

# ON MY OWN:

Protection challenges for unaccompanied and separated children in Jordan, Lebanon and Greece.

## CONCLUSION

### JORDAN

Findings in Jordan are unique in comparison to the other country contexts of Lebanon and Greece for several reasons. Firstly, as set out in the methodology section, a lack of accessible data or understanding on the presence of UASC entering the country led to a refocusing of the research approach towards family separation of minors as a result of documentation complexities. This research indicates that child rights stipulated in the CRC continue to be violated across a range of thematic areas. Despite reassuring developments in child protection legislation to better align Jordan's frameworks with international standards, tightening registration policies and inconsistent implementation at the state level, coupled with a lack of institutional capacity, have created considerable protection challenges for displaced minors across the country - the large refugee population hosted by the country has put its institutions under further strain.

The interviews conducted for this research confirmed the findings of prior studies, which indicated growing rates of forced encampment and deportation of minors to Syria as a result of a restrictive regularisation environment, and ensuing documentation complexities incurred by labour violations of minors attempting to support their families financially. The separation of minors from their families that takes place as a result of such legal status challenges is further compounded by the difficulty in reunifying undocumented children with family members also residing irregularly in host communities. It is here that humanitarian and state protection actors face little option other than to violate the best interests of the child, given the lack of alternative legal recourse. The complexities of Jordan's existing camp registration and temporary leave/bail-out system<sup>1</sup> contribute to a higher prevalence of negative coping mechanisms as a result of families' irregularity, including increased early marriage, child labour and premature abandonment of education. Minors are consequently at risk of arbitrary administrative detention or 'child rights approach', a conclusion that was confirmed by our research interviewees, though the explicit scale of such *refoulement* remains unclear.

Despite a lack of explicit data on numbers of UASC entering or residing in Jordan, it is evident that access to education, healthcare, guardianship or foster care are again problematised for this group by the same legal documentation and status complexities faced by those entering the country as accompanied minors. According to our consultations with protection specialists, this is particularly the case for UASC residing irregularly in the country, outside of the vicinity of formal camps. This deficiency in UASC-specific data could also be indicative of a poor understanding of inconsistencies in registration of such minors entering Jordan, either as 'adults' or as members of families to which they bear no blood relation;

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<sup>1</sup> The bail-out procedure is an official process by which refugees could previously obtain permission to leave camps and reside within host communities. Obtaining such permission is only possible upon fulfilment of certain requirements, including the presence of a relative of Jordanian nationality that can act as a sponsor, over the age of 35, residing outside the camp. Conflicting reports provide differing information on whether or not the bail-out process is still underway, having supposedly been suspended in January 2015 and replaced with a temporary leave permit system that requires the eventual return of registered refugees to the camp territories. UNHCR is still reporting on such figures, indicating that the process has resumed; however, numbers still remain unclear.

confirmation of such anecdotal information through further research could provide valuable insights.

## **LEBANON**

Despite a differing context to Jordan, legal status challenges are likewise at the crux of protection concerns for UASC in Lebanon. As confirmed by the research findings, recent restrictive changes to entry criteria for displaced Syrians have created a climate of irregularity for UASC in particular. Despite the legal obligation to regularise their status following irregular entry (considering extremely limited channels for legal entry), UASC are faced with a distinct lack of available pathways to do so, due to criteria that demand the presence of an adult relative for legal entry and/or stay.

This state of irregularity compounds the vulnerability of UASC on several fronts. According to this research, fear of detention has actively discouraged this group from seeking assistance from the humanitarian community or reporting abuses at the hands of security forces or irregular employers. For these same reasons, our interviewees reported avoiding school due to the risk of crossing GSO checkpoints en route. Because an adult presence is required if a minor wants to legally rent a property, UASC reported residing in large groups in makeshift accommodation that exposes them to physical protection risks and potential exploitation by landlords. Negative coping mechanisms are therefore common, encompassing 'survival sex' and situations of exploitative child labour. These factors ultimately place UASC at the heart of a continuous cycle of migration status violations and exploitation, for which there is currently no legal remedy.

As outlined by those interviewed, the capacity of key protection institutions such as UPEL - together with a lack of shelter, formal foster care or adoption frameworks - mean there is little by way of a protective safety net for those attempting to survive when living unaccompanied or separated in Lebanon. In addition, rising intercommunity tensions stemming from the tense socio-economic climate, which is compounded by the number of Syrian refugees Lebanon hosts, do not make life easier for UASC in Lebanon.

## **GREECE**

The legislative protection environment for UASC entering Greece is considerably more developed than in the contexts of Jordan and Lebanon. Directives and procedural safeguards at both the European and the national level provide for explicit protection for UASC, and more generally minors, throughout the entry and asylum process. Nonetheless, violations of child rights expressly outlined in the CRC, particularly around the age assessment process, continue to place UASC at risk of arbitrary administrative detention, exposure to the most invasive medical examinations, sexual and financial abuse and the presumption of adulthood, all of which threaten their access to specialised support services. Despite promising developments at the national level in recent years that would improve protection-based legislation, in relation to the age determination process specifically, the research findings indicate a widespread inconsistency in implementation of specified steps.

In the midst of this often lengthy and invasive determination process, UASC in Greece face a chronic lack of shelter and an institutional approach that directly impacts their access to the guardianship and representation afforded them under both European and Greek asylum law. As reflected in the other country case studies, a lack of harmonised data collection directly feeds into inadequate service provision and allocation of resources, and poor coordination between the local, national and international procedural levels as regards protection of UASC. Furthermore, and as is the case in both Lebanon and Jordan, shifting entry policies along the eastern Mediterranean route have led to an increased prevalence of negative coping mechanisms among UASC. This is confirmed, for instance, in increased reports amongst respondents of the use of 'survival' or 'transactional sex'.