

Initial submission on the reception and integration of Ukrainian children and young people arriving in Ireland

15 March 2022



Founded in 1995, the Children's Rights Alliance unites over 130 members working together to make Ireland one of the best places in the world to be a child. We change the lives of all children in Ireland by making sure that their rights are respected and protected in our laws, policies and services.

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ATD Fourth World – Ireland Ltd
Atheist Ireland
Barnardos
Barretstown Camp
Bedford Row Family Project
BeLonG To Youth Services
Blossom Ireland
Catholic Guides of Ireland
Child Law Project
Childhood Development Initiative
Childminding Ireland
Children in Hospital Ireland
Children’s Books Ireland
Children’s Grief Centre
Clarecare
COPE Galway
Cork Life Centre
Crann Centre
Crosscare
CyberSafeKids
Cycle Against Suicide
Dalkey School Project National School
Daughters of Charity Child and Family Service
Dental Health Foundation of Ireland
Department of Occupational Science and Occupational Therapy, UCC
Disability Federation of Ireland
Doras
Down Syndrome Ireland
Dublin Rape Crisis Centre
Dyslexia Association of Ireland
Dyspraxia/DCD Ireland
Early Childhood Ireland
Educate Together
EPIC
Equality for Children
Extern Ireland
FamiliBase
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Focus Ireland
Foróige
Gaelscoileanna Teo
Galway Traveller Movement
Good Shepherd Cork
Immigrant Council of Ireland
Inclusion Ireland
Institute of Guidance Counsellors
Irish Aftercare Network
Irish Association for Infant Mental Health
Irish Association of Social Workers
Irish Congress of Trade Unions (ICTU)
Irish Council for Civil Liberties (ICCL)
Irish Foster Care Association
Irish Girl Guides
Irish Heart Foundation
Irish National Teachers Organisation (INTO)
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Irish Primary Principals’ Network
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Jack and Jill Children’s Foundation

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Novas
One Family
One in Four
Parents Plus
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Respond Housing
SAFE Ireland
Saoirse Housing Association
SAOL Beag Children’s Centre
Scouting Ireland
School of Education UCD
Sexual Violence Centre Cork
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SpunOut.ie
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St. Nicholas Montessori Teachers’ Association
St. Patrick’s Mental Health Services
TASC
Teachers’ Union of Ireland
Terenure College Rugby Football Club
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The Ark, A Cultural Centre for Children
The Irish Red Cross
The UNESCO Child and Family Research Centre, NUI Galway
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Introduction

In response to the unlawful invasion of Ukraine by Russia and the unfolding humanitarian tragedy, the Irish Government removed visa restrictions for Ukrainian refugees arriving to Ireland and committed to imposing no cap on numbers. Media reports suggest that as many as a third of refugees arriving are children and young people. The Children's Rights Alliance is making an initial written submission to support the Government's efforts to provide appropriate reception and integration supports to Ukrainian children and young people arriving in Ireland.

The Children's Rights Alliance unites over 140+ members working together to make Ireland one of the best places in the world to be a child. We change the lives of all children in Ireland by making sure that their rights are respected and protected in our laws, policies and services. We identify problems for children. We develop solutions. We educate and provide information and legal advice on children's rights.

Background

Every child should be able to enjoy their rights without discrimination. The State should respect and ensure that children are able to enjoy such rights, regardless of the child's race, language, religion, political or other opinion, national, ethnic or social origin or other status.¹ In all decisions concerning children, the best interests of the child must be the primary consideration.² The best interests principle relates to both policy decisions and decisions made about children on an individual basis.³ Where children are able to form their own views, their voice should be heard in decisions related to them and be given due weight, according to their age and maturity.⁴

In relation to children outside their country of origin seeking protection, the State needs to take appropriate measures to ensure these children are protected and assisted, irrespective of whether they are accompanied by family or are unaccompanied.⁵ In 2016, the UN Committee on the Rights of the Child called on the State to bring its "asylum policy, procedures and practices into line with its international obligations" and to guarantee

¹ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 2(1).

² *ibid* Art 3(1)

³ UN High Commissioner for Refugees, *Refugee Children: Guidelines on Protection and Care* (1994) 6, available at <<https://www.unhcr.org/en-ie/protection/children/3b84c6c67/refugee-children-guidelines-protection-care.html>>.

⁴ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 12.

⁵ *ibid* Art 22(1)

asylum seeking and refugee children have the “same standards and access to support services as Irish children”.⁶

The European Union Reception Conditions Directive (recast),⁷ transposed by the State through the European Communities (Reception Conditions) Regulations 2018, requires the best interests of the child to be the primary consideration in decisions affecting children,⁸ whether they are accompanied or unaccompanied.⁹ For the purpose of assessing the best interests of the child, the State must take account of the possibility of: family unity; the child’s wellbeing and social development with regard to their background; safety and security considerations, particularly where the child may be a victim of human trafficking; the views of the child in accordance with their age/maturity.¹⁰

This submission presents some key issues facing Ukrainian child refugees arriving in Ireland.

Education

The UN Convention on the Rights of the Child (UNCRC) requires the State to recognise the child’s right to education on an equal opportunity basis and to make primary education compulsory and free for all children and young people.¹¹ Importantly, the UNCRC encourages the development of different forms of secondary education and the provision of free secondary education.¹²

The European Communities (Reception Conditions) Regulations 2018 provides that a child or young person seeking international protection shall have access to primary and post-primary education, in the same way and to the same extent an Irish child or young person would.¹³ The 2018 Regulations also require the Minister for Education to ensure that children and young people are given the support services and language assistance they need to access and participate in education. Likewise, under the Temporary Protection Directive, children and young people with temporary protection must be afforded access to the education system under the same conditions as Irish nationals.¹⁴ Aligned to this, in 2017 the European Commission recommended that recently arrived children and young people are

⁶ UNCRC ‘Concluding Observations: Ireland’ (2016) UN Doc CRC/C/IRL/CO/3-4 para 66; Children’s Rights Alliance *Submission to the Department of Children, Equality, Disability, Integration and Youth on the White Paper on Direct Provision* (2020) 4.

⁷ Directive 2013/33/EU OJ L 180, 29.6.2013, 96–116.

⁸ European Communities (Reception Conditions) Regulations 2018, SI No 230/2018, s9(1).

⁹ *ibid* s10

¹⁰ *ibid* s9(2)

¹¹ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 28(1)(a).

¹² *ibid* Art 28(1)(b)

¹³ European Communities (Reception Conditions) Regulations 2018, SI No 230/2018, s17(1).

¹⁴ Council Directive 2001/55/EC OJ L 7.8.2001, Art 14(1).

assured timely and safe access to education, with a view to minimising the length of disruption to the child's education.¹⁵

Barriers to integration

Proficiency in English may vary significantly among recently arrived children and young people, with some lacking the ability to engage in an English-speaking learning environment. Generally, child asylum seekers in Ireland are offered a reception/transition learning programme after which they are transferred to mainstream education.¹⁶ The provision of preparatory classes, including language classes, so that children and young people can access and participate in education, is provided for by the Receptions Conditions Directive.¹⁷ Other jurisdictions have successfully implemented a differentiated approach to such preparatory classes for older refugee children, such as the UPE2A and UPE2A-NSA classes offered to children and young people in France. In this programme, children and young people who do not speak French and have attended school before are referred to UPE2A classes, while those who have not attended school before are referred to UPE2A-NSA classes.¹⁸ A similar approach may be required for incoming Ukrainian children and young people, who may have differing English language skills and educational attainment.

Failing to assess child refugees' language proficiency separately from their academic ability can result in delayed access to educational supports, where the child has an additional learning need.¹⁹ This delay, coupled with any potential delay in accessing an educational psychologist assessment, can have a significant impact on the child or young person's educational development and integration. Early individual assessment of the child or young person's educational abilities and needs is essential²⁰ and should be based on set standards rather than informal judgments of educators.²¹

Lack of proficiency in English can also hinder parental involvement in the child/young person's education and act as a barrier to their integration. Parents may be unable to understand information provided by school staff and may be reliant on their children to communicate this information.²² It is imperative that schools are offered the necessary

¹⁵ European Commission *Communication from the Commission to the European Parliament and Council: The protection of children in Migration* (2017) 211, 8 <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017DC0211>>

¹⁶ Ní Raghallaigh M, Smith K, Scholtz J *Safe Haven - The Needs of Refugee Children Arriving in Ireland through the Irish Refugee Protection Programme: An Exploratory Study* (2019) available at <<https://www.childrensrights.ie/sites/default/files/Safe%20Haven%20Main%20Report.pdf>>

¹⁷ Directive 2013/33/EU OJ L 180, 29.6.2013, Art 14(2).

¹⁸ European Union Agency for Fundamental Rights Luxembourg, *Integration of young people in the EU: good practices and challenges* (Publications Office of the European Union, 2019) 90.

¹⁹ Ní Raghallaigh M, Smith K, Scholtz J *Safe Haven - The Needs of Refugee Children Arriving in Ireland through the Irish Refugee Protection Programme: An Exploratory Study* (2019) 46.

²⁰ European Union Agency for Fundamental Rights Luxembourg, *Integration of young people in the EU: good practices and challenges* (Publications Office of the European Union, 2019) 92.

²¹ Ní Raghallaigh M, Smith K, Scholtz J *Safe Haven - The Needs of Refugee Children Arriving in Ireland through the Irish Refugee Protection Programme: An Exploratory Study* (2019) 45.

²² *ibid* 50

resources to engage with parents of recently arrived children and young people, such as through the provision of interpreters at parent-teacher meetings and the development of school information materials in languages other than English. Education Welfare Officers and other members of the Tusla Education Support Service should similarly be offered interpretation support to maximise engagement with newly arrived parents.

Schools need to be provided with the resources to meet the language, educational and social needs of refugee students. The 2019 *Safe Haven* report identified inadequate funding of English language supports within the education system to be a “serious cause for concern”, noting the large variation in English as an additional language (EAL) support provided in Irish schools.²³ Educational professionals receiving refugee children should be supported to respond to the needs of these students and have specific and detailed guidance on welcoming such children and young people and in delivering education in a trauma-informed manner. The European Union Agency for Fundamental Rights has similarly supported calls for extra training and support for teachers in mainstream schools hosting refugee children.²⁴

Recommendations

- Design and provide differentiated preparatory courses for children and young people in Emergency Reception and Orientation Centres and Emergency Accommodation Centres.
- Offer a standardised, individual assessment of the child/young person’s educational needs and abilities, assessing English language capability separately to academic ability.
- Provide children and young people with age-appropriate communication materials explaining the Irish education system in their mother tongue.
- Deliver supports specifically designed to assist parents to engage in their child’s education where English is not their first language, such as the provision of interpretation support to schools and to the Tusla Education Support Service and in the design and dissemination of information materials in other languages.
- Increase funding for EAL supports in schools receiving refugee children and young people.
- Extend English interpretation support to all schools receiving refugee children and young people and to TESS staff carrying out key support functions for recently arrived children and young people.
- Deliver training programmes for educational professionals on diversity and inclusion, cross-cultural communication and delivering education in a trauma-informed manner.

²³ Ní Raghallaigh M, Smith K, Scholtz J *Safe Haven - The Needs of Refugee Children Arriving in Ireland through the Irish Refugee Protection Programme: An Exploratory Study* (2019) 48.

²⁴ European Union Agency for Fundamental Rights Luxembourg, *Integration of young people in the EU: good practices and challenges* (Publications Office of the European Union, 2019) 48.

- Supply educational professionals with detailed guidance on welcoming newly arrived refugee children and young people.

Child Protection

Under the UNCRC the State must take all measures to protect children from violence, abuse, neglect and exploitation.²⁵ The State is required to adopt protective measures that prevent, identify, report, investigate and follow-up on such ill-treatment of children and young people.²⁶ Through Article 34 of the UNCRC, the State specifically undertakes to defend children against all forms of sexual exploitation and abuse.²⁷

The Reception Directive requires the State to ensure that material reception conditions offer an “adequate standard of living” for those seeking international protection which “guarantees their subsistence and protects their physical and mental health”.²⁸ The State must also ensure that an adequate standard of living is offered in the specific situation of vulnerable persons, such as children and young people.²⁹

Within a child protection context, the European Commission recommends that personnel with expertise in child protection should be involved in the identification and registration of those seeking international protection.³⁰ Where missing refugee children and young people are found in Ireland, they should be swiftly identified, registered and referred to child protection services.³¹ The Commission advises that the State should also establish procedures for the systematic reporting and response to instances of missing unaccompanied children and young people.³² As such, it is imperative that child protection measures and policies are integrated in all reception facilities and in services interacting with recently arrived children and young people to Ireland.

The Ombudsman for Children’s Office (OCO) found in April 2021 that the International Protection Accommodation Service (IPAS) did not always put in place the required child protection safeguards to ensure that children and young people living in Direct Provision, Emergency Reception and Orientation Centres and Emergency Accommodation Centres.³³ The OCO held that there was no evidence of compliance with Children First in all

²⁵ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 19(1).

²⁶ *ibid* Art 19(2)

²⁷ *ibid* Art 34

²⁸ Directive 2013/33/EU OJ L 180, 29.6.2013, Art 17(2).

²⁹ *ibid*

³⁰ European Commission, *Communication from the Commission to the European Parliament and Council: The protection of children in Migration* (2017) 211, 6 available at <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017DC0211>>.

³¹ *ibid*

³² *ibid* 8

³³ Ombudsman for Children’s Office, *Safety & Welfare of Children in Direct Provision – An Investigation by the Ombudsman for Children’s Office* (OCO 2021) 5.

accommodation centres.³⁴ As such, any and all persons offering accommodation or accommodation services to recently arrived children and young people must be Garda vetted, have received child protection training and comply with Children First. This includes those offering informal accommodation arrangements such as those pledging emergency accommodation through non-governmental organisations.³⁵

Recommendations

- Implement mandatory vetting of all persons providing accommodation and accommodation services to children and young people and consider whether the National Vetting Bureau has a requisite legal basis to complete such vetting.
- Increase the National Vetting Bureau's dedicated resources to ensure the timely processing of vetting applications.
- Provide child protection training for all people working with and for recently arrived children and young people.
- Conduct inspections on compliance with Children First among accommodation providers.
- Offer training to frontline staff on recognising the signs of child trafficking.

Other supports in the community

Accommodation

The State needs to take appropriate measures within its means to help implement the child's right to an adequate standard of living, and, where required, provide material supports to achieve this, particularly in relation to housing.³⁶ In line with the European Communities (Reception Conditions) Regulations 2018, decisions made regarding accommodation provision to children and young people seeking international protection must be made in accordance with the child/young person's best interests.³⁷ Under the Temporary Protection Directive, the State must ensure that those with temporary protection have access to suitable accommodation or, if needed, receive the means to obtain housing.³⁸

The *National Standards for accommodation offered to people in the protection process* should be applicable to all accommodation offered to children and young people seeking protection, from the reception phase through to long-term accommodation.³⁹ Safe and

³⁴ *ibid*

³⁵ Irish Red Cross, *Register of Pledges* available at <<https://registerofpledges.redcross.ie/#/>>.

³⁶ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 27(1).

³⁷ European Communities (Reception Conditions) Regulations 2018, SI No 230/2018, s9(1).

³⁸ Council Directive 2001/55/EC OJ L 7.8.2001, Art 13(1).

³⁹ Department of Justice and Equality, *National Standards for accommodation offered to people in the protection process* (2019).

secure own-door accommodation should be provided during and after the initial reception phase. Such accommodation should be adapted to the needs of children. Implementation of the *National Standards* would require *inter alia* that children be accommodated with their families (where this is in the child's best interests),⁴⁰ and that adequate play and recreation spaces (indoor and outdoor) and study facilities be made available to them.⁴¹ To comply with the *National Standards* accommodation providers would need to respect children's rights by explaining their rights in an age-appropriate way, hearing and taking into consideration the views of the child in relation to services provided, including through consultation, and facilitating and supporting children to exercise their rights.⁴²

Recommendations

- The best interests of the child should be the main consideration in decisions that impact children and young people in relation to their accommodation.
- Accommodation provided, from initial reception phase to long-term accommodation, should be own-door accommodation that is child-friendly and respects and promotes family and community life, in line with the child's best interests.
- The *National Standards for accommodation offered to people in the protection process* should be applicable and implemented for all accommodation provided to those seeking protection.

Wellbeing supports

Under Article 39 of the UNCRC, the State needs to take all appropriate measures to promote the physical and psychological recovery and social integration of child victims of armed conflict.⁴³ The UNCRC also affords every child the right to the highest attainable standard of physical and mental health.⁴⁴ This right covers the full spectrum of health and wellbeing and fulfilling the right requires "a comprehensive multisectoral response...through integrated systems...that involve parents, peers, the wider family and schools and the provision of support and assistance through trained staff".⁴⁵

In line with Article 13(4) of the Temporary Protection Directive, the State must provide medical or other assistance to those with temporary protection who have special needs, such as unaccompanied children and young people or those who have experienced torture, rape or other serious forms of psychological, physical or sexual violence.⁴⁶ The 2018

⁴⁰ *ibid* Standard 4.4.2.

⁴¹ *ibid* Standard 4.5.2.; Standard 4.6., see also Standard 4.5.3.

⁴² *ibid* Standard 6.1.9.; Children's Rights Alliance *Submission to the Department of Children, Equality, Disability, Integration and Youth on the White Paper on Direct Provision* (2020) 6.

⁴³ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 39.

⁴⁴ *ibid* Art 24

⁴⁵ UN Committee on the Rights of the Child (CRC), *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence*, 6 December 2016, CRC/C/GC/20, para 58.

⁴⁶ Council Directive 2001/55/EC OJ L 7.8.2001, Art 13(4).

Reception Conditions Regulations similarly provide that the Minister for Health must ensure that international protection recipients and applicants have access to health care for the treatment of mental disorders and such other healthcare as is necessary to maintain their health.⁴⁷

Children young people are considered vulnerable for the purpose of the 2018 Regulations and must be given access to appropriate mental health care, having regard to their special reception needs.⁴⁸ These needs should be recognised through a vulnerability assessment. Under section 8(1) of the 2018 Regulations, this vulnerability assessment is required to take place within 30 days of the person indicating their intention to seek international protection. It is unclear whether the State is currently providing or plans to provide such vulnerability assessments to Ukrainian children and young people, in accordance with its obligations under the 2018 Regulations.

Importantly, the *Safe Haven* report observed that no validated tool is currently used to carry out mental health assessments of children and young people upon arrival in Ireland.⁴⁹ The current mode of assessment involves a discussion with the parents regarding the child's mental health.⁵⁰ The findings of this assessment are then shared with the family General Practitioner, assigned by the Health Service Executive.⁵¹

Children and young people will require support to cope with exposure to traumatic experiences, loss, disruption, dislocation and difficulties in resettlement. The *Safe Haven* report noted the adverse impact of children's experiences prior to arrival in Ireland which for some manifested as bedwetting, nightmares, difficulty sleeping and behavioural issues in the classroom.⁵²

The *Safe Haven* report also found that some refugees are reluctant to attend mental health services and seek psychological help, which can negatively affect their recovery from war-related trauma.⁵³ To address this, culturally sensitive information materials could be distributed to explain and emphasise the importance of seeking assistance for mental health difficulties. Age-appropriate materials should be developed to ensure that children and young people are informed about the benefits of seeking treatment and to familiarise them with the available supports.

In terms of supports available to children and young people arriving in Ireland, the Child and Adolescent Mental Health Service (CAMHS) is currently stretched beyond capacity, with

⁴⁷ European Communities (Reception Conditions) Regulations 2018, SI No 230/2018, s18.

⁴⁸ *ibid*

⁴⁹ Ní Raghallaigh M, Smith K, Scholtz J *Safe Haven - The Needs of Refugee Children Arriving in Ireland through the Irish Refugee Protection Programme: An Exploratory Study* (2019) 32.

⁵⁰ *ibid*

⁵¹ *ibid* 33

⁵² Ní Raghallaigh M, Smith K, Scholtz J *Safe Haven - The Needs of Refugee Children Arriving in Ireland through the Irish Refugee Protection Programme: An Exploratory Study* (2019) 33-34.

⁵³ *ibid* 38; Miller KE, Worthington G, Muzurovic J, Tipping S, Goldman A (2002) Bosnian refugees and the stressors of exile: A narrative study, *American Journal of Orthopsychiatry*, 52, 341-354.

2,384 children and young people awaiting CAMHS services as of August 2021.⁵⁴ Recently arrived children and young people from areas of armed conflict are a particularly vulnerable group who may require prioritised access to mental health supports. The development of peer-to-peer support networks among children and young people could be a helpful measure to address low-level emotional issues and to foster community and integration.

Recommendations

- Ensure that children and young people are provided with a vulnerability assessment within 30 days of their arrival in Ireland, in line with the 2018 Regulations section 8(1).
- Use a validated tool for performing initial mental health assessments of children and young people arriving in Ireland.
- Increase access to interpretation support to ensure that children and young people have effective access to important interventions, such as primary care psychology services.
- Increase access to interpretation support to avoid children and young people acting as interpreters for family members in healthcare settings.
- Afford recently arrived children and young people prioritised access to CAMHS.
- Create culturally sensitive information materials aimed at both parents and children which communicates the benefits of seeking assistance for mental health issues and outlines the available supports and what each entail.
- Develop peer-to-peer support networks among children and young people recently arrived in Ireland.

Community integration

As above, arising from Article 39 of the UNCRC the State undertakes to take all appropriate measures to promote the social reintegration of child victims of armed conflict in an environment which fosters the health, self-respect and dignity of the child.⁵⁵ Children also have a right to rest and leisure and to engage in play and recreational activity⁵⁶ and the State must provide appropriate and equal opportunities for children to enjoy such activity.⁵⁷ The voice of the child should be listened to in designing interventions that promote community integration among recently arrived children and young people. The UNHCR's *Refugee Children: Guidelines on Protection and Care* argues that engaging in consultation with and seeking the active participation of and engaging with refugee children and young people on decisions related to community development and integration can help rebuild

⁵⁴ Darragh Beringham, *170 children waiting more than a year for mental health services*, Irish Examiner 8 November 2021 <<https://www.irishexaminer.com/news/arid-40738515.html>>

⁵⁵ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC), Art 39.

⁵⁶ *ibid* Article 31(1)

⁵⁷ *ibid* Article 31(2)

cultural normalcy.⁵⁸ It follows that children and young people should be involved in this type of decision-making and co-design community integration measures directed at recently arrived children and young people.

In the European Union Agency for Fundamental Rights' assessment of integration of young refugees in the EU, many educational professionals in France, Germany and Sweden cited involvement in sport and leisure activities with local children as a source of help for language skills and integration among child refugees.⁵⁹ The positive impact of sport on community integration for refugees can be seen locally through individual storytelling, such as the participation of Iranian-Kurdish refugee Zak Moradi in the Lory Meagher Cup final in Croke Park in 2017⁶⁰ and the appointment of hurler Abood Al Jumaili as Dublin GAA's first Diversity and Inclusion Ambassador.⁶¹ It is essential that refugee children and young people have effective access to such sport and leisure activities through the provision of allowances for leisure/sports club fees and for the purchase of sporting and leisure equipment. Individuals providing such activities should also be offered training on trauma-informed communication and cultural sensitivity.

Recommendations

- Co-design community integration programmes aimed at refugee children and young people with refugee children and young people.
- Ensure that refugee children and young people are provided with the necessary resources to ensure that they have effective access to leisure and sporting activities.
- Offer training on trauma-informed and culturally sensitive communication to individuals offering leisure and sporting activities to refugee children and young people.

Language and culture

The UNCRC provides, via Article 31, that children who are in an ethnic, religious or linguistic minority should not be denied the right in to enjoy their own culture, practise their own religion and to use their own language.⁶² Children should be able to enjoy this right

⁵⁸ UN High Commissioner for Refugees, *Refugee Children: Guidelines on Protection and Care* (1994) 11, available at <<https://www.unhcr.org/en-ie/protection/children/3b84c6c67/refugee-children-guidelines-protection-care.html>>.

⁵⁹ European Union Agency for Fundamental Rights Luxembourg, *Integration of young people in the EU: good practices and challenges* (Publications Office of the European Union, 2019) 91.

⁶⁰ Ronan McGreevy, *This man, a Kurdish refugee, will line out for Leitrim in Croke Park*, Irish Times 9 June 2017 <<https://www.irishtimes.com/news/ireland/irish-news/this-man-a-kurdish-refugee-will-line-out-for-leitrim-in-croke-park-1.3114121>>.

⁶¹ David Donnelly, *Dublin GAA and AIG announce Abood Al Jumaili aka Bonnar Ó Loinsigh as first ever Diversity and Inclusion Ambassador*, DublinLive 16 February 2022 <<https://www.dublinlive.ie/sport/gaa/dublin-gaa-aig-announce-abood-23123622>>.

⁶² UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC), Art 30.

individually and as part of a community. Children also have a right to free participation in cultural life and the arts⁶³ and the State must respect and promote this right and must encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.⁶⁴

Children have a natural inclination to adapt and to try to fit into new environments. As a result, when resettling children may lose aspects of their cultural identity, such as their native language or other cultural practices, which may cause alienation between children and their parents, especially where the parent finds it more difficult to adapt to their new conditions.⁶⁵ In light of this, Child refugees and young people should be provided with avenues and opportunities to explore and experience their native culture during resettlement to Ireland.

In tandem with English language instruction, children should be encouraged to continue to use and maintain proficiency in their native language. Where refugee children and young people enter mainstream education, supports should be provided to them retain their native language skills.⁶⁶ The requirement for such language supports was identified in the *Safe Haven* report, where it was noted that many parents highlighted a need for language instruction for children and young people in their language of origin.⁶⁷

The free practise of religion can also be vital element for restoring cultural normalcy and maintaining cultural identity among displaced groups. Children and young people should be provided with access to facilities to practice their religion and be afforded an opt-out of denominational religious instruction in education settings.

Recommendations

- Create and fund opportunities for refugee children and young people to engage in their native culture, ensuring that children have been consulted and engaged in the development of such cultural programmes.
- Provide opportunities, both inside and outside of education settings, for children and young people to maintain and nurture native language skills.
- Consider the assessment of Ukrainian as a Non-Curricular Language in the Leaving Certificate.
- Provide children and young people with access to facilities to practice their religion.
- Offer children an opt-out from denominational religious instruction in education settings.

⁶³ *ibid* Art 31(1)

⁶⁴ *ibid* Art 31(2)

⁶⁵ UN High Commissioner for Refugees, *Refugee Children: Guidelines on Protection and Care* (1994) 10, available at <<https://www.unhcr.org/en-ie/protection/children/3b84c6c67/refugee-children-guidelines-protection-care.html>>.

⁶⁶ *ibid* 12

⁶⁷ Ní Raghallaigh M, Smith K, Scholtz J *Safe Haven - The Needs of Refugee Children Arriving in Ireland through the Irish Refugee Protection Programme: An Exploratory Study* (2019) 47.

