

A young girl with dark hair, wearing a blue shirt with red and white stripes, is holding a black Nikon camera up to her eye. She is looking through the viewfinder. The camera is held by her hands, which are visible. The entire scene is framed by a large, light-colored rectangular border, which is held by two hands in the foreground. The background is slightly blurred, showing other people and greenery.

Unaccompanied and separated children in Italy: the right to be heard and to participate

Final report on participatory activities
AGIA - UNHCR 2017-2018



Rome, May 2019

CONTENTS

Contents	3
I. Introduction	5
II. Overview of activities carried out in 2017	11
III. Overview of activities carried out in 2018	17
The outcomes of the activities	20
IV. Recommendations	22



I. INTRODUCTION

On 9 July, 2019 the final report of the participatory activities carried out by the Italian Authority for Children and Adolescents (AGIA) and the United Nations High Commissioner for Refugees (UNHCR) was published. The report is entitled “L’ascolto e la partecipazione dei minori stranieri non accompagnati in Italia” (Unaccompanied and separated children in Italy: the right to be heard and to participate)¹.

The report summarizes the joint work carried out by AGIA and UNHCR in 2017 and 2018 to facilitate and promote the effective protection of children in Italy.

Right from the outset, the measures taken were specifically targeted on promoting children’s participation as a way of exercising their rights.

In this context, activities were carried out and results were achieved thanks to the work and the availability of public and private social services and the participation of over 200 unaccompanied and separated children (UASC) hosted in first and second reception facilities in 10 Italian regions.

This summary report will discuss the evolution of the measures taken by AGIA and UNHCR in 2017 and 2018 in favour of UASC in Italy.

The full report clearly outlines the strategic evolution of the actions implemented. It illustrates the legal framework for the right to participate and its implementation as a working methodology in the Italian context; it then describes the activities undertaken in 2017-2018.

In 2017, activities were carried out with a view to supporting UASC’s right to be heard and to participate in the decisions that affect them. This was achieved through participatory needs

assessment visits to children hosted in first and second reception facilities on the national territory.

Participatory needs assessment is a consultation exercise on the specific protection risks that children and adolescents face, as well as on the possible solutions and initiatives they consider most suitable to their needs.

To implement them, the methodology developed by UNHCR was adopted, which is based on the principles of information provision, consensuality and voluntariness, and on a child-friendly approach, with a view to building trust and listening to children.

Drawing on the findings of the focus groups conducted in 15 first and second reception centres in 10 different Italian regions, it was possible to obtain a picture of risk factors, vulnerabilities and needs expressed and shared by children.

This path clearly showed children’s need to be heard and participate in the decisions that affect them. **All girls and boys asked to be informed and to be able to give their views on an equal footing with relevant adults.**

The outcomes of the visits were published in a preview of this report and were included in AGIA’s Annual Report to Parliament 2017; further, they informed the structuring of the activities carried out in 2018.

For this reason, it was decided to take a further step forward and put boys and girls at the centre of actions. Thus, after conducting listening and participatory activities in reception centres - where needs were assessed with a view to turning them into enforceable rights - a new phase was entered into in which young migrants explained their perception of the hosting context to adults.

¹ The full text of the report is available here: <https://www.garan-teinfanzia.org/sites/default/files/report-agia-unhcr-finale.pdf>

The initial assumption was that effective participation must recognize and enhance the skills and resilience of children and adolescents, allowing them to better protect themselves and their peers. A key concept in child participation is that children should be viewed as competent social actors, able to take decisions, to be active subjects in their contexts and to create social and cultural networks.

The participatory activities implemented in 2018 were based on this principle.

Although the activities were experimental in nature and had a limited impact, they provided a great opportunity for children to feel empowered and enhanced their skills and knowledge.

Children hosted in the SPRAR (Protection System for Asylum Seekers) centres in Florence and Pescara made a substantial didactic contribution to the training courses for voluntary guardians

organized by AGIA, as they participated as active subjects and not as mere witnesses. For the first time, a group of UASCs was involved in a training for the voluntary guardians. The photography workshops held within and outside the reception centres were also noteworthy. Both initiatives were characterized by an active approach, whereby children were supported in relating to their inner and outer world and in reinforcing their critical skills for observation.

Activities enabled children to feel part of a process in which they were active subjects just like adults.

The recommendations included in the final chapter of this document represent the culmination of this path; they summarize and give voice to the over 200 boys and girls who participated in the activities conducted by UNHCR and AGIA.



The collaboration between AGIA and UNHCR

As from October 2017 AGIA and UNHCR have been collaborating to facilitate and promote the effective protection of children in Italy.

In line with the mandates and functions of each organization, such collaboration seeks to support the protection of UASC arriving in Italy, with particular emphasis on the promotion of child participation as a way of exercising their rights.

Activities were carried out in the following Italian regions: Veneto, Piedmont, Emilia-Romagna, Sicily, Puglia, Tuscany, Abruzzo, Marche, Lazio, Liguria and Umbria. The activities and the results obtained in the two years (2017-2018) will be discussed below.



AGIA-UNHCR PARTNERSHIP HISTORY

2
0
1
7



October

Signing of the Memorandum of Understanding between AGIA and UNHCR aimed at facilitating and promoting the effective protection of children in Italy



November and December

Joint visits and participatory needs assessments in first and second reception centres for UASC in Italy



April

Signing of an addendum to the Memorandum to support actions promoting children's right to participate and be heard



June

Presentation of the preview of "Minori stranieri non accompagnati: una valutazione partecipata dei bisogni" (Unaccompanied and Separated Children: a Participatory Needs Assessment), a joint AGIA-UNHCR report on visits to emergency first and second reception centres in Italy



July, August and September

Implementation of participatory activities for UASC hosted in SPRAR reception centres in Tuscany and Abruzzo, aimed at encouraging their involvement and social inclusion, and more specifically to support children's participation in training courses for volunteer guardians organised by AGIA



September, October and November

Organization of a participatory photography workshop with 15 boys and girls hosted in first reception centres in Rome



October, November and December

Participation of children hosted in SPRAR centres in Florence and Pescara in training courses for volunteer guardians organized by AGIA in Abruzzo and Tuscany as "experts"



December

Inauguration of the Photo Exhibition IO SO(G)NO at *Museo delle Mura* by children hosted in first and second reception centres in Rome

2
0
1
8

OVERVIEW OF ALL THE ACTIONS UNDERTAKEN IN 2017 AND 2018

203

children involved



22

facilities
visited/involved



21

nationalities
represented



17

average age



47

participatory
sessions carried out
with children



11

Italian regions
involved



II. OVERVIEW OF ACTIVITIES CARRIED OUT IN 2017

Between November and December 2017, AGIA and UNHCR jointly carried out a number of visits to emergency, first and second reception centres for UASC. The reception facilities involved were located in different cities from the North to the South of Italy. The aim was to provide children with a safe space where they could exercise their right to be heard and to participate, as well as their right to give their views and their own assessments of protection needs (risks and needs) and where they could also provide options for action in response to such needs.

When identifying the reception facilities where visits and listening activities were to be conducted, the different types of reception facilities as defined by national legislation were taken into account - with particular reference to Legislative Decree No. 142 of 18 August 2015, implementing the EU directives on standards for the reception of applicants for international protection and on common procedures for granting and withdrawing international protection². The different Italian reception contexts and the children's nationalities were also taken into consideration, although with no aim to ensure statistical representativeness, given the small sample involved compared to the total number of Italian reception facilities (2,039) for UASC³.

More specifically, visits and focus group activities were conducted in 15 reception centres, divided

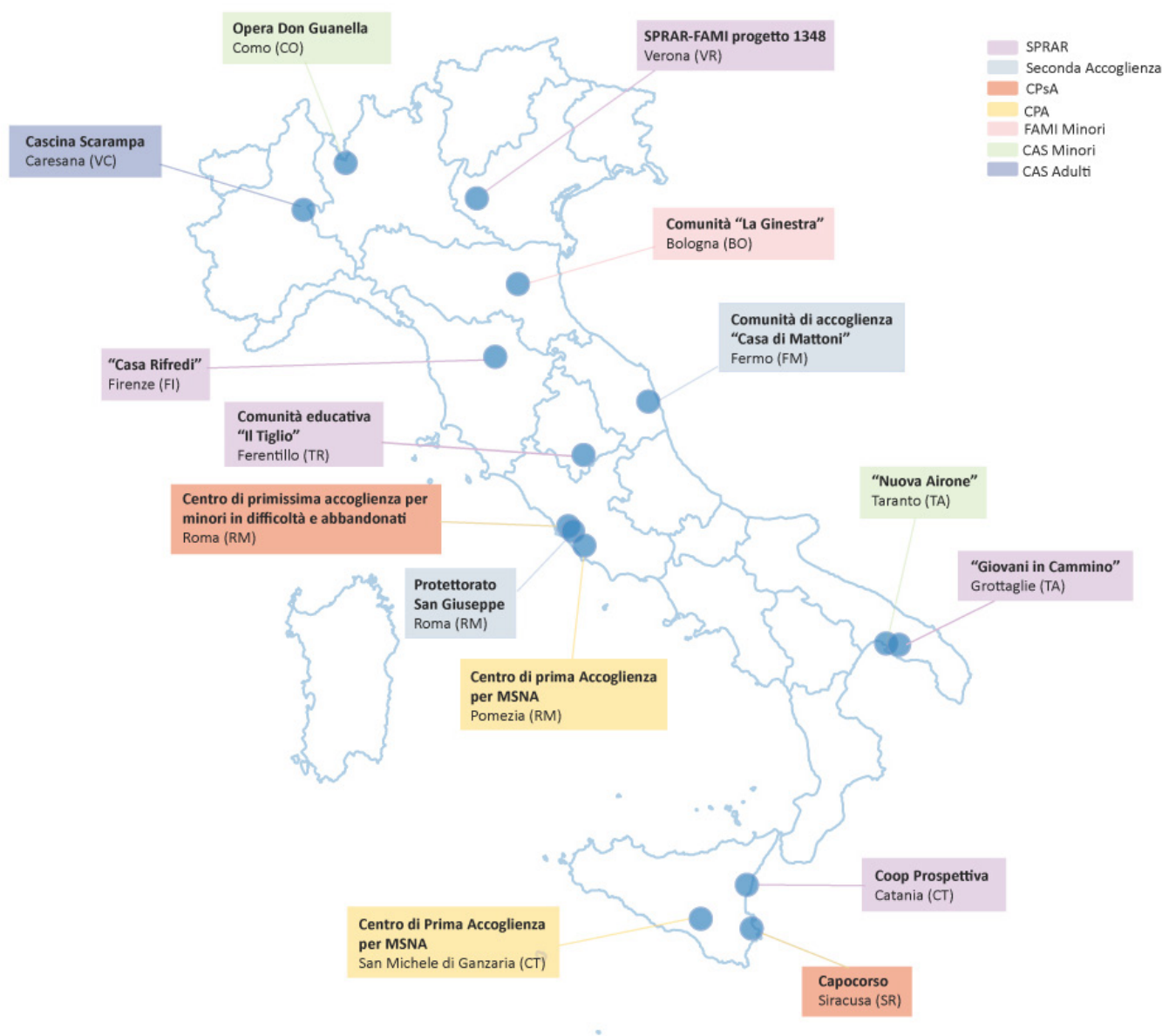
² Legislative Decree No. 142 of 18 August, 2015, implementing: Directive 2013/33/EU laying down standards for the reception of applicants for international protection, and Directive 2013/32/EU on common procedures for granting and withdrawing international protection.

³ The figure is based on the data available when preparing visits and published by the Directorate-General for Immigration and Integration, Div. II, Ministry of Labor and Social Policies in *Report di Monitoraggio - I minori stranieri non accompagnati (MSNA) in Italia - Dati al 31 agosto 2017* (Monitoring Report - Unaccompanied and Separated Children (UASC) in Italy) - Data as of 31 August 2017). For more up-to-date information, see the monitoring report published by the Ministry, which indicates a further increase in the number of facilities for UASC (2,344) as of December 2017.

as follows: four temporary reception facilities set up by Prefectural Decree pursuant to Art. 19, paragraph 3 bis of Legislative Decree No 142 of 18 August 2015 (the so-called CAS centres for children); an emergency reception facility for adults, but hosting children as well (the so-called CAS centre for adults); two first reception facilities accredited/authorized by competent municipalities or regions and a governmental facility (respectively set up under Art. 19 paragraph 1 and paragraph 2 of the aforementioned Legislative Decree); seven second reception facilities, of which five within the SPRAR system.

As for the geographical distribution of the reception facilities, six are located in central Italy (Umbria, Marche, Tuscany and Lazio), five in southern regions (Puglia and Sicily) and four in northern Italy (Emilia-Romagna, Lombardy, Veneto, Piedmont).

The focus group discussion involved a total of 134 children, 84% of whom were males; the average age of children was 17. The figure regarding the young participants' nationality is likewise significant, as it indicates the range of countries and contexts of origin: the nationalities represented were 21, with children mainly coming from West Africa (Nigeria, Gambia, Senegal, Guinea Conakry, Ivory Coast and Mali), Maghreb countries (primarily Egypt, but also Tunisia and Algeria), Albania (a traditionally emigration country) and finally from countries considered refugee-producing countries, namely Eritrea, Syria, Somalia, Afghanistan and Iraq (23 out of 134), as data proportionate the their overall presence in Italy show.



Map of reception facilities visited by AGIA in the last two months of 2017, as part of its cooperation with UNHCR

Overview of all the actions undertaken in 2017	
Total number of children involved in 2017	134
Total number of facilities visited/involved	15
Total number of participatory sessions conducted with children	15
Nationalities represented	21
Main nationalities	Albania, Eritrea, Mali, Gambia, Nigeria, Ghana, Guinea, Somalia, Philippines, Ivory Coast, Bangladesh, Colombia
Average age	17 years
Cities involved	Como, Caresana, Verona, Bologna, Florence, Ferentillo, Rome, Fermo, Taranto, Pomezia, Grottaglie, Catania, San Michele di Ganzaria, Siracusa

Problem areas often highlighted during visits to reception centres



Widespread and substantial deficiencies in information and guidance activities for UASC

80% of centres visited



Lack of socialization activities

53% of centres visited



Long periods of stay in first reception or emergency centres well beyond the terms established by Legislative Decree No 142/2015

47% of centres visited

Main problem area highlighted by children



Widespread and substantial deficiencies in information and guidance activities for UASC

Main problem area highlighted by managing bodies



Burdensome process for the granting of a legal tutor

Main problem area highlighted by children and managing bodies



Inability for children to enrol in FIGC



© UNHCR/Michele Cirillo



III. OVERVIEW OF ACTIVITIES CARRIED OUT IN 2018

While in 2017 activities were aimed at the participatory assessment of UASC, consulting with children and adolescents on the specific protection risks they face and on the possible solutions and initiatives they consider more suitable to their needs, in 2018 actions aimed to support and fulfil UASC's right to be heard and to participate in the decisions that affect them, as established by the Convention on the Rights of the Child and by relevant international and national legislation.

Such actions tried to value children's opinions and to include them in the decision-making processes concerning them.

More specifically, the activities carried out during 2018 had three main goals:

A) Continuation of visits to first and second reception centres in different locations throughout Italy, to carry out participatory assessments through focus groups for UASC, to **identify protection gaps and to listen to the needs and proposals voiced by children during listening activities.**

B) Implementation of participatory activities for UASC in the SPRAR reception centres in Tuscany and Abruzzo, to **encourage their involvement and social inclusion**, and more specifically to support their participation in the training courses for volunteer guardians organised by AGIA. The children were involved as "experts" at the end of this path.

C) Organization of a participatory photo workshop, which involved a group of UASC hosted in first reception centres in Rome, to learn to express themselves through photography. This path aimed to better facilitate children's participation. Through photography, children were able to give their views, focusing on the places, spaces, people and themes they are mostly interested in.

The activities led to a photographic exhibition at *Museo delle Mura*, Rome. The exhibition was visited by around 1.800 people.



Overview of all the actions undertaken in 2018	
Total number of children involved in 2018	69
Total number of facilities visited/involved	7
Total number of participatory sessions conducted with children	32
Nationalities represented	12
Main nationalities	Albania, Eritrea, Mali, Gambia, Nigeria, Ghana, Guinea, Somalia, Philippines, Ivory Coast, Bangladesh, Colombia
Average age	16-17 years
Gender	66 m, 3 f
Cities involved	Rome, Pescara, Florence, Augusta
Other information	<p>About 80 new volunteer guardians participated in the training organized by AGIA in Florence and Pescara in October, November and December 2018, in which children from Florence and Pescara SPRAR centres took part as “trainers”.</p> <p>About 1.800 people visited the Io So(g)no exhibition at Museo delle Mura, Rome</p> <p>6 children took part in the “Ragazzi al centro” event, a meeting promoted by AGIA to celebrate the anniversary of the New York Convention and the 70th anniversary of the Universal Declaration of Human Rights.</p>



© UNHCR/Michele Cirillo

The outcomes of the activities

The participatory activities were met with great interest by children, who always showed intense curiosity. Right from the start, they expressed their wish to be heard and informed about matters affecting them. Game-based working methods and processes that ease tensions and fears facilitated children's involvement and helped them overcome their initial shyness.

All the children participating in the activities did so in a very positive and proactive way.

Through games and group work, they had the opportunity to express their views, sharing their experiences and hopes for the future.

Main issues raised by children

"I would like to know something more about laws in Italy, how we can get documents, how we can find a job"

During the activities, children asked to receive more information on child laws and rights in Italy.

All the children and adolescents involved expressed the need to investigate administrative procedures, rights and duties in Italy.

Children also expressed their wish to expand on aspects related to the timing and issuing of passports or identity cards and even how to obtain Italian citizenship.

"How long can a foreigner stay without documents? How long does it take to get a passport? What are the laws for children?"

80% of the children involved specifically asked for further information and clarifications on the procedures for requesting international protection. They would like to receive information and updates on the various phases of the application process, with a particular focus on: filling form c3, the hearing at the Territorial Commission and its possible outcomes.

More than 60% of children asked for clarifications on the functioning of the Territorial Commission. They would like to develop a better understanding of how the interview is structured and on how to interact with the interviewer and the interpreter.

At the end of each participatory activity, a **clear desire was expressed by children to be listened to and participate in choices concerning their administrative path in Italy.**

More specifically, around 40% of children stated they did not feel involved in the choices relevant to their legal path in Italy.

Children ask that the guardian be more present in their daily life. They would like to have a responsible adult with whom they can discuss their education and health.

30% of the children involved had never met their guardian or the guardian had not been appointed by the Juvenile Court yet. Often children show fatigue and frustration with this situation. They perceive a difference in treatment compared to peers who have a different relationship with newly appointed guardians.

In addition to administrative issues, group work showed another significant aspect, namely **the children's desire to gain a better understanding of Italian cultural context.**

"I like Italian culture, kind people; Italian is a beautiful language. I love history, geography and religion. I would like to know other cities. Why do you always eat pasta?"

About 35% of children showed great curiosity about the customs and traditions of the host country.

"I like Italian history and culture. I like the monuments and the ancient buildings in Florence. Once we went to a museum, there were armours from the past. It was very nice"

50% of children expressed the need to spend some time and interact with their Italian peers: they would like to discuss cultural differences and similarities, and compare the positive and negative aspects of their country of origin and the hosting country.

About 90% of children would like to participate in activities or exchange initiatives with peers from Italy or other countries.

If on the one hand there is a clear desire to get in touch with the host communities, on the other, **about 70% of children perceived some hostility or**

prejudice against them. In most cases, this is due to the lack of knowledge of linguistic or cultural differences between the Italian population and children from other non-European countries.

“Why don’t people answer me when I say hello? In Africa, even if we don’t know people, we greet them. When you meet older people, you must always greet them even if you don’t know them”

Added to this is the fact that around 70% of children feels there is some hostility and intolerance towards the immigrant population in Italy. Children reported acts of racism or intolerance during their daily life. They feel they are perceived as “different”.

About 30% of the children declared having been involved in direct or indirect episodes of racism or intolerance. They often feel victims of prejudice by Italian citizens. They would like to have more tools to combat these phenomena or simply to better cope with this situation.

Sport is an important element in children’s life in Italy. It allows them to release tension and stress.

“One thing I like about Italy is that streets are beautiful and you can run freely. I like running and here I can do it safely”

As already noted during the activities carried out in 2017, also during visits conducted in 2018, about 50% of children involved in participatory sessions asked for clarifications on how to enrol in soccer sports federations. They shared their difficulties and frustration when trying to enrol in local football championships due to their legal status.

In addition to sport, other areas are crucial, namely education, employment and the transition to the age of majority.

All the children involved expressed concerns about their future in Italy, and voiced their fear and uncertainty about the few possibilities of integration, especially when turning 18.

The majority expressed fears about the non-renewal of the residence permit, which would make them illegal immigrants.

They asked to be informed about possible integration paths and how to find a job upon reaching the age of majority.

None of the children hosted reported experiences of irregular work. Some of them are currently doing a period of training or an internship. Many expressed concerns about the current situation of uncertainty. They perceive work as an integration tool, but they are afraid of being exploited or of not having appropriate guarantees from future employers.

Problem areas often highlighted during participatory activities with children



Asked for further information and clarifications on how to request international protection

80% of children



Perceived some hostility or prejudice against them

70% of children



Asked for clarifications on the functioning of the Territorial Commission

60% of children



Expressed the need to spend some time and interact with their Italian peers

50% of children



Declared not feeling involved in the choices relevant to their legal path in Italy

40% of children



© UNHCR/Michele Cirillo

IV. RECOMMENDATIONS

After presenting the main findings gathered during the listening and consultation activities with UASC in 2017 and 2018, the importance of ensuring and promoting a safe space where children can be listened to should be once again emphasized. These areas are essential to ensure a proper assessment and an effective response to the needs of UASC, including planning their future. Children arriving in Italy on their own also have specific protection needs, especially when they flee from conflicts or from specific forms of persecution.

The child's right to be heard⁴:

Although some improvement has been made in recent years, it should nonetheless be reiterated that listening must be approached in a participatory and child-friendly manner, so as to gain an insight into children's past experiences and personality, including specific vulnerabilities, needs and resources, in short all the elements necessary to determine their best interest. Listening to children will also give them the opportunity to voice their thoughts, doubts and questions on the various issues that affect them, such as the administrative path, the asylum procedure, their integration in Italy. In this regard, it is worth recalling that, in expressing the need to be heard and to participate more in the activities and decisions that affect them, children underlined the importance of kindness and respect in communication, so as to be better guided in a world which is complex and often different from the expectations they had when they fled.

To grant children's right to be heard and to participate in the decisions that affect them, juvenile courts and guarantors designated by regions and autonomous guarantors should ensure that USAC be thoroughly informed on the role and duties of the guardian, and that nearby guardians be appointed to take care of the child's interests, listen to his/her needs, support his/her potentialities and grant his/her right to health, referring to the lists of volunteer guardians already available.

⁴ For further information see: AGIA, Le raccomandazioni dell'Autorità garante per l'infanzia e l'adolescenza in "I movimenti dei minori stranieri non accompagnati alle frontiere settentrionali", (pag. 48) <https://www.garanteinfanzia.org/sites/default/files/movimenti-minori-stranierifrontiere-settentrionali.pdf>



Age assessment procedures⁵:

Competent authorities should make sure that age is assessed pursuant to Art. 19bis of Legislative Decree No. 142/2015, therefore only if there is a well-founded doubt about age, based on an individual and objective assessment and following a provision issued by the Public Prosecutor's Office at the Juvenile court. A protocol for a harmonised multidisciplinary age assessment throughout Italy should be adopted.

⁵ For further information see: AGIA, Le raccomandazioni dell'Autorità garante per l'infanzia e l'adolescenza in "I movimenti dei minori stranieri non accompagnati alle frontiere settentrionali", (pag. 50) <https://www.garanteinfanzia.org/sites/default/files/movimenti-minori-stranierifrontiere-settentrionali.pdf>

The child's right to a dignified reception respecting their best interests:

Competent authorities should take into due consideration Art. 12, Law No. 47 of 7 April 2017 – more specifically Art. 117, paragraph 2, letter m) of the Constitution – providing that facilities hosting children should meet “the minimum standards for services and assistance to children set for residential facilities”, and should be properly monitored. This will grant that the child's best interest takes priority status when implementing reception measures, pursuant to Art. 18, paragraph 2ter of Legislative Decree No. 142/2015.

Thus, competent authorities should fully implement the provisions on the reception of UASC in accordance with Arts. 18, 19 and 19bis of Legislative Decree No. 142/2015.

At the same time, although the number of UASC is decreasing, their percentage is still high in some regions. Therefore, children should be uniformly distributed on the national territory so as to facilitate their inclusion in the reception system. In some cases, unaccompanied children are hosted in facilities for adults.



Ensuring enhanced vigilance over reception conditions for UASC:

Pursuant to framework Law No 328/2000 (Art. 6, Paragraph 2, Letter c), social services should monitor those subjects entrusted by law to carry out social interventions at a local level, namely municipalities.

Promoting policies for the autonomy of children when turning 18:

Given the urgent need to promote access to employment for UASC who are sixteen and have already completed compulsory education, measures supporting the transition towards the age of majority provided for in Art. 13 of Law No 47 of 2017 should be fully implemented.



Intolerance and racism in UASC's daily life:

In order to combat intolerance and reduce racist incidents, activities facilitating awareness-raising, interaction and mutual knowledge should be continuously promoted in the communities where reception facilities are located, so as to support children's integration with local people.

In this regard measures facilitating UASC's participation with their Italian peers should continuously be implemented.



Administrative follow up⁶:

Reaching the age of majority is a particularly critical moment for UASC living in Italy. Upon arrival, many of them are almost eighteen and, in the short time available before adulthood, cannot reach autonomy, which makes integration in local communities very difficult. As AGIA already underlined in its Note of 20 March 2018, children should be guaranteed sustained support by fully and timely implementing the new measures accompanying the transition to the age of majority and long-term integration, as provided for in Article 13 of law No 47/2017. This can be reached, among other things, by providing competent subjects with the information necessary to initiate the so-called procedure for administrative follow-up, as well as by allocating financial resources to competent bodies. The allocation of resources should also be encouraged to finance pathways for autonomy and to support initiatives aimed at promoting the social and professional integration of UASC and newly-turned adults.

Residence permit⁷:

Monitoring visits have shown that there still remain differences among Italian police headquarters in issuing residence permits for children. Sometimes UASC obtain the residence permit only if they have identity documents, which contrasts with the aforementioned Ministerial circulars of March and September 2017 and common practice followed by most Italian police headquarters. As already pointed out in the Notes of 15 March, 2017 and 2 March, 2018, residence permits should be granted to children as quickly as possible and on the sole presumption of minority, thus avoiding different implementations of the procedure and ensuring respect for children's rights.



⁷ AGIA's note, 4 May 2018 https://www.garanteinfanzia.org/sites/default/files/nota_stato_di_attuazione_legge_47.pdf



AGiA

*Autorità garante
per l'infanzia
e l'adolescenza*



UNHCR
The UN Refugee Agency