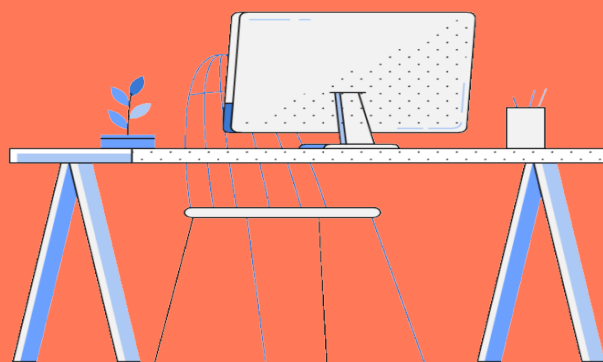




TOOLKIT FOR PROFESSIONALS



ON MITIGATING INSTITUTIONAL VIOLENCE AGAINST CHILDREN ON THE MOVE

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This Toolkit addresses the issue of Institutional Violence in the context of migration with a specific focus on children on the move when in contact with the Justice System. Children might experience serious forms of institutional violence in their effort to navigate through the asylum system while at the same time they are lacking the opportunity to seek remedy into a reparative justice context.

DCI Greece through the operation of a Children's Rights Helpdesk, which offers legal and protection support services to children on the move and meditates between the justice system and the children, has developed valid expertise on how to enhance child participation in the processes, to activate the justice system into providing due response to children's claims for protection, as well as, to train practitioners on how to embrace their key role in such a context.



Who is this Toolkit for?

This toolkit is for any professional working in the field of migration (lawyer, social worker, child protection expert, asylum case worker, police officer, e.t.c), who comes in direct contact with children and youth on the move, victims of institutional violence and wishes to find ways of mitigating it.



THE CONCEPT OF INSTITUTIONAL/ STRUCTURAL VIOLENCE

Institutional Violence refers to violence committed by action or omission by the structures of the state. It creates irreversible harm on the individual, excluding and depriving them of their Rights.

In our context, we focus on the systemic violence experienced by children and youth on the move, in the framework of administrative asylum and reception conditions.



THE FORMS

INSTITUTIONAL DISCRIMINATION

Children on the move are seen as citizens of second category who are not eligible to equal treatment to the rest of the population.

As a result, they are deprived of their access to social rights such as:

- Education
- Health
- Development
- Dignified Living Conditions

DETENTION AND MIGRANT FACILITIES

Inhumane and overcrowded living conditions unable to meet children's basic needs.

- Unlawful detention

- De facto detention living condition (closed camps)

ADMINISTRATIVE AND PROCEDURAL VIOLENCE

is embedded in the difficulty of children to navigate through a complex and bureaucratic procedural framework.

For instance:

- Lengthy procedures

- Lack of child friendly language

- Lack of guardianship scheme

- Lack of proper information and guidance

- Lack of cooperation and coordination amongst the competent authorities

WAYS TO MITIGATE AS PROFESSIONALS

03

**THROUGH OUR WORK
WITH CHILDREN**

01.

**THROUGH OUR
INFLUENCE ON THE
STRUCTURE**

02.



For professionals working with children/youth on the move, it is crucial to have the ability to detect the different types of institutional violence enacted by the national authorities.

Only via identification comes preventative response, according to the best interest of each child.

Thus, as professionals we are called to embrace our key role in mitigating institutional violence, through our work with children directly and as well as through our contact with the system.

These efforts to mitigate institutional violence should be guided by the following child friendly principles:

- **CHILD PARTICIPATION**
- **NON-DISCRIMINATION**
- **NON-VICTIMIZATION OF THE CHILD**
- **BEST INTEREST OF THE CHILD**

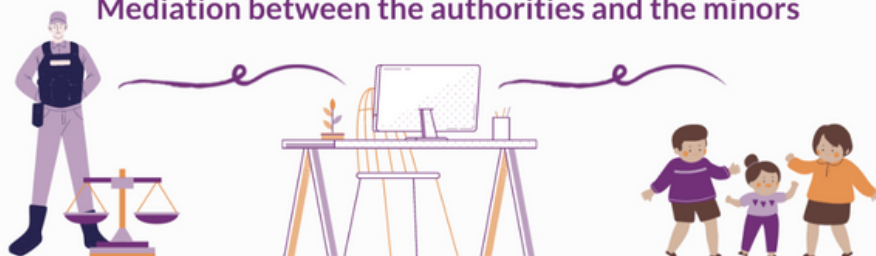
0.1 INFLUENCE ON THE CHILD

- Set a framework of cooperation
- Endorse the right to be heard and understood
- Create a safe place for them
- Employ a Trauma Informed Approach
- Trust and honesty about the situation. Do not create expectations
- Child-friendly information on their rights, procedures, forms of Institutional Violence and next steps
- Enhance their participation along the process
- Guarantee constant follow up on the case

0.2 INFLUENCE ON THE STRUCTURE

- Create alliances with key stakeholders and identify key professionals who can play a mitigating role
- Name the manifestation of Institutional Violence
- Translate them into Human Rights violations
- Humanize the incidents
- Develop synergies with other professionals
- Try to involve all competent authorities
- Try to involve independent Human Rights bodies (Ombudsman, etc.)
- Mediate between the child and the Justice System
- Constant follow-up and watchdog of the progress

Mediation between the authorities and the minors





Case studies for some practice

Read the real-life stories and highlight what you believe constitutes a form institutional Violence against Children on the Move and what should be your Course of Action

Case 1.

16-year-old Jalal, a homeless boy, entered the police station voluntarily, in order to ask for protection. Instead of receiving help, he was arrested. The boy spent months in detention, under the scheme of 'protective custody'. He was transferred from police station to police station, without even understanding what he did wrong. His last destination was the pre - removal detention center. At the same time, a deportation letter was ordered.

Case 2.

After years of persecution, Fufu left Congo with her 5 years old daughter. Upon their arrival in Athens (International Airport), Fufu asked for international protection, but in response to her request, she was arrested by the police authorities and she was forcibly separated from her little girl. Afterwards, Fufu was transferred to the central pre - removal detention center in Athens. Many months passed without any information of her daughter's whereabouts. She had to undergo a DNA test, but despite the positive results, she was still kept apart from her without any information.

Case 3.

Farridullah arrived on Lesbos Island back in 2020. Upon his arrival, he was pre-registered by the police authorities. Farridullah wanted to be reunited with his sister in Germany but in order to lodge his application, he had to wait for his registration appointment at the asylum office to be scheduled. He was living in a tent, in the jungle next to Moria Camp, with no access to food or water. While he was waiting for his appointment, Farridullah was sexually abused. When Farridullah finally applied for Family Reunification under Dublin III, 5 months after his arrival on the island, he received a rejection from the German authorities on the ground that the 3-month deadline has expired.

During that period, Farridullah's mental health became profoundly unstable. He started harming himself and became aggressive toward his peers. Farridullah ended up getting involved in damaging the camp structures as part of a group, which led to an open criminal case before the court.

Forms of Institutional Violence against Unaccompanied minors that we came across in the previous cases.

Case 1.

No information | Detention | No access to Justice | No access to asylum procedures | Lack of legal representation | Undignified living condition | Emotional harm |

Case 2.

No Respect for family Unity | No access to asylum procedures | No information about their rights | Non implementation of the Best Interest of the Child | Detention

Case 3.

No information | No access to basic needs | No access to legal support | No child-friendly reception facilities | Unfair, inefficient and lengthy administrative procedures | Lack of protection (abuse) | Not dignified living conditions

Individual Tailored Plan of Action

Case 1.

Risk-Needs Assessment so as to detect all risk factors | Development of an Action Plan listing the next steps that need to be taken from our side in order to support the child | Information and Explanation of what happened to the child, using a trauma informed approach and child friendly language | Involvement of all competent authorities, such as the Juvenile Prosecutor and the Special Secretary of Unaccompanied Minors | Provision of legal support with his asylum application | Linking to social services | Constant Follow - Up

Case 2.

Identification of the forms of Institutional Violence and translation into Human Rights violation and State's responsibility | Mapping of competent authorities and involving them in tracing the child | Involvement of an independent human rights authority such as the ombudsman of children's rights | Release of matter and strengthen mother's position by supporting her with her asylum application | Report human rights violations before the juvenile prosecutor | Empowering the mother and child | Plan for structural change | Media and civil society involvement

Check our advocacy video here: <https://www.youtube.com/watch?v=Q9kvsF-SNFo>

Case 3.

Risk-Needs Assessment so as to detect all risk factors | Development of an Action Plan listing the next steps that need to be taken from our side in order to support the child | Information and Explanation of what happened to the child, using a child friendly language and a trauma informed approach | Empowerment of the child | Linking to social services | Legal support with the family reunification process | Involvement of competent authorities and cooperation | Constant Follow - Up | Actions for structural changes



My Personal Journal on mitigating institutional violence

As professionals, it is of paramount importance to initiate self-reflection and to keep track of the signs of Institutional Violence encountered in our daily work.

In this regard, the following personal journal is suggested to be used as a safe space to support ourselves and improve our awareness on the following issues:

- Personal strengths and resources
 - Map my own strengths and resources
- Organizational strengths and resources
 - Map out the strengths and resources of the institutions/colleagues/groups I work with
- Obstacles
 - What is something I cannot do? What are the obstacles? Any way through?
- Mitigation
 - What can I do to mitigate institutional violence? Which steps should be taken? What synergy can be developed?
- Improvement
 - How could it be improved?
 - Identify the need for further training and capacity building for my work environment
 - Look for past Best Practices and initiate discussions with my cluster

MY PERSONAL JOURNAL ON *journal planner* MITIGATING INSTITUTIONAL VIOLENCE

A TIME I REMEMBER I STRUGGLED TO DEAL WITH
INSTITUTIONAL VIOLENCE

... NOW LOOKING BACK WHAT COULD I HAVE DONE
DIFFERENTLY AND WHAT NOT?

WAYS TO UPHOLD CHILD FRIENDLY STANDARDS IN
MY DAILY WORK?

to keep track



VIOLATIONS OF CHILD
FRIENDLY JUSTICE
PRINCIPLES

WAYS /STRATEGIES
TO MITIGATE

SUPPORT RESOURCES

TAKE CARE OF MYSELF

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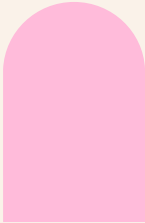
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CARING FOR YOURSELF

Working in this field can become an overwhelming experience. Operating in a context of institutional violence per se very often exposes us to secondary trauma. Thus, it is crucial to look after ourselves in the same way we look after the children we support .

Seeking for speacilized help and creating self care routines alone or with our teams, is essential in protecting ourselves and our beneficiaries.



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