belief in myth is essential for psychological well-being.
- ✚ Belief in myth can provide strength in the face of significant challenges.
- ✚ Too much reality can be detrimental to the minor's well-being and ability to cope with the situation in which he or she is in.
- ✚ You need to consider your own myth-reality spectrum and its potential impact on your work with the minor and his or family.

**ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **WHAT MYTHS ARE ASSOCIATED WITH YOUR COUNTRY?**
- ❖ **WHAT EXPECTATIONS DO UAMS WHO ENTER YOUR COUNTRY TEND TO HAVE?**
- ❖ **WHAT EXPECTATIONS DO THEIR FAMILIES TEND TO HAVE?**
- ❖ **WHAT IDEAS DO UAMS HAVE OF THEIR FINAL (INTENDED) DESTINATION COUNTRY?**
- ❖ **WHAT ARE YOUR VIEWS OF THE MINOR'S POSSIBILITIES IN YOUR COUNTRY?**
- ❖ **WHAT ARE YOUR VIEWS OF THE SITUATION IN THE MINOR'S DREAM COUNTRY?**
- ❖ **WHAT IMPACT DO YOU THINK YOUR VIEWS HAVE ON THE WORK THAT YOU DO WITH THE MINOR?**

**Exercise: Understanding Transit Country and Dream Country Myths in a Group<sup>9</sup>**

*(Note: This exercise assumes that minors and practitioner speak the same language. Alternatively a trusted cultural/linguistic mediator needs to be included in the group. The exercise may also be modified for one-on-one work with an individual minor)*

Divide the minors into pairs and ask each them to describe their expectations and ideas of the transit country to their partner, especially in relation to: housing, employment and education opportunities. The partner will then report back to the entire group after which the entire group will address and discuss the different points of the view.

The facilitator should ask other participants what they think of the different views and whether their experiences conform with the "myth". The same exercise can be repeated for: a) the dream country (followed by a discussion about differences between dream countries- transit countries); b) the minors' view of their family's expectations and view for both the transit country and dream country/ies (this can be followed by a discussion about the difference between the minor's view and the family's view).

<sup>9</sup> **Net FOR U Toolkit Annex 1 Exercise A. Also see Exercise B.**





## 2.5 Being Realistic About What You Can Do and What the Context Has to Offer

Significant country differences exist both in terms of country specific characteristics (e.g., national law, service provision) and the inflow and characteristics of UAMs. The crisis or emergency situation in countries such as Greece places the emphasis on issues such as the provision of basic needs, while integration concerns become secondary. Minors' short-term and long-term goals are also likely to vary on the basis of whether they view the country as their destination country or as a place of transit while seeking to arrive in their "dream" country. These differences coupled with limitations in the availability of resources constrain services and practitioners to prioritize their actions and interventions. Needs assessments and family contact considerations need to be realistic both in terms of the country's capacity to intervene and the potential for intervening.

***"The relevance and nature of integration based work as well as family contact and involvement varies significantly from country to country"***

Being realistic also means assessing the social, cultural and economic context within which the minor is to be integrated or inserted. This means considering the minor's needs, skills and potential in relation to the social and cultural context in his or her current environment as well as the available work and employment opportunities.

### **ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **DO UAMS GENERALLY SEE YOUR COUNTRY AS A TRANSIT COUNTRY, DESTINATION COUNTRY OR DREAM COUNTRY?**
- ❖ **WHAT DO YOU SEE AS BEING THE MINOR'S MOST IMMEDIATE NEEDS?**
- ❖ **IS THERE SPACE FOR LONG-TERM PROJECT DEVELOPMENT?**
- ❖ **WHAT ROLE DO YOU SEE FOR FAMILY INVOLVEMENT AND CONTACT IN MEETING THE MINOR'S IMMEDIATE NEEDS?**
- ❖ **WHAT ROLE DO YOU SEE FOR FAMILY INVOLVEMENT AND CONTACT IN MEETING THE MINOR'S LONG-TERM NEEDS? HOW DOES THIS FIT WITHIN THE TREATMENT OF UAMS IN YOUR COUNTRY?**
- ❖ **WHAT DO YOU THINK THE SOCIAL AND ECONOMIC CONTEXT HAS TO OFFER TO UAMS?**





## 2.6 Be Realistic About the Role of Return and/or Reunification

The desirability of return or family reunification, whether in the country of origin or an EU country, needs to be carefully considered as it may not be either realistic, or desirable. In addressing the topic give the minor time to reflect on his or her decisions in order to ensure that he or she does not feel pressured into making a decision either way. A one-time response should not be considered final.

Be sure that questions are asked in regards to the long-term impact of return or reunification for the minor.

### **ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **HAVE YOU EVER HAD A CASE IN WHICH YOU FEEL THAT A MINOR WAS RETURNED OR REUNIFIED WITH HIS OR HER FAMILY WHEN HE OR SHE SHOULD NOT HAVE BEEN SO?**
- ❖ **WHY WAS THIS? WHAT COULD/SHOULD HAVE BEEN DONE DIFFERENTLY?**
- ❖ **WHEN DO YOU THINK RETURN OR REUNIFICATION MIGHT NOT BE APPROPRIATE?**
- ❖ **WHEN DO YOU THINK RETURN OR REUNIFICATION IS APPROPRIATE?**

## 2.7 Balancing the Legal Case and the Human Case

The legal status and protections afforded UAMs as well as the focus on family reunification and return tend to place a great deal of focus on the legal case – or rather, the minor’s legal status and rights as well as the procedural steps to be taken in order to comply with national and international law. While offering a form of protection the legal case can potentially stand in the way of the effective consideration of the human case – or the minor’s immediate and future psycho-social needs. Practitioners may also find themselves in conflict in cases where legal requirements or procedures appear to be detrimental to effectively addressing the minor’s psycho-social needs. The challenge practitioners face is that of balancing both and ensuring that over emphasis is not placed on one or the other. This means that as a practitioner you need to think about moving beyond the *duty of care* to the adoption of a more holistic, humanitarian model.

### **ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **HOW RELEVANT IS THE LEGAL CASE IN YOUR WORK WITH UAMs?**
- ❖ **HOW RELEVANT IS THE HUMAN CASE IN YOUR WORK WITH UAMs?**
- ❖ **WHAT DO YOU THINK THAT YOU COULD DO TO BETTER BALANCE BOTH?**





## PART 3 - WORKING WITH THE FAMILY

As explained, this Manual and the accompanying Toolkit are intended to help the practitioners make the family a central part of the work done with the minor from start to finish through a continuous approach to assessment that looks at the minor in relation to his or her family in the past, the present and the future.

→ Confronting **the past** helps the minor heal from past trauma and deal with present difficulties.

→ Actively dealing with the family in **the present** helps the minor establish, maintain or detach from family members and relationships as deemed appropriate.

→ Looking towards **the future** helps ensure the minor's psycho-social well-being as well as a successful life project based on being part of a healthy family environment and having appropriate educational, training or work opportunities.

### 3.1 Making Family Assessment Part of the Needs Assessment

Existing needs assessment tools and guidelines<sup>10</sup> may already take into account the minor's family, but do not necessarily fully consider the minor's relationships with different family members and how these individuals can best be involved in the minors' life (or distanced from the minor if need be). Net For U aims to make the family a central player, as such a comprehensive assessment needs to include a family focus that looks not only at the past, but towards the future. The following section outlines some guidelines in carrying out such an assessment and making plans to better involve the family, striving to help return the minor to a healthy family environment (whether in the country of origin, current country or another country) if possible and supporting him or her in maintaining appropriate family contact. Each moment is discussed in the sections that follow.

**Annex 2 in the Toolkit provides a family-focused assessment and intervention planning guide.**

**Guidelines for the compilation and use of this tool are provided below.**

<sup>10</sup> See IOM *Training Manual for Guardians and Social Workers Dealing with Unaccompanied Minor Asylum Seekers*.





## ► *Some Considerations When Working with the Family*

Families are not all alike just as not all family members alike. This common knowledge needs to be remembered in working with UAMs given that the relationships between the UAM and his/her family (as a unit or as individual members) may be very complex. One of the key issues to be addressed is that of identifying the type of relationship that UAMs have with their families in order to later determine the role that any given individual can and should play in the minor's present and future. As indicated in the Net For U country reports, many UAMs have conflictual relationships with their families tied to the family's expectations (work and send money back home) and the minor's expectations or desires as well as the reality of the arrival country. This situation, which is common to many minors, results in a difficult situation within which the minor desires contact with the family, but may have a difficult relationship with the family. One should remember that family contact may induce significant stress.

Country research demonstrates that minors generally fall in one of the following primary categories:

- the minor is escaping a war zone and may have lost or been separated from family members during migration;
- the minor is escaping a violent or abusive family environment;
- the minor has migrated to be able to send money back to the family;
- the minor is a victim of trafficking.

Successfully working with and engaging the family means requires awareness of these and other potential difficulties as well as a clear plan for addressing them. It is important to recognize the multiple sources of stress and pressure to which the minor is subject in order to establish an intervention and plan that is truly in the best interests of the minor and will also help him/her to undertake autonomous choices towards a positive life trajectory upon becoming an adult. Familiar or emotional ties play a fundamental role in this, but can also be a source of stress, frustration or even abuse.

The family mandate represents an additional concern that needs to be addressed as the practitioner is essentially stepping in and to some extent replacing the family. The practitioner takes on a rather precarious role in which it is necessary to step in. Understanding family dynamics and expectations as well as, where possible, the establishment of a dialogue with the family may facilitate this hand over process.





### ► Remember

- ✚ It is important to respect the minor's desires in terms of the involvement of family members while taking into consideration the complexity of these relationships and potential for abuse or other behavior that may be detrimental to the minor.
- ✚ Listen to and respect the minor's wishes within the framework allowed by law.
- ✚ Make sure adequate psychological and emotional support is available.
- ✚ Linguistic barriers and cultural differences represent two of the key challenges both in work with the minor and in working with his or her family. Steps taken to overcome these issues with the minor may also facilitate communication and dialogue with family members.
- ✚ Situations and relationships are likely to change over time.

***The evaluation carried out with the minor needs to be sensitive to the various possibilities and entail the creation of a family profile that will help guide the practitioner in deciding the best approach to take.***

## 3.2 Assessing the Family: Making a Family Profile

The sections that follow look at family contact and involvement in the present and future. While acting in the best interests of the child requires the practitioner to involve the minor in taking important decisions, including respecting his or her wishes for family contact, as mentioned briefly above the practitioner should create a dynamic family profile that facilitates decision-making and can guide the process.

This profile should take into consideration - as a minimum - the following key points<sup>11</sup>:

- On a general level, does the family appear to represent a resource, a neutral element, or a destructive element;
- Identify and describe key family members that are either a resource for the minor or a destructive element;

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<sup>11</sup> **Seen NET FOR U Toolkit Annex 5**





- Which resources does the family have or could it contribute in terms of the minor's: psycho-social well-being, future living situation, education, and employment;
- Should contact between the minor and individual family members be encouraged? Why? How?
- Should the practitioner/centre establish direct contact with individual family members? Why? How?
- Linguistic/communication analysis.

Information used to create this profile can be gathered from multiple sources, including the use of the exercises and instruments outlined in the sections that follow. It should be noted that the even families that appear to lack the capacity or resources necessary to help the minor address the present and plan for the future, tend to have internal resources and represent an important emotional focus for the minor.

### 3.3 Taking up the Past: Speaking About and Identifying Family

The first step to be undertaken is that of getting the minor to speak about or in some manner express his or her feelings about family members. For the minor's psycho-social well-being it is important to recognize that the topic may lead to extreme distress at the emotional or psychological level and potentially has implications for his or social behavior and physical well-being.

Some guidelines are:

- a. ensure an adequate psychological support;
- b. take the time to build trust;
- c. speak with the minor in a safe place;
- d. use creative and alternative means for gathering information about the minor's family that enable the minor to express him or herself verbally and/or non-verbally;
- e. do not assume that information given at any point is time is the "truth". Provide the minor with the possibility to change his/her story *without* being penalized or punished in some way. Make sure that the minors knows that this is possible.





Once a space has been created in which the minor can begin talking about or expressing him or herself in regards to his or her family, the practitioner should support the minor in freely expressing his or her thoughts and feelings. In encouraging the minor to speak about his or her family the practitioner should acquire valuable information about general family dynamics as well as the minor's relationships with individual family members and potentially other significant people in his or her life. This stage also entails the listing or mapping of the minor's family members.

The mapping exercise that follows (Toolkit Annex 3 – Mapping Geographical and Emotional Distance) is designed to help in the identification of family members by giving minors a non-verbal means of (1) identifying family members and their geographical location and (2) specifying the existing emotional relationship as well as the direction in which the minor would like that relationship to take.

#### **ASK YOURSELF: QUESTIONS FOR THE PRACTITIONER**

- ❖ **HOW DO YOU FEEL ABOUT ADDRESSING THE ISSUE OF FAMILY WITH THE MINOR?**
- ❖ **WHEN AND HOW DO YOU THINK IT IS APPROPRIATE TO DO SO?**
- ❖ **HOW DO MINOR'S USUALLY RESPOND WHEN YOU TAKE UP THE ISSUE?**
- ❖ **WHAT MEASURES ARE TAKEN TO ASSURE THE MINOR'S PSYCHOLOGICAL AND EMOTIONAL WELL-BEING WHEN SPEAKING ABOUT FAMILY?**
- ❖ **DO YOU THINK THAT MORE SHOULD BE DONE TO ENHANCE FAMILY CONTACT AND INVOLVEMENT?**





## **EXERCISE - Mapping geographical and emotional distance<sup>12</sup>**

Specific exercises can be employed to map both the geographical and emotional distance between the minor and his/her “family” members as well as to help identify the relationships where practitioners should intervene. The first step involves the mapping of geographical distance between the minor and each family member and other emotionally significant individuals. This entails asking the minor list *all* family members or others who are of significance to him/her.

The minor is then asked to place each individual on a piece of paper where the minor indicates where each of the listed family members (or significant individuals) is geographically located in relation to the minor along with a specification of the city and country. *[Alternatively the practitioner may take small pieces of paper and then ask the minor to write each family members’ name on a separate piece and then place them on the table with the minor’s name in the centre].*

The exercise is repeated for emotional distance and can be repeated as time passes in order to assess change.

Taking these two maps together should make it possible to better understand the physical and emotional space that separates the minor from a parent, sibling, or other significant individual.

Upon completion of these “current situation” maps, the practitioner should ask the minor to specify where he/she would like each of the individuals to be located both in terms of geographical space and emotional space. Taken together, these exercises provide information that can be useful in determining how to best work with the minor and his/her family by providing the practitioner with a basis for understanding the current situation and an ideal future situation – both from the minor’s point of view.

The mapping exercises represent the starting point for exploring the nature of existing relationships including, but not limited to, the identification of:

- sources of stable support;
- cases of abuse, neglect or violence;
- emotionally significant but troubled relationships;
- individuals that are harmful to the minor and where distance should be maintained and/or increased;
- individuals with which the minor would like to have more contact and/or improve the relationship; and
- individuals that the practitioner sees as instrumental in working with the minor.

This identification is intended to support the development of effective and targeted actions that promote the development of a plan that

- 1- effectively addresses the minor’s current emotional and basic needs and
- 2- helps ensure future success and the minor’s capacity to undertake a positive life trajectory.

<sup>12</sup> **Net FOR U Toolkit Annex 3**





### 3.4 The Present: Establishing and Maintaining Appropriate Family Contact

The family not only represents a key aspect of the minor's emotional and psychological state but also a potential resource in developing an effective life project that supports the minor in the transition from adolescence to adulthood, whether in an EU or other country. Family members in the destination country or EU countries potentially play an integral role in helping the minor settle and establish him/herself. It should be kept in mind however that family members may themselves live in precarious conditions and be reluctant to assist or become involved for fear of deportation or other concerns.

The following list of questions are intended to guide practitioners in assessing the appropriateness of family member contact and involvement as well as the best way of doing so. Answering the questions is intended to help also to determine the best plan of action for supporting the minor's immediate emotional and psycho-social needs while laying the groundwork for the family's long-term involvement in the minor's future and active participation in the development and implementation of a life project.

The geographical and emotional "maps" can be used to help answer these questions.

#### **GENERAL QUESTIONS<sup>13</sup>**

- **WHERE DO THE MINOR'S RELATIVES LIVE? DO ANY RESIDE IN [YOUR COUNTRY] OR ANOTHER EU COUNTRY?**
- **WHAT KIND OF RELATIONSHIP DOES THE MINOR HAVE WITH EACH INDIVIDUAL?**
- **WHICH OF THE FAMILY MEMBERS DOES THE MINOR WANT TO HAVE CONTACT WITH?**
- **WHAT KIND OF RELATIONSHIP DO YOU/THE ORGANIZATION HAVE WITH INDIVIDUAL FAMILY MEMBERS?**
- **WHAT RESOURCES DO THESE INDIVIDUALS OFFER IN RELATION TO THE MINOR?**

<sup>13</sup> **Net FOR U Toolkit Annex 4**





### **PRESENT FOCUS: ESTABLISHING CONTACT**

- ***WHICH FAMILY MEMBERS DOES THE MINOR WANT TO HAVE CONTACT WITH NOW?***
- ***ARE THERE ANY FAMILY MEMBERS THAT THE MINOR WOULD LIKE TO HAVE CONTACT WITH, BUT THAT YOU FEEL ARE DETRIMENTAL TO THE MINOR'S WELL-BEING? WHY? HOW CAN THIS BE ADDRESSED?***
- ***CAN A GO-BETWEEN BE USED TO ESTABLISH CONTACT IN CASE OF DIFFICULTY?***
- ***WHICH FAMILY MEMBERS CAN BE/ARE INVOLVED IN SUPPORTING THE MINOR'S IMMEDIATE NEEDS?***
- ***WHAT IS NECESSARY IN ORDER TO ASSURE THEIR INVOLVEMENT?***
- ***HOW CAN BARRIERS OR OBSTACLES TO CONTACT BETWEEN THE MINOR AND HIS OR HER FAMILY MEMBERS BE OVERCOME?***
- ***TO WHAT EXTENT IS DIRECT CONTACT BETWEEN THE PRACTITIONER/ORGANIZATION AND THE FAMILY OR FAMILY MEMBER DESIRABLE AND POSSIBLE?***
- ***WHAT CAN BE DONE TO OVERCOME COMMUNICATION DIFFICULTIES BETWEEN THE PRACTITIONER/SERVICE PROVIDER AND THE FAMILY?***

## **3.5 Moving Ahead: Family Involvement in Planning for the Future**

The ultimate challenge for practitioners is that of ensuring his or her long-term "success" whether this entails residency in the arrival country, another EU country or return to the country of origin. Efforts to ensure that the minor does not fall through the cracks can be fostered through the creation of a strong family alliance with the family or individual family members that have shown themselves to be dedicated to helping the UAM. Establishing these relationships may be challenging, especially in light of the linguistic, cultural and potentially legal obstacles to be overcome. Nonetheless, the belief at the base of this Manual is that the family, even if at a distance, can represent an important resource in the same way that it can represent an obstacle. In moving towards and planning for the future the practitioner is asked to constantly reassess the minor's relationship with family members and what that relationship means to the minor in the long-term.

The questions that follow can be used to help the practitioner make this assessment and should be considered to be fluid questions, that can be asked more than once and reassessed while the minor is in the organization's custody.





### **FUTURE FOCUS<sup>14</sup>**

- **WHICH INDIVIDUALS WOULD THE MINOR LIKE TO ESTABLISH A STRONGER RELATIONSHIP WITH?**
- **IS THERE ANYONE THAT THE MINOR WOULD LIKE TO LIVE WITH? IS THIS INDIVIDUAL WILLING TO HOST THE MINOR? WHAT NEEDS TO BE DONE TO ASSURE THAT THIS HAPPENS?**
- **WHAT PLAN BEST FITS THE MINOR'S LONG-TERM SUCCESS? WHICH EDUCATIONAL AND WORK OPPORTUNITIES ARE AVAILABLE?**
- **WHICH FAMILY MEMBERS CAN SUPPORT THE MINOR IN ACHIEVING THESE GOALS?**

## **3.6 Facing Our Own Expectations: Avoiding the Self-Fulfilling Prophecy**

As noted earlier, practitioners need to take into consideration their personal and cultural background and perspective when working with UAMs. It is important to recognize that the lens one uses to view another can have a major impact on the way in which the other is treated. Furthermore, doing what one thinks is in the best interest of the child may not necessarily be in the best interests of the child. In psychological terms practitioners need to take precautions to avoid the self-fulfilling prophecy according to which the projection of expectations shapes behavior. A minor that is expected to succeed may do so because this is expected of him or her. A minor that is not expected to achieve much may do just that for the same reason. Expectations shape behavior. This is especially important in areas such as education, training and planning for the minor's future employment. As indicated in Article 29 of the *UN Convention on the Rights of the Child*, education should support "the development of the child's personality, talents and mental and physical abilities to their fullest potential." UAMs, then, should have equal access to education and training that makes the most of their potential.

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<sup>14</sup> See *NET FOR U Toolkit Annex 4*.





## **UN Convention on the Rights of the Child - Respect for the Child in Education Article 29**

1. States Parties agree that the education of the child shall be directed to:
- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential
  - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.

### ***AS A PRACTITIONER YOU THUS NEED TO/ASK YOURSELF:***

- ❖ ***THINK ABOUT YOUR REACTIONS TO A GIVEN MINOR. WHAT WAS YOUR FIRST IMPRESSION? HOW HAS THIS CHANGED OVER TIME?***
- ❖ ***CONSIDER THE MINOR'S CAPACITIES. HOW DOES THIS MATCH OPPORTUNITIES? WHAT CAN BE DONE TO ATTAIN A MORE APPROPRIATE MATCH?***
- ❖ ***DOES YOUR VIEW OF WHAT THE MINOR SHOULD DO CONFLICT WITH HIS OR HER VIEW OR DESIRES?***

## **3.7 Working Together to Increase Understanding and Share Difficulties**

While much of the focus has been on the direct relationship between the practitioner and the minor and his or her family, exchange and discussions with colleagues about all of the issues addresses in this manual and accompany toolkit can be discussed with colleagues in different settings.

In addition to more traditional staff meetings and the discussion of cases, practitioner groups that address the questions outlined can help practitioners understand their own views, the potential impact that this has and how to enhance their capacity and skills in working with UAMs through an increase in self-awareness and critical analysis of the social, cultural and economic context of the area in which the minor is to settle long-term. On an individual level practitioners are encouraged to make use of both formal and informal moments to discuss any concerns that come up.

Organisations should create spaces for staff to talk both about specific cases, as well as their own feelings and views.





### Group Exercise for Practitioners<sup>15</sup>

Exercise goal: To enhance awareness by expressing and exchanging ideas and views. The intention is not to identify an answer or solution, but to explore existing ideas and perceptions.

Select one of the themes presented above in this manual and discuss the *Ask Yourself: Questions for the Practitioner* questions in a group setting with colleagues. Participants should feel free to add new themes or questions that they feel are appropriate or interesting.

The group should be facilitated/coordinated by an identified coordinator who presents the theme, questions and facilitates the discussion among the participants.

Groups may be organized on an ad hoc or regular basis to address each of the themes and should ideally have 6-10 participants in order to facilitate discussion while ensuring that there is room for everyone to speak.

Participants should sit in a circle without a table or object in the middle.

## 3.8 Promoting Success - Where to Go from Here

The Net For U Manual does not pretend to be exhaustive, but hopes to have provided the reader with greater awareness of the importance of working with and involving the families of UAMs both in order to support the minor's psycho-social well-being and in order to develop and implement a sustainable life project that will help the minor both in the present and in his/her future. Practitioners are encouraged to adopt and utilize the associate Toolkit in order to support the collection of information and plan development and implementation.

The "Ask Yourself: Questions for the Practitioner" questions as well as most of the exercises in this manual can be found in the toolkit along with some indications on their use whether with the minor or his/her family, or with other practitioners. It should be remembered that these are starting points for enhancing awareness, collecting information and working with the minor and the minor's family.

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<sup>15</sup> See Annex 6 in the Net For U Toolkit.

