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POLICY BRIEF ON THE PROTECTION OF UNACCOMPANIED CHILDREN IN THE REPUBLIC OF CROATIA

Unaccompanied children are persons under the age of 18¹, who are third-country nationals or stateless persons and are outside their country of origin, in the territory of another country, without legal requirements for entry and residence, unaccompanied by a legal guardian and without appropriate care. Unaccompanied children found in a country other than their country of origin can have one of the following status: (1) irregular migrants or (2) applicants for international protection. They are often victims of human trafficking, forced labour or other forms of abuse.² Being both an unaccompanied child and a child on the move is extremely dangerous and challenging in today's context for every child in that situation. Although, in their migration policies, different countries provide specific measures in accordance with the institute of the best interests of the child which aims to protect children when accessing or residing in their territory, an increasingly restrictive approach has been observed in recent years, which is of particular concern when it comes to unaccompanied children. These measures include benefits and exemptions for children - giving them and the groups in which they travel an advantage in certain procedures. In reality, this often results in trends that put children in extremely dangerous situations while on the road or in the "hands of smugglers". For example, there were cases of child abduction from parents in camps in the Republic of Croatia in 2015 because people with children had an advantage over others. This way, persons traveling alone wanted to secure a more favourable position for themselves in the various procedures of the competent authorities towards them. It is of great importance to see what implications the newly proposed EU policy will have in reality,³ which, although emphasizing the special interest of the child, divides children in treatment at the border in two categories: those under the age of 12 (benefiting from taking into the account the special interests of the child) and those over the age of 12 (treated without the possibility of exercising their rights).

In the last 20 years, following numerous international and European documents, Croatia has developed a **broad formal and legal framework for working with unaccompanied children** through various regulations, which ensures accommodation in social care institutions, appointment of guardians, health care, Croatian language learning, translator support, free legal aid, family reunification procedures and communication with the primary family. Asylum system was introduced in the Croatian legal order in

¹ UN (1989), Convention on the Rights of the Child, Article 1, available at: <https://www.unicef.org/croatia/en/convention-rights-child>

² Kraljević, Marinović, Živković Žigante (2011), Unaccompanied Migrant Children in Croatia, UNHCR.

³ EC (2020), New Pact on Migration and Asylum, available at: https://ec.europa.eu/info/strategy/priorities-2019-2024/promoting-our-european-way-life/new-pact-migration-and-asylum_en

2003 by the Asylum Act. Furthermore, the Social Welfare Act recognizes the right of unaccompanied children to accommodation in social care institutions. Pursuant to the Act on International and Temporary Protection, an unaccompanied child is provided with accommodation in reception centres for applicants seeking international and temporary protection, under certain conditions and when it is in the child's best interest.

In the last 11 years, three protocols on the treatment of unaccompanied children have been adopted, aiming to operationalize as clearly and concretely as possible, as well as to gather all key provisions of numerous regulations from the field of internal affairs, social welfare, health and education. The third Protocol on the treatment of unaccompanied children (hereinafter: Protocol), adopted by the Government of the Republic of Croatia in September 2018, came closest to this objective. However, in order for the Protocol to be implemented, it is necessary to further educate experts from different departments involved in it and to place greater emphasis on monitoring and supervising the quality of the implementation of the Protocol's provisions. Pursuant to the Protocol (Government of the Republic of Croatia, 2018), the Interdepartmental Commission for the protection of unaccompanied children (hereinafter: Commission) was established in order to improve the cooperation of bodies involved in the protection of unaccompanied children. However, to date, there are no visible indicators of significant progress in the strategic, financial, educational and operational plan that would affirm the quality of protection of unaccompanied children.

With the aim of improving alternative care, a new Foster Care Act came into force in early 2019, clearly defining the possibility of accommodating unaccompanied children in a foster family for the first time. However, there is still a great number of organizational, preparatory and educational activities that need to be carried out in order to achieve the necessary conditions and actually start accommodating unaccompanied children in foster families. In September 2019, the Ministry in charge of social welfare designated two "entry contact points" for unaccompanied children, defining Community Service Centre Zagreb-Dugave and Community Service Centre Split as the only two institutions to conduct the reception and assessment of the needs of unaccompanied children in the future. However, after only two months, this intention proved to be unsustainable due to the lack of reception capacities when simultaneous accommodation of around 40 unaccompanied children found in the territory of northern part of the Republic of Croatia was needed. Analysis of the merits of this decision have not been published, nor have the reasons for it been clarified to organizations that monitor this topic; the reasons for choosing institutions established for the treatment and care of children with behavioural problems are particularly questionable, considering the fact that civil society organizations have been appealing to the competent national authorities for decades and indicating a number of problems arising from the accommodation of unaccompanied children in this type of institutions.

Over the past five years, civil society organizations (such as Centre for Missing and Exploited Children, Croatian Law Centre, Centre for Peace Studies, Croatian Red Cross, Are You Syrious), in partnership and/or in cooperation with the competent national authorities and international organizations, have implemented numerous projects aiming to contribute to capacity building, as well as to higher level of interdepartmental connection and harmonization of care systems for unaccompanied children.

However, the entire system in charge of caring for unaccompanied children still appears very incoherent - partial solutions and measures are adopted discontinuously, resulting in the inconsistency and

fragmentation of immediate, practical care for unaccompanied children. There is a lack of essential synergy and integrative effect of the provisions of the Protocol which must include the necessary establishment of a single record/database of unaccompanied children, separate alternative care with regulated procedures for assessing the needs and risks of unaccompanied children, regulation and improvement of guardianship for unaccompanied children, the development of foster care and quality health care, as well as the inclusion of unaccompanied children in the educational process, as a basis for more lasting solutions and integration of unaccompanied children who were granted an international protection in the Croatian society.

The situation in everyday practice and the evidence available from various researches⁴ and projects indicate the unsustainability of the existing conditions of care for unaccompanied children, because when it comes to the wider area of the Republic of Croatia, it is impossible to ensure a sufficient number of educated professionals, availability of special guardians, legal protection, translators and health care services at short notice and on a continuous basis, the availability of education and relevant institutions, services and facilities, in order to provide unaccompanied children with timely protection and achieve more lasting solutions in relation to their life, legal status and various, specific individual needs.

In addition to the problems of accommodation, there is also the **persistent problem of the lack of data and the establishment of a single record or database of unaccompanied children**. The single record should contain data on: unaccompanied children who tried to enter the Republic of Croatia and exercised the right to access its territory; unaccompanied children who tried to enter the Republic of Croatia but were denied entry; legal status of unaccompanied children; procedures carried out under the Protocol; return to the country of origin or the country of entry in the Republic of Croatia; missing unaccompanied children; appointment of a special guardian and accommodation, health care and care, inclusion in education and other relevant data. This shortcoming was also pointed out by the UN Committee on the Rights of the Child in its 2014 report on Croatia. The lack of a database on unaccompanied child shows the deliberate neglect of unaccompanied children and their protection by the state.

Context in which unaccompanied children travel and live

Some of the many reasons for migration of unaccompanied children are fleeing poverty, political conflicts, wars and persecution, search for a better life, natural disasters or loss of family security. Unaccompanied children are often without parents or without adequate parental care, while in some cases the separation from their parents and/or the rest of their family is circumstantial. Some unaccompanied children are separated from their families during migration - most commonly due to the tragic loss of other family members at sea or on land, as well as to the separation from the rest of the family on migration routes, while some children might already be separated from other family members in their countries of origin. In addition, unaccompanied children can migrate in search of safety or a better life, to ensure their own livelihoods and, in some cases, livelihoods of family members who have remained in their country of origin and for whom unaccompanied children become the main financial

⁴ NIDOS (2017): Assessment of needs for capacity building in protection system for unaccompanied children, available at: <https://nidosineurope.eu/wp-content/plugins/download-attachments/includes/download.php?id=975>

custodians. Regardless of the reasons for migration, unaccompanied children are an extremely vulnerable group and, what is often forgotten in practice, **unaccompanied children are children.**

They often grow up on migratory routes, separated from peer socialization, adequate upbringing and education, in the insecurity of overcrowded camps, on roads and in forests, hungry, exposed to various forms of injustice, exploitation and violence, including human trafficking and forced labour. The objective of most unaccompanied children on the routes to Europe is to reach the European Union countries - for safety, living standard, relatives or friends who live there or the possibility of reunification with the rest of the family members.

At the beginning of 2016, with the change in political and media discourse towards the humanitarian crisis, further caused by several terrorist attacks, the openness of the EU Member States was replaced by closed borders, and the protection of unaccompanied children (even then deficient) was replaced by deepening their suffering at the EU's external borders, in conditions inadequate for children.

According to the organization Save the Children, around 210 000 unaccompanied children have sought international protection in Europe in the last five years, while the total number of unaccompanied children exposed to insecurity in Europe is estimated to be much higher.⁵

Unaccompanied children in the Republic of Croatia at the turn of the century

The Republic of Croatia is an inevitable country on the routes of refugees and other migrants from many Asian and African countries. It gained its first experiences of caring for unaccompanied children more than 20 years ago, with the reception of unaccompanied children from the countries of the former Yugoslavia and the former Soviet Union. Because it was mostly⁶ about the children who fled their homes or social care homes in the countries of origin or were caught committing a criminal offense (**unaccompanied children - with behavioural problems**), by the decision of the competent Ministry of Social Affairs, accommodation in the Republic of Croatia immediately began to be carried out in the reception stations of homes for children with behavioural problems.

However, in the early 2000s, the structure of unaccompanied children related to countries of origin and reasons for leaving the country, which used to be mostly war conflicts and extreme poverty, began to change and there were more and more children arriving from Asian and African countries. It soon became clear that these were **unaccompanied children - without parents and adequate parental care.** However, emergency accommodation continued to be carried out in the reception stations of homes for children with behavioural problems, throughout the territory of Croatia.

In the years prior to the great humanitarian crisis of 2015, the periods of arrivals/passages of a large number of unaccompanied children alternated, depending on geopolitical changes in the world. Croatia was mostly a country of transit, in exceptional cases a country of destination, and it maintained this status to this day. The perception of Croatia as a transit country (in the perspective of decision makers,

⁵ Save the Children, Over 200,000 lone child migrants left to uncertain fates in Europe, objavljeno 2. rujna 2020. godine, available at: <https://nwb.savethechildren.net/news/over-200000-lone-child-migrants-left-uncertain-fates-europe>

⁶ Ombudsperson for Children (2008): Unaccompanied children: children foreigners separated from their parents (proceedings of the round table), Zagreb. Available at: <https://dijete.hr/download/djeca-bez-pratnje/>

experts and unaccompanied children themselves) should be viewed as one of the key criteria for the analysis of all aspects of the reception and treatment of migrants. This fact determined the access to and the quality of available services, i.e., there is an impression that “transit” was chosen as a determinant of public policies related to migration, which greatly influenced the lack of systematic protection of the rights of unaccompanied children in the Republic of Croatia, that is the maintenance of the conditions of inadequate reception, care and integration measures. Until 2015, the needs of unaccompanied children, as well as the need to change the care system itself, remained “visible” only to a narrow group of experts with experience of immediate care and support for unaccompanied children. Numerous interviews⁷ conducted with these children in the last few years have led to the conclusion that unaccompanied children consider the Republic of Croatia a country without opportunities and appropriate services for refugees and other migrants and do not want to stay here. Too often even the experts working with unaccompanied children express the opinion that children will sooner or later “run away” and that only a small number of children are “stuck” in Croatia. Such attitude is a major obstacle to building a care system for unaccompanied children, and the fact that hundreds of unaccompanied children come to Croatia every year is being ignored. Consequently, positive initiatives and changes are moving at a very slow pace in this “vicious circle”. It is difficult for quality services, programmes and constructive initiatives, mainly from the ranks of CSOs, to find a way to reach decision makers who show no interest nor openness to CSO proposals.

After the closure of the Balkan corridor in early 2016, numerous children remained on the outside of the Croatian and EU borders - mostly in Bosnia and Herzegovina and Serbia. In the absence of adequate accommodation and integration capacities, many unaccompanied children are forced to join other persons on the move on their way to the Republic of Croatia or other EU member states. In this context, the Republic of Croatia has posed new challenges to unaccompanied children - the inability to access the international protection system and the violation of the fundamental rights of children. Numerous testimonies of refugees and other migrants about pushbacks and violence that they have experienced on the territory of the Republic of Croatia include children with their families and unaccompanied children. In the period from January 2017 to April 2020, the Border Violence Monitoring Network (hereinafter: BVMN) recorded a total of 209 cases of pushbacks of children or unaccompanied children from the Croatian territory to Serbia or Bosnia and Herzegovina, which included physical violence and violations of fundamental rights (beatings, confiscation of personal belongings, imprisonment in police vans for several hours where they were exposed to extremely high or extremely low temperatures, shooting and the use of electric discharge weapons).⁸ According to the reports about pushbacks and violence against children on the move at the Western Balkans borders by the organization Save the Children, 1842 children have been pushed back in the period from January to June 2019⁹, and 1127

⁷ Herceg Pakšić and Jeđud Borić (2017): Report on assessment of the needs for capacity building in the system of protection of unaccompanied children.

⁸ Border Violence Monitoring Network, Center for Peace Studies, Society for Psychological Assistance, Welcome Initiative. Pushback report on children and unaccompanied children in Croatia Zagreb, 2020. Available at: https://www.cms.hr/system/article_document/doc/646/lzvje_taj_o_nezakonitim_protjerivanjima_djece_i_djece_bez_pratnje.pdf

⁹ Save the Children (2019): Reports about push backs and violence against children on the move at the Western Balkans borders: January - June 2019. Available at: <https://nwb.savethechildren.net/news/reports-about-push-backs-and-violence-against-children-move-western-balkans-borders-january>

children in the period from July to September 2019.¹⁰ The data collected by Danish Refugee Council, which publishes “Border Monitoring Monthly Snapshots” for Bosnia and Herzegovina since December 2019, clearly shows pushbacks of children from Croatia to Bosnia and Herzegovina. According to their data, 117 children, of which 21 unaccompanied children, were pushed back in December 2019 alone. From the beginning of January to the end of October 2020, 1065 children were pushed back, of which 407 unaccompanied children.¹¹ These figures are based on the testimonies of victims, but the total number of pushed back children and children who experienced physical and psychological violence, including torture, during pushbacks remains unknown and it is non-existent in the official statistics of the Ministry of the Interior.

Due to the violent and illegal pushbacks, there are currently two cases against the Republic of Croatia pending at the European Court of Human Rights. The first case was brought by the family of the tragically deceased six-year-old girl Madina Hussiny, and the second case revolves around the pushback, illegal detention and inhumane treatment of a 17-year-old Syrian boy by the Croatian police. The boy was pushed back to Bosnia and Herzegovina after seeking asylum in Croatia.¹²

Accommodation of unaccompanied children

From the very beginning, the reception and housing of unaccompanied children is carried out in a way that urgent, temporary accommodation (as a form of emergency social assistance) is ensured within the reception stations of homes for children and youth with behavioural problems for children over 14 years of age and in homes for children without adequate parental care for children up to 14 years of age. Children over the age of 16 applying for international protection can also be provided with accommodation at the reception centre for the applicants for international protection in Zagreb (Hotel "Porin") or in Kutina. Over a long period of time, and especially in the last five years, most experts from various departments involved in the system of protection of unaccompanied children, especially experts from the social care system (professionals working in homes for children, correctional facilities for children and youth, community service centres and social care centres, as well as special guardians) assess that the existing form of accommodation of unaccompanied children is unacceptable in relation to various criteria and that it is necessary to provide a specialized model of care for unaccompanied children. It is necessary to emphasize that the housing of unaccompanied children should be carried out exclusively within the social welfare system and that their accommodation in the institutions under the Ministry of the Interior, where they share living space with adults, is not in line with the best interests of unaccompanied children. Accommodation of unaccompanied children in various social care homes (especially homes for children with behavioural problems and reception centres for applicants for international protection) reflects numerous difficulties, conditioned by the dominant element of

¹⁰ Save the Children (2019): Reports about push backs and violence against children on the move at the Western Balkans borders: Juli - September 2019. Available at: <https://nwb.savethechildren.net/news/reports-about-push-backs-and-violence-against-children-western-balkans-borders-july-september>

¹¹ Danish Refugee Council, Border Monitoring Monthly Snapshots - Bosnia and Herzegovina, reports available at: <https://drc.ngo/our-work/where-we-work/europe/bosnia-and-herzegovina/>

¹² Center for Peace Studies, Children and unaccompanied children systematically pushed back from Croatia, published May 29, available at: <https://welcome.cms.hr/index.php/2020/05/29/djeca-i-djeca-bez-pratnje-sustavno-nezakonito-protjerivana-iz-hrvatske/>

scattering/fragmentation of resources on almost the entire territory of Croatia, and the unavailability of adequate services for unaccompanied children.

Disappearance of unaccompanied children

As unaccompanied children travel alone without any protection, mostly from Asian countries and are risking their lives in various ways; their overall integrity is endangered and compromised. They are often completely deprived of personal dignity, the right to a childhood and all the rights proper to the childhood and the child; they often represent official statistics and “black” figures of missing children.

Ever since 2015, an average of 30 unaccompanied children is placed in social care institutions throughout Croatia on a monthly basis. The number of children varies as they frequently tend to run away from institutions. The reasons for that are multidimensional. On the one hand, for example, unaccompanied children seek to arrive in Western European countries, so Croatia is only one of their transit countries. On the other hand, one can discuss the quality of care and the adequate access to rights (from the health care, social welfare and education systems, cultural subjective and objective adjustment...). If they are or if they feel deprived of certain rights or acceptance, that will increase the possibility of their desire to run away in the hope that they will be better off in another country. The factors of peer pressure should be added to that because, when traveling in a group, they feel the expectations/pressures of adults, as well as the adolescent "omnipotence" which makes it difficult for them to accept that they need protection. Thus, the disappearance of unaccompanied children is conditioned by various surrounding and subjective reasons, as well as by specific individual needs of each child, which form a complex image of risks to their safety and life, reinforcing the need to develop and follow complex measures to protect them. Ultimately, that is the duty of every child professional and every country committed to caring for the rights and well-being of children.

Education and communication with unaccompanied children

The everyday life and feelings of unaccompanied children are filled with hopelessness, fear for their own and their families' lives, inability to protect and express themselves due to language barriers in foreign environments along the way, often without basic education and literacy. Inclusion in the educational process, literacy and Croatian language courses were barely mentioned until 2015. Then, intensive initiatives and activities in this regard appeared, encouraged by the CSOs and international organizations operating within the Republic of Croatia. Despite all the normative documents, the inclusion of unaccompanied children in the learning of the Croatian language and in education is still not systematic, i.e., it is reduced to individual examples of good practice.

The language barrier and the problems of unavailability or low availability of translators, especially for certain languages and in smaller Croatian cities is still present. Proposals for a comprehensive solution which would overcome the problem of translation through integration of translation resources and modern technologies, obviously did not take root and uninterrupted communication continues to be the crucial problem in everyday life and taking care of unaccompanied children.

Health care of unaccompanied children

Over the last 20 years, there have been constant difficulties in obtaining health care and necessary medical care. Initiatives of practitioners for introduction of an initial health examination had to wait 13 years (from 2000 to 2013) in order to be incorporated into the second Protocol (Government of the Republic of Croatia, 2013), and to be properly elaborated in the third Protocol on the treatment of unaccompanied children (Government of the Republic of Croatia, 2018). Unaccompanied children face various traumatic events while traveling, they are often victims of various forms of neglect, abuse and exploitation and/or are subject to various infectious diseases, which is why protecting their lives and providing them with security (basic principles of the Convention on the Rights of the Child) lies in providing them the necessary health care as a basis for further proper access to and treatment in the social care institutions and as a basis for guardianship. The initial health examination is conceived as a detection point of possible health problems, an assessment of the child's health needs and risks and their timely elimination. Health care for unaccompanied children is at the same time a question of their survival, of the respect for children's rights, of public health, as well as a question of understanding cultural particularities, appropriate upbringing, socialization and the possibility of their integration in the Croatian society.

Guardianship of unaccompanied children

When it comes to guardianship, there have been numerous needs and difficulties related to special guardians of unaccompanied children for years. Special guardians are appointed among the employees of social care centres, external associates, and in recent years more frequently among the employees of social care institutions in which unaccompanied children are placed. Social care centres are burdened with numerous responsibilities of daily work arising from their vast jurisdiction. They often encounter difficulties due to the lack of motivation of professionals to take special guardianship of unaccompanied children, because they are aware of the complexity of caring for unaccompanied children, of their own workload and lack of time in addition to the obligations arising from their regular tasks. Furthermore, there is the issue of remuneration of guardians.

The appointment of special guardians from social care institutions is not in accordance with the European standards¹³, and experts employed in an institution who are also appointed special guardians face conflicting requirements, as they often have to perform a number of tasks arising from the guardianship and coordinate them with the requirements of the direct work with all other children in the institution. It is necessary to emphasize the risk of conflict of their roles, i.e., the risk that the special guardians/employees of the institution will end up in a situation where they must carry out a certain activity in the interest of the unaccompanied child without a consent of their superiors. Therefore, it is necessary to ensure the appointment of guardians whose role will be as independent as possible, i.e. to regulate the system of guardianship of unaccompanied children through the provisions of the Family Law and through separate subsidiary legislation, so as to ensure special education, supervision, professionalization and a list of licensed guardians in order to perform this work in the best interest of the child, which unfortunately has not yet been achieved in the current conditions.

¹³ FRA (2015): Guardianship for children deprived of parental care, available at:
https://fra.europa.eu/sites/default/files/fra_uploads/fra-2014-guardianship-children_hr.pdf

Opportunities for improving the system of protection of unaccompanied children in the Republic of Croatia

The UNICEF Guidelines for the Alternative Care of Children state that unaccompanied or separated children should "enjoy the same level of protection and care as national children in the country concerned". In determining appropriate care provision, "the diversity and disparity" of unaccompanied children - such as ethnic and migratory background or cultural and religious diversity - should be taken into the account.

The Guidelines emphasize that "the use of residential care should be limited to cases where such a setting is specifically appropriate, necessary and constructive for the individual child concerned and is in his/her best interests". This implies that the suitability, needs and best interests of the child are assessed individually for each child, including the unaccompanied children, and that residential care cannot be a default choice simply because the unaccompanied child is a foreigner.

The UNICEF guidelines emphasize that where "large residential care facilities (institutions) remain, alternatives should be developed in the context of an overall deinstitutionalization strategy". This includes alternative solutions for unaccompanied children, which may have characteristics universal to all children without adequate care, but also take into the account the cultural and developmental specifics, as well as the specific life experience of unaccompanied children.

Where residential care cannot be avoided, the Guidelines emphasize that it should be provided in "smaller facilities and organized around the rights and needs of the child, in a setting as close as possible to a family or a small group situation". The objective of residential care should generally be "to provide temporary care and to contribute actively to family reintegration or, if this is not possible, to secure permanent care in an alternative family setting". The Guidelines explicitly emphasize that a child who needs only protection and alternative care should be placed separately from children covered by educational and/or punitive measures.

The UNICEF Guidelines for the Alternative Care of Children should definitely be applied in emergencies, such as refugees situations, and in this regard instruct all those who provide or intend to provide assistance to children to develop "temporary and long-term family-based care" and to use residential care "only as a temporary measure until a family-based care can be developed".

After the placement of a child in the care system, regardless of the form of the alternative care provided to protect and care for children, including unaccompanied children, "contact with his/her family, as well as with other persons close to him or her should be encouraged and facilitated. The child should have access to information on the situation of his/her family members in the absence of contact with them." All those involved in the protection and care of children should take "appropriate measures to ensure that children in alternative care are not stigmatized during or after their placement".

In 2010, the competent ministry adopted the Deinstitutionalization and Transformation Plan for Social Care Homes in the Republic of Croatia 2011 – 2016 (2018), aiming to "reduce the extent of entry into institutional care and increase the exit from institutional to new types of care". New types of care, which were supposed to replace institutional care, include, above all, types of care as close as possible to a family environment - such as foster care, as well as organized housing and various types and intensity levels of support for the child's life in the community. The new Plan for the period 2018-2020 foresees "

the intensification of the process of transformation and deinstitutionalization, as well as the prevention of institutionalization", especially when it comes to children without adequate parental care. Reception of unaccompanied children, either from EU countries, under relocation programmes, from third countries, under resettlement programmes or other unaccompanied children found in Croatia, should not be a reason for regression in the deinstitutionalization processes. Especially when it comes to the institutions that have achieved complete deinstitutionalization in the previous period and did not have beneficiaries of accommodation, such as the Lipik Community Service Centre, which should accommodate children from the infamous Moria camp in Greece. Unaccompanied children should have the same standard of protection and care as other children without adequate parental protection, which means giving alternative solutions priority over institutional care. Protection and care of unaccompanied children are an opportunity to improve existing alternative solutions and develop innovative and diverse social services, which, in the long run, can improve social policies and social services for all children without adequate parental care and all children at risk. This is an opportunity to increase the number of foster parents, especially in urban areas, and to improve the age and educational structure of foster parents, which is often highlighted as a deficiency and an obstacle to the development of alternative care systems. Moreover, this is an opportunity to develop diverse, culturally sensitive and flexible social services and support programs, such as those already being developed by the civil society organizations working with and for the benefit of unaccompanied children. The systematization of these services would significantly contribute to "intensifying the process of transformation and deinstitutionalization and prevention of institutionalization", which is the stated aim of relevant social policies. It is especially important that every unaccompanied child, regardless of the way they arrived in Croatia, has equal rights and enjoys the same standards of protection and care.

Based on the analysis of the current situation deriving from the long-term experience of experts and civil society organizations, we present the following recommendations for improving the system of protection of unaccompanied children and for regulating key fields:

1. Developing a new National Strategy on the Rights of Children

- Integrating unaccompanied childcare into the childcare system.
- Applying equal standards of protection and care for all children (Article 22. Convention on the Rights of the Child).
- Consistently applying established standards of reception, protection and care of unaccompanied children, including data recording and application of internationally accepted standards for care, to all unaccompanied children, regardless of the way they arrived in Croatia.

2. Developing a Capacity Building for Alternative Care of Unaccompanied Children Plan

- **Needs assessment:** Establishing needs assessments for unaccompanied children, which include the best interests of the child and the same standards of protection and care as for the national children, in order to differentiate individual characteristics and specificities on which to base types of services/interventions (reception, accommodation, education, health care, legal status, integration), with special respect for ethnic and migratory background, as well as cultural and religious specifics of children.
- **Accommodation:** Reception, protection and care of unaccompanied children should be carried out in accordance with the policies of deinstitutionalization and transformation of social care institutions, that is adhering to the principles of prevention of institutionalization and resorting to alternative solutions - foster care and organized supported housing, and children should be placed in institutional care only temporarily, until an appropriate alternative solution is ensured.
- **Guardianship:**
 - ✓ Thoroughly regulating the areas of the Family Act: "Guardianship of children" and "Guardianship of unaccompanied children - third-country nationals".
 - ✓ Regulating "Guardianship of children" with special regulations that will define the manner and conditions relating to the appointment, deadlines, rights and obligations of guardians of unaccompanied children.
 - ✓ Establishing independent and professional guardianship. Regulating guardianship and ensure the independent role of guardians, in accordance with the best interests of the child and its identified needs, as well as with the standards that have been set and improved at the EU level for years (FRA Agency, 2015). Guardianship on a voluntary basis does not ensure the maintenance of the guardianship system (availability, level of education, professional training and supervisory mechanisms).

- ✓ Determining the conditions for appointment and qualifications of the person to be appointed guardian.
 - ✓ Ensuring regular professional development of guardians.
 - ✓ Providing funds for regular remuneration of guardians.
 - ✓ Regulating the number of children a single guardian can take care of.
 - ✓ Ensuring regular monitoring of the quality of the work of guardians of unaccompanied children.
- **Translation:** Integrating translation resources and modern technologies - creating a list of available translators and making that data available to institutions and organizations involved in the protection and care of unaccompanied children.
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3. **Establishing a single record, and consistently and systematically collecting and recording the data on unaccompanied children in the Republic of Croatia**
 4. **Encouraging and supporting advocacy activities of the CSOs and the entire professional community, aimed at raising public awareness of the needs of unaccompanied children and at improving the cultural competencies and sensitivity of the professional and general community**
 5. **Developing a new Migration Policy**