

Definitions of Terms Commonly used in Child Protection and Safeguarding

Child: A “child” as defined in Article 1 of the Convention on the Rights of the Child (CRC), means “every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier”. Children of concern to UNHCR include refugee and asylum-seeking children, stateless children, assisted or monitored returnee children, and in IDP situations where UNHCR is involved, internally displaced children.

Protection: Defined as all activities aimed at ensuring the enjoyment, on equal terms of the rights of women, men, girls and boys of concern to UNHCR in accordance with the letter and spirit of the relevant bodies of law (international humanitarian, human rights and refugee law).

Child Protection: In the refugee context, Child Protection includes protecting and advocating against all forms of discrimination; preventing and responding to abuse, neglect, violence and exploitation; ensuring immediate access to appropriate services; and ensuring durable solutions in the child’s best interests.

Child-headed household: A household in which a child or children (typically an older sibling), assumes the primary responsibility for the day to day running of the household, providing and caring for those within the household. Children, especially girls, in child-headed households can be extremely vulnerable to abuse and exploitation.

Child labour: Work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. Whether or not particular forms of “work” can be called “child labour” depends on the child’s age (the minimum working age is usually 15), the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The concept of child labour is based on the ILO Minimum Age Convention (No.138).

Worst forms of Child Labour: A term that includes children’s involvement in; hazardous work; forced or bonded labour; use in armed conflict; trafficking; sexual exploitation; use in illicit work, and; work likely to harm children’s health, safety or morals. The worst forms of child labour are prohibited for all children under the age of 18, even those who have reached the legal working age of 16.

Children Associated with Armed Forces or Groups (CAAFAG): Sometimes referred to as “Child Soldiers”, CAAFAG is any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity – including, but not limited to, combatants, cooks, porters, messengers and anyone accompanying such groups, other than family members. It includes girls recruited for sexual purpose and for forced marriage.

Unaccompanied children: are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.

Separated children: are those separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from their relatives. These may therefore include children accompanied by adult family members other than their parents.

Orphans: are children both of whose parents are known to be dead (However in some countries a child who has lost one parent is also called an orphan. The term “unaccompanied” or “separated” are preferred as it is often difficult to ascertain the status of children’s parents in humanitarian contexts and the term “orphan” may carry negative connotations.

Best Interest Assessment (BIA): is an assessment made by staff taking action with regard to individual children, except when a BID procedure is required, designed to ensure that such action gives a primary consideration to the child's best interests. The assessment can be done alone or in consultation with others by staff with the required expertise and requires the participation of the child.

Best Interest Determination (BID): describes the formal process with strict procedural safeguards designed to determine the child's best interests for particularly important decisions affecting the child. It should facilitate adequate child participation without discrimination, involve decision-makers with relevant areas of expertise, and balance all relevant factors in order to assess the best option.

Family Tracing and Reunification (FTR): The process of searching for the child's family members or primary legal or customary care-givers, or for children whose parents are looking for them, and the process of bringing together the child and family or previous care-provider for the purpose of establishing or re-establishing long-term care. The term "tracing" is often used to cover the whole process: the acronym IDTR (Identification, Documentation, Tracing and Reunifications), or even IDTVRF (Identification, Documentation, Tracing, Verification, Reunifications and Follow-up), is also sometimes used.

Alternative care: Alternative care is the care provided for children by caregivers who are not their biological parents. This care may take the form of informal or formal care. Alternative care may be kinship care; foster care; other forms of family-based or family-like care placements; residential care; or supervised independent living arrangements for children. It also includes temporary places of safety for emergency child care such as reception or transit centres.

Care-giver: A person with whom the child lives and who provides daily care to the child, without necessarily implying legal responsibility. Where possible, the child should have continuity in who provides their day-to-day care. Frequent changes of placement and caregiver should always be avoided. The caregiver should not be the child's child protection worker. This person has a parental role, but may or may not be related to the child and may not be the child's legal guardian. In residential care there should be an adequate ratio of caregivers to children in order to ensure that a child receives sufficient care, supervision, and stimulation.

Foster care: A situation in which a child is cared for in a household outside her/his family. Foster care is usually understood to be a temporary arrangement and in most cases, the birth parents retain their parental rights and responsibilities. It may include: (a) **traditional or informal fostering**, where the child is taken into the care of a family or other household that may or may not be related to the child's family, (b) **spontaneous fostering**, where a family takes in a child without any prior arrangement, and (c) **arranged fostering**, where a child is taken into the care of a family as part of an arrangement made by a third party.

Independent living: A living arrangement where an adolescent child, or group of adolescent children, live independently. There is also growing consensus that children and families should be provided with care options relevant to their evolving capacities and situations. Independent living arrangements must be supported and monitored.

Kinship care: A form of foster care, and refers to the care of children with relatives or, in some jurisdictions, close family friends.

Institutional care: Care provided in any non-family-based group setting. This includes orphanages, small group homes, transit/interim care centres, children's homes, children's villages/cottage complexes, and boarding schools used primarily for care purposes and as an alternative to a children's home

Child Participation: refers to the full and equal involvement of boys and girls to participate and express their views in all matters affecting them in accordance with their gender, age, maturity, and capacity. Different participatory methodologies will be applied for different ages (i.e. younger children, adolescents). Effective participation recognizes children and adolescents as rights-holders, it builds their capacity and resilience, and allows them to protect themselves and their peers.

Gender: A term used to denote the *social characteristics* assigned to men and women. These social characteristics are constructed on the basis of different factors, such as age, religion, national, ethnic and social origin. They differ both within and between cultures and define identities, status, roles, responsibilities and power relations among the members of any society or culture. Gender is learned through socialisation. It is not static or innate, but evolves to respond to changes in the social, political and cultural environment.

Sexual and Gender-based Violence (SGBV): Any act of violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to persons on the basis of their sex or gender, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. While women, men, boys and girls can be victims/survivors of gender-based violence, women and girls are the main victims/survivors. SGBV encompasses, but it is not limited to:

- a) Physical, sexual and psychological violence occurring **in the family**, including battering, sexual exploitation, sexual abuse of children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- b) Physical, sexual and psychological violence occurring **within the general community**, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.
- c) Physical, sexual and psychological violence **perpetrated or condoned by the State and institutions**, wherever it occurs.

Children with disability: The Convention on the Rights of Persons with Disabilities states: Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Refugees: A person who meets the eligibility criteria under the applicable refugee definition, as provided for in international or regional refugee instruments, under UNHCR's mandate and/or in national legislation. The 1951 Convention relating to the status of refugees defines a refugee as a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership in a particular social group, is outside the country of his or her nationality and is unable or, owing to such fear, unwilling to avail him- or herself of the protection of that country.

Internally Displaced Persons (IDPs): are individuals who have been forced to leave their homes as a result of armed conflict, internal strife, systematic violations of human rights, or natural or man-made disasters and who are within the territory of their own country. Individuals who have been displaced as a result of natural or man-made disasters are not normally of concern to UNHCR.

Child trafficking: All acts involved in the recruitment, transportation, transfer, harbouring or receipt of a person under 18 of age for the purpose of exploitation within or across borders. The use of illicit means, including violence or fraud, does not apply for children. Exploitation refers at a minimum to sexual exploitation, forced labour or services, slavery and practices similar to slavery, servitude, forced begging or the removal of organs.

Monitoring and Reporting Mechanism (MRM): The Monitoring and Reporting Mechanism (MRM) was established by the UN Security Council to keep under review six grave violations of children's rights by named parties to armed conflict:

- the killing or maiming of children
- the recruitment or use of child soldiers
- attacks on schools or hospitals
- rape or other grave sexual violence against children
- the abduction of children
- the denial of humanitarian access to children

Mental Health and Psychosocial Support (MHPSS): A composite term used to describe any type of local or outside support that aims to protect or promote psychosocial well-being and/or prevent or treat mental disorder.

Survivor: A person who has experienced gender-based violence. The terms "victim" (often used in the legal and medical sectors) and "survivor" is used interchangeably. "Survivor" is the term generally preferred in the psychological and social support sectors because it implies resiliency.

Discrimination: any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.