



PROUD: Promoting Supported Independent Living as an alternative care practice for unaccompanied minors

D/A1 Report on the analysis of integration context for unaccompanied minors in The Netherlands

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Project Identification	
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Abstract	<p>The primary PROUD activity is to analyse and assess the integration context and integration services provided to unaccompanied minors via semi-structured interviews with stakeholders in countries of project partners. This will be completed through the analysis of the integration context and services for unaccompanied minors in Greece, Germany, Spain and the Netherlands. This report explores the general integration context for unaccompanied minors in terms of available integration instruments, integration praxis and results, policies, approaches and practices applied (A1), and analysis the existing obstacles that unaccompanied minors face while integrating into the participating countries societies in terms of education, employment and vocational training as well as the challenges faced by relevant stakeholders who provide integration services (A2).</p>
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Abbreviations and acronyms

COA	The Central Agency for the Reception of Asylum Seekers
DCR	The Dutch Council for Refugees
DT&V	The Repatriation and Departure Service
ECHR	European Convention on Human Rights
EU	European Union
IND	Immigration and Naturalisation service
ISK	International Transition Class
IOM	International Organisation for Migration
RLD	Reception and Living in Families
THB	Trafficking in Human Beings
UAM	Unaccompanied Minors
UNCRC	The United Nations Convention on the Rights of the Child

Foreword

PROUD, with the full title “Promoting Supported Independent Living as an alternative care practice for unaccompanied minors” is a two-year project, funded by the Asylum, Migration and Integration Fund of the European Commission (AMIF-2018-AG-INTE-4) for the period 2019-2021. Overall, the project aims at promoting supported independent living (SIL) as an alternative care practice for unaccompanied minors focused on minors aged 15-18 in four European countries. Specifically, knowledge and good practices regarding SIL will be collected, exchanged and disseminated. In addition, the project will develop methodologies in order to improve the living standards of unaccompanied minors aged 15-18 years old. In this regard, PROUD will support the capacity building of care professionals and the adoption of a mentoring scheme in order to address the integration needs of minors. The project is expected to have a high impact both in short and long term. In short term, 200 minors aged 15-18 years old are expected to benefit along with more than 500 child protection professionals. In the long term, the project is expected to positively influence EU Member States towards adopting alternative care practices.

The consortium entrusted with its implementation involves expert organisations from Greece, Spain, Germany and the Netherlands. Specifically, the PROUD partnership consists of METAdrasi- action for migration and development (Greece) the Co-ordinator, Fundacio Privada Idea per a la millora social d'infants i famvlies (Spain), APOSTOLI (Greece), Centre for European Constitutional Law (Greece), Plan International Deutschland EV (Germany), Athens Lifelong Learning Institute (Greece) and Stichting Nidos (Netherlands).

PROUD aims to promote supported independent living (SIL) as an alternative care practice for unaccompanied minors focused on the age of 15-18 years old. In particular, the project activities aim to exchange and disseminate knowledge and good practices regarding SIL care in participating countries.

The primary PROUD activity is to analyse and assess the integration context and integration services provided to unaccompanied minors via semi-structured interviews with stakeholders in countries of project partners. This will be conducted through the current (A1) Analysis of the integration context for unaccompanied minors in Greece, Germany, Spain and the Netherlands and the following (A2) Assessment of integration services provided to unaccompanied minors in Greece, Germany, Spain and the Netherlands.

The first analysis, and current research, explores the general integration context for unaccompanied minors in Germany in terms of available integration instruments, integration praxis and results, policies, approaches and practices applied. More specifically, national integration strategies for unaccompanied migrant minors and policy program structures along with the legal framework are analysed in each participating country in order to identify the key features and focus areas which will be taken into account.

The subsequent analysis focuses on conducting a targeted assessment study in Greece, Germany, Spain and the Netherlands in terms of the integration services provided for unaccompanied minors. The aim is to identify and analyse the existing obstacles that unaccompanied minors face while integrating into the participating countries' societies in terms of education, employment and vocational training as well as the challenges faced by relevant stakeholders who provide integration services. In order to collect data, various sources and tools will be used.

1 Executive Summary

The Netherlands has seen an increase in the influx of refugees entering the country including unaccompanied minors (UAMs), during the last few years. The trend in the number of UAMs seeking protection in the Netherlands is comparable to that in the European Union member states in general. Particularly, in 2014 the numbers increased sharply, and, in 2015, approximately 3.500 unaccompanied minors entered the country, almost four times as many as in 2014, where the number was 960 unaccompanied minors. The ethnic background of the children is heterogeneous. However, the majority come from Syria and Morocco followed by Eritrea, Iraq and Afghanistan. Based on the most recent data, in 2019, most children were between fourteen and seventeen years old. Over the years, most unaccompanied minors were sixteen or seventeen years old, followed by minors fourteen- and fifteen-years old. The smallest age group includes children younger than 14 years old.

In regard to the Dutch legal framework, an unaccompanied minor (UAM) is a person who is under the age of 18 whose country of origin is outside the European Union, and who is in the Netherlands without a parent or other person exercising parental authority on them, including a spouse over the age of 18. In general, the legal framework focuses on UAMs who are refugees or asylum seekers, as well as those who are victims of trafficking in human beings.

The Netherlands did not constitute the first choice of destination for the UAMs. According to studies, the majority of the UAMs did not have the intention to migrate to the Netherlands at the time of their departure from the country of origin. They usually left with no specific destination in mind and, before their arrival in the EU, had lived in a neighbouring country instead of heading to Europe. Factors such as lack of future prospects, intention of family reunification in Europe, cultural differences or hostile attitudes towards refugees, constituted the reasons for leaving the neighbouring country in the region and travelling to Europe.

The pull factors for choosing the Netherlands as destination country vary. The most prominent factor is the reputation of the country regarding procedures, namely that asylum and family reunification procedures are easier and shorter, or that the duration of residence permits is longer, as well as its reputation as a society as a whole in terms of freedom, safety, tolerance and anti-racist attitudes, democratic values etc.

For UAMs specifically, under the current legal framework, emphasis is placed on the expeditious determination of asylum claims. Upon entry into the country, UAMs are expected to register their asylum claims at an asylum application centre. The registration process may include an age assessment to determine minor status, where no proof of age is available. At this stage, the IND will also examine whether the UAM has relatives in another EU Member State (family tracing), in which case the European and national framework on family reunification will apply.

After the registration process, a 'rest and preparation period' begins. During this period, the child is also paired with a lawyer and may voluntarily participate in a medical examination to determine their fitness to be interviewed.

The main asylum procedure may take the form of a fast-track procedure, which lasts for a total of eight (8) days, or an ordinary, extended procedure, which may last for up to 6 months, with the possibility of it being extended to up to 15 months. The fast-track procedure consists of clearly established steps. It begins with a first interview, which aims at gathering some basic information on the child's identity, nationality, family status, and their journey to the Netherlands. The interview is conducted by officers who have received training on how to interview children, taking into consideration their particular needs. Persons present during the interview include the UAM concerned, the IND interviewer, and an interpreter. Occasionally, the child's lawyer may also be present. In terms of the substantive examination of the UAM's asylum claim, the process does not differ considerably from the one followed for adult asylum seekers. The IND assesses whether the child has a well-founded fear of persecution or needs to be protected against inhumane or degrading treatment or indiscriminate violence in situations of armed conflict in their country of origin.

If the IND is not convinced of the credibility of the child's accounts or finds that the child can receive protection in the country of origin or in a third country, the application is rejected. An UAM granted a residence permit as a refugee can request to be reunited with their family members in their country of origin or elsewhere. UAMs whose application for asylum is rejected and who do not fall within the scope of the protective provisions for victims or witnesses of THB or victims of child abduction, are subject to a voluntary return procedure within 28 days.

Regarding the provision of care to unaccompanied minors, two institutions are primarily responsible: the Central Agency for the Reception of Asylum Seekers (COA), and Nidos Foundation. COA has been responsible for the reception, support and guidance of asylum seekers in the Netherlands since 1994. Their mission entails organizing and managing reception centres, maintaining the safety and quality of life standards within them, and providing asylum seekers with accommodation and the necessary means for their subsistence. Nidos is the national guardianship institution for unaccompanied and separated children.

A guardian is appointed for the UAMs, and is responsible for them until their 18th birthday, or until they are returned to their country of origin. Several different reception options are provided in the relevant policy framework, depending on the age of the minor, as well as on availability and residence status. Children under the age of 15 are ordinarily placed with foster families, by Nidos. Children over the age of 15, *with a residence permit*, are placed in small-scale reception facilities in municipalities, again in the care of Nidos. As far as possible, UAMs remain in the same region once they obtain a residence permit and/or turn 18. Based on the findings of the primary research, remaining in the same region is positive for UAMs integration because UAMs can maintain the personal network they have built. Children *who do not have a residence permit* are placed in small-scale housing facilities operated by COA if they are over the age of

15; children younger than that (13-14 years of age) are placed in the same facilities if no foster family is yet available for them. Children residing in the housing facilities are provided with supervision, guidance, and support. The latter includes, where applicable, support for the purposes of integration.

In regard to the integration prospects of UAMs into Dutch society, the type of accommodation where UAMs live determines their integration context. In particular, younger UAMs, below 15 years of age, stay with foster families from the same or a similar culture. According to one interviewee this practice is conducive to integration:

“Housing with families from the same culture helps integration. It creates a safe haven, and also a bridge to the Dutch culture because the family has their own experience of integration.”

On the other hand, another interviewee indicated that UAMs who stay with host families from the same culture can also create a hurdle for integration:

“UAMs are often placed with families from the same country of origin who have not been in the Netherlands long. These families can have difficulty providing the UAM with the necessary support because they are also still busy with integration themselves.”

In addition to the services provided in accommodations, facilitated either by COA or by Nidos, the impact on integration also depends on the type of guidance they receive from professionals and to what extent they are able to build a personal network within Dutch society.

In regard to the challenges that UAMs encounter, the stress factor for UAMs is one of the main challenges that should be addressed. A national authority representative and an NGO mentioned that the stress caused by family reunification can distract UAMs from their own integration process. On the one hand, family reunification can take a long time, and UAMs can experience pressure from their families. On the other hand, the compulsory cohabitation with their family can slow down the integration process of UAMs.

Moreover, two national authorities and two NGOs refer to the challenging transition experienced by UAMs with a residence permit, who turn 18. After turning 18, Nidos guardianship, mentor support and housing ends. Continuing support depends on the municipality in which an ex-UAM lives, but municipalities make different arrangements regarding this issue.

The national authorities and an NGO mention that there has been a lot of critique on the current integration system while they remain more positive about the possibilities of the new system which is going to be implemented in 2022.

2 Analysis of the integration context for unaccompanied minors in The Netherlands

2.1 Introduction

2.1.1 Demographic background

In the fall of 2015, the European Union experienced an unprecedented number of asylum seeker arrivals. Most of them arrived at the Mediterranean border states of Italy and Greece and then moved to northern Europe. Germany, Sweden, Greece and the United Kingdom were among the top initial destination¹ countries. However, many asylum seekers changed their minds, and after entering Greece or Italy, chose other destinations within Europe. Finland and the Netherlands were among their preferences and among the most popular destinations.

In regard to the Netherlands, during the last few years, there has been an increase in the influx of refugees entering the country, including unaccompanied minors (UAMs). The trend in the number of UAMs seeking protection in the Netherlands is comparable to that in the EU-countries in general. The country witnessed a substantial increase in the numbers of UAMs in 2009, which was mainly due to the increase in number of UAMs from Somalia². The increase in the numbers of UAMs in the Netherlands was higher than the respective increase in the EU Member States in general during the same period. In the following years, although the numbers remained high, they started to decline and reached a significantly low point in 2013.

However, in 2014 the numbers started to increase sharply with a high number of UAMs from Eritrea and Syria. In 2015, approximately 3.500 unaccompanied minors entered the country, almost four times as many as in 2014 (960 unaccompanied minors). The ethnic background of the children is heterogeneous; they come from different countries. However, the majority comes from Syria and Morocco followed by Eritrea, Iraq and Afghanistan (**Table 1**). The year 2015 was not the first time that the Netherlands witnessed a peak in the number of UAMs. 2000 constituted the first year that the country experienced the highest influx of UAMs when 6.705 UAMs applied for asylum³. Since 2015, the number of UAMs showed a deep decline where 1705 and 1180 in 2016 and 2017 UAMs were registered in 2016 and 2017 respectively. A very small increase was also marked in 2018 where 1225 UAMs were registered, which in turn declined to 1045 UAMs in the following year. Eritrea, Iraq, Syria and Morocco constitute the four top countries of origin for the UAMs in the Netherlands.

¹Deciding Which Road to Take insights into How Migrants and Refugees in Greece Plan Onward Movement, Aug 2018. Available at <https://reliefweb.int/sites/reliefweb.int/files/resources/MigrantDecisionmakingGreece-Final.pdf>

² Unaccompanied minor asylum seekers in the Netherlands: choice or chance? https://repository.wodc.nl/bitstream/handle/20.500.12832/213/Cahier_2018-18_2874_Volledige_tekst_tcm28-356301.pdf?sequence=1

³ Unaccompanied minor asylum seekers in the Netherlands: choice or chance? https://repository.wodc.nl/bitstream/handle/20.500.12832/213/Cahier_2018-18_2874_Volledige_tekst_tcm28-356301.pdf?sequence=1

Table 1 Number of unaccompanied underage refugees in the Netherlands, by nationality

Unaccompanied minor foreign nationals												
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Total	725	1040	700	485	380	310	960	3860	1705	1180	1225	1045
Afghan	95	0	0	260	145	60	30	535	195	65	30	55
Albanian	0	0	0	0	0	0	5	25	40	30	30	10
Algerian	0	0	0	0	5	5	0	5	60	55	55	70
Chinese	50	10	20	10	0	5	5	0	0	5	0	0
Eritrean	20	40	25	10	10	35	530	1240	775	480	430	110
Ethiopian	5	5	5	5	0	5	5	10	45	10	0	5
Gambian	0	0	5	0	0	0	0	0	20	20	30	25
Guinea	35	45	35	10	40	30	10	25	35	45	55	25
Iraqi	185	65	30	25	15	10	15	135	35	20	70	65
Iranian	5	20	15	10	10	10	5	25	20	5	25	20
Moroccan	0	0	0	0	5	5	10	10	70	75	145	165
Sudanese	5	10	10	0	0	0	0	20	25	60	25	10
Somali	200	355	120	40	40	10	35	40	25	20	15	25
Syrian	0	0	5	5	10	25	155	1455	180	135	170	310
Unknown	10	25	15	15	0	0	10	15	35	25	25	35
Stateless	5	0	5	5	5	0	50	220	30	5	0	0

Source: <https://opendata.cbs.nl/#/CBS/nl/dataset/82045NED/table?ts=1613990998079>

Based on the most recent data, in 2019, most children were between fourteen and seventeen years old. Over the years, most unaccompanied minors were sixteen or seventeen years old, followed by fourteen- and fifteen-year-olds. The smallest age group includes children younger than 14 years old based on the data from Eurostat. According to the table below (Table 2), the division between the age groups remained relatively the same from 2011 until 2019.

Table 2 Asylum applicants considered to be unaccompanied minors by age - annual data

The Netherlands	2011	2012	2013	2014	2015	2016	2017	2018	2019
Less than 14 years	30	35	35	75	450	155	85	130	180
From 14 to 15 years	110	90	60	215	1.060	435	260	350	305
From 16 to 17 years	285	205	205	620	2.285	1.075	670	710	515
Unknown	60	55	10	55	60	45	170	30	50

Source: Eurostat

In regard to the gender of the UAMs, in 2019, the majority of the unaccompanied minors were boys between the ages of 16-17 years old. The division by gender remained the same over the years, with girls representing the smallest group of unaccompanied minors.

Table 3 Asylum applicants considered to be unaccompanied minors by age and sex - annual data

Less than 14 years old	2011	2012	2013	2014	2015	2016	2017	2018	2019
Boys	15	20	20	50	345	105	50	95	130
Girls	15	15	15	25	105	50	30	40	45
From 14 to 15 years old	2011	2012	2013	2014	2015	2016	2017	2018	2019
Boys	95	80	50	175	870	340	200	290	260
Girls	15	15	15	40	190	90	55	60	40
From 16 to 17 years old	2011	2012	2013	2014	2015	2016	2017	2018	2019
Boys	245	150	155	530	1.915	850	570	600	455
Girls	40	50	45	90	370	225	100	115	60
Unknown	2011	2012	2013	2014	2015	2016	2017	2018	2019
Boys	45	35	5	40	50	35	160	25	50
Girls	10	20	5	15	10	5	10	5	0

Source: Eurostat

According to international academic studies, unaccompanied minors in the Netherlands are vulnerable, as some of them show severe emotional problems such as depression, anxiety and post-traumatic stress. Regarding the motivation behind their decision to leave their country of origin, little has been published. The reasons vary from country to country. For instance, Syrian minors decide to leave Syria due to war conditions and safety concerns. Furthermore, according to Nidos experts, minors were also at risk of being recruited by the Islamic state⁴. For the minors from Eritrea, the reasons are different; the lack of socio-economic prospects, lack of freedom in physical and intellectual sense, lack of safety, and lack of or poor-quality education constitute some of the push factors that caused minors to leave their country. For Afghan minors, their reasons to leave the country mostly lie in the personal and/or family sphere.

However, the Netherlands did not constitute the first choice of destination for the UAMs. According to studies⁵, the majority of the UAMs did not have the intention to migrate to the Netherlands at the time of their departure from the country of origin. They usually left with no destination in their mind and before their arrival to the EU, they had lived in a neighbouring country instead of heading to Europe. Factors such as lack of future prospects, intention of family reunification in Europe, cultural differences or hostile attitudes towards refugees constituted the reasons for leaving the neighbouring country in the region and travelling to Europe.

The pull factors for choosing the Netherlands as destination country vary. The most prominent factor is the reputation of the country regarding procedures, namely that asylum and family

⁴https://repository.wodc.nl/bitstream/handle/20.500.12832/213/Cahier_2018-18_2874_Volledige_tekst_tcm28-356301.pdf?sequence=1

⁵https://repository.wodc.nl/bitstream/handle/20.500.12832/213/Cahier_2018-18_2874_Volledige_tekst_tcm28-356301.pdf?sequence=1

reunification procedures are easier and shorter, or that the duration of residence permit is longer, as well as its reputation as a society as a whole in terms of freedom, safety, tolerance and anti-racist attitudes, democratic values etc. In addition, there are more opportunities regarding study or work and, finally, it provides more qualitative facilities concerning UAMs, namely better accommodation and care, and supervision by Nidos. All the factors above played a crucial role in the decision of the UAMs to travel to the Netherlands.

The following section presents the reception services and the stakeholders involved in those procedures.

2.1.2 Reception services and stakeholders

In the Netherlands, many actors are involved in the reception, social integration and autonomy of the unaccompanied minors. The main government and NGOs involved in these processes are presented below. Starting with the government agencies, the following actors are the responsible entities for the reception of asylum seekers:

The Ministry of Security and Justice

The Ministry of Security and Justice is in charge of the asylum policy, with responsibility for the procedures, reception, guardianship, and return. The Ministry co-ordinates the overall system through the policy framework.

The Central Agency for the Reception of Asylum Seekers (COA)

The Central Agency for the Reception of Asylum Seekers is an independent administrative body that has been responsible for the reception, support and guidance of asylum seekers in the Netherlands since 1994. The management board is responsible for the daily management of the COA while the Ministry of Justice and Security is the commissioner as well as the supervisor. Since 2016, the COA has an advisory board, that can make solicited and unsolicited recommendations to the board.

According to the Central Agency for the Reception of Asylum Seekers Act (1994), the COA has the following responsibilities⁶:

- provide asylum seekers with accommodation
- support and guide them towards a future in the Netherlands or abroad
- acquire and manage reception centres
- maintain the safety and quality of life in reception centres, and

⁶<https://www.coa.nl/en/coa>

- provide asylum seekers with the necessary means

More specifically, the COA provides asylum seekers with accommodation in different types of reception centres. After completion of the asylum procedure, accommodation is provided to status holders until they are allocated to a house in a municipality. Furthermore, focused programmes are offered to every asylum seeker in combination with conversations that COA employees conduct with them about life and their future. In this way, asylum seekers strengthen the skills they need to take control of their lives. In regard to the programmes, they are about living at a COA location, preparation for integration in the Netherlands and preparation for voluntary return to their country of origin or another country.

According to the Asylum Seekers and Other Categories of Aliens Provisions Regulations, asylum seekers are entitled with a number of provisions, such as:

- shelter
- meals or an allowance for food
- living allowance
- counselling and leisure activities
- public transport tickets for travel to and from the legal assistance provider in connection with the asylum procedure
- transport to and from the interviews with the IND
- access to necessary medically care
- third-party liability insurance

In 2016 a new reception model was implemented for unaccompanied minors. In this model, UAMs are housed in small-scale shelters; as many UAMs as possible remain in the same region of the country when transferring to a different shelter; and UAMs with a residence permit and UAMs without a residence permit are housed in different shelters.⁷

After their arrival in the Netherlands, they first go to the central reception centre for UAMs located in Ter Apel. If they are under the age of 15, they are subsequently hosted by a foster family. These younger UAMs follow the asylum procedure while they live with the foster family. UAMs older than 15 go to a processing reception centre, where they go through the general asylum procedure. If a foster family is not immediately available, UAMs aged 13-14 are also given a place in the process reception centre. There, all UAMs get guidance from their COA professional and their Nidos guardian. After the completion of the asylum procedure, UAMs go to different reception places, depending on whether or not they have a residence permit:

- Foster families: Nidos places UAMs aged 14 and younger in foster families.

⁷Evaluatie nieuw opvangmodel alleenstaande minderjarige vreemdelingen
www.rijksoverheid.nl/documenten/rapporten/2018/12/20/tk-bijlage-evaluatie-nieuw-opvangmodel-amv

- Small-scale reception facilities: Nidos places UAMs from the age of 15 with a residence permit in small-scale reception facilities in municipalities.
- Small-scale housing facilities: the COA places UAMs from the age of 15 without residence permit in small-scale housing facilities. The same goes for young people aged 13-14 years without residence permit, for whom Nidos has no foster family available yet.

The COA staff assists UAMs 24/7 in their development into adulthood so that they can live independently at the age of 18, whether in an asylum seekers' centre, their country of origin, or their own house in the Netherlands. In particular, a professional is appointed to each UAM who always has to be aware of the needs of the child. This professional teaches UAMs about Dutch culture and works together with the child on developing skills. They design development objectives and record them in a counselling plan which is communicated to the Nidos guardian.

It is evident that young people in small-scale housing facilities do the same things as Dutch people their age. They go to school on weekdays, to the international transition class (ISK), they exercise, watch films, or join in COA activities or in other activities in the area. COA staff support the young people in their daily activities. They check, for instance, whether they get up on time, eat healthily and clean their room. They also make appointments with the GP and accompany them to meetings at school.

Furthermore, the COA operates protected reception facilities for unaccompanied minors. Given that they constitute an extra vulnerable group, if Nidos establishes that the risk for a minor is great, the COA staff immediately place the young person in a 24/7 protected shelter. The COA has a number of protected reception facilities in the north and south of the Netherlands where a safe place to live is provided to that minor.

The COA collaborates, as well, with a great number of other partners for the shelter and support of asylum seekers: Immigration and Naturalisation service (IND), Repatriation and Departure Service, Aliens Police, Dutch Council for Refugee, National Foundation for the promotion of Happiness, Stichting Nidos and municipalities.

Stichting Nidos

Nidos⁸ is the national guardianship institution for unaccompanied and separated children in the Netherlands. Particular to the Dutch legal context is that all UAMs have a guardian from Nidos, which has been given this responsibility by the Ministry of Justice.

Nidos has the lawful assignment of exercising the authority of supervising these young people on their path to adulthood and promoting their interests. The guardian provides long-term

⁸<https://www.nidos.nl/en/home/missie-en-visie-van-nidos/>

continued care and has the responsibility for the mental and physical wellbeing of the child and the development of their personality.

As a guardian, Nidos is responsible for accommodating a child in the right form of facility. Vulnerable minors, including all minors under the age of 15, are directly accommodated in foster families or in protected shelters run by COA.

In regard to foster care, Nidos favours reception of UAMs in families that are close to their own ethnic background and culture. This approach offers UAMs a familiar environment in which they feel comfortable and from which they can voluntarily return to their country of origin or integrate in Dutch society while preserving their own cultural identity. Nidos team, Reception and Living in Families (RLF team), is responsible for matching and supporting the foster families in the reception pool operated by Nidos. To date, there are almost 400 families and approximately 780 kinship/network families. Guardians are also responsible for supporting the families by visiting them on a monthly basis.

Nidos also facilitates small-scale reception facilities for UAMs. These are residences in municipalities that house 4-12 UAMs with residence permit, supported by professionals. For this purpose, Nidos initiate contracts with youth care organisations, in order to house and support UAMs in different municipalities.

Ombudsman for Children

The Ombudsman for children is an independent institute that exists since 1 April 2011 and, among others, is responsible for monitoring whether children's rights are adhered to in the Netherlands by the central and local government, as well as by private organisations in education, childcare, child welfare and health care. The Ombudsman for Children also provides advice to the government and Parliament regarding laws and policies that have an effect on children's rights. Together with the National Ombudsman, the Ombudsman for children is currently conducting a study on the transition to adulthood of UAMs.⁹

Immigration and Naturalisation service (IND)

The Immigration and Naturalisation Service (IND)¹⁰ is part of the Ministry of Justice and Security and is responsible for the assessment of all residence applications of people who wish to live in the Netherlands or want to become Dutch citizens including refugees, unaccompanied minors or people who want to work or study in the Netherlands. The IND assesses each application individually against the regulations on foreign nationals.

⁹www.dekinderombudsman.nl/nieuws/nationale-ombudsman-kinderombudsman-onderzoeken-overgang-volwassenheid-ex-alleenstaande-minderjarige-vreemdelingen
¹⁰<https://ind.nl/en/Pages/default.aspx>

The Repatriation and Departure Service (DT&V)

The Repatriation and Departure Service (DT&V)¹¹ operates on behalf of the Ministry of Justice and Security and coordinates and supervises the actual departure of foreign nationals who are not entitled to remain in the Netherlands. The DT&V focuses on the following groups:

- Foreign nationals who have been detained as part of the national (mobile) supervision of foreign nationals.
- Foreign nationals who have been denied entry to the country as part of the border control process.
- Foreign nationals whose residence or asylum permit has been revoked.
- Foreign nationals who have exhausted the appeal process and have not been granted asylum.

The DT&V follows a case-management approach, which means that each foreign national case is handled according to its special features and needs. Each case is assigned to a 'supervisor for the departure' who coordinates the departure process in a way that ensures the dignified and timely departure of the foreign nationals in their care.

Unaccompanied minors receive special attention due to their vulnerability. More specifically, the DT&V makes the necessary arrangements in their destination country. This could involve organizing shelter for unaccompanied minors or coordinating medical care. The final preparations for deportation are made shortly before departure. The DT&V carries out a series of checks to ensure that foreign nationals departing from the Netherlands possess the right (travel) documents and any medication they need.

Apart from the Government institutions that are involved in the reception of asylum seekers, many NGOs, are also involved in the reception procedures of asylum seekers. The Dutch Council for Refugees constitute the main player:

Dutch Council for Refugees

The Dutch Council for Refugees (DCR) is an independent NGO based in Amsterdam that engages in the protection of the rights of refugees and asylum seekers. With more than 12.500 volunteers and around a thousand paid employees, the DCR provides refugees with support during their asylum procedure and their integration in the Dutch society. More specifically, it provides legal advice and information during the asylum procedure, gives advice to asylum lawyers, and supports strategic litigation. The Dutch Council for Refugees ensures fair refugee and asylum policies and practices by actively advocating for the rights of refugees. The Dutch

¹¹<https://english.dienstterugkeerenvertrek.nl/>

Council for Refugees also works to protect refugees beyond the Netherlands through advocacy, strategic litigation, and international cooperation with their European counterparts.

2.2 National framework for unaccompanied migrant minors

2.2.1 Review of the legal framework

As mentioned above, under the Dutch legal framework, an unaccompanied minor (UAM) is a person who is under the age of 18 on arrival in the Netherlands, and who arrived in the Netherlands without a parent or other person exercising parental authority on them. In general, the legal framework focuses on UAMs who are refugees or asylum seekers, as well as those who are victims of trafficking in human beings.

The current framework on the granting of residence permits to UAMs in the Netherlands is the result of reforms which took place in 2013.

Under the previous framework, UAMs were provided with a special, temporary residence permit which allowed them to remain in the country until they reached the age of majority. Children eligible to receive this permit were those under the age of 16 who lacked suitable accommodation in accordance with their needs in their country of origin or in another country where they could reasonably be expected to relocate. Furthermore, the permit was also available to children aged 16 and 17 years old, who could also demonstrate that they could not live independently in their country of origin or another country where they could reasonably be expected to relocate. If the application for this residence permit were to be rejected, the child's status would become a status without legal residency documents and they would have to depart from the country, whether through voluntary or forced return. This process had the benefit of providing minors with a level of legal certainty on their residence status until the age of 18 but proved problematic in relation to those whose residence status remained undetermined at the time they reached majority, especially those with pending asylum claims.

The temporary residence permit was abolished in 2013 with the two-fold aim of (a) deterring UAMs from considering their stay in the Netherlands as permanent and remaining in the country after they reach majority; (b) expediting asylum procedures for UAMs to create clarity as to whether they would be entitled to reside in the Netherlands permanently or temporarily. Thus, under the current framework, a UAM requesting legal residence in the Netherlands must first apply for asylum with the Immigration and Naturalization Service (IND).

Under the current framework, emphasis is placed on the expeditious determination of asylum claims. Upon entry into the country, UAMs are expected to register their asylum claims at an asylum application centre. The registration process may include an age assessment to determine minor status, where no proof of age is available. Only if the test is conclusive as to the fact that the person concerned is not a child, is the person treated as an adult. Moreover, the person concerned will also be treated as an adult if they refuse to take the age assessment,

but only for the purposes of the determination of their asylum claim. At this stage, the IND will also examine whether the UAM has relatives in another EU Member State (family tracing), in which case the European and national framework on family reunification will apply.

After the registration process, a 'rest and preparation period' begins which must last for a minimum of three weeks, but could currently take up to a year. This period is meant to ensure that the child in question is mentally and physically able to undergo the asylum procedure, in particular the interview with the IND. During this period, the child is also paired with a lawyer and may voluntarily participate in a medical examination to determine their fitness to be interviewed.

The main asylum procedure may take the form of a fast-track procedure, which lasts for a total of eight (8) days, or an ordinary, extended procedure, which may last for up to 6 months, with the possibility of being extended to up to 15 months. The extended procedure is resorted to in cases where more time is necessary to determine the facts of the case, such as when the child or their lawyer request for an independent expert for medical or forensic assessment.

The fast-track procedure consists of clearly established steps. It begins with a first interview, which aims at gathering some basic information on the child's identity, nationality, family status, and their journey to the Netherlands (day 1). The interview is conducted by officers who have received training on how to interview children, taking into consideration their particular needs. Children below the age of twelve are interviewed in special, child-friendly rooms. A lawyer may be present during the interview but an interview report is, in any case, produced and rendered available to both the UAM and their lawyer – whether the latter was present during the interview or not. The lawyer may submit corrections to the interview report (day 2). A second interview follows, which focuses on the reasons for fleeing the country of origin (day 3). The child's lawyer may also submit corrections to the second interview report (day 4).

Persons present during the interview include the UAM concerned, the IND interviewer, and an interpreter. Occasionally, the child's lawyer may also be present. A representative of the Dutch Refugee Council (VWN) may also be present. These are volunteers who have received general training, as well as a two-day training on IND interviews. They are often retired persons, but can also be students or recent graduates and are in a way 'passive bystanders' in the procedure, often making a verbatim report of the interview. Since the VWN representatives do not hold a formal position in the procedure, Nidos guardians accompany a child during the asylum application when possible to see how they are emotionally coping with the procedure and to intervene, where necessary. The guardian is responsible for overseeing the situation of the child in general, while the lawyer is responsible for the specific procedure. In difficult cases, a lawyer or guardian may as an exception choose to be present. Also, in those cases, a guardian may seek advice from their back-up internal services such as the legal department or psychologists working within the organisation.

At this point, the IND must reach a decision on whether to carry on with the fast-track procedure or to refer the case to the extended procedure (day 5). If the case ends up following the fast-track procedure, the IND must then reach a decision to either grant a residence permit on asylum grounds or to provisionally reject the application. The child's lawyer, then, has one day to object to the provisional decision (day 6). Finally, the IND must reach its final decision to either grant the residence permit or to reject the application (day 7 or 8). An appeal of the final decision may be filed with the district court. The latter's judgement may also be appealed before the Council of State. A judge may find that the decision was not lawfully taken, which leads to the possibility for the IND to make a new decision or to appeal the judgment at the Council of State.

In terms of the substantive examination of the UAM's asylum claim, the process does not differ considerably from the one followed for adult asylum seekers. The IND assesses whether the child has a well-founded fear of persecution or needs to be protected against inhumane or degrading treatment or indiscriminate violence in situations of armed conflict in their country of origin. The assessment includes the credibility of the child's accounts, including their statements on their personal identity, nationality, country of origin and their reasons for fleeing. To be granted asylum, the child must convince the IND that they have a well-founded fear of being persecuted or that they face a real risk of being subjected to inhumane or degrading treatment or to indiscriminate violence in situations of armed conflict in their country of origin. If the IND is not convinced of the credibility of the child's accounts or finds that the child can receive protection in the country of origin or in a third country, the application is rejected. An UAM who is granted a residence permit as a refugee can request to be reunited with their family members in their country of origin or elsewhere.

In addition to UAMs who are granted a residence permit on the basis of a successful application for asylum, special provisions exist for children who are victims or witnesses of human trafficking or victims of child abduction. These children may be granted a temporary residence permit on these grounds.

UAMs whose application for asylum is rejected and who do not fall within the scope of the protective provisions for victims or witnesses of THB or victims of child abduction, are subject to a voluntary return procedure within 28 days. After the expiration of the departure deadline of 28 days, and in cases of unwillingness to cooperate on voluntary return, the DT&V may decide to force the child to return to the country of origin. In that case, they may be placed in a detention facility to prevent them from fleeing. A more child-friendly closed reception facility is operational since October 2014. Nevertheless, it should be noted that as a matter of practice, the DT&V rarely initiates the forced return of children. Return to the country of origin for UAMs can only be realized if suitable accommodation and care is available. According to the national and EU legal and policy framework, the suitability of accommodation and care is available when a family member to the fourth degree can be traced. If family members cannot be traced, suitable accommodation and care is also considered to be available if there is an accommodation facility

for children, in the country of origin that complies with the local standards of shelter, nutrition, hygiene, education, and medical care.

In practice, however, it is reported that in cases where no adequate protection is available in the country of origin, children are usually permitted to stay in the country until the age of 18 and are not deported before this time. Because they are minors, they still have the right to UAM facilities provided by COA. In practice this means they have access to accommodation, schooling and support by a professional and Nidos guardian until they turn 18.

UAMs who were below the age of fifteen upon arrival, whose identity was undoubted, and who fully cooperated with the authorities to organize their voluntary return to the home country, but who were not able to realize this after a maximum period of three years, may be eligible for a so-called 'no fault of your own' permit. However, no such permits have been granted to date. The conditions to be eligible for this permit are hard to meet, as everything that can reasonably be done to enable the voluntary return has to be initiated by the child – supported by their guardian and lawyer – and proven to be unsuccessful to the IND. Consequently, applications for the 'no fault of your own' permit were considered to be doomed to fail.

2.2.2 Review of the policy framework

Two institutions are primarily responsible for providing care to unaccompanied minors upon their arrival to the Netherlands: the Central Agency for the Reception of Asylum Seekers (COA) and Nidos Foundation. COA is responsible for the reception, support and guidance of asylum seekers in the Netherlands since 1994. Their mission entails organizing and managing reception centres, maintaining the safety and quality of life standards within them, and providing asylum seekers with accommodation and the necessary means for their subsistence. Nidos is the national guardianship institution for unaccompanied and separated children.

In regard to UAMs, they are assigned a guardian until their 18th birthday or until they are returned to their country of origin. Several different reception options are provided for in the relevant policy framework, depending on the age of the minor, as well as on availability and residence status. Children under the age of 15 are ordinarily placed with foster families by Nidos. Children over the age of 15 *with a residence permit* are placed in small-scale reception facilities in municipalities, again with the care of Nidos. Children *who do not have a residence permit* are placed in small-scale housing facilities operated by COA if they are over the age of 15; children younger than that (13-14 years of age) are placed in the same facilities if no foster family is yet available for them. Children residing in the housing facilities are provided with supervision, guidance, and support. The latter includes, where applicable, support for the purposes of integration.

A. Foster families

Nidos is responsible for placing UAMs with foster families or individuals who will care for them until they reach the age of majority or until they depart from the country. Nidos seeks to ensure as much as possible that foster families are of the same or similar cultural background as the UAM, so that the child remains in touch with their roots while at the same time transition into the Dutch society is facilitated. The vast majority of the families are of foreign heritage.

Persons who are interested in becoming foster parents may book an appointment with a Nidos employee to receive information on the process and to be assessed as to their suitability to foster a UAM who is under the guardianship of Nidos. The composition of the prospective family, as well as their financial capacities are examined to reach a decision. Nidos assesses the family's ability to provide: (a) protection and security; (b) adequate care and education; (c) a connection with the UAM's own family and/or culture; (d) a stimulation of the child's personal development. Furthermore, foster parents are cautioned about the child's precarious residence status and must be prepared to deal with a potential removal of the UAM from the country. In addition, the family's living situation must be stable, and all family members must be supportive of the placement and be willing to cooperate with Nidos. Foster parents must also be in good physical and mental health to be able to care for the minor. Conviction for certain criminal offences (violent crimes, sex crimes) excludes them from applying.

B. Reception facilities

Following their entry, identification and registration as asylum seekers, UAMs between 15 and 18 years old are transferred in special reception facilities (POL-amv). Nidos, through their appointed guardian, COA professionals, and the Dutch Council for Refugees are responsible for providing guidance to the children during their stay there. UAMs stay in the POL-amv for a maximum of 7 weeks. The reception locations are small-scale and professional guidance is available 24/7. If their asylum application is rejected, they are then moved to the above-mentioned small housing units operated by the COA. Special protection reception locations are in operation for children who have been victims of smuggling or trafficking in human beings.

Reception centres for UAMs offer certain amenities, some of them common to other reception facilities, some unique. Special reception centres offer food, clothing, emergency and regular healthcare, including psychological healthcare. At all locations where minors stay, there are leisure activities available such as sports, playgrounds, computer rooms.

Small-scale housing facilities: in a reception centre, or outside it

Small-scale housing facilities are either part of a larger reception centre or are located in its vicinity, at a maximum distance of 15km. In general, efforts are made to not transfer children outside this area for the duration of their stay in the housing facilities, so as not to disrupt their

social lives at their place of residence (school, friends, familiar environment). Each facility houses approximately 16-20 UAMs, while no more than 100 children may be accommodated in all facilities which are within this 15 km radius, including in the reception facilities. The housing facilities inside the reception centres are reserved for UAMs who are over the age of 17.5 when they arrive in the Netherlands and are already sufficiently independent and need less guidance and support. Their placement in these facilities is meant to facilitate their transition into living in the reception centre once they turn 18.

Children who were younger than 17.5 at their arrival in the country reside in the external housing facilities, where they are supported by COA staff 24/7. The services provided in these facilities include support in the UAMs for their overall development and their transition into adulthood and their future life in the Netherlands. Children who are expected to be removed from the country are also supported in relation to their return to their country of origin or to their life in a new country by the Repatriation and Departure Service (DT&V).

All UAMs living in small-scale housing facilities must report to COA staff twice a day for safety reasons.

Minors are paired with a professional who spends a lot of time with them and is well placed to understand their individual needs and mediate to fulfil them. These professionals are entrusted with the role of making sure that the UAMs under their care feel safe and are developing normally. They also play an important role within the Dutch integration system, as they help UAMs to navigate daily life in their host country by teaching them about the culture, customs, and daily practicalities, such as booking a doctor appointment. Moreover, they work with the minors to come up with individualised counselling plans for the development of their skills and competences. Finally, they collaborate with the appointed Nidos guardian to formulate personal development objectives and guide the minors toward their attainment.

Overall, housing facilities are designed and structured in a way which aims at ensuring that the UAMs enjoy a similar life and daily schedule to their Dutch peers. During weekdays, they attend the international transition class in the local school (attendance is mandatory). They also have the option to do sports, watch films, and participate in a variety of COA-organised activities. If they wish to, minors may also attend the special empowerment training offered in the housing and reception facilities. COA staff supports them in their daily activities by making sure, for instance, that they are getting up on time, eat healthily and clean their room. They are also in charge of making appointments with the GP and accompanying the minors to meetings at school.

It should be born in mind that, although the various integration measures differ depending on whether they are applied to minors or to adults, certain core provisions apply to all migrants, while unaccompanied minors will likely be subject to these provisions upon transitioning to adulthood. It is thus useful to briefly provide an overview of the general integration framework in the Netherlands.

The current integration strategy's main feature is that it places the responsibility of integration on the newcomer who needs to undertake the necessary steps to succeed in their new host community. The accompanying agenda outlines priorities such as participation and self-reliance, living together and with others and the adoption of Dutch values. Civic integration is a major component of the relevant policies and takes place in two distinct steps, the first one usually concluding while the concerned person is still outside the country.

The current government has expressed the intention to fortify this strategy, in particular with regards to the elements which have to do with entry into the labour market, education and literacy. Thus, a revised integration strategy is currently in the making.

Under the current scheme, the civic integration programme is a mandatory 2-step process: prospective residents must complete a civic exam before entering the country and a second exam within 3 years of living the country. It should be noted here that unaccompanied minors are exempt from the obligation to the first exam prior to their entry into the Netherlands. Instead, their integration starts after they are granted a residence permit.

The preparation for the civic integration exam, which begins after entry into the country – i.e., after the first exam is successfully concluded-, includes a language course, core civic education, and vocational training. A module on labour market orientation was introduced on 1 January 2015. As of 1 July 2017, newcomers also need to first go through the Participation Certificate Programme before taking the exam. This is essentially a signed declaration of the newcomer that they will respect the Dutch values and rules, and will actively contribute to the Dutch society. The Declaration is primarily meant for newcomers arriving for family reunification, asylum and low-skilled employment. Highly skilled migrants and international students would be exempted from the procedure, as they respectively enjoy advice and information services from expat centres and are covered by a governmental action plan. If those who are obliged to follow and pass the civic integration exam refuse to sign the declaration, they will have to pay a fine of up to 340 euros and be unable to obtain permanent residence or Dutch citizenship. The signature of the Certificate is preceded by a course introducing the standards and rules of the Dutch society.

2.2.3 Special issues of unaccompanied children

Guardianship

In accordance with the Dutch Civil Code, every child in the Netherlands must have a legal guardian. Ordinarily, this role is held by a parent or another person in the child's close environment. When parents or other family members are not within reach or are unable to take care of the child, the competent district court appoints another suitable person as a guardian. Guardians have the same obligations and responsibilities towards a child as their parents would have.

Stichting Nidos is the national guardianship institution with competence to have the members of its staff appointed as temporary legal guardians of unaccompanied or separated children, until they reach the age of majority or until they are removed from the country. Nidos guardians are tasked with the representation of the UAM's interests, in accordance with the national, European and international framework for the protection of the rights of the child. Specifically, they must: act in the best interests of the child; help create a safe and supportive environment and stimulate the development of the child's social network in the Netherlands; ensure the child's participation in every decision that affects them; advocate for the rights of the child; liaise and intervene in the relations of the child with other actors involved in their reception in the Netherlands and the asylum procedure; ensure the timely identification and implementation of a durable solution regarding the child's living environment and future perspectives. For children younger than sixteen, and vulnerable children, the guardian is always present during the interviews with the migration authorities.

Furthermore, the guardian develops a personal relationship with the UAMs under their care, and is charged with ensuring their well-being and development for the time they are in their care. To do so, they collaborate with other actors, such as foster parents, and COA or DT&V staff who also partake in the care provided to UAMs. As mentioned, guardians co-develop the UAM's development objectives with a view to improving their skills and competences, and increasing their independence as they near adulthood. Another important part of the guardian's duties is to prepare the child for their future life, whether in the Netherlands, in their country of origin or a third country. The guardian must discuss the UAM's prospects in this regard with both the child and their support and social network from the early stages of the guardianship. Guardians are usually not involved in the children's daily care, but delegate their relevant duties to other actors.

Officially, guardians working full time handle a maximum of 20 cases at a time. This number may fluctuate slightly, depending on the number of UAMs present in the Dutch territory at any given time. On average, a guardian visits each UAM once every two to three weeks. This allows for the formation of a relatively close relationship between the children and their guardian. Surveys of UAMs indicate that the children enjoy this personal relationship and feel comfortable to share their worries and undertake leisure activities with them.

Family reunification

The Netherlands' family reunification framework for unaccompanied minors is based on the country's obligations stemming primarily from EU law, as well as international treaties safeguarding the right to family life and the rights of the child (ECHR, UNCRC and others). As is the case in all EU Member States, the EU family reunification directive (Directive 2003/86/EC) is a major legal source regulating family reunification in the country. However, the directive lays down minimum standards and contains a number of discretionary clauses, allowing States to

further regulate the issue through their national laws. Provisions which are more favourable to the protection of family rights, either of national or of international origin, always prevail.

The national provisions on family reunification in the Netherlands are included in the Aliens Act 2000, the Aliens Decree 2000, the Aliens Regulations 2000. The Aliens Act Implementation Guidelines also elaborate on a number of provisions and the manner in which they are to be applied within the Dutch legal order. Furthermore, the IND has drawn up a number of working instructions to aid the decision-making process for its officers. Below follows a brief outline of the national framework on family reunification. When assessing a family reunification application lodged by a UAM, the best interests of the child are a major consideration. Nevertheless, when the IND weighs all competing interests, including the interests of the Dutch state, and may find that other factors weigh more in a specific case.

As mandated in the relevant EU framework, Dutch family reunification law distinguishes between family reunification for TCNs who are regular residents in the country on the basis of a regular valid residence permit, and persons entitled to international protection who hold an asylum residence permit. It should be noted at this point that the Netherlands apply the one-status system and do not differentiate between the status of refugees and that of beneficiaries of subsidiary protection in terms of their residence and family reunification rights. Thus, henceforth, the term “beneficiary of international protection” will be used to encompass both categories of beneficiaries. Asylum family reunification follows a simplified process with much less stringent requirements than the ordinary process. Among others, there is no income requirement, no fees are charged for the application, the family members of the applicant need not undertake civic integration examinations before entering the country, and there is no requirement for a regular provisional residence permit (MVV) to apply for reunification. Also, the catalogue of family members who may be admitted in the country on the basis of asylum family reunification is broader. This is of special relevance to UAMs, as only children eligible for international protection are entitled to bring their parents into the Netherlands in this context. Family members of a beneficiary of international protection who enter the Netherlands on the basis of an asylum family reunification also receive the special asylum residence permit.

The beneficiary of international protection must submit the application for family reunification within three months after receiving their asylum residence permit. If they fail to do so or if the conditions for asylum family reunification are not met, they can apply for regular family reunification. Anyone with an asylum residence permit can act as an applicant for asylum family reunification, including minors. UAMs with an asylum permit can apply for asylum family reunification to allow their parents to come to the Netherlands. An actual family bond must be in existence before the parents are allowed entry into the country and the actual family relationship must not have been disrupted.

Asylum family reunification for UAMs only allows for their parents to enter the country. Other members of the sponsor’s family, such as grandparents, siblings, uncles, aunts, and cousins, are not eligible for family reunification based on national policy. Nevertheless, all family

members of holders of residence permits in the Netherlands may submit an application for family reunification by relying on the right to family life, as described in Article 8 ECHR. Asylum family reunification is restricted to persons who already belonged to the sponsor's family before the sponsor entered the Netherlands. It should be noted, however, that this process is subject to additional requirements and is vaguer in its outcome. In general, a closer relationship than the usual relationship of dependence between the family members would be required in this case, except in the case of siblings of a minor sponsor. In any case, the IND will assess the application on the basis of the balance of interests between the interests of the minor and those of the Dutch state.

Family tracing

In addition to family reunification, where the UAM's relatives are permitted to regularly enter and reside in the Netherlands, the minor's family members who may reside in another country are also traced in order for the Dutch authorities to examine the possibility of transferring the child there. The tracing concerns family residing in another EU member state, where the child may be transferred in accordance with the provisions of the Dublin-III Regulation provided that there are 'concrete indications' that the child has family members in that State. It may also concern family residing in the child's country of origin, purportedly only when the UAM's asylum application has been rejected. Collateral relatives in the fourth degree (first cousins) are considered to offer "adequate reception" for this purpose. The Dutch Ministry of Justice performs the tracing with the assistance of various actors in the countries concerned, such as embassies, and IND and Police (Kmar) liaisons in the respective countries, as well as specialised agencies such the Identity Checking Unit of the Afghan Ministry of Foreign Affairs. The child can also request the Red Cross or International Organisation for Migration (IOM) to trace their family.

2.3 Good Practices and Programmes on Integration

Startblok Riekerhaven

Startblok Riekerhaven¹² is a housing project initiated by the housing association De Key in collaboration with the municipality of Amsterdam and Socius Wonen. It is addressed to young refugees holding a residence permit and young Dutch people. It offers 565 houses, 462 studios and 102 separate rooms in apartments. Each studio is 23m² and has its own facilities, such as kitchen, bathroom and toilet. Furthermore, there is a living space in each floor which serves as a communal space where young people can engage in various social activities. The deeper goal of the Startblok Riekerhaven is not only to provide a place to stay for young people but most importantly to provide a good start for integration in the city of Amsterdam.

Startblok Riekerhaven's target groups are young refugees and beneficiaries of subsidiary protection between the age of 18 to 27 years of age and Dutch students, recent graduates and working youth. 282 units are available for young refugees and 283 units for Dutch youth.

One of the most important aspects of this project is that it focused on community building practices, where residents are expected to participate and get actively involved in social activities. It also follows a self-management approach allowing young people to have their own initiatives. Self-management is split into two branches: social management and general management. Social management focuses on creating a coherent social community, namely a safe and livable environment while general management is responsible for all other daily affairs. More specifically, residents themselves are made responsible for the social management of the living units. Per living unit there are two social managers (one refugee and one Dutch student/graduate). Together they are responsible for the enforcement of house rules and the social activities and social cohesion within the group. These social managers receive a small monthly fee for their activities.

Alternative Family Care: ALFACA I and ALFACA II

ALFACA I and II¹³ is a project carried out by Nidos in cooperation with partners from Belgium, Germany, Czech Republic, Austria, Greece, Cyprus, Croatia and Italy. Its aim was to improve the reception services provided to unaccompanied minors by structurally increasing the quality of family-based care services. The ALFACA projects developed focused tools for professionals working in the field and provided a series of training workshops to them. The training consisted of e-learning and manual materials that provided participants with general knowledge on working with this target group focusing on the services of recruitment, screening, matching and guidance of host families

¹²<https://startblokriekerhaven.nl/en/about-the-project/what-is-startblok/>

¹³<https://nidosineurope.eu/projects/alfaca/>

No Longer Alone

No Longer Alone¹⁴ is an EU project carried out by ECRE, in partnership with Nidos in the Netherlands, the Hungarian Helsinki Committee, Save the Children Sweden, the Scottish Refugee Council in cooperation with the Scottish Government, and France Terre d'Asile in cooperation with the Directorate for Juvenile Justice Protection of the French Ministry of Justice and the Groupement d'intérêt public 'Justice Coopération Internationale' (GIP JCI).

The project's overall goal was to contribute to the improvement of reception standards for unaccompanied children and for ensuring that accommodation and reception services meet their needs. To that end, five study visits for European state officials, decision-makers and other experts involved in the protection and integration of unaccompanied minor asylum seekers and refugee were carried out enabling, thus the exchange of experiences and knowledge.

CONNECT project: Identifying good practices in, and improving, the connections between actors involved in reception, protection and integration of unaccompanied children in Europe

The CONNECT project¹⁵ carried out by Save the Children Sweden, UNHCR's Bureau for EU Affairs, Swedish County Administration in Västra Götaland, Save the Children Italy, Don Calabria Institute, Italian Ministry of Social and Labour Policies, Coram Children's Legal Centre, and Stichting Nidos. It deals with reception, protection and integration policies for unaccompanied minors focusing on networking practices. By conducting country mappings (in Italy, the Netherlands, Sweden and the United Kingdom) and developing tools, the ultimate purpose of CONNECT was to contribute to concrete and practical measures that support relevant stakeholders to better address the needs unaccompanied minors.

More specifically, in the frame of the project the following tools have been developed targeting guardians and guardianship organisations:

- *Working with the unaccompanied child*, targeting social workers, guardians and others who work with UAMs;
- *The right to be heard and participation of unaccompanied minors*, a tool to support the collection of children's views on protection and reception services.

¹⁴<https://www.ecre.org/project/no-longer-alone/>

¹⁵<http://www.connectproject.eu/>

Reception and Living in Families (RLF)

The Reception and Living in Families (RLF)¹⁶ project was carried out by Nidos in cooperation with Counter Human Trafficking Bureau (CHTB, UK) and SALAR (Sweden). The goal of the project was to map the current practice and promote the reception of UAMs in families. More specifically, the project's aim was to enhance the reception services for UAMs by promoting the model of family-based care. In particular, its goal was to:

- Increase knowledge throughout the EU;
- Connect relevant stakeholders;
- Promote good and promising practices;
- Promote family-based care for UAMs each Member State.

¹⁶<https://nidosineurope.eu/projects/reception-and-living-in-families/>

2.4 Field research results

This section is based on interviews with national authorities and NGOs. Three representatives from NGOs were interviewed (NGO 1-3). To gain a full picture of the integration context from the perspective of the national authorities 6 representatives were interviewed from 4 national authorities (NA1, 2, 6, 7). One representative was from a municipality, two were from the Ministry of Justice and Security, one was from the Ministry of Social Affairs and Employment, and two were from COA. The semi-structured interviews were conducted using a topic list and focused on the interviewees' fields of expertise. There may be some overlap with the information provided above, although the emphasis here is on daily practice and encountered challenges.

Reception of unaccompanied minors

The interviewed national authorities described the reception model of unaccompanied minors as it exists since 2016. This means UAMs end up in the central reception centre located in ter Apel first. There, each UAM is assigned a guardian through Nidos. UAMs below the age of 15 are then transferred to host families facilitated by Nidos where they will remain throughout the rest of the asylum procedure. UAMs aged 15-18 (and UAMs aged 13-14 for whom no host family was found) go to a process reception centre where they live in accommodation with a maximum of 50 UAMs for the duration of their asylum procedure. Officially the asylum procedure should not take longer than 7-10 weeks, but because of a backlog at the IND it can currently take from 3 months to a year. According to the interviewees this lengthy asylum procedure is a challenge to integration.

After UAMs aged 15-18 go through the asylum procedure their next accommodation depends on whether or not they have obtained a residence permit. UAMs without a residence permit remain with COA and are transferred to small-scale housing facilities which house up to 20 UAMs. Some of these UAMs may gain a residence permit at a later date if they successfully follow an appeal procedure. UAMs with a residence permit come to live in small-scale reception facilities located in municipalities that house 4-12 UAMs. As far as possible UAMs remain in the same region once they obtain a residence permit and when they turn 18. According to interviewees remaining in the same region is positive for integration because UAMs can maintain the personal network they have built. When transferring from a COA location to a Nidos location a representative of a national authority indicates this is not always possible in practice:

“Originally there was the plan to locate COA housing and Nidos housing in the vicinity of one another. Because if a UAM staying in a COA location gets a residence permit it would be better for the UAM to remain within their network. In practice with the large influx of migrants and the availability of buildings suitable for housing UAMs, locating COA and Nidos housing close

together was not possible. But we do make an effort to transfer the UAM to a location as close as possible.” (NA7)

UAMs without a residence permit usually remain in the Netherlands until they turn 18, unless suitable accommodation and care can be found in the country of origin. After these UAMs turn 18 it depends on the status of their asylum procedure whether a return procedure is facilitated by DT&V, whether they move to a COA location for adults, or whether they end up in Dutch society as an undocumented migrant.

Integration context of unaccompanied minors

All unaccompanied minor asylum seekers in the Netherlands have a right to shelter, guidance and education. According to the interviewed national authorities and NGOs this determines for a large part the integration context of UAMs.

Accommodation & guidance

The type of accommodation where UAMs live determines their integration context. Younger UAMs below 15 years of age stay with host families from the same or a similar culture. According to one interviewee this practice is conducive to integration:

“Housing with families from the same culture helps integration. It creates a safe haven, and also a bridge to the Dutch culture because the family has their own experience of integration.” (NGO1)

On the other hand, another interviewee indicated that UAMs who stay with host families from the same culture can also create a hurdle for integration:

“UAMs are often placed with families from the same country of origin who have not been in the Netherlands long. These families can have difficulty providing the UAM with the necessary support because they are also still busy with integration themselves.” (NGO3)

For UAMs who end up in group accommodation facilitated by COA (those without a residence permit) or accommodation via Nidos (those with a residence permit), the impact on integration depends on the type of guidance they receive from mentors and to what extent they are able to build a personal network within Dutch society. From the interviews, it seems that the guidance provided to UAMs with a residence permit is more geared towards integration than the guidance provided to UAMs without a residence permit, but that there is not a big difference. In both types of accommodation mentors motivate UAMs to follow education, help them make a plan for their future (either in the Netherlands or in the country of origin) and learn to navigate life in the Netherlands on a daily basis. The guidance provided at COA locations is described as follows:

“They are part of Dutch society, do groceries, can have Dutch friends. So they are taught about Dutch norms and values, differences in social interaction between cultures. This is not

integration in the sense that they have to learn how the Dutch tax system works, but enough knowledge and capacity about Dutch society to be able to function.” (NA7)

From the interviews, it seems that the national authorities and NGOs have little insight into the guidance provided by professionals in accommodation outsourced to youth organisations by Nidos (where UAMs with a residence permit live). A number of these professionals were interviewed for the second deliverable of this research and more information on their work and their perspective is therefore included in Deliverable 2.2 Assessment of integration services for unaccompanied minors.

Education

All UAMs, both with and without a residence permit, attend school. For UAMs above the age of 12, school is an International Transition Class (ISK) where they learn the Dutch language in preparation for moving on to regular education. This education acts as a form of integration. As one interviewee stated:

“If young people come to the Netherlands they follow compulsory education. There is a relationship with integration because they learn the Dutch language, and you also learn about society via school.” (NA6)

UAMs follow education in an ISK for one to a maximum of two years. In exceptional cases an extension can be made to 3 years. The challenge here is that the time spent in the ISK is not always enough to sufficiently learn the Dutch language. Two interviewed NGOs indicated this challenge:

“School can be difficult, there are high expectations in a short amount of time. UAMs then end up at a low level of further education because their language skills are insufficient for a higher level. Sometimes they are capable of a lot more and become demotivated.” (NGO3)

“UAMs tend to start at a very low level of education. Secondary vocational education level 1. And that is a form of exclusion. It has nothing to do with real capabilities. It is based on language proficiency and having no evidence of earlier education. This should really change. UAMs become demotivated because the education is too easy and they never come beyond low paying jobs.” (NGO2)

The interviewees give a general impression that whereas schooling is the main route to integration for UAMs differences in capacities and educational background of UAMs can lead to vastly different outcomes.

The integration system for unaccompanied minors

From the interviews it is clear that the integration of UAMs largely takes place alongside the general integration system, through education, shelter and guidance. It is not until UAMs with a residence permit turn 18 that they fall under the requirements of the general integration

system. But their performance before they turn 18 has a large influence on what their integration context will look like once they turn 18.

From the interviews it becomes clear that the ideal integration context imagined for UAMs is to learn the Dutch language while they are still minors, so that they can enter regular education and follow a similar educational and career path to Dutch young people. In this ideal situation UAMs will have little to do with the general integration system once they turn 18. As one NGO states:

“It matters how old they are when they come to the Netherlands. If they are reasonably young, they will learn the language quickly and enter regular education. Then they do not have much to do with integration.” (NGO3)

UAMs who are enrolled in secondary or higher education, or have obtained a basic qualification, are exempt from the general integration requirements when they turn 18. The regular education system then counts as an alternative form of integration. A representative of a national authority described this as follows:

“In general, if you look at the ex-UAM from the perspective of integration, you could say that someone who is exempt from integration because he is following regular education or has a basic qualification is on the way to achieving the goals set by integration. If you are exempt from integration it means that you have reached a certain language level and apparently also know enough about how it works in Dutch society. That simply falls under regular education.” (NA6)

The situation is different if UAMs do not manage to sufficiently learn the Dutch language before they turn 18 and are therefore not able to follow regular education. Just as other adult asylum seekers they then become obligated to follow a civic integration course and receive integration support.

The national authorities and one NGO mention that there has been a lot of critique on the current integration system. These interviewees are more positive about the possibilities of the new integration system that will be implemented in 2022. Since this new integration system will predominantly be carried out by municipalities more details are included in the field work section of the second deliverable for which a number of municipalities were interviewed.

Additional challenges for unaccompanied minors

The NGOs and national authorities indicate two additional challenges to integration experienced by UAMs.

One national authority representative (NA6) and one NGO (3) mention that the stress caused by family reunification can distract UAMs from their own integration process. On the one hand the family reunification can take long and UAMs can experience pressure from their families.

On the other hand, the compulsory cohabitation with their family can slow integration of UAMs. As the NGO states:

“Family reunification can be difficult. The fact the UAM has to live with their family once they arrive, after they have been separated for so long and have become independent. This does not support further integration.” (NGO3)

Two national authorities (NA1&2) and two NGOs (NGO1&2) refer to the challenging transition experienced by UAMs with a residence permit who turn 18. After turning 18, Nidos guardianship, mentor support and housing ends. Continued support depends on the municipality in which an ex-UAM lives, but municipalities make different arrangements in this regard. One NGO and a national authority describe this challenge as follows:

“Guardianship and support end at 18. Some municipalities choose to let the support continue. In other municipalities volunteers from the Dutch Refugee Council offer support. At 18 UAMs do not have a network like other 18-year-olds who can still fall back on their parents. Many of the UAMs are not ready for independence at 18.” (NGO2)

“If the infrastructure is not good from the age of 18, there are risks such as absence from school, debts, isolation, loitering and disorder.” (NA1)

According to the NGO debts experienced by ex-UAMs can have two causes: UAMs send money to their family back in the country of origin, and social assistance benefits are too low to live on:

“In reality 18+ UAMs often start with a debt because the municipality loans them money for the first month’s rent and to furnish their new home. In addition, the social assistance benefits for those under 21 are too little to live on. The system creates debts, it is not that they are not capable of handling their finances. Now some municipalities are changing the loan into a gift and offering higher benefits.” (NGO2)

Since the success of the transition to independence from the age of 18 is very much influenced by arrangements made in municipalities, more information on this challenge is included in deliverable 2.

2.5 Findings and conclusions

The Netherlands experienced an unprecedented number of asylum seekers in 2014 and 2015, where approximately 3.500 unaccompanied minors entered the country. However, the Netherlands did not constitute the first choice of destination for the UAMs. The majority of them did not have the intention to migrate to the Netherlands at the time of their departure from the country of origin. They usually left with no destination in their mind and before their arrival to the EU, they had lived in a neighbouring country instead of heading to Europe. The pull factors for choosing the Netherlands as destination country vary. The most prominent factor is the reputation of the country regarding procedures, namely that asylum and family reunification procedures are easier and shorter, or that the duration of residence permit is longer, as well as its reputation as a society as a whole in terms of freedom, safety, tolerance and anti-racist attitudes, democratic values etc. In addition, there are more opportunities as regards study or work and, finally, it provides more qualitative facilities concerning UAMs, namely better accommodation and care.

In the Netherlands, the unaccompanied minor policy is implemented by a well-established system with concrete and distinct roles and responsibilities among the stakeholders. First of all, the Ministry of Security and Justice is in charge of asylum policy by co-ordinating the overall system. Additionally, the Central Agency for the Reception of Asylum Seekers, an independent administrative body, is responsible for the reception, support and guidance of asylum seekers. Nidos is another actor that plays a crucial role in the implementation of the policy for UAMs as it is the national guardianship institution for unaccompanied and separated children in the Netherlands. As a guardian, Nidos is also responsible for accommodating a child in the right form of reception. Moreover, the Ombudsman for children is responsible for monitoring whether children's rights are adhered to in the Netherlands by the central and local government, as well as by private organisations in education, childcare, child welfare and health care. Furthermore, the Immigration and Naturalisation Service is responsible for the assessment of all residence applications of people who wish to live in the Netherlands or who want to become Dutch citizens including refugees, unaccompanied minors or people who want to work or study in the Netherlands. The Repatriation and Departure Service operates, coordinates and supervises the actual departure of foreign nationals who are not entitled to remain in the Netherlands. Finally, the Dutch Council for Refugees engages in the protection of the rights of refugees and asylum seekers.

In general, the system in the Netherlands is a well-established system, the stakeholders that are involved in the implementation of the policy for unaccompanied minors have concrete and clear roles without overlaps and their contribution towards the implementation of a successful integration policy is of major importance. Despite the overall positive picture, there are also areas that require further improvements, as identified by the primary research that was conducted in the frame of the project. The main points that require improvements or constitute a challenge for the integration of UAMs are summarized below:

Reception of unaccompanied minors

The lengthy asylum procedures constitute one of the main challenges in the reception services provided for UAMs. Although asylum application may not take longer than 7-10 weeks, in practice, due to huge backlog of people waiting for their asylum application, the procedure may take from 3 months to a year. This **lengthy asylum procedure** is a challenge for the integration of UAMs who either remain in host families or live in reception centres.

While UAMs wait for the completion of the asylum procedure, they create their own network which they are forced to abandon once the asylum procedure is completed. More specifically, after UAMs aged 15-18 go through the asylum procedure, they have to **change accommodation** which depends on whether or not they have obtained a residence permit. This change may have **negative impact on the integration of UAMs** as they are forced to abandon the network that they have built and to create a new one in the location in which they will be placed. Although originally the plan was to locate COA housing and Nidos housing in the vicinity of one another, in practice due to the large influx of migrants and the availability of buildings suitable for housing UAMs, locating COA and Nidos housing close together was not possible.

Accommodation & guidance

The type of accommodation where UAMs live determines their integration context. As regards foster families, the practice according to which UAMs stay within families with the same culture seems promising as they share the same customs and beliefs and thus, UAMs feel safer and more comfortable. However, some interviewees revealed that this practice may create a hurdle for integration as these families have difficulty providing the UAM with the necessary support because they are also still busy with integration themselves.

For UAMs who end up in group accommodation facilitated either by COA or by Nidos, the impact on integration depends on the type of guidance they receive from mentors and to what extent they are able to build a personal network within Dutch society. From the interviews, it seems that the guidance provided to UAMs with a residence permit is more geared towards integration than the guidance provided to UAMs without a residence permit, but without huge differences. Therefore, as regards accommodations operated by stakeholders, one could say that the system works well and both types of accommodations provide equally qualitative services.

Education

In general, the education system for UAMs works well in the Netherlands as opportunities are provided to all UAMs both with and without a residence permit. The education of UAMs can last

from one to a maximum 2 years. Based on the primary research findings, this duration is not always sufficient to cover the educational needs of the children. To that end, they do not learn the Dutch language adequately which results in low performance in education as well as in low paying jobs.

Additional findings

The most crucial challenge regarding the integration system of UAMs in the Netherlands can be found in the transition period when UAMs turn 18 and have to leave the housing provided by Nidos and, thus, live independently. The continuation of the support depends on the municipality in which the UAM lives. Each municipality has its own policy, and some choose to let the support continue while in other municipalities, volunteers from the Dutch Refugee Council provide support. Taking into consideration the fact that many UAMs are not well prepared to leave the protected environment and live independently, the threats and risks with which a child has to deal throughout this transition phase are extremely important and decisive for their further integration into the Dutch society. Absence from school, debts, isolation, loitering and disorders constitute some of the consequences that UAMs may experience after they turn 18. Therefore, special attention should be given to the services provided specifically throughout this sensitive period, in order to minimize negative consequences of the transition from protection, that has been ensured through the well-established system for UAMs, to independence.

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4 ANNEX

4.1 Questionnaire for the interviews with National and Local Authorities (A1)

[Before starting the interview, the interviewer should briefly explain the project, and clarify that the person interviewed will be anonymous and the material confidential. They should also hand out the informed consent form: one copy for the interviewer and one for the interviewee. When translating the questions, this can be adapted to the national context. It is also important to be aware that this is not a closed list of questions, but rather “triggers” to start discussing the topics. Finally, note that the headings in bold are not to be asked as questions but intended as internal guiding themes.]

A. Basic information about the Interviewee

1. name, capacity, organization
2. What is the field of work of your organisation/institution?
3. What is your role in the organisation? And if not clear, justify your relation with the group of unaccompanied minors.
4. Are you collaborating with other services related to minors and their integration? (Elaborate if public authorities, educational providers, NGOs)

4.2 Questionnaire for the interviews with NGOs (A1)

B. Questions for authorities/NGOs

Analysis of the integration context

1. Please provide us information on the activities that your organization undertakes for unaccompanied minors. Please refer to the expected results, cooperating bodies and other stakeholders, problems and issues identified and mitigation measures.
2. What do you think of the integration context for unaccompanied minors? Has it changed since 2015, and if yes in what respect?
3. What legal or policy changes since January 2015 in the area of integration for unaccompanied minors have had a major impact on integration and in which area of life of the target group? Does this further depend on other factors such as reasons for leaving the country of origin?
Probe:
 - a. impact on possibilities concerning employment, education, language acquisition, social assistance or access to healthcare,
 - b. integration efforts and results in above mentioned areas
4. Could you please elaborate on the current legal framework regarding the integration of unaccompanied minors?

5. What are the main and important features when exploring the situation of the unaccompanied minors?
6. What have been positive recent changes facilitating integration of unaccompanied minors in need of international protection?
7. What about the national integration strategies? Are there any? What are they expected to have as a result upon their implementation? (integration praxis, results, approaches)
8. What type of housing for unaccompanied minors have been used at the location for first reception, during the asylum procedure and after status is granted?
9. Are you aware of any good practices regarding the integration of unaccompanied minors?
10. What could you recommend as a next step regarding the integration services for unaccompanied minors?