

# Information on the protection of children fleeing from Ukraine (EN)

Last updated: 07 April 2022

Millions of children have been forced to leave Ukraine since the beginning of the war. They are in a particularly vulnerable situation, which is why they require an additional measure of legal and social support.

Fleeing home is the end of one's earlier life. The loss of their safe surroundings, friends and relatives, the absence of a regular routine, and the lack of educational and other activities can cause serious and long-term damage to children. It is therefore particularly important to provide them with a safe environment as soon as possible; and professionals and volunteers helping them play a key role in this process.

## **Everyone under the age of 18 is a child**

Children have unique human rights which is important in part so that they may receive the protection they require to lead a well-balanced and safe childhood. On the other hand, it is precisely because of their age that they need additional support, to allow them to practice the human rights every person is entitled to.

**Under the law, no child may be left alone, without adult supervision, for a longer period of time.**

The law makes it clear: a person under the age of 18 is a child. This is still the case even if the particular individual is already a parent, if they "behave like an adult" or if they do not look like a child. Oftentimes, these are in fact signs that the child is in need of special attention.

**Everyone who works with or helps children becomes a part of the child protection reporting system:** in other words, they must file a report or must request assistance if they see that a child is at risk. According to the UN Convention on the Rights of the Child, persons working with children – regardless of whether they are volunteers or state employees – must always prioritise the best interest of the child in every question that concerns the child.

## **Every child must be treated individually**

Childhood is a time of rapid change, and is a defining phase in the development of an individual's personality. While all children are entitled to the same rights, not every child has to be treated the same way.

In general, younger and smaller children require a different type of attention and caring than older children and adolescents. Age, however, is only one factor which must be considered.

The trauma resulting from having to flee, the child's family background and any potential prior abuse or discrimination are all important factors, and have different effects on the behaviour and needs of a child. When a family flees, the world that had been familiar to the child collapses, which is a serious break in itself; "misbehaving" or even aggression may be natural responses in such situations. Similarly, the trauma may also lead to the child becoming withdrawn or remarkably passive. This is something every professional assisting children must be prepared for.

It is important for the individuals providing legal, social, educational and psychological support to work together, to consult one another and to talk to the child and their family – if they are available and if this serves the interests of the child – about their experiences. Applying experiences and information collected in different areas and different situations, along with various types of professional expertise, may play a major role in assessing the child's short term and long term interests, and in providing effective assistance.

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**Children have the right to express how they feel about their own situation, and this should be taken into consideration (as appropriate given the child's age and level of maturity).** It is most often in the field of education that a child's opinion becomes apparent (e.g. in which school their parents should enroll them, or what extracurricular activities they wish to pursue), but it is also important for children to have a say in deciding some of the key questions in their life related to exercising parental supervisory rights and living arrangements.

Not every child arrives together with their family. They are referred to as **unaccompanied minors**. They are particularly vulnerable, since they are children who are alone, far from home, to where they are unable to return in the foreseeable future.

There are also unaccompanied minors who do have a family, but they had been separated. This may be due to a number of reasons: perhaps the other members of the child's family were unable to escape (e.g. the father was not allowed to cross the border), perhaps it was only the child who was able to escape through their school or athletic association or they may not have any living family members left.

Unaccompanied minors need, first of all, a safe place to stay. Importantly, they cannot be housed in the same room or same wing as adults, as this would only increase their vulnerability. At the same time, if they are being housed in a dormitory or youth hostel, it is important for an educator to be present who is able to communicate with the children, pays attention to their needs and is available in case of problems. If minor siblings or relatives arrive together, they should not be separated from one another.

**It is very important for an unaccompanied minor to be provided a guardian as soon as possible.** A guardian is the parent's legal substitute. Because children do not have the power to make valid declarations in a number of important issues (e.g. cannot enroll in school), being provided with a guardian as quickly as possible is the foundation of their legal security. Guardians are assigned by the guardianship office of the Government Office of each county or Budapest; they are also the authority to notify if someone learns that a child is in Hungary without their parents, other family members or relatives.

Should you require additional advice or assistance regarding underage refugees, please contact us or our professional partner organisations using the following contact information:

The **Hungarian Helsinki Committee** provides assistance in asylum and immigration procedures.

[ukrainecrisis@helsinki.hu](mailto:ukrainecrisis@helsinki.hu)  
[facebook.com/helsinkibizottsag](https://facebook.com/helsinkibizottsag)

**Menedék, the Hungarian Association for Migrants**, provides social assistance to help children adjust to being in Hungary.

[menedek@menedek.hu](mailto:menedek@menedek.hu)

**The Hintalovon Foundation** provides assistance in the protection of children's rights, except in asylum or immigration procedures.

They may be reached via the [Contact](#) form.