

Recommendation 1969 (2011)¹

Unaccompanied children in Europe: issues of arrival, stay and return

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 1810 \(2011\)](#) on unaccompanied children in Europe: issues of arrival, stay and return.

2. It recalls the important role that the Council of Europe has played in rendering child rights and child protection more visible in migration policy discussions around Europe, and in providing practical tools for addressing the situation of unaccompanied children, in particular through developing life projects for unaccompanied migrant minors, such as Committee of Ministers Recommendation CM/Rec(2007)9, which is a unique tool providing unaccompanied children with meaningful and lasting solutions.

3. The Assembly considers that the Council of Europe should continue to play a prominent role by helping to create a viable and harmonised Europe-wide protection system for unaccompanied children. In this respect, the Council of Europe should closely co-operate with the European Commission on the implementation of the European Union Action Plan on Unaccompanied Minors and on the further identification of, and the closing up of, gaps in the legal protection of this vulnerable group. The Council of Europe should also work with other relevant European Union institutions on harmonising data collection systems and asylum procedures applicable to unaccompanied children in Europe.

4. In light of the above, the Assembly invites the Committee of Ministers to:

4.1. take note of the Assembly's recommendations to member states set out in its above-mentioned resolution and urge member states to comply with them;

4.2. urge member states to comply with General Comment No. 6 by the United Nations Committee on the Rights of the Child, the relevant guidelines adopted by the Office of the United Nations High Commissioner for Refugees (UNHCR), UNICEF, Save the Children, the Separated Children in Europe Programme (SCEP) and other international organisations, and notably with the UNHCR 2008 Guidelines on Determining the Best Interests of the Child, the

UNHCR 2009 Guidelines on Child Asylum Claims and the fourth version of the SCEP Statement of Good Practice (2010);

4.3. instruct the relevant body within the Council of Europe to set up a working group comprising government experts, members of civil society and representatives of relevant international organisations and Council of Europe bodies to examine further the 15 common principles, as presented in Resolution 1810 (2011), with a view to elaborating Council of Europe guiding principles on the protection of unaccompanied children in the form of a new recommendation by the Committee of Ministers;

4.4. fully integrate issues related to unaccompanied children into the transversal project "Building a Europe for and with children" under its current strategy 2006-2011 and into any future activities undertaken within the framework of this programme; in particular, in this context, contribute to the development of common guidelines on the assessment of the best interests of the child, on the legal guardianship of unaccompanied children, age assessment and on the application of child-friendly justice in the context of unaccompanied children;

4.5. find resources for implementing life projects for unaccompanied minors as a valuable tool for finding durable solutions for them; designate a single interlocutor within the Council of Europe to ensure the co-ordination and follow-up of the problem of unaccompanied children in all of the Organisation's member states and, in the context of the ongoing reform process, ensure that the fate of unaccompanied children is sufficiently taken into account in any future intergovernmental action of the Council of Europe;

4.6. encourage member states to submit projects to the Council of Europe Development Bank with a view to funding or co-funding life projects for unaccompanied children.

1. Assembly debate on 15 April 2011 (18th Sitting) (see [Doc. 12539](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mrs Reps; and [Doc. 12558](#), opinion of the Social, Health and Family Affairs Committee, rapporteur: Mrs Coleiro Preca). Text adopted by the Assembly on 15 April 2011 (18th Sitting).