

Youth Partnership

Partnership between the European Commission
and the Council of Europe in the field of youth



COUNCIL OF EUROPE



Young Refugees' Transition to Adulthood

Literature Review and Policy Brief

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This research is commissioned by the Partnership between the European Commission and the Council of Europe in the field of youth, with an aim of gathering knowledge on the situation and integration of young refugees and their transition to adulthood and autonomy in Europe. The review and policy guidelines, based on the desk research and analysis, identify recent developments and good practices, and provide recommendations for addressing the legal gap, in order to stimulate and facilitate the transition of young people, to help them thrive in the new setting with equal rights and opportunities.

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1. Introduction

The number of people leaving their homes is the highest since the Second World War, with 65.5 million forcibly displaced worldwide, of which 22.5 million are refugees, and 51% under the age of 18.¹ This refugee crisis and human rights crisis has also affected Europe, with hundreds of thousands from conflict-ridden and poor countries risking their lives to cross the border. During 2015, over one million people crossed the Mediterranean Sea and some 34.000 chose the Balkan route². With these global movements, the number of asylum seekers in the European Union has also increased – from 431 thousand applications in 2013 to 1.3 million in 2015 and 2016. The majority of asylum seekers in EU-28 in 2016 – 83%, or more than 4 in 5 applicants, were under the age of 35, with nearly one-third (32%) being minors, under the age of 18.³

Asylum applications in the European Union 2013-2016

2013	2014	2015	2016
431,000	627,000	1.3 million	1.3 million

Refugees and asylum seekers in Europe face various structural and contextual barriers to inclusion - social disadvantage, poor living conditions, inequalities in education, limited access to the labour market, and unjust and prejudicial treatment, with children and youth being particularly vulnerable to these challenges.

Children, as defined by the United Nations Convention on the Rights of the Child as “*persons below the age of 18, unless the laws of a particular country set the legal age for adulthood younger⁴*” have a special status, and are protected as minors, by international laws and instruments, starting with the UN Convention on the Rights of the Child (1989), and a range of UNHCR documents⁵, including most recently the New York Declaration of 2016.⁶ At the European level, EU Asylum Procedure Directive (Article 25) also recognises children, and particularly unaccompanied minors, as a vulnerable category. Acknowledging the difficult situation of this population group, in May 2017, the **Council of Europe’s Action Plan on protecting refugee and migrant children** (2017-2019)⁷ was adopted by the 47 member States of the Organisation at the 127th Session of the Committee of Ministers in Nicosia, Cyprus.

¹ UNHCR. 2017. Global Trends: Forced Displacement in 2016. Available at: <http://www.unhcr.org/5943e8a34>. Access: 3 August 2017.

² UNHCR. 2016. Refugees/Migrants Emergency response/Mediterranean Available at: <http://data.unhcr.org/medportalviz/dist/>. Access: 20 July 2017.

³ Eurostat. 2017. Asylum statistics. Available at: http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics Access: 15 July 2017.

⁴ United Nations. 1989. The United Nations Convention on the Rights of the Child. Available at: http://www.childrights.ie/sites/default/files/submissions_reports/files/UNCRCEnglish_0.pdf Access: 20 July 2017.

⁵ UNHCR. 1994. Refugee children: Guidelines on protection and care. Available at: <http://www.unhcr.org/3b84c6c67.html>. Access: 20 July 2017.

⁶ United Nations General Assembly. 2016. The New York Declaration for Refugees and Migrants, 19 September 2016. Available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1. Access: 6 September 2017.

⁷ Council of Europe. 2017. Action Plan on protecting refugee and migrant children (2017-2019) Available at: <http://www.coe.int/en/web/portal/-/47-european-states-agreed-on-an-action-plan-on-how-to-protect-children-in-migration> Access: 6 August 2017.

While it is important to recognise that there is a gap between regulation and practice at the national and local level, with limited enforcement when it comes to access to guaranteed services and protections, the protection measures provided by this legal regime still serve as an important safety net for minors until they reach the age of majority. Transition from childhood to adulthood and a loss of guarantees, often comes as a shock, particularly for unaccompanied and separated children, as this means an increased vulnerability, lowering of their living conditions, care and social assistance, as well as possible detention or deportation from the country in which they have lived. The issues of young people are further exacerbated by the lack of uniform, standardised legal frameworks which are based on and applied with the concern for the rights of young refugees, and their protection, particularly as the political, social and economic status of the refugees varies both between and within countries.⁸

Considering the consequences of this sudden change in status, the UNHCR and Council of Europe's *Report of the Consultative meeting on Challenges faced by young refugees and asylum seekers in accessing their social rights and their integration, while transition to adulthood*⁹ recognises and emphasises the **need to consider young people in transition to adulthood as a specific group, with continued social protection and safeguards**. In 2015, the Council of Europe's Joint Council on Youth¹⁰ also underlined the **necessity to address the specific needs of young refugees in order to ensure their basic rights to safety and dignity**, in line with the European Convention on Human Rights (particularly Articles 2, 5 and 14 regarding a right to life, security and prohibition of discrimination) and the UN Convention relating to the Status of Refugees and UN **Convention on the Rights of the Child (Article 22)**. The Statement also emphasises the need to pay attention to specific and vulnerable groups, particularly young women who may be victims of sexual violence and human trafficking, and highlights the need for specific safeguards for them.

The awareness of these realities has given rise to a range of new political debates around young refugees, and political, social and economic polarisation they face, underlining a strong need to reaffirm and protect their rights, recognise good practices at the local level, and ensure an equal and uniform protection and inclusion during the transition phase. These concerns are relevant for both youth policy and youth work, as the adjustment to approaches and practices need to be done at all levels of engagement with youth refugees.

The situation has inspired a number of initiatives at the UNHCR, UNICEF, Council of Europe, Parliamentary Assembly of the Council of Europe, European Commission and the Council of Europe partnership in the field of youth, and other institutions. In 2010, the Council of Europe and UNHCR organised a seminar "What Future for the Work with Young refugees, IDPs and Asylum seekers" focusing on the need to "**recognise young refugees, asylum seekers and other youth in need of humanitarian protection aged 18-30 years old as a group with specific needs within European society**."¹¹ In 2011 UNHCR and the Council of Europe again emphasised the need to address the

⁸ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France.

⁹ Council of Europe, European Youth Centre Strasbourg and UNHCR. 2011. *Report of the Consultative meeting on Challenges Faced by Young Refugees and Asylum Seekers in Accessing their Social Rights and their Integration, while in Transition to Adulthood*, DJS/CM Refugees (2011) 7, 17-18 November 2011, Available at: http://www.coe.int/t/dg4/youth/Source/Resources/Documents/2011_Report_CM_Young_Refugees_Asymum_Seekers_en.pdf Access: 20 July 2017.

¹⁰ Council of Europe Joint Council on Youth. 2015. Statement by the Council of Europe Joint Council on Youth on the refugee crisis in Europe. Strasbourg, 6 November 2015. CMJ (2015) 40.

¹¹ Council of Europe and the UNHCR. 2011. Consultative meeting: What Future for the Work with Young Refugees, IDPs and Asylum-Seekers, DJS/Refugee(2010), 26 September 2011, Strasbourg. Available at: <https://rm.coe.int/1680702368> Access: 20 July 2017.

period of transition in the policies, law and practice.¹² This work has intensified since 2014, with not only the Council of Europe Joint Council on Youth Statement on the refugee crisis in Europe, but also the Resolution 1996 (2014) of the Parliamentary assembly of the Council of Europe – Migrant Children, what rights at 18?, Parliamentary Assembly of the Council of Europe Resolution 2072 (2015) “After Dublin – the urgent need for a real European asylum system” and an ongoing work by the Council of Europe Youth Sector and UNHCR representative to the European institutions in Strasbourg regarding the transition to adulthood. These intergovernmental initiatives have been complementary to awareness-raising initiatives, including No Hate Speech Movement’s work on addressing hate speech and racism towards vulnerable groups, including refugees, but also the work of less-known, non-governmental organisations in the countries who work daily on provision of better services, guidance and assistance to young refugees undergoing the transition.

In order to highlight the challenges of young refugees and asylum seekers undergoing a transition, and showcase positive initiatives, this paper firstly defines the refugee and asylum seeker categories, and then examines more deeply the issue of transition itself. The change of legal regime, which occurs when a young person turns 18, carries important consequences for the wellbeing of children and youth. Thus, the areas of concern highlighted in this paper include age assessment, provision of legal safeguards, including legal framework and provision of a guardian, and social safeguards, such as availability of social worker, and access to basic rights, including accommodation, education, healthcare, recreation, psychological support, as well family reunification, access to information and the role of youth sector and youth work in facilitating young people’s participation in the social, political and economic processes. Research also flags out the initiatives taken up to date by various institutions, and highlights some of the positive practices across Europe. The final section provides recommendations for each of the areas of concern, which may be taken up either by national governments or youth sector.

¹² Council of Europe, European Youth Centre Strasbourg and UNHCR. 2011. *Report of the Consultative meeting on Challenges Faced by Young Refugees and Asylum Seekers in Accessing their Social Rights and their Integration, while in Transition to Adulthood*, DJS/CM Refugees (2011) 7, 17-18 November 2011, Available at: http://www.coe.int/t/dg4/youth/Source/Resources/Documents/2011_Report_CM_Young_Refugees_Asylum_Seekers_en.pdf Access: 20 July 2017.

2. Defining young refugees and asylum seekers in Europe

Refugees and asylum seekers are composed of very diverse groups, due to their countries of origin, push and pull factors, religion, ethnicity, specific needs and a way in which they arrived to Europe, as well as their status and treatment in the European countries. Different categories are regulated by laws and regulations at both international and European level – the Convention relating to the Status of the Refugees, (Geneva Convention, 1951), the Dublin Regulation¹³ and EU Readmission Agreements¹⁴, to name a few. Legal distinction among these groups affects their status, treatment and access to rights.

DEFINING REFUGEES AND ASYLUM SEEKERS

Refugees: those who have a recognised status of a refugee and have been granted protection on the basis of national law related to international protection or any other kind of international protection.¹⁵ According to the 1951 Geneva Convention, a refugee is someone who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable to or owing to such fear, is unwilling to avail himself of the protection of that country”.¹⁶

Subsidiary protection beneficiary: a third country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his or her country of origin, would face a real risk of suffering or serious harm.¹⁷

Asylum seekers: individuals who have sought international protection and whose claims for refugee status have not yet been determined by competent authorities.¹⁸

People who were rejected from having any form of protection but remain in the country, or other groups or persons of concern who do not necessarily fall directly into any of these groups but to whom UNHCR has extended its protection and/or assistance services, based on humanitarian or other special grounds.¹⁹

¹³ European Commission. 2013. The Dublin Regulation (Regulation No. 604/2013) of the European Parliament and the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member states responsible for examining the application for international protection lodged in one of the member states by a third party national or a stateless person. Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants_en Access: 15 July 2017.

¹⁴ European Commission. 2017. Return and Readmission. Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission_en Access: 15 July 2017.

¹⁵ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen-: what to celebrate? Strasbourg, France.

¹⁶ UNHCR. 1951. The Convention Relating to the Status of Refugees. Available at: <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf> Access: 25 July 2017.

¹⁷ European Parliament and the Council of the European Union. 2011. Directive 2011/95/EU of 13 December 2011. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0095> Access: 28 July 2017.

¹⁸ UNHCR. 2017. Global Trends: Forced Displacement in 2016. Available at: <http://www.unhcr.org/5943e8a34>. Access: 3 August 2017.

¹⁹ Ibid

Refugee Children and Youth

Children, as defined by the UNCRC (1989), as persons under the age of 18, regardless of the above mentioned status, are guaranteed specific protection measures, due to their status of minors²⁰. While children have specific safeguards it is important to emphasise the problematic issue of age determination of children upon arrival, which is further explored in the next section.

Within the category of refugee or asylum seeking children, there are also at-risk groups of separated or unaccompanied children, who require even greater attention of the authorities, due to their specific vulnerabilities to exploitation.

Separated children are under 18 years of age, outside their country of origin and separated from either parents, or their previous legal, or customary primary caregiver. Some children are totally alone while others, may be living with extended family members who are not necessarily their customary or primary caregivers. All such children are separated children and entitled to international protection under a broad range of international and regional instruments. While some separated children are 'accompanied' when they arrive to Europe, the accompanying adult(s) may not necessarily be able, or suitable, to assume responsibility for their care.²¹

An unaccompanied minor is a person under 18 year who arrived on the territory of an EU Member State not accompanied by an adult responsible for the minor, or a minor who is left unaccompanied after having entered the territory of a Member State.²²

Although the regulations and treaties distinguish between refugees and asylum seekers and other categories of displaced people, due to the difficulties in determining the status of young people and children who are a subject of this study, this review uses the terms "refugees and asylum seekers" as inclusive of all those in need of international protection, whether unaccompanied minors, asylum seekers, undocumented migrants, rejected asylum seekers and those without documents. These categories are considered to be the groups facing the highest risk of discrimination in all areas of life.²³

Furthermore, current approaches to migrant children often focus on protecting only certain categories of children (unaccompanied, refugee, asylum-seeking), leading to the creation of unnecessary distinctions between young people with similar concerns, experiences and rights and can perpetuate the "invisibility" of some young people.²⁴ A comprehensive, rights-based approach is therefore necessary, as many children fall through the gaps and face grave and systematic violations of their rights.

²⁰ Bello, B.G. Partnership between the European Commission and the Council of Europe in the field of youth. 2016. A look at the "refugee crisis" across Europe: challenges, debates and projects. Available at: http://pjp-eu.coe.int/documents/1017981/9488616/Analytical+paper_Refugees_7sept.pdf/29daca6f-9d5a-4836-a259-7f2629289f1f Access: 15 July 2017.

²¹ Save the Children Denmark. 2009. Separated Children in Europe Programme, *Statement of Good practice*, 4th revised edition.

²² Eurostat. 2017. Asylum statistics. Available at: http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics Access: 15 July 2017.

²³ Bello, B.G. 2016. Multiple Discrimination and young people in Europe. Available at: <http://www.youthforum.org/assets/2015/10/Multiple-discrimination-and-young-people-in-Europe.pdf>. Access: 15 July 2017.

²⁴ Platform for International Cooperation on Undocumented Migrants (PICUM), 2014. Why a rights-based approach to migrant children? The case of undocumented migrant children and families. Available at: <http://picum.org/en/news/blog/45627/> Access: 6 August 2017.

3. Transition to adulthood – challenges and problems

Young people's transition to adulthood is often a difficult and challenging process, a time during which they move from the status and rights of childhood and care towards uncertainty, adulthood and responsibility. During this time, children and young people have some specific needs, because they are in the process of cultural, intellectual, physical, psychological and social development, all of which may be affected during the transition by their refugee or asylum seeker status.²⁵ For refugee children, this transition from childhood to adulthood brings particular challenges and issues, as turning 18 often means losing the rights they had in the host countries, due to a change of legal regime, and this sudden deprivation of rights further impacts on their development process. Children are entitled to certain rights and guarantees based on the UNCRC regardless of their migration or residence status, and this is particularly the case for unaccompanied or separated children. They are recognised as a vulnerable group which experiences certain social disadvantages and has specific needs in the asylum procedures.

Although there is a clear gap between the rights they are entitled to and access to and realisation of those rights, in most countries of the Council of Europe, these children have access to care and protection, access to shelter, education and health services, and in some cases also benefit from protection from deportation and detention. The imminent change in their status when they reach majority requires a holistic approach and harmonisation of procedures and regulations for their inclusion, which involves not only immigrants but also host society in the process.²⁶ While in some of the member states of the Council of Europe there are some positive examples of the management of this transition, there are vast inequalities in terms of political, social and economic status of the refugees and their treatment both between and within countries, due to the lack of a uniform legal framework, and regional, national and local authorities also have an important role to play in this treatment.²⁷ It is also important to emphasise that the situation of each individual is also different, due to their experiences and opportunities, and ability to integrate in a new society

The areas of concern for children and young people going through transition to adulthood and autonomy and facing a change in their legal regime, involve issues with age determination, general concerns regarding legal frameworks, lack of adequate information, loss of support from the guardian or social worker, opportunities for family reunification, access to accommodation, education, healthcare and psychological support, and access to employment, as well as their participation in society and inclusion in youth work activities.

The information regarding projects and initiatives detailed in this section is based on the most recently available data, which may in some cases be out of date, particularly as a result of changing responses from the countries to the increasing number of refugees and asylum seekers in Europe.

²⁵ European Youth Forum. 2015. Resolution: Protection and Integration of Young Refugees in Europe, 27-28 November 2015, Madrid, Spain.

Available at: http://www.youthforum.org/assets/2015/12/Resolution_Protection-and-Integration-of-Young-Refugees-in-Europe.pdf Access: 13 September 2017.

²⁶ European Commission. 2009/ Joint report on social protection and social inclusion 2009- summary. Social inclusion, pensions, healthcare and long term care. Directorate-General for Employment, Social Affairs and Equal Opportunities Units E.2 and E.4.

²⁷ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France.

Age assessment - defining children and youth

Children are assessed for their age upon arrival to a European country, in order to determine their chronological age and their status in the country of reception. Age assessment refers to an attempt to establish an individual's age, including seeking documentary evidence from the country of origin. However, in Europe this has often meant subjecting the child to a series of medical tests and x-bone radiology, a practice which is quite contentious for several reasons, including ethical and moral concerns.

Save the Children Denmark's Position Paper on Age Assessment in the Context of Separated Children in Europe²⁸ recommends that age assessments should only be conducted in cases when a child's age is in doubt and when there is a need to include it as a part of a comprehensive assessment that takes into account both the physical appearance and the psychological maturity of the child. Most experts agree that age assessment is not a determination of a chronological age, but an estimated guess, and there is always a margin of error.

Furthermore, chronological age, which is being determined through these tests has significant limitations in terms of social age, maturity, and capability, and these greatly affect a person's ability to cope in a new context. Separated Children in Europe Programme recommends that a holistic assessment of vulnerability and needs of young person is needed should be conducted in case of every child.

Considering the contentious nature of these tests, The UN Committee on the Rights of the Child (2006) makes similar recommendations regarding the need to take into consideration children's psychological maturity, cultural and ethnic background, and not only physical age. The Parliamentary Assembly of the Council of Europe and the Save the Children Denmark recommend that age assessment should only be undertaken as a measure of last resort, if there are reasonable doubts of a persons' age, and that the tests should be carried out in safe, child and gender sensitive manner with due respect for human dignity, and only with agreement of the child or a guardian. They urge that age assessment should be initiated only with genuine and primary aim of ensuring protection, and never for the purposes of migration control.²⁹

The Parliamentary Assembly of the Council of Europe's Resolution 1810 (2011) has already raised attention to the lack of procedures and consensus on determining the age of a child. Common standards are needed to ensure that the age assessment respects children's rights and in order to provide appropriate safeguards to the individuals whose age is being disputed, prior to and throughout the entire process.

Age determination is an important issue as the process may turn out to be detrimental to the wellbeing and development of a child, as it will impact on their reception conditions, access to education and accommodation, and may cause a premature transition to adulthood.³⁰

²⁸ Save the Children Denmark. 2012. Separated Children in Europe Programme, *Position Paper on Age Assessment in the Context of Separated Children in Europe*, 2012. Available at: <http://www.refworld.org/docid/4ff535f52.html>. Access: 6 September 2017.

²⁹ UN UNHCR. 2015. *UNHCR observations on the use of age assessments in the identification of separated or unaccompanied children seeking asylum*, 1 June 2015, available at: <http://www.refworld.org/docid/55759d2d4.html> Access: 4 September 2017.

³⁰ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France.

Legal safeguards and protection

Young people in transition from childhood to adulthood and autonomy are subject to different regulations and legal frameworks in European countries, thus their legal status depends on the territory in which they find themselves. For example, in some countries legal protection of young people may even be impeded by the failure of states to provide documents, as is the case in France and Ireland, where residence documents are given at the age of 18 and 16. Furthermore, the Article 25 of the EU Asylum Procedure Directive, states may even choose not to appoint the legal representative which will follow the asylum claim on behalf of a young person, if a minor is likely to turn 18 before the decision on asylum claim has been made, thus withholding from the young person an opportunity to legalise their status within a country. This means that many young people reach majority before their asylum claim has been finalised. Previous research indicates that there is a need for a harmonisation of regulations which will facilitate this transition, regardless of the status children and young people have.

Besides for different regulations, other issues of concern for legal protection are the provision of a guardian and specific protections for vulnerable groups. Social workers, guardians and legal representatives play an important role in children's and young people's lives in a new country, as they advocate for their rights and also act as councillors regarding their asylum claims, providing advice and support. They act on behalf and in the interest of the child, as a link between a child and agencies, and social workers are an important support system for young people who need to find their way in a new legal and social setting.

The loss of a social worker and guardian at majority affects their ability to argue their case, and also leaves young people without guidance and support system which they had. In Austria, at the age of 18, young people lose their social worker, and although adult reception centres in which they are transferred have social workers available at their facilities, the level of support they receive is very different. Similarly, in Sweden, where the majority age for refugee and asylum seeking children is considered to be 21, the contact with the guardian ceases, and their case is transferred to the Migration Board, where they need to follow up on the procedure themselves, and without having counselling regarding their asylum claims.³¹ On the contrary, in Ireland, the appointed social worker continues to attend interviews and hearings and provide support, even after the child turns 18.³² There is a need for comprehensive and consistent frameworks regarding guardianship, to ensure protection of the rights of children and access to those rights, and provide for these protections also during the transition period.

Finally, although all refugee and asylum seeking children are particularly vulnerable, certain at risk groups require specific protections and safeguards. These include young women, youth with disabilities, LGBT refugees and other minority categories, which require additional support.

³¹ Ibid

³² Parliamentary Assembly, Council of Europe. 2014. Migrant Children: What Rights at 18? Committee on Migration, Refugees and Displaced Persons.

Lack of information

UNHCR and the Council of Europe Youth Department research³³ indicates that young people undergoing transition receive insufficient information regarding the change of legal regime and loss of procedural safeguards, or that this information is not provided in an appropriate manner. Most young refugees and asylum seekers are unaware of the implications and consequences of this change, especially when it comes to their rights and responsibilities, administrative regulations, and social and economic human rights.

Family reunification

Family reunification is recognised as a significant step in supporting young people's transition to adulthood. Although the Council of Europe Commissioner for Human Rights has called for governments to protect refugee's right to family³⁴, according to the European Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification,³⁵ young people lose the right to family reunification if the procedure is not complete before they reach the age of majority. In line with this, in Sweden and Austria, the family reunification procedure is interrupted if not complete before the child turns 18.³⁶ In other countries, such as Finland, the procedures and requirements have also become stricter in terms of income limits and criteria,³⁷ hampering the possibilities for family reunification, which would provide young people with more stability and motivation.

Basic rights - Access to accommodation

Children in the countries of Council of Europe all have the right to shelter and accommodation, which they lose as they reach majority, and they are either transferred to alternative accommodation, or are expected to cover the accommodation expenses on their own.

In France, young people under protection of the state often stay in hotel rooms, where they have few opportunities for integration, and once they reach majority, they are required to move out. Similarly, in Malta, youth need to move out of their accommodation upon the age of majority. The accommodation is often in segregated areas, and they have no financial sustainability. In case where they can afford the accommodation, they may face racism from landlords.³⁸

In Sweden, youth can move into after-care homes, where they have access to social worker and information regarding the change of status, until they reach the age of 21. In Hungary, after-care

³³ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France

³⁴ Council of Europe Commissioner for Human Rights. 2017. Governments should better protect the right to family life of refugees and persons with a subsidiary protection status, Statement, 12 May 2017. Available at: <http://www.coe.int/en/web/commissioner/-/governments-should-better-protect-the-right-to-family-life-of-refugees-and-persons-with-a-subsidiary-protection-status> Access: 5 September 2017.

³⁵ European Council. 2003. European Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l33118>. Access: 20 July 2017.

³⁶ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France.

³⁷ Honkasalo, V. 2016. [Youth work with young refugees, Perspectives from Finland](http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees+2016+Honkasalo+REVISED.pdf/42122331-303c-348c-593c-ee514930aa67). Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees+2016+Honkasalo+REVISED.pdf/42122331-303c-348c-593c-ee514930aa67>. Access: 6 August 2017.

³⁸ Rakhimov, G. 2016. [A Mediterranean challenge: the difficulties facing youth workers in integrating refugees in Malta](http://pjp-eu.coe.int/documents/1017981/9645125/Rakhimova+Mediterranean+challenge.pdf/bdb6df05-40f1-4edc-9019-e9153528ab25) (Final). Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Rakhimova+Mediterranean+challenge.pdf/bdb6df05-40f1-4edc-9019-e9153528ab25> Access: 6 August 2017.

homes are close to facilities for children, but staying in homes depends on the progress of their education, and is limited to the age of 24.

In Austria, these young adults move to reception centres and after-care apartments managed by welfare institutions or NGOs. However, these homes are often in remote areas, which limits young people's access to other services - education, training and potential opportunities for employment, as well as limiting their integration into a new society.³⁹ In Belgium, an entire family in temporary accommodation will lose their shelter once the youngest child turns 18, which has wider socio-economic implications for the child and the family.⁴⁰

Basic services - Access to education

Article 14 of the EU Reception Conditions Directive emphasises that children are entitled to primary and secondary education, acknowledging that the education facilitates the transition and integration process. In practice, children at both primary and secondary level of schooling face difficulties with access to education, due to language barrier, previous education levels, bureaucracy, discrimination and particularly if they are over the age for compulsory education. In Austria, schooling is compulsory until the age of 15, and in France until 16, with access to school after that age being difficult for those coming from the outside, and granted only if places are available. In Hungary, education is compulsory until the age of 16, but if one enrolled before majority, he or she can pursue education and receive support until the age of 24, if they have a refugee status or subsidiary protection. Asylum seekers in Hungary can pursue education until a decision is made on their status. In Sweden, education is provided until the age of 21. After that, young refugees may access loans in the same way as for Swedish student, regardless of level of education a person reaches by that stage. Sweden also organises integration classes, designed for migrant children, for one to three years, to help children learn Swedish and integrate in the society and new education system. In France, those who successfully complete the education can enrol at university at the same cost as French students, although they are still at risk of administrative and financial barriers, detention and deportation.

In order to facilitate the transition from education to employment, in many countries, apprenticeships have proven to be a good alternative. In Austria, the Ministry for Employment, Social Affairs and Protection of the Consumer decided that youth can pursue apprenticeship in the field needed in the specific region of the country until they turn 21. In France, access to education and entrepreneurship is also available through NGOs, while in Spain, outreach youth work is done through street education programme for young migrants in Madrid and Barcelona, to help them gain access to the childhood protection system.⁴¹

³⁹ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France.

⁴⁰ Parliamentary Assembly, Council of Europe. 2014. Migrant Children: What Rights at 18? Committee on Migration, Refugees and Displaced Persons.

⁴¹ Ibid

Basic services - Access to healthcare, recreation and psychological support

In most countries access to healthcare is guaranteed for young people even after majority, however, psychological support is rarely provided after they turn 18. In Sweden, at the age of 21 young people lose all protections and safeguards, while in Hungary most services continue after the age of 18 for those who have refugee status. In France, NGOs offer psychological support to help youth deal with the past or present trauma.

Psychological support is important in these contexts, due to both, past and present trauma resulting from the trauma in the country of origin, trauma of the journey and a psychological impact of the sudden change of status. Young people have difficulties with integrating due to fear, uncertainty, sleeplessness, insomnia and psychological impact of losing a guardian or caretakers. Young people in Finland have identified this 'waitinghood' to be the most unbearable thing they had endured, as it disturbed their everyday rhythm.⁴²

The individual profiles and life stories vary, as well as personal strength and past trauma, and these all need to be included in determining the psychological impact of transition to adulthood on young migrants, in order to detect and treat their anxiety and provide them with adequate support and counselling. Many young people have witnessed or experienced abuse, beating, rape and torture, which have had an impact on their mental health.⁴³ Furthermore, at the reception centres, different groups may be mixed together, perpetuating age-old conflicts from home countries, which further affects the mental stability and feeling of security of young people. Studies in Sweden show that mental health problems are prevalent among young refugees, compared to non-refugees. Unaccompanied minors may also suffer traumatic events on the journey, which affect their physical and mental health and biological and cognitive development.⁴⁴ Similarly, in Norway, 82% of 160 unaccompanied minors that experienced traumatic stress had PTSD disorder.⁴⁵

Besides for healthcare and psychological health services, it is important to emphasise the often underestimated importance of sports and leisure activities for physical and mental health of young people in transition. Recreation, arts, culture, sports and leisure activities are crucial for personal development, physical and mental health and emotional wellbeing, and they help also with communication, social inclusion and development of skills for youth. Leisure is recognised as a human right in Europe, and as children's right according to the Article 31 of the UNCRC. These services can be integrated through activities of the youth sector, or provided by national bodies or international organisations in the reception centres.

⁴² Honkasalo, V. 2016. [Youth work with young refugees, Perspectives from Finland](http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees_2016_Honkasalo_REVISED.pdf/42122331-303c-348c-593c-ee514930aa67). Available at: http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees_2016_Honkasalo_REVISED.pdf/42122331-303c-348c-593c-ee514930aa67 Access: 6 August 2017.

⁴³ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France.

⁴⁴ Hollander, A. et al. 2016. Refugee migration and risk of schizophrenia and other non-affective psychoses: cohort study of 1.3 million people in Sweden. Available at: <http://www.bmj.com/content/352/bmj.i1030>. Access: 6 August 2017.

⁴⁵ Jakobsen M. et al. 2014. Prevalence of Psychiatric Disorders Among Unaccompanied Asylum-Seeking Adolescents in Norway. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4085584/> Access: 6 August 2017.

Economic independence - employment

After reaching majority, young people have little or no financial support and limited access to employment. They need to move out of reception facilities and become self-reliant, often ending up working irregularly in poor conditions, with low and unsustainable income. Employment would be a facilitating factor in their transition to autonomy, yet even refugees who are entitled to work face difficulties with access to the labour market.

Those who may have previous education or training in their home countries often find it difficult to have these qualifications recognised, and the lack of documents prevents them from finding employment in their field.

In some of the countries, education and employment are linked through an apprenticeship, as mentioned earlier, giving young people an opportunity to learn new skills and find a job, such as in France and Austria. In Sweden, a social worker facilitates the process of finding a job for a young person, while in Hungary, employment opportunities are provided at the reception centres, where young people can do small jobs.⁴⁶

An interesting example of practice in Belgium is the Tandem volunteering initiative, co-led by refugees. The initiative supports the integration of refugees and asylum-seekers in Brussels by creating opportunities for them to bring their skills and experience to European-level NGOs via short-term volunteer placements, providing opportunity for mentoring and skills development of young people.⁴⁷

Asylum seekers, on the other hand, have no right to work until their status has been decided. Without employment and legal residence, they are unable to open bank accounts, which further limits their economic empowerment and increases their reliance on informal financial services. These young people have no ability to conclude or enforce contractual agreements and have no access to justice to redress violation of rights, which makes them vulnerable to working in exploitative conditions. Many youngsters end up living on the street, exposed to greater risks of drug trafficking, prostitution or human trafficking.

⁴⁶ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen: what to celebrate? Strasbourg, France.

⁴⁷ Perera, M. 2016. "Journeys to a New Life: Understanding the role of youth work in integrating young refugees in Europe" Expert Seminar 22-24 November 2016, Brussels Integrating young refugees in Europe: Tandem. Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Tandem-case-study.pdf/b1c75b76-a576-49cc-9e87-a60e0329f601>. Access: 6 August 2017.

Youth work and participation in a new society

The youth sector can provide an important support system for young people undergoing a transition, by facilitating their social inclusion, participation and personal development, and assisting with language and communication skills, teaching democratic citizenship and assisting with their emotional and psycho-cultural development and wellbeing. *Committee of Ministers' Recommendation* (CM/Rec (2015) 3) also recognises the role of non-formal education, youth workers and youth organisations in promoting active citizenship and preventing discrimination, violence and social exclusion.⁴⁸ However, it is important to recognise that little work has been done on this subject so far. The Symposium UnEqual Europe: responses from the youth sector in 2016, and Journeys to a New Life expert seminar in 2016 discussed the role of youth work in integration of young refugees in Europe, and provided evidence of youth work's valuable role in this area.⁴⁹ These initiatives have inspired practitioners to rethink and adapt the role of youth work in this context, and engage in different ways.

While youth organisations and national youth councils at local, national and regional levels can link with refugees and asylum seekers, in order to better reflect their voices and needs, they also need support and guidance, to tackle this new area of work. In order to facilitate their engagement with young refugees and asylum seekers in transition, the European Youth Forum has adopted a policy Resolution on protection and integration of young refugees in Europe,⁵⁰ as well as collected several good practice examples of integration for asylum seekers in education, vocational training and the labour market.⁵¹

Engaging with young people requires preparation and a different approach. Youth work with refugees firstly needs youth workers to be aware of the possible traumas of young people and the transnational context in which they have lived and consider different approaches which may be applicable to both, refugee youth and local youth.⁵² This may require a specific methodology and training for youth workers themselves, so that they increase their intercultural competences, and ensure their protection, as they also may be vulnerable to traumas and even attacks.

Youth work may also facilitate young people's participation in society, as youth refugees and asylum seekers rarely have space to participate in public debates on the issues of concern, due to restrictions on their movement, institutional unwillingness to involve them in decision-making

⁴⁸ Committee of Ministers of the Council of Europe. 2015. Access of young people from disadvantaged neighbourhoods to social rights. Recommendation CM/Rec(2015)3 adopted by the Committee of Ministers of the Council of Europe on 21 January 2015.

⁴⁹ Partnership between the European Commission and the Council of Europe in the field of youth. 2016. Journeys to a New Life. Understanding the role of youth work in integrating young refugees in Europe. Expert seminar. Key Messages. Brussels, 23-24 November 2016.

⁵⁰ European Youth Forum. 2015. Resolution: Protection and Integration of Young Refugees in Europe, 27-28 November 2015, Madrid, Spain.

Available at: http://www.youthforum.org/assets/2015/12/Resolution_Protection-and-Integration-of-Young-Refugees-in-Europe.pdf. Access: 13 September 2017.

⁵¹ European Youth Forum. 2015. Access to Education, Vocational Training and Labour Market for Asylum Seekers. Available at: http://www.youthforum.org/assets/2016/06/0086-16_YFJ_Best_Practices_Education_Labour1.pdf. Access: 16 September 2017.

⁵² Honkasalo, V. 2016. *Youth work with young refugees, Perspectives from Finland*. Available at: http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees_2016_Honkasalo_REVISED.pdf/42122331-303c-348c-593c-ee514930aa67. Access: 6 August 2017.

processes, and young refugees' lack of participation experience.⁵³ The Council of Europe (2003) considers youth participation in decisions and actions at local and regional levels to be essential to building democratic and inclusive societies, as it is one of the most important tools for active citizenship. The new Recommendation CM/Rec(2017)4 of the Committee of Ministers to member States on youth work⁵⁴ also emphasises the importance of youth work and youth participation, however, most of the documents seem to omit refugees from the rhetoric on political and social participation.⁵⁵

A positive example of youth inclusion has been noted in Malta, where youth workers are encouraged through the new youth policy (2015-2020) to create social cohesion and participation of asylum seekers between the ages of 13 and 30, and involve them better in the activities of NGOs and community life.⁵⁶

⁵³ Shterjoski, I. 2016. [Young refugees finding their voice: participation between discourse and practice](http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees+finding+their+voice+participation+between+discourse+and+practice.pdf/d30f0b71-fcd2-4ab6-9a54-ca5996681372). Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees+finding+their+voice+participation+between+discourse+and+practice.pdf/d30f0b71-fcd2-4ab6-9a54-ca5996681372>. Access: 6 August 2017.

⁵⁴ Council of Europe Committee of Ministers. 2017. Recommendation CM/Rec (2017)4 of the Committee of Ministers to member States on youth work. Available at: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680717e78. Access: 6 August 2017.

⁵⁵ Huysmans, Minnie, Dominique Verté and Jan Vanhee. 2016. [Young refugees, citizenship, cosmopolitanism and youth work – theoretical discussion on the current trends in Europe](http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees+citizenship+cosmopolitanism-Minne+Huysmans.pdf/6263ea10-566f-beb4-95de-25621dd3ac4b). (Final) Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Young+refugees+citizenship+cosmopolitanism-Minne+Huysmans.pdf/6263ea10-566f-beb4-95de-25621dd3ac4b>. Access: 6 August 2017.

⁵⁶ Rakhimov, G. 2016. [A Mediterranean challenge: the difficulties facing youth workers in integrating refugees in Malta](http://pjp-eu.coe.int/documents/1017981/9645125/Rakhimova+Mediterranean+challenge.pdf/bdb6df05-40f1-4edc-9019-e9153528ab25) (Final). Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Rakhimova+Mediterranean+challenge.pdf/bdb6df05-40f1-4edc-9019-e9153528ab25> Access: 6 August 2017.

4. Initiatives and legal frameworks on transition to adulthood

Young refugees' and asylum-seekers' transition to adulthood has been a matter of concern for the UNHCR, UNICEF and other UN agencies, Council of Europe and European institutions, as well as a range of non-governmental organisations. Various initiatives have been promoted, and measures taken on the issue across the Council of Europe member states. Starting already in 2006, the UNHCR Representation to the European Institutions in Strasbourg and the Youth Department organised a seminar "Being a Young Refugee in Europe Today", which resulted in a creation of Voices of Youth Refugees in Europe Network, whose task is to facilitate the involvement of young refugees in European societies and contribute to their integration.

Following a number of seminars and hearings, important recommendations and action plans, including the [European Commission's policy plan on asylum](#) (COM(2008) 360), were adopted already in the early 2000s. With the intensification of the refugee crisis, other institutions and organisations have also started to shape a more coordinated response to the situation. However, a strong coordinated EU response and legal framework on this issue is still lacking.

In 2010, **Council of Europe and UNHCR** organised a [seminar "What Future for the Work with Young refugees, IDPs and Asylum seekers"](#) underlining the need to **"recognise young refugees, asylum seekers and other youth in need of humanitarian protection aged 18-30 years old as a group with specific needs within European society."**⁵⁷ This was followed by two consultative meetings on the *'Challenges faced by young refugees and asylum seekers in accessing their social rights and their integration, while in transition to adulthood'*. While challenges of unaccompanied and separated refugee and asylum-seeking children are generally acknowledged and national policies are in line with international treaties such as the UN Convention on the Rights of the Child, the young refugees and asylum seekers between 18 and 25 are not acknowledged as a group with specific needs and the transition from one migrant policy regime to the next can be particularly harsh. The 2014 study ["Unaccompanied and separated asylum-seeking and refugee children turning eighteen: What to celebrate?"](#) again highlighted the problems of transition, existing challenges state agencies, NGO's and young refugees and asylum-seekers are confronted with. The problem is Europe-wide but in each country different practices, some successful, some detrimental to the well-being of young refugees and asylum-seekers, have evolved.

As a result of various initiatives, in 2014 a Committee on Migration Refugees and Displaced persons (AS/Mig) of the Parliamentary Assembly of the Council of Europe adopted the report and [resolution 1996 \(2014\)](#) "Migrant Children: What Rights as 18?", preceded by the seminar [What rights and realities at 18?](#) organised by the Youth Department and the Budapest office of the UNHCR. The goal was to develop inter-sectorial cooperation in assisting refugees and asylum-seekers in transition to adulthood, calling for transparent and clear policies regarding age assessment, inclusive policies on education and employment and more involvement of NGOs in asylum procedures, access to reception and care centres, and adoption of a transition phase for unaccompanied children turning 18, extending services of housing, education and health and allowing for family reunification procedures, as well as public awareness raising campaigns to combat xenophobia and racism and facilitate integration.

⁵⁷ Council of Europe and the UNHCR. 2011. Consultative meeting: What Future for the Work with Young Refugees, IDPs and Asylum-Seekers, DJS/Refugee(2010), 26 September 2011, Strasbourg. Available at: <https://rm.coe.int/1680702368> Access: 20 July 2017.

In October 2015, the **Joint Council on Youth** adopted a [Statement on the refugee crisis in Europe](#) which highlighted some priorities and calls for special attention to particular vulnerable groups.

Work on the topic of transition for the vulnerable category of young people reaching a majority was also tackled by the **Partnership between the European Commission and the Council of Europe in the field of youth**, which has engaged in a number of initiatives and knowledge-gathering aimed at exploring the situation of young refugees in Europe and the role of youth work in their integration and inclusion. Their work particularly intensified throughout 2016, and since then, the [Symposium \(Un\)Equal Europe? Responses from the Youth Sector](#), was organised in Budapest, followed by a publication of the analytical paper [A look at the “refugee crisis” across Europe: challenges, debates and projects collecting national contributions across Europe](#) in September 2016, and the organisation of expert seminar “[Journeys to a New Life](#)” in November 2016, in Brussels on the role of youth work in integration of young refugees in Europe. In the coming months, the Partnership will work on the collection of [good practice initiatives](#) of youth work which are supporting young refugee integration and a [research-based publication](#) regarding the key challenges of young refugees and the role of youth sector, as well as the series of learning workshops.

Various initiatives have recognised the need to work in partnership and include as wide a network of stakeholders as possible. **EU Work Plan for Youth 2016-2018**, from December 2015, also focuses on the need for stronger cross-sectoral cooperation to address the challenges raised by increasing number of asylum-seekers and their participation and social inclusion.

One of the important partners in this process for the Council of Europe Youth Department is the **Voices of Young Refugees in Europe Network (VYRE)**, with whom it held meetings on unaccompanied minor refugee’s local participation and inclusion. Several study sessions were also organised with the network in the recent years on the situation of young migrants and refugees, as VYRE represents young refugees themselves, and works on the advocacy and their capacity building. In 2016, Voices of Young Refugees in Europe published a Report on the issue of transition of unaccompanied minor refugees to adulthood, recommending to bring the issue back on the political agenda and focus on new initiatives to improve the situation of this group. The report also highlights some of the issues of young refugees undergoing transition, including education, need for social inclusion through employment, addressing discrimination of refugees and importance of inclusion and consultation with young refugees in the decision making processes.⁵⁸

Over the years, other bodies and initiatives have recognised the need for better inclusion of refugee youth in the various Europe-wide processes, and in line with that, during 2015-2016 **Erasmus + inclusion and diversity strategy** focused on disadvantaged youth and integration of migrants and refugees.

The issue has been taken higher on the agenda, as in 2016, after allegations of human rights violations against refugees and asylum seekers, a **Special Representative of the Secretary General on Migration and Refugees** was appointed in order to gather information on the situation of basic rights of asylum seekers. Following the appointment, and as a culmination of more than a decade of work on the subject of young refugees’ transition, in May 2017, **Council of Europe Action Plan on protecting refugee and migrant children (2017-2019)** was adopted by the Council of Ministers. The Action Plan is to be coordinated by the recently appointed Special representative of the Secretary

⁵⁸ Voices of Young Refugees in Europe. 2016. The issue of transition of unaccompanied minor refugees to adulthood should be addressed. Recommendations by young refugees. Available at: <http://www.wearevyre.net/news/vyre-publishes-the-report-on-study-session-on-unaccompanied-minor-refugees>. Access: 3 August 2017.

General on refugees and migration. The Action Plan focuses on providing effective protection and ensuring access to rights and child-friendly procedures, while enhancing the integration of children who will remain in Europe, focusing in this regard on their transition to adulthood, and cooperation with relevant stakeholders.

Besides for the frameworks dealing exclusively with refugees and asylum seekers, it is important to note that there are also a number of Recommendations by the Committee of Ministers of the Council of Europe which are relevant to the work on supporting the transition to autonomy of young refugees, and deal with wider social rights of young people, including a [Recommendation on access to social rights for young people from disadvantaged neighbourhoods](#) and a [Recommendation on young people's access to rights](#).

Although a lot of work has been done so far on this topic, there is still no coordinated and harmonised response to the challenges faced by young refugees in transition. Thus, the paper further proposes certain recommendations regarding specific protections and guarantees, which would facilitate their transition and inclusion in the European society.

INITIATIVES AND POLICIES		
Action Plan on protecting refugee and migrant children (2017-2019)	Council of Europe	May 2017
Recommendation CM/Rec (2017)4 of the Committee of Ministers to member States on youth work	Council of Europe Committee of Ministers	May 2017
A research-based publication regarding the key challenges of young refugees and the role of youth sector	Partnership between the European Commission and the Council of Europe in the field of youth	2017
A collection of good practice initiatives of youth work supporting young refugee integration	Partnership between the European Commission and the Council of Europe in the field of youth	2017
“Time to be welcome: youth work and integration of young refugees” conference organised in Brussels on World Refugee Day 2017	European Youth Forum, World Organisation of the Scout Movement; supported by the Partnership between the European Commission and the Council of Europe in the field of youth	June 2017
An expert Seminar “ Journeys to a New Life ”, November 2016, on the role of youth work in integration of young refugees in Europe	Partnership between the European Commission and the Council of Europe in the field of youth	November 2016
A seminar on the role of youth work in integration of young refugees Brussels, Belgium	Partnership between the European Commission and the Council of Europe in the field of youth	November 2016
Analytical Papers A Look at the “refugee crisis” across Europe: challenges, debates and projects collecting national contributions across Europe – EKCYP correspondents	Partnership between the European Commission and the Council of Europe in the field of youth	September 2016
Seminar “Social inclusion of refugee students and their role in intercultural	Youth Department, Council of Europe	July 2016

dialogue”		
The issue of transition of unaccompanied minor refugees to adulthood should be addressed. Recommendations by young refugees	Voices of Young Refugees in Europe	May 2016
Symposium (Un)Equal Europe? Responses from the Youth Sector	Partnership between the European Commission and the Council of Europe in the field of youth	30 May- 2 June 2016
Study session on unaccompanied minor refugee’s local participation and inclusion	Youth Department, Council of Europe and the Network Voice of Young Refugees in Europe	June 2016
Appointment of the Special representative on migration and refugees of Council of Europe’s Secretary	Council of Europe	2016
EU Work Plan for Youth 2016-2018	The Council of the European Union	December 2015
Resolution: Protection and Integration of Young Refugees in Europe	European Youth Forum	November 2015
Statement on the refugee crisis in Europe	The Joint Council on Youth	October 2015
Erasmus + Inclusion and Diversity Strategy in the field of youth	European Commission Directorate General for Education and Culture	December 2014
“Unaccompanied and separated asylum seeking and refugee children turning eighteen – what to celebrate?”	Council of Europe – UNHCR study	2014
Report “Unaccompanied migrant children – what rights at 18?”	PACE	2014
Hearing on challenges in transition to adulthood and accessing their rights and social rights	Youth Directorate and the Committee on Migration Refugees and Displaced Persons (AS/Mig), Budapest	2013
Consultative meeting “Challenges faced by young refugees and asylum seekers in accessing their social rights”	Council of Europe- UNHCR	November 2011 and 2012
European Asylum Support Office (EASO) established	European Commission	June 2011
Seminar “What Future for the Work with Young refugees, IDPs and Asylum seekers”	Council of Europe- UNHCR	March 2010
Seminar on working with young refugees and developing common approaches	Partnership between the European Commission and the Council of Europe in the field of youth	2010
Raising young refugees' voices in Europe and beyond . A seminar report	Council of Europe	2009
The European Commission’s policy plan on asylum (COM(2008) 360 final)	The European Commission	2008
Life projects for unaccompanied migrant minors (Recommendation	Council of Europe	2007

CM/Rec (2007) 9

Hearing in 2007 on the challenges of refugee's access to work	Council of Europe Youth Department	2007
Being a Young Refugee in Europe Today	UNHCR Representation to the European Institutions in Strasbourg and the Youth Department	2006
Hearing on the specific situation of young migrants. Summary proceedings of a hearing of the Parliamentary Assembly's Sub-committee on Migration	Parliamentary Assembly's Sub-committee on Migration	Sub- November 2001

5. Programmes and positive practices facilitating the transition

In addition to the research and policy recommendations on this issue, there are also various tangible programmes and initiatives which support young refugees and asylum-seekers, starting from the border crossing points to the integration in society. This review only examines initiatives aimed at facilitating the integration of young refugees and the process of transition.

These can be divided into: projects run by refugees, projects directly supporting refugees and projects indirectly supporting refugees, aiming to raise awareness of intercultural dialogue and mutual understanding between newcomers and host communities.

Projects run by refugees include various initiatives by refugees in EU countries. In Germany projects run by refugees include support and free counselling to refugees – “Arriving in Berlin. A map made by refugees”. A Syrian diaspora youth organisation “The Young Republic”, prepares refugees for a life in a new country, by empowering youth to take part in democratic processes, to foster democratic participation, civic engagement and social inclusion in their host communities.⁵⁹ In Austria, Afghans refugees have created a group and NGO to support newly arriving unaccompanied children, providing financial and other types of support they need, with a particular focus on successful transition.

Projects directly supporting refugees during the transition process range from those at the EU level to the projects run locally by organisations. Council of Europe Committee of Ministers’ Recommendation (CM/Rec. (2007) 9) on life projects for unaccompanied migrant minors, proposes a plan negotiated between a child and authorities of the destination country giving a child prospects for the future and looking after their best interests, offering a possibility for autonomy and a sense of responsibility in the society. The Life project also acknowledges the importance of family support, even if they are away, in terms of emotional support and wider environment, including social workers, schools, friends and community. Similarly, EU Stockholm Programme 2010-2013 was created to assist young refugees to become fully responsible for themselves and achieve a good level of autonomy after majority.

The Education Department of the Council in Europe, in partnership with Hellenic Ministry of Education, Research and Religious Affairs and European Network of Information Centres in the European Region (ENICs) from Greece, Italy, Norway and the United Kingdom has piloted a Recognition of Qualifications held by Refugees project.⁶⁰ The project assesses knowledge, competences and skills of young refugees, through tests and interviews, in order to provide them with formal documents testifying to their qualifications in a certain area. So far 52 refugees have been successful in receiving their qualifications through this programme, which is aimed at facilitating their access to the labour market and helping their transition to employment.

In Austria, Connecting people programme brings together families to be godparents to children to facilitate their integration process. This kind of support also does not stop at the age of 18, but creates a lasting bond between people.⁶¹ In Germany, various activities are organised by youth

⁵⁹ The Young Republic. 2017. Available at: <https://www.facebook.com/the.young.republic.syria/> Access: 16 September 2017.

⁶⁰ Council of Europe. 2017. European Qualifications Passport for Refugees. Available at: <http://www.coe.int/en/web/education/recognition-of-refugees-qualifications> Access: 5 September 2017.

⁶¹ Parliamentary Assembly, Council of Europe. 2014. Migrant Children: What Rights at 18? Committee on Migration, Refugees and Displaced Persons.

organisations, such as “Refugees becoming friends”⁶² and in Austria, a campaign “More than just refugees.”⁶³ In France several universities have joined forces to help provide opportunities to refugees to continue their education. Similarly, In Italy, 100 scholarships were made available by universities and the Ministry of Internal Affairs to fund PhD students. In Italy, NGOs and young lawyers also often provide assistance and legal aid to refugees.

In Switzerland, the ‘Speak out!’ project in 2014 brought together unaccompanied minors from across the country to develop a ‘Charter of Unaccompanied Minors’.⁶⁴ The project was run by the Swiss National Youth Council (CSAJ/SAJV) with the support of the Swiss government and UNHCR. The Charter highlights the challenges unaccompanied minors face and puts forward recommendations in four areas: accommodation/residence, guardianship, training, and post-transition period

Positive initiatives have also been recorded from the youth sector. While the conventional youth work may organise courses, as was done in Novi Sad, Serbia in December 2016 within the Erasmus + Youth in Action Programme, or educational and awareness raising activities, as was the case with Agora Aveiro from Portugal organising an Erasmus+ funded Human Library “A Mile in My Shoes” in KC Grad - European Center for Culture and Debate in March 2015. Innovative solutions were searched through the organisation of Belgrade Techfugees Hackathon, aiming to develop tech responses to the refugee crisis. In Serbia, formal and informal volunteer groups have also engaged in raising awareness, increasing visibility of refugees and creating links between local community and asylum seekers. Humanity in Motion - Volunteers' Stories - Belgrade-Berlin Connection and Routes Festival provided a space for discussions and testimonies of refugees, workshops and activities for children. Refugee Foundation established in August 2016 runs the Daily Center in Belgrade, space in which people can read, watch movies, listen to music, use the Internet, and meet the locals.⁶⁵

Similarly, in Greece, youth workers and government worked together in facilitating refugee’s access to education, and youth workers helped by visiting the camps and creating mobile schools reaching out to children and families, in order to facilitate the entry into school and new society, foster intercultural dialogue, socialise the children and alleviate the trauma, and later helping with the logistics such as the registration processes, or accompanying children to school.⁶⁶

When it comes to inclusion of young refugees in youth work, youth centre “Sale4Youth” in Austria includes after-school care for 14-21 year old youth, offering various activities such as games and sports, providing guidance and support with work, and also linking local youth with young refugees from a nearby refugee reception centre. The team worked with a psychotherapist to learn how to work with people with possible traumas, working on inter-cultural exchanges and competences and learning from each other.⁶⁷

⁶² Bayer Jugendring. 2017. Refugees becoming friends. Available at: <https://www.bjr.de/>. Access: 20 July 2017.

⁶³ Bundes Jugend Vertretung. Available at: <https://www.bjv.at/mehrsnurfuechtig/>. Access: 20 July 2017

⁶⁴ Swiss National Youth Council. 2016. Speak Out! Charte des MNA. Available at: http://www.sajv.ch/wp-content/uploads/2016/01/MNA-Charta-A4_F.pdf. Access: 13 September 2017.

⁶⁵ Gojkovic Turunz, N. 2016. [The role of youth sector in the integration and empowerment of asylum seekers and refugees in Serbia](http://pjp-eu.coe.int/documents/1017981/9645125/Youth+Work+and+Asylum+Seekers.pdf/405bc82f-b66a-467a-bb1b-234fc37fc7f3). Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Youth+Work+and+Asylum+Seekers.pdf/405bc82f-b66a-467a-bb1b-234fc37fc7f3>. Access: 6 August 2017.

⁶⁶ Drosopoulos, Mary. 2016. [From camp to campus: good practices from teachers and youth workers in Greece regarding the access of refugee students to education](http://pjp-eu.coe.int/documents/1017981/9645125/From+camp+to+campus_Drosopoulos_paper.pdf/4c821083-4dc9-4f98-b84c-cbd439042ee9) (Final) Available at: http://pjp-eu.coe.int/documents/1017981/9645125/From+camp+to+campus_Drosopoulos_paper.pdf/4c821083-4dc9-4f98-b84c-cbd439042ee9 Access: 6 August 2017.

⁶⁷ Graf, E. 2016. “Journeys to a New Life: Understanding the role of youth work in integrating young refugees in Europe” Expert Seminar 22-24 November 2016, Brussels Youth NGO initiatives from Austria Shared by Elisabeth Graf, Don Bosco

Recreational and sports activities also facilitate the transition, and also serve as an important instrument towards personal development, physical and mental health of young refugees and asylum seekers. Acknowledging the importance of sports for young people in these circumstances, International Olympic Committee (IOC) has appointed a Special Envoy of the UN Secretary General on Youth Refugees and Sport in 2014. Since then the IOC has engaged with young refugees around the world, building multi-purpose sports grounds and providing recreational activities in Azraq camp in Jordan and in Gambella, Ethiopia. Most recently, the National Olympic Committees in Austria, Germany, Greece, Denmark and the Netherlands have developed programmes and sports activities for refugees implemented through local sports clubs.⁶⁸ Similarly, the FC Barcelona has through its FutbolNet programme encouraged use of football as a tool for promoting values among young people, extending the existing activities to refugee reception centres in Greece, Italy and Lebanon.⁶⁹

In Belgium, “De Wereldspelers” – or World Players -programme was developed with youth refugees by youth workers. Through this programme, youth sector reaches out to the young refugees in the centre for unaccompanied children Dendermonde, by organising weekend activities for them, including a possibility to tell their story in front of the camera, if they wish to. The goal of the project is to have asylum centres where young people are connected with their neighbourhoods and other youth. The project also provides training for volunteers and coaches who are involved in these activities.⁷⁰

When it comes to **awareness-raising projects** they are not focused necessarily only on the transition period, but rather to support the broader environment in which this transition happens. One of such examples is the European Youth Forum’s and ReRoute’s 2015 project in the Czech Republic, “Tell me your story”,⁷¹ promoting social tolerance towards refugees. There are also projects encouraging intercultural dialogue and mutual understanding between newcomers and host communities, such as in Finland Change-maker Advocacy Networks’ campaign to promote active citizenship of young asylum seekers.⁷²

Although all of these programmes provide a meaningful and much-needed support to young refugees, what is required are long-term, well planned and comprehensive state-level policies and initiatives which focus on improving all areas of life of young people undergoing transition. These state initiatives, at the national level, need to be well-coordinated and applicable to all areas of life, including not only legal framework and administrative support, but also coherent approach regarding the refugee’s access to information, education, healthcare and psychological support, and their inclusion in a new society through opportunities for employment, youth work and political and social participation.

Youth Net, member of the European Youth Forum network on Migration and Human Rights. Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Youth-NGO-initiatives-Austria.pdf/0269a797-9e95-4110-8215-e5702226a60e>. Access: 6 August 2017.

⁶⁸ International Olympic Committee. 2017. Support to youth refugees. Available at: <https://www.olympic.org/cooperation-with-the-un> Access: 5 September 2017

⁶⁹ The FC Barcelona Foundation. 2017. The FC Barcelona Foundation and UNHCR launch campaign in support of refugee children. Available at: <https://foundation.fcbarcelona.com/news/news/2016-2017/the-fc-barcelona-foundation-and-unhcr-launch-campaign-in-support-of-refugee-children> Access: 5 September 2017

⁷⁰ De Ambrassade – Office for youth Affairs. 2017. “De Wereldspelers” Available at: <https://ambrassade.be/nieuws/wereldspelers-jeugdwerk-zonder-grenzen-gaat-van-start>. Access: 13 September 2017.

⁷¹ European Youth Forum. 2015. Tell me your story: A Digital storytelling workshop. Available at: <http://www.youthforum.org/latest-news/tell-me-your-story-a-digital-storytelling-workshop/> Access: 16 September 2017.

⁷² Bello, B.G. Partnership between the European Commission and the Council of Europe in the field of youth. 2016. A look at the “refugee crisis” across Europe: challenges, debates and projects. Available at: <http://pjp-eu.coe.int/documents/1017981/9488616/Analytical+paper+Refugees+7sept.pdf/29daca6f-9d5a-4836-a259-7f2629289f1f> Access: 15 July 2017

6. Recommendations

Young refugees and asylum seekers are protected by a range of international and European legal instruments until the age of 18, but once they reach majority, they are subject to a change of legal regime. This change means a loss of safeguards, protections and access to services. Considering the difficulties of a sudden transition, based on this review and previous research, it is necessary to reaffirm the need to consider young people in transition to adulthood as specific group who require social protection and safeguards in various areas of life, which would facilitate their integration and successful transition to adulthood and autonomy.

Acknowledging the extreme complexities of the situation, and challenges of transition from childhood to adulthood and autonomy, but reaffirming that the best interests of the child should be a primary consideration in all actions, there are several policy measures which can be proposed to the Council of Europe member states to support young people's transition to adulthood and provide them with equal opportunities. The recommendations and guidelines do not concern only governments, youth work and youth policy, at the national and local level, but are also relevant for the wider social support and protection systems.

Age assessment and change of legal regime

- **States should refrain from using medical examinations, considering that all medical and other exams currently used do not provide precise results. Instead, obtaining documentary evidence from the country of origin should be made a priority.**
- **In cases where assessments are deemed necessary, as a measure of last resort, there is a need for a broader assessment and multi-disciplinary approach, balancing physical, developmental, psychological, environmental and cultural factors. Examinations should be culturally and gender appropriate, respecting child's dignity at all times.⁷³**
- **The states must ensure that in such cases, there are clear and exhaustive provisions concerning age assessment, and that the assessment is made in the presence of a legal guardian, with informed consent, and in the best interest of the child.⁷⁴**
- **The assessment procedure as well as the consequences of it and appeal procedures should be made clear prior to assessment being carried out.⁷⁵**

⁷³ Save the Children Denmark. 2012. Separated Children in Europe Programme, *Position Paper on Age Assessment in the Context of Separated Children in Europe*, 2012. Available at: <http://www.refworld.org/docid/4ff535f52.html>. Access: 6 September 2017.

⁷⁴ Lyamouri-Bajja, N. UNHCR and the Council of Europe Youth Department. 2014. Unaccompanied and separated asylum-seeking and refugee children turning eighteen-: what to celebrate? Strasbourg, France.

⁷⁵ UNHCR. 2015. *UNHCR observations on the use of age assessments in the identification of separated or unaccompanied children seeking asylum*, 1 June 2015, available at: <http://www.refworld.org/docid/55759d2d4.html> Access: 4 September 2017.

Guarantees in asylum procedures

- States should safeguard the legal guarantees during the asylum procedure and during the transition to adulthood by:
 - Providing a trained guardian to support the young refugee and asylum seeker during the asylum process and administrative procedures during the transition period
 - Ensuring child's access to effective legal representation in the asylum procedure and administrative procedures before and during the transition.
- Legal frameworks and practices of the Council of Europe Member States should be harmonised, in order to ensure best possible protection for the young refugees and asylum-seekers in transition.
- Specific protections and safeguards applicable to children should be extended to a higher age bracket, by establishing a transition category (for example, 18-25 years old) to help young asylum-seekers until they can act independently. This would facilitate successful economic, social and cultural integration while guaranteeing support and assistance measures. This however, should guarantee the basic rights to young asylum-seekers, and should not in any way impede on any other human rights of young people, associated with majority, such as voting rights, inheritance rights etc.⁷⁶
- There is an urgent need to provide specific guarantees to vulnerable groups, particularly young women who may be victims of sexual violence and human trafficking.⁷⁷

Access to information

- Clear and transparent information about the consequences of reaching the age of majority should be provided, in particular regarding the rights and responsibilities after majority, and relevant administrative procedures.
- Information should be provided in an accessible and age-appropriate language that is understood by the individual, and appropriate counselling should be provided to ensure that they are aware of the consequences.

Family reunification

- Given the importance of family reunification in facilitating transition to adulthood, and emotional and mental wellbeing of young people, family reunification procedures should be accelerated and simplified, in order to complete them before the age of majority.

⁷⁶ Parliamentary Assembly, Council of Europe. 2014. Migrant Children: What Rights at 18? Committee on Migration, Refugees and Displaced Persons.

⁷⁷ Council of Europe Joint Council on Youth (CJM). 2015. Statement by the Council of Europe Joint Council on Youth on the refugee crisis in Europe, Strasbourg 12-14 October 2015.

Basic services - Access to accommodation, education, recreation, healthcare and psychological support

Noting that provision of basic rights, such as education, accommodation, employment health care and recreational activities facilitates social inclusion of young people from disadvantaged backgrounds, including young refugees and asylum seekers in transition,⁷⁸ states should take care to ensure provision of the following in the best interest of the young person:

Accommodation and welfare

- Suitable, age-appropriate, continuous accommodation with specific facilities, including support and counselling, should be provided during the transition period, while ensuring that such accommodation does not limit young people's access to education and employment opportunities.

Education

- Considering the role of education in facilitating the transition to adulthood and autonomy, access to and enrolment in free public education should be better supported, including, where necessary, after the age of majority.
- All refugee and asylum seeking children and youth should receive education within a few months of arrival to the country.⁷⁹
- Young asylum seekers should be given opportunities to benefit from the European education system, including the travel for studies, through provision of special travel documents.⁸⁰
- Previous qualifications, aptitude, capacities and interests should guide the provision of education for youth in transition.
- Access to apprenticeship should be encouraged as a transition tool to adulthood, combining practical work and theory.

Access to healthcare and psychological support

- In most of the countries of the Council of Europe, young people have access to free basic health care, after reaching the age of majority. This good practice should be encouraged and, where necessary, extended to specialised care, at least during a transitory period.
- Considering the psychological impact and stress of transition and trauma young refugees and asylum seekers have suffered, adequate psychological support should be provided, including a specific counselling on transition to adulthood.

Access to recreational and leisure activities

- Noting the positive impact of recreational activities on health and wellbeing of a young person, rights to play and leisure should be upheld, and young people should be provided with opportunities to engage in recreational activities of their choice.

Economic independence - employment

- Appropriate information, guidance, counselling and support should be provided in seeking and securing employment throughout the transition period.
- Young people should be given opportunities for integration, through apprenticeship and connections with wider community, ensuring they are referred to the most appropriate skills and vocational training opportunities.⁸¹

⁷⁸ Committee of Ministers of the Council of Europe. 2015. Access of young people from disadvantaged neighbourhoods to social rights. Recommendation CM/Rec(2015)3 adopted by the Committee of Ministers of the Council of Europe on 21 January 2015.

⁷⁹ United Nations General Assembly. 2016. The New York Declaration for Refugees and Migrants, 19 September 2016. Available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1. Access: 6 September 2017.

⁸⁰ Parliamentary Assembly, Council of Europe. 2014. Migrant Children: What Rights at 18? Committee on Migration, Refugees and Displaced Persons.

- Existing qualifications should be assessed and recognised, in order to facilitate young people's entry into the labour market.

Youth work and participation

- Youth work with refugees should embrace a holistic approach to integration, emphasising personal and social development and cultural competence of young people and not just their legal status, right to protection or economic potential.⁸²
- Youth work can support personal development of young people by providing meaningful non-formal education and leisure activities and support networks for young people in transition, through youth clubs or youth organisations, and existing institutions, and on topics such as human rights and social rights, facilitating their integration in education system, involvement in public debates and youth policy, supporting their social inclusion and social cohesion.
- Long-term and sustainable inclusion programmes, linking young refugees with local populations, should start from the arrival of a young person in order to achieve integration and participation in the community and local society.⁸³
- Youth sector can support young refugees to become socially and politically active, engage in decision-making processes, advocate and express themselves through various fora and NGOs and other spaces of youth participation, particularly on the issues that concern them.⁸⁴
- Existing youth structures such as youth organisations and youth councils, are important contributors to enhancing an inclusive society for all culturally and socially diverse young people, empowering them to become active citizens and a part of all decisions making bodies at local national and regional levels. As such, the work of youth organisations in supporting young refugees' transition to adulthood should be acknowledged and supported by the governments.⁸⁵
- Youth sector can play an important role also in the research focused on youth policy makers, identifying themes and promoting participatory methods⁸⁶
- Youth work should contribute to creating a long-term overall strategy for integration and equal opportunities for young refugees.⁸⁷

⁸¹ European Commission. 2009. Joint report on social protection and social inclusion 2009- summary. Social inclusion, pensions, healthcare and long term care. Directorate-General for Employment, Social Affairs and Equal Opportunities Units E.2 and E.4.

⁸² Rambaree, K. Berg, M. and R. Thomson. 2016. [A Framework for youth work with refugees: An interim analysis](http://pjp-eu.coe.int/documents/1017981/9645125/Framework-youth-work-refugees.pdf/94f8ad98-27af-4bfb-81e0-80fade21838a) (Final) Available at: <http://pjp-eu.coe.int/documents/1017981/9645125/Framework-youth-work-refugees.pdf/94f8ad98-27af-4bfb-81e0-80fade21838a>. Access: 6 August 2017.

⁸³ Partnership between the European Commission and the Council of Europe in the field of youth. 2016. Journeys to a New Life. Understanding the role of youth work in integrating young refugees in Europe. Expert seminar. Key Messages. Brussels, 23-24 November 2016.

⁸⁴ Partnership between the European Commission and the Council of Europe in the field of youth. 2016. (Un)Equal Europe? Responses from the Youth Sector Symposium 30 May to 2 June 2016. Key messages. Available at: http://pjp-eu.coe.int/documents/1017981/9000853/Symposium_Key+Messages_final.pdf/ec38f727-f416-4da2-840d-7485c1fb487e. Access: 15 July 2017.

⁸⁵ European Youth Forum. 2015. Resolution: Protection and Integration of Young Refugees in Europe, 27-28 November 2015, Madrid, Spain. Available at: http://www.youthforum.org/assets/2015/12/Resolution_Protection-and-Integration-of-Young-Refugees-in-Europe.pdf Access: 13 September 2017.

⁸⁶ Partnership between the European Commission and the Council of Europe in the field of youth. 2016. Journeys to a New Life. Understanding the role of youth work in integrating young refugees in Europe. Expert seminar. Key Messages. Brussels, 23-24 November 2016.

⁸⁷ Ibid

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