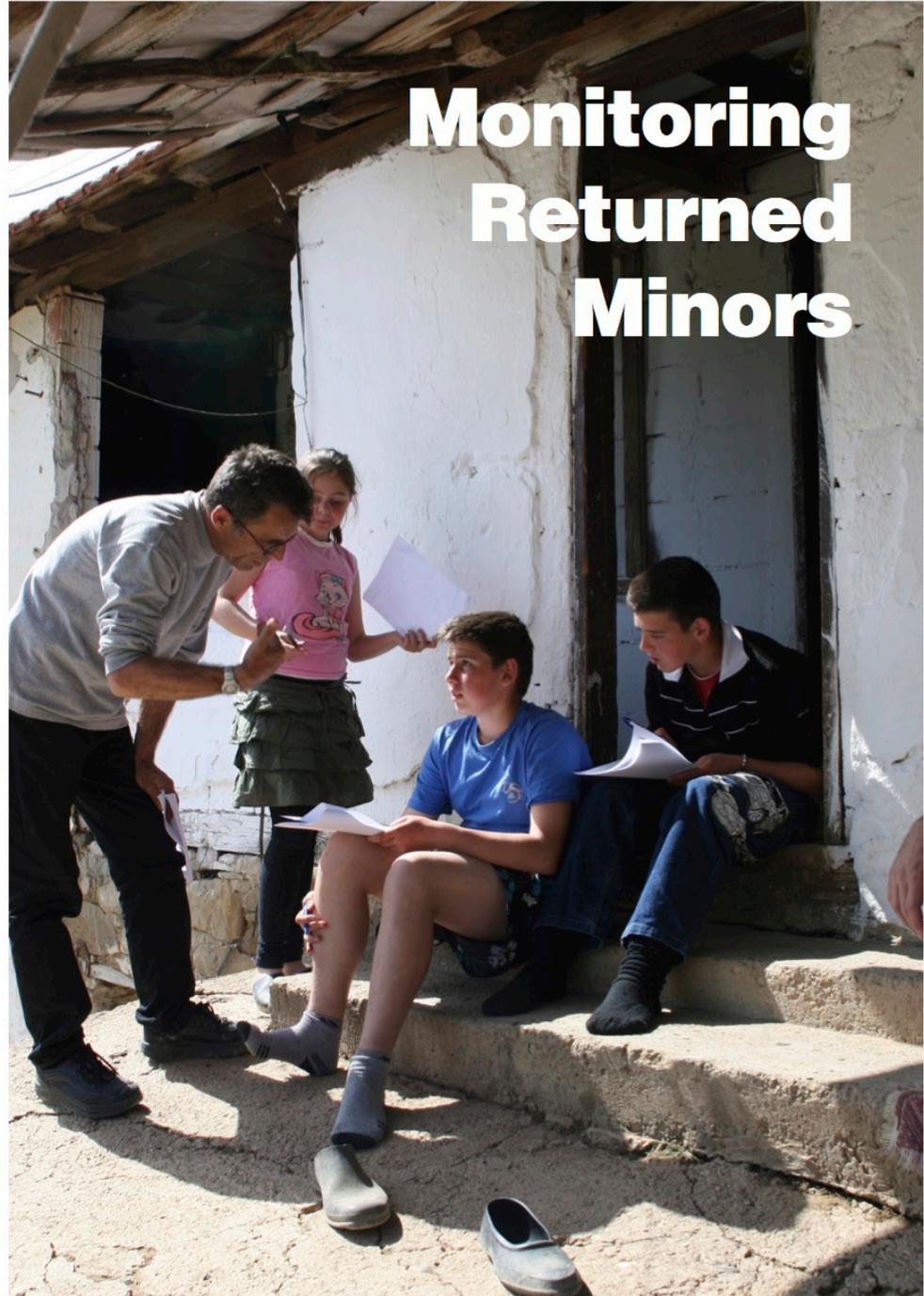




Final Report, Summer 2014



# Monitoring Returned Minors

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# Report 1: The Model and the Toolkit

## Introduction to the Monitoring of Returned Minors Project

A study on the development of a Monitoring & Evaluation methodology for returned minors was carried out by HIT Foundation in a strategic partnership with Nidos, the University of Groningen and Micado Migration, cofinanced by the European return fund.

The situation of 120 returned minors to Kosovo and 30 returned minors to Albania were at the heart the study to establish an independent monitoring & evaluation methodology. Central concepts in the model are the “best interest of the child”, independency of monitoring from the return process and assistance, structural learning and practicality (easy to use and affordable).

The basis of the Monitoring Returned Minors Model (MRM-Model) is the Best Interest of the Child Model (BIC-Model) developed by the University of Groningen<sup>1</sup>. The BIC-Model was developed to objectively and validly define and measure the concept ‘best interest of the child’, and is based on the Child Rights Convention.

In the frame of the MRM-project the BIC-model is used for the first time in a country of return to judge the development perspective of returned minors. A Case Fact Sheet completes the model to take the flight history into account and to make further statistical analysis possible. For valuable monitoring of return, the local context in the country of return has to be taken into account. Within the framework of the MRM-model a first draft of a Baseline was made for Kosovo.

The strength of the MRM-model is its logic and systemic coherence, its independence from the country a child returns from, with or without support. Finally, the model can be (re-)used at any time in the migration cycle.

The MRM-model model consists of four related questionnaires, an interview manual and a Baseline that describes the local standards in Kosovo. The model is described in three reports (methodology, Findings in Kosovo and Albania, Assistance to returned minors).

Monitoring and evaluating additional “cases” in Kosovo and Albania is, for any government or NGO, easy in terms of time, costs and expertise. There are local partners available with the necessary expertise, the Kosovo government supports the MRM-methodology and collaboration between organizations is easy to establish. The model is built in such a way that additional use ensures increase of quality and accuracy of both the Baseline and the methodology.

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<sup>1</sup> **In the best interest of the child?** *A study into a decision-support tool validating asylum-seeking children's rights from a behavioural scientific perspective.* E. Zijlstra 2012

Applying the MRM-model in other countries acquires a discussion on local standards, preferable completed with a control group of minors that have never left their country. A Baseline needs to be developed for every country where the MRM-model is applied.

*In the following report the Methodology is described in detail and provides a potential user sufficient insight and help to get started.*

In summary, the following steps are needed to apply the MRM-model:

	<b>Activity</b>	<b>Result</b>	<b>Resources</b>
1	Contract or appoint local interviewers	Interview team established.	Contacts or referrals to local expertise.
2	Train interviewers in the MRM-methodology	Interview team understands the logic and systemic coherence of the methodology, knows how to interview and how to report on the interviews.	Request 3 days expertise from University of Groningen (RUG) or HIT.
3	Start interviews, using the four elements of the MRM-model	Cases are identified, prepared, interviewed and reported on.	Per case 16 hours, against local salaries of interviewers, depending slightly on local circumstances and total interviews taken.
4	Registering the output of interviews in the online-tool	Systematic processed data.	Is included in the 16 hours per case.
5	Establish a baseline (only for a new country)	Baseline with local standards established through discussion with local experts, preferably completed with a control group study.	Total investment in time to be determined.
6	Interview analysis	Insight in the development conditions of monitored minors, insight in possible interventions on group or individual level.	Systematic analysis by the University of Groningen (RUG) + discussion on the interpretation.
7	Possible: re-interview of target group over time	Insight in the way the conditions over developed since the last interview.	Per case 8 hours against local salaries of interviewers.
8	Adjust the baseline where necessary	Additional interviews of repeated interviewing gives the opportunity of improving the baseline.	Interviewers discuss and adjust the Baseline, preferable in conjunction with RUG.
9	Intervention	Individual plan to improve the development conditions.	16 hours against local salaries of interviewers

## 1. The need for independent monitoring & evaluation

Return migration is a complex policy area that serves a variety of objectives. It is part of asylum policy, and as such it has to safeguard the interests of individual European states as well as serve the interests of individual returnees as well as possible. And it has to deal with maintaining political support in the EU and with integration and security issues in return countries. In this complex environment it is important to know the effects of the system on individual returnees. Instruments can be used that assess the consequences of the systems that are designed and relate those to international agreements.

Every year thousands of children return from the European Union to their countries of origin because their asylum request – often following the decision on their parent's asylum request - has been rejected. Although several studies were made in countries of return, there is no structural overview of how these children are doing.

Asylum policies and the following return policies & practices focus primarily on the situation of the parents. The best interests of children are not taken into consideration in a structural and explicitly motivated way, neither in asylum procedures, nor in decisions in European member states.

The aim of a monitoring & evaluation (M&E) model for returned minors is to provide insight into the effects of current asylum and return policies and practices and to generate concrete opportunities for improvement. In addition, the model aims to make policies and practices more consistent with ratified international treaties, policy goals of European states and countries of return and with bilateral agreements between these two.

**Independent, systematic, methodology- based monitoring of returned minors enables better decision-making and assistance for individual children. But first and foremost it leads to asylum and return policies that are better tuned toward the needs of returning minors.**

## 2. Requirements for an Monitoring & Evaluation Model

Before embarking on the design, the research team established the requirements for the MRM-model to be of value for all parties concerned. An independent Monitoring & Evaluation model for returned minors is:

- Independent of the Member State the child returns from.
- Independent of the organization that supports (returning) asylum seekers.
- Usable at any time in the return- and reintegration process.
- Connected to agreements by EU Member States about the way it will safeguard the rights of returned minors (CRC, HRC).
- Usable by any member state and by any country of return to measure future perspective against local standards.
- Easy to implement without the need for fixed structures.
- Affordable, time- and cost-wise.

### 3. The United Nations Convention on the Rights of the Child as a Basis for a Monitoring & Evaluation Model

The MRM-Model is based on the UN Convention on the Rights of the Child (CRC) that is ratified by all EU member states and almost any other country in the world. By signing they attest that children are a vulnerable group whose interests deserve special attention. The CRC is the foundation of the MRM-Model.

The CRC acknowledges the primary role of parents and the family in the care and protection of children, as well as the obligation of the State to help them carry out these duties.

The UN Convention consists of 41 articles, each of which details a different right. These rights are not ranked in order of importance; instead they interact with one another to form an integrated set of rights. A common approach is to group these articles together under the following themes:

- **Survival rights:** include the child's right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate living standard, and access to medical services.
- **Development rights:** include the right to education, play, leisure, cultural activities, access to information, and freedom of thought, conscience and religion.
- **Protection rights:** ensure children are safeguarded against all forms of abuse, neglect and exploitation, including special care for refugee children; safeguards for children in the criminal justice system; protection for children in employment; protection and rehabilitation for children who have suffered exploitation or abuse of any kind.
- **Participation rights:** encompass children's freedom to express opinions, to have a say in matters affecting their own lives, to join associations and to assemble peacefully. As their capacities develop, children should have increasing opportunity to participate in the activities of society, in preparation for adulthood.

#### General Principles

The UN Convention includes four '**general principles**' that form the bedrock for securing the additional rights in the UN Convention.

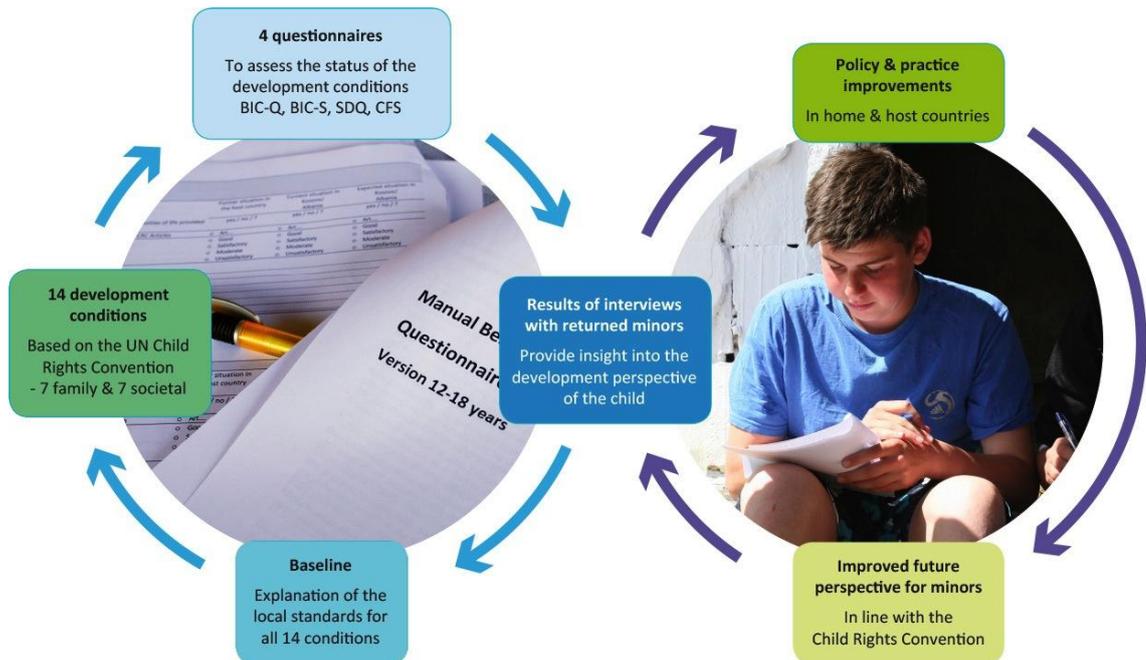
1. That all the rights guaranteed by the UNCRC must be available to all children without discrimination of any kind (Article 2);
2. That the best interests of the child must be a primary consideration in all actions concerning children (Article 3);
3. That every child has the right to life, survival and development (Article 6); and
4. That the child's view must be considered and taken into account in all matters affecting him or her (Article 12).

## General Comment #14

The importance of Article 3 was once more underscored in 2013, when the UN Committee on the Rights of the Child published General Comment No 14. General Comments provide interpretation and analysis of specific articles of the CRC or deal with thematic issues related to the rights of the child. General Comments constitute an authoritative interpretation as to what is expected of State parties as they implement the obligations contained in the CRC. General Comment No 14 explains in detail the interpretation of article 3 of the Convention that the best interests of the child must be a primary consideration in all European legislation and policy in which the best interests of children are at stake. Therefore this provision applies to the EU-asylum policy concerning children.

## 4. The MRM Model

The MRM-model creates a monitoring learning loop that can systematically improve the future perspectives of returned minors. In the paragraphs below the different parts of the learning loop are described.



The left half of the learning loop is the actual MRM-model that is self-improving if used repeatedly in the same country. The right half shows that the future perspective of returned minors can be systematically improved if the results of the monitoring & evaluation are used to improve policy and practice. Repeated M&E gives the opportunity for systematic improvement of the conditions for the development of returned children.

## 5. Translating the UN Child Rights Convention into an M&E Model

### 14 Development Conditions

The University of Groningen performed an international review study<sup>2</sup> (*Annex 1*) on risk and protective factors in the rearing environment of the child related to the developmental prospects and his or her perception of childhood. This study resulted in “the Best Interest of the Child-model” (BIC) that is based on the articles of the CRC. The BIC-model is sometimes used in the Dutch asylum procedure as an expert opinion from a behavioural and a child rights perspective on what decision serves the interests of the child best. In the framework of the Monitoring of Returned Minors Project the BIC-model was used for the first time in a country of return. The BIC-model is the basis of the MRM-model.

The Best Interest of the Child-model contains 14 conditions for development, which as a total have to meet a sufficient quality to protect the child’s prospects. Scientific study of the method indicates a strong relationship between how the child develops and the quality of the socio-cultural environment in which the child grows up. The better the quality of the socio-cultural context, the fewer problems the child is experiencing.

7 FAMILY CONDITIONS	7 SOCIETY CONDITIONS
<p><b>1. Adequate physical care</b> Refers to the care for the child’s health and physical wellbeing by parents or care providers. They offer the child a place to live, clothing to wear, enough food to eat and (some) personal belongings. There is a family income to provide for all this.</p> <p><b>2. Safe direct physical environment</b> A safe direct physical environment offers the child physical protection. This implies the absence of physical danger in the house or neighbourhood in which the child lives. There are no toxics or other threats in the house or neighbourhood. The child is not threatened by abuse of any kind.</p> <p><b>3. Affective atmosphere</b> An affective atmosphere implies that the parents offer the child emotional protection,</p>	<p><b>8. Safe wider physical environment</b> The neighbourhood as well as the society the child grows up in is safe. Criminality, (civil) wars, natural disasters, infectious diseases etc. do not threaten the development of the child.</p> <p><b>9. Respect</b> The needs, wishes, feelings and desires of the child are taken seriously by the child’s environment and the society the child lives in. There is no discrimination because of background, race or religion.</p> <p><b>10. Social network</b> The child and his family have various sources of support in their environment upon which they can depend.</p> <p><b>11. Education</b> The child receives a suitable education and</p>

<sup>2</sup>In the best interest of the child? A study into a decision-support tool, validating asylum seeking children’s rights from a behavioural scientific perspective. A.E. Zijlstra 2012

<p>support and understanding. There are bonds of attachment between the parent(s) or care-giver(s) and the child. There is a relationship of mutual affection.</p> <p><b>4. Supporting, flexible child rearing structure</b> Encompasses several aspects like:</p> <ul style="list-style-type: none"> <li>• Enough daily routine;</li> <li>• Encouragement, stimulation, instruction and realistic demands;</li> <li>• Rules, limits, instructions and insight into the arguments for these rules, limits and instructions;</li> <li>• Control of the child's behaviour;</li> <li>• Enough space for the child's own wishes and thoughts and freedom to experiment and to negotiate over what is important to the child;</li> <li>• No more responsibilities than the child is capable of handling (to learn the consequences of his behaviour within the limits the parents have set).</li> </ul> <p><b>5. Adequate examples by parents</b> The parents offer the child the opportunity to incorporate their behaviour, values and cultural norms that are important, now and in the future.</p> <p><b>6. Interest</b> The parents or care-providers show interest in the activities and interests of the child and in his perception of the world.</p> <p><b>7. Continuity in upbringing conditions, future perspective</b> The parents or care-providers care for the child and bring the child up in a way that attachment bonds develop. Basic trust is to be continued by the availability of the parents or care-providers to the child. The child experiences a future perspective.</p>	<p>has the opportunity to develop his personality and talents (e.g. sport or music).</p> <p><b>12. Contact with peers</b> The child has opportunities to have contacts with other children in various situations suitable to his perception of the world and developmental age.</p> <p><b>13. Adequate examples in society</b> The child is in contact with children and adults who are examples for current and future behaviour and who mediate the adaptation of important societal values and norms.</p> <p><b>14. Stability in life circumstances, future perspective</b> The environment in which the child is brought up does not change suddenly and unexpectedly. There is continuity in life circumstances. Significant changes are prepared for and made comprehensible. Persons with whom the child can identify and sources of support are constantly available, as well as the possibility of developing relationships by means of a common language. Society offers the child opportunities and a future perspective.</p>
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## Four Questionnaires

The MRM-model uses a combination of questionnaires to assess the current and future perspective of the returned minor. The strength of the model is the combination of these questionnaires. A cross analysis over the variables not only gives insight in the future perspective and possible problems but also directs towards interventions.

## 1. Best Interest of the Child Questionnaire (BIC-Q: perspective of the professionals)

To assess the quality of the socio-cultural environment the child grows up in, the **BIC-Q** was developed. This questionnaire is based on pedagogical and legal principles. With the BIC-Q, a professional can assess the quality of the current rearing environment of the child. He can then compare this with alternative solutions that would arise if a particular decision were made which includes a change of the environment the child grows up in.

For all 14 conditions of the model it can be determined which articles of the CRC are violated if the quality of a specific rearing condition is insufficient.

*Annex 1.2* contains the manual for the BIC-Q. It describes the logic of the BIC-Q and how the open interviews should be conducted. It gives further information on the relation between the questions and the 14 development conditions. It also gives additional information about the interpretation of the 14 conditions. *Annex 1.3* contains the BIC-Questionnaire.

## 2. Self-assessment Questionnaire Child (BIC-S: perspective of the child)<sup>3</sup>

In addition to the BIC-Q for professionals, the **BIC-Self report questionnaire** was developed for children and youngsters. The primary intention of the BIC-S is to give young people in care a voice regarding decisions in legal and care areas that impact their future. With the BIC-Self report a child can indicate which environment he or she most wants to grow up in and which environment provides in his or her own view the best opportunities for development. This is the environment that, according to the child himself, is to be chosen in his or her interest. *Annex 1.4* contains the BIC-S.

## 3. Behavioural Questionnaire (SDQ)<sup>4</sup>

Part of the BIC-method is the **SDQ (Strength and Difficulties Questionnaire)**. The SDQ is an internationally acknowledged brief behavioural screening questionnaire. It is widely used as an initial assessment to identify mental health problems with children. The SDQ indicates if the child faces social and emotional problems. The child completes this questionnaire by himself. *Annex 1.5* contains the SDQ.

## 4. Case Fact Sheet (flight history)

The MRM-Model also uses a **Case Fact Sheet** in which factual information about the return process has been provided, such as the length of stay in the host country, the return process, the legal status in the host country, the assistance prior and after return, etcetera. *Annex 1.6* contains the CFS.

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<sup>3</sup> The Best Interest of the Child Self-Report Questionnaire (BIC-S): Results of a participatory process. Brummelaar, Kalverboer, Harder, Post, Zijlstra, Knorth November 2013

<sup>4</sup> [www.sdqinfo.org](http://www.sdqinfo.org)

## 6. Conducting the Interviews

Monitoring is done using the package of different instruments. To maximize information, it should be done multiple times with a child, with periods of time in between. In developing the model it has only been used once as an instrument, given the restrictions of the project environment.

Trained professionals use the 4 questionnaires to assess the developmental conditions of the returned children. There is a manual available (*annex 1.2*) with clear instructions on how the interview should be conducted. The manual also contains descriptions on each of the conditions. Practice proved that an additional training of 2 to 3 days is necessary. It is especially important to discuss the 14 development conditions in the local context. But also interview preparations and registration of the results are in need of extra attention. Either staff of the University of Groningen or staff of HIT Foundation can be requested to supply the interview training. The interviews themselves take two to three hours. A total investment of approximately two days (where necessary divided over 2 persons) per case is necessary including preparation, interviewing, discussing and processing the results.

For a number of reasons it is highly preferred that two interviewers collaborate in the assessment of the situation. There are tasks to be divided on the spot: creating the right atmosphere, introducing the purpose of the interview, conducting the different interviews with the parents and the child, taking notes and afterwards discussing and registering the outcome.

The results of the interview will show, based on local standards, what social and emotional problems children face after return and what the quality is of the social and cultural environment they grow up in. In practice the 14 conditions for development are described and scored on a scale of four. Each condition can either be judged to be positive (good or satisfactory) or to be negative (moderate or unsatisfactory). If a child scores 7 or more conditions negative the development conditions are considered to be insufficient to have a positive future perspective.

The challenge is not only to score and describe the conditions for development but also to define possible interventions that might improve these conditions. As a result, the instrument not only serves the purpose of monitoring, but also serves as a lead for follow-up action for local child protection services or return- and reintegration staff. It is obvious that many conditions interrelate; interventions will often be directed to improve combinations of conditions. See report 3, Assistance to returned minors.

The results of the interviews need to be analysed. The University of Groningen is prepared to make the analyses for the time being. This means that the output of the four questionnaires of new “cases” from Kosovo can be offered for analyses. It is good to be in touch with the University before the start of the interviews to conclude on mutual expectations and the quality of the work that’s needed.

## 7. Local Standards Baseline

The MRM-model is a flexible and easy to use instrument at any moment during the migration cycle and in any country (return as well as receiving countries). The Baseline is the only component that is country specific and that needs to be developed separately for every country of return. Developing local standards -however difficult- is a requirement for any monitoring model to be of added value.

The Baseline describes the local standards of the 14 development conditions. The best way to develop a baseline is using a control group that shows the differences between children that fled the country and children that never left. Because of financial limitations within the project, a control group was not included. Instead, local professionals described the local standards in the baseline.

Extensive discussions at the start of the project resulted in a first rough draft of the description of the conditions in the context of Kosovo. The first 30 cases were used to improve the baseline and the interview methodology.

120 cases in Kosovo were used to further improve the baseline. The instrument is self-improving: the more used, the more conclusions can be drawn, and the better the validation will be. Ultimately a control group will be the best way for establishing baselines in other countries where monitoring is set up.

The current baseline (*Annex 1.7*) gives a good indication of what local circumstances are to be considered good or bad for the developmental conditions of a returned minor in Kosovo.

## 8. Policy and Practice Improvements

### Examples on the basis of the Kosovo Monitor

The results of the interviews not only give input for interventions on an individual level but also on a group level. Information on the developmental conditions for returned minors in the countries of origin can be used as input to evaluate standing asylum- en return policies and practice.

The main question is: What can be improved to make return of minor asylum seekers more in alignment with the best-interest-criteria for children? In other words: What can be done to influence the developmental conditions in a positive way in order to improve their future perspective?

On the basis of the Kosovo Monitor there are already many examples to be given. A few examples:

#### Condition 11 - Education

- Improving the chances of returned minors to (successfully) attend school by providing classes in their mother tongue and culture while in the EU.
- Providing all the necessary documents that give access to education, such as a birth certificate and relevant (translated) diplomas.
- Choosing the return moment in alignment with the school agenda (preferable in the summer vacation).

#### Condition 4 - Supporting, flexible child rearing structure and

#### Condition 5 - Adequate examples by parents

- Making and/or keeping parents responsible for their children while in the EU through practical measures and/or trainings.
- Keeping parents responsible for their own living conditions and future while in the EU, for instance through financial and practical responsibilities for their food, activities and housing. Access to the labour market and real responsibilities in their living conditions would be preconditions.
- Monitoring and evaluating the children's developmental perspective while in the EU and taking appropriate measures to meet the 14 development conditions.

#### Condition 10 - Social network and

#### Condition 12 - Contact with peers

- Giving access, in as many ways as possible, to stay in contact with family members and friends in the country of origin while in the EU.
- Involving the social network in the country of origin in the return process.

- Maintaining contacts in the EU member state after return (peer groups, classmates, teachers).

**Condition 14 - Stability in life circumstances, future perspective**

- Creating stability in life with a focus on a future perspective is almost impossible in the life of an asylum seeker. What will help is minimizing the number of moves between asylum centres, giving opportunities to develop the child's talents, preparing well for return and preventing unexpected and incomprehensible repatriation.

## 9. Improved Future Perspective for Minors

The individual interviews and the analysis of the results for the whole group provide the input to start making improvements. Determining suitable individual interventions (see report 3, assistance to returned minors), mobilizing cooperation of the (public) network and identifying the necessary funds are the steps needed to work on an improved future perspective.

Repeated monitoring of the same group is necessary to show whether progress is made but also to determine if the actual situation is more in line with the Childs Rights Convention.

## 10. Recommendations for Future Use and Development

The MRM project is only a first step in a field that receives much attention in the international arena, but lacks structural translation to the practical level. To reach significant impact, the model should be used in multiple countries for the majority of returnees. The results of the model should be acknowledged and used for policy improvements in both the EU and countries of origin, preferably in cooperation with each other. Finally, it should lead to better assistance and support on the individual level to improve the lives of the returned children.

To reach these objectives beyond the scope of the project, some initial actions have been taken. These require follow-up actions at all levels and by all parties involved.

### Concluding: how to move on from here?

From here the project partners will search to follow up and reach the impact goals to full extent by initiating follow-up projects, by offering assistance to other actors, member states and countries of return in using the developed instruments and by advocating the issues with international actors.

This requires (several of) the following follow-up activities:

- Working with a control group
- Monitoring the same group repeatedly
- Enlarging the research population for improved understanding and validity
- Increasing cross analysis between the variables
- Up-scaling through implementation in additional countries of return
- Comparing the results between countries.

### Recommendations

Independent, systematic, methodology- based monitoring of returned minors enables better decision-making and assistance for individual children. But first and foremost it leads to asylum and return policies that are better tuned toward the needs of returning minors.

Independent monitoring & evaluation to date is an afterthought, often because it is perceived as costly and complex. The MRM-model shows that learning in a structured way is possible. The recommendations below are aimed at sustainable development of Monitoring & evaluation.

1. Reserve a fixed amount of funds allocated to return projects and programmes for independent monitoring and evaluation.
2. Apply the MRM model in other return countries.
3. Execute more innovation projects on monitoring and evaluation to compare results and further improve the methodologies.
4. Use the monitoring results to improve return policies, individual case counselling as well as reintegration programmes, thereby connecting migration and child protection services and laying the basis for innovations in the fields of social work and guardianship.