

# Guardianship Experiences of Unaccompanied Children in Cyprus

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**Abstract:** This paper is concerned with the guardianship and protection of unaccompanied children in Cyprus. A qualitative research inquiry was implemented to collect data from policy makers, service managers, practitioners and children. The results revealed that the relevant legislation has been fragmented and scattered in a number of laws, government decrees, ministerial directives and circulars lacking coordination and unity. Furthermore, there are no comprehensive guidelines for their standardized implementation, often resulting in different interpretation of guidelines and extreme heterogeneity of practices and procedures application. In this light the acting role of social work practice within the current child protection system is discussed as an attempt to place the background for reflection and change in the future for both social services provision and social workers' role. Both policy and practice changes are required as to promote a safe environment for children.

**Keywords:** separated children, social work practice, guardianship system, asylum, Cyprus.

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## I. INTRODUCTION

Unaccompanied children (from their nuclear families) are uniquely considered to be a particularly vulnerable group facing multiple challenges (Halvorsen, 2002). Many have experienced traumatic situations such as war, trauma, persecution and abuse. Furthermore, apart from being separated from their families, they may face the subsequent difficulties of entering a new country (navigation into uncertain immigration processes) without the support of a family member (Stein, 2004), as well as the fear of persecution (Martin and Curran, 2007).

It is apparent that significant gaps exist in our knowledge of the experiences of unaccompanied children, especially in Southern European countries, including Cyprus (Barrie & Mendes, 2011). It is also possible that emphasis has not been given to longer-term issues, such as fostering and care issues, but to immigration and detention of relevant low numbers of unaccompanied children entering Cyprus (ECRI, 2011).

Considering the numerous definitions adopted in research and policy development as well as the variety of terms used in different countries, this paper adopted the expression "unaccompanied minors". The term "unaccompanied" is considered able to underline the condition of a young individual temporarily far from his/her parents or from primary caregivers, who should guarantee for the response to his/her needs and rights.

Although the United Nations' guidelines for the alternative care of children emphasize that unaccompanied children should enjoy the same rights to care and protection as citizen children (United Nations, 2009), their level of protection and care vary across Europe (Barrie and Mendes, 2011). According to Martin and Curran (2007), governments prioritise immigration control, ignoring, in several cases, the angle of human rights for children. Reflecting on these thoughts, a collaborated EU co-funded project implemented in an effort to promote a holistic approach on guardianship systems (e.g. legislative framework and its implementation, administrative procedures, professionals involved, networking between actors at local and national levels, existence and quality of training, financial resources available).

The purpose of this paper is to present the experiences of unaccompanied children within the Cypriot guardianship system. It begins with the illustration of the Cypriot context followed by the discussion of fieldwork research utilising a set of qualitative themes. The areas of inclusion/exclusion levels are presented along with the appropriateness of the

country's protection and guardianship system in compliance to the principles of children rights. Furthermore, the effectiveness of guardianship system is critically discussed, both in specific elements and as a holistic system, by giving emphasis to the protection of unaccompanied children. Finally, the results highlight the critical aspects of the Cypriot system which would in turn indicate, in a replicable way at European level, how to reinforce these systems as instruments for the protection of children and the prevention of risk factors linked to trafficking and exploitation. The paper concludes by referring to implications for social work practice in the Cypriot context and its transformation from a human to a legalistic profession.

## II. THE CYPRIOT CONTENT FOR SEPARATED CHILDREN

The national legal framework for asylum seeking children is governed by the Laws on Refugees from 2000 to 2004 (Law No. 6(I) of 2000), the UN Convention of the Rights of the Child, ratified on 7 February 1991 and incorporated as Law N. 243(II) 1990 (later amended by N. 5(III) of 2000), and the European Convention on the Exercise of Children's Rights which was ratified by the Republic of Cyprus on 25 October 2005 and incorporated as Law N. 23(III) of 2005.

There are specific provisions referring to 'unaccompanied minors' and to their 'guardian', having in mind that the latter definition applies equally to both native and non-native children. For example, the Laws on Refugees from 2000 to 2004 provide for the protection of children who leave their home of residence and come either with their parents or alone irregularly in Cyprus. When this occurs, the Director of the Social Welfare Services (SWS) acts as guardian to the child and is responsible for providing the child with all the necessary and protective measures (Section 2 of the Refugee Law 2000). Due to the best interest policy, the SWS should always make an individual assessment on any decision taken regarding an unaccompanied minor, and such decisions should always be taken on a personal, objective and impartial basis, and be duly justified (ibid).

The Council Directive 2003/9/EC of January 2003 (EU & CEU) setting the minimum standards on the reception conditions regarding refugees and separated children, affirms that these children must be represented by a legal guardian or, where necessary, by an organization that is responsible for their care and well-being or any other appropriate representation (EU & CEU Directive, 2003). In Cyprus, the Social Welfare Services, Department of the Ministry of Labour, Welfare and Social Insurance act as a legal representative and as a guardian for children, entering the country unaccompanied. The legal representative has the opportunity to inform the child about the meaning and the possible consequences of the interview at the Asylum Service (Ministry of Internal Affairs), and to potentially assist in the preparation for the interview. Furthermore, it allows the representative to be present, to ask questions or to make comments during the interview.

However it is questionable whether Separated children enjoy formal legal representation since their social welfare officer (guardian) is also their legal advisor, which constitutes a major contradiction according to the Committee's on the Rights of the Child recommendations (CRC, 2005, p.19) that: "*The unaccompanied or separated child should also, in all cases, be given access, free of charge, to a qualified legal representative, including where the application for refugee status is processed under the normal procedures for adults*". Usually social welfare officers who undertake such cases are not qualified lawyers. Thus, the state has proceeded in seeking legal assistance from the Law Office of the Republic of Cyprus (General Attorney's office). Additionally, based on the general comment 6, paragraph 33, of the Committee of the Rights of the Child, the legal guardian has to act as the connection point between the child and the agencies that offer the range of services required by the child.

The referral of unaccompanied children to asylum seeker reception centers is prohibited. Those who are older than sixteen years old, however, can be referred exclusively by the Director of Welfare Services and only in the case where the condition of the reception center has been examined and approved so that it provides satisfactory arrangements for the young person's accommodation. Included in these arrangements are provisions that children should be separated from adult asylum seekers. The regulations also gratify the Director of Welfare Services to ensure that unaccompanied children will be placed with adult relatives or foster families or accommodation centers with special provisions for minors or other such suitable accommodations and, where possible, siblings would be kept together. Accommodation changes are kept to a minimum, and the best interest of the child is always taken into consideration. In addition, the District Welfare Office is required to take into account the special needs of such vulnerable children when granting public allowance (ibid).

Moreover, SWSs are obliged to ensure that minors who are victims of any kind of abuse; negligence; exploitation; torture; or harsh, inhuman or degrading treatment or who have suffered by armed conflicts have access to rehabilitation services. Appropriate psychological care and/or specialized treatment, where required, are provided to them, alongside any other special medical or other assistance required (ibid).

The Law on Refugees and Asylum Seekers provides applicants the right to apply for asylum and to be treated fairly with respect of their individual application. In particular article 10 of the Law states that in case the applicant is an unaccompanied minor, the authorities before whom the application is submitted and/or the competent officer shall immediately notify the head of the case who shall immediately notify the Director of SWSs. The Director then shall act as the guardian of the said child and under the Law and its implementing regulations, shall take all the necessary measures on behalf of and in the interest of the child.

Shifting to the education sector, unaccompanied children have access to public educational institutions (primary and secondary school education is free and compulsory) under the same conditions as nationals. Classes at public schools are taught in Greek. Should they wish to attend a private school (usually for reasons of attending courses in English), they can do so at their own cost (ECRE, 2015). However, there are few schools, in which extracurricular initiatives focus on additional tuition in the Greek language; depending on the number of non-Greek speaking students in the schools, extra language classes are offered (usually 5 extra hours of Greek per week). Still state authorities need to intensify their efforts to provide, no Greek language speakers with good quality teaching of Greek as a second language (ECRI, 2011) as well as multi-cultural activities and the exploration of different civilisations. Currently there are only 4 schools (one in each major city) participating in the Educational Priority Zones, where such activities are offered (MoEC, 2008).

Health services are free for separated children under 16 who are not asylum seekers or refugees, and who are in the care of the SWS. However, limitations may apply to specific cases and in particular to those who are older than 16. For example the current national legislation defines that asylum seekers can access free of charge emergency care and necessary treatment only if they live in a reception centre, receive welfare benefits, demonstrate a proven lack of sufficient resources or belong to a vulnerable group. The rest must pay the full cost of services.

Reviewing the overall policy and practice directed towards the general objective of securing the integration of unaccompanied children into Cypriot society, it could be argued that they are at an early stage of development. The first Action Plan for integration was launched in 2010 (Special Committee of Experts for Inclusion, 2010). Integration extends well beyond the boundaries of what is formally identified through the Law on asylum and refugees and the issued Plan. For example, the Plan did not refer explicitly to what the integration process constitutes for the Republic or how the proposed actions meet the needs of those groups. In addition, there was a critique that in the consultation process, non-state stakeholders were involved in shaping the Plan (Officer and Taki, 2013).

### III. RESEARCH METHODOLOGY

The central part of this research aimed to identify the strengths and weaknesses in the national guardianship system as well as to formulate evidence-based recommendations at national level. These points were used, as part of further research, to explore the guardianship system in daily practice along with policy guidance. It attempted to give a reasonable answer and justification, which is related to the identification of beliefs, barriers and opportunities that both facilitate and prohibit the guardianship system. In particular, it attempted to scrutinise areas such as the training of guardians and their work methodology and competences. Particular attention was paid to the definition adopted for guardianship, if any, to its compliance with the Children Rights Convention, its inclusiveness and its effectiveness in protecting and supporting children. Another element consisted of the analysis of protection gaps and risks leading to exclusion.

The purpose was to draw attention to the most worrying protection gaps and risks to which unaccompanied children are exposed. These mainly included the state's inability to act appropriately for the children's best interest. Finally, the research attempted to depict essential parts of integration such as accommodation, safety, education and health aiming to draw attention to the most worrying protection gaps and risks facing separated children as a starting point for building a comprehensive care system.

Quantitative data and desk research provided a picture of the phenomenon, particularly with regard to the legislative framework related to separated children as well as trafficking and exploitation and the practices, policies and procedures for their placement and care, with particular reference to all the practices and procedures, which have an impact on

children's level of protection (e.g. age assessment, detention, needs assessment, access to education, health care, vocational training, etc.). In addition, the research discussed and compared available "official" data against data from other national and international sources, in order to analyze the capacity of inclusion and integration to society.

By adopting a perspective mainly oriented on prevention, the key assumption of the study was that an adequate and appropriate response to the basic needs and rights of the child, as stated in the international legislation, will play a crucial protective function from trafficking and exploitation phenomena.

In order to guarantee consistency with principles and provisions of international legislation as well as maintain children and their situation as a core dimension of the observation, a second set of variables was introduced, clustering needs and rights of children along the four dimensions of survival, development, protection and participation.

The study investigated the above mentioned dimensions by focusing on the needs and rights of the child deriving from the principles and provisions contained in the UN Convention on the Rights of the Child (CRC) and other relevant international human rights legislation. These dimensions have functioned as a "map" to connect needs and rights and to investigate the different problems concerning each dimension. They have also functioned as a tool to maintain a solid and holistic approach in the analysis as well as in the identification of system responses and recommended standards.

### GROUPS OF RESPONDENTS

The research was carried out by taking three population groups and for each group a specific tool for data collection was used:

A. The first group included the Children, who were divided into three groups:

1. unaccompanied children who were taken in care within reception centers and shelters and who were therefore considered as children included in the guardianship system under study (not applicable for Cyprus)
2. unaccompanied children that were taken in care within children homes, and now due to the fact that they reached the age of 18 are outside of the guardianship system

B. The second group includes people who are "responsible for" and/or "actively engaged with" children:

1. Guardians. Guardians are the principal components of the system and through them to study the guardianship system itself.
2. Social workers. This group works very closely with unaccompanied children and definitely represents a crucial source of information.

C. The third group included institutional and non-institutional actors involved at various level in the interaction with children:

1. Institutional/governmental actors concerned with the institutional aspects of guardianship. They provide specific information with a national scope such as governmental officials (e.g. police officers).
2. NGOs and/or other organizations. These, from a non-institutional perspective, devote their work to the welfare and to the protection of the child and represent an unavoidable source of information as well as a way to evaluate institutional performances.

A process to facilitate the relation with the various contexts observed, especially those with children, was indicated to the researchers together with tools and appropriate procedures to obtain the informed consents from the various respondents. Three population groups were selected and formed the research participants. The first group included the children who as unaccompanied children were taken into care in state shelters and who therefore were considered to be included in the guardianship system under study. At the time of interviewing they were young adults who had left the shelter (for coding reasons are referred as CHILDOut). The second group included professionals such as social workers in voluntary organisations, who were responsible for and/or actively engaged with children (for coding reasons are referred to as SW). The third group included participants from various organisations, both public and NGOs, such as policy makers or academics involved with children's policies (for coding reasons these participants are referred to as ORG).

The next section depicts the findings from the interviews with stakeholders and unaccompanied children in Cyprus.

#### IV. FINDINGS FROM THE FIELD

The main findings of the interviews with the two groups of adults (10 participants) are presented and grouped by taking into consideration the four levels derived from the research objectives. The first level refers to the capability of the guardianship system to include unaccompanied children, pointing as well as to factors that could exclude children from the care system.

All interviewees referred to school as the first factor of inclusion for unaccompanied children. As soon as the children enter the guardianship system they are sent to the school closest to where they live:

*'The best practice in Cyprus is that they allow children to go to school from the very beginning but this is a 'listen and learn' process' (SW).*

Although it is argued that there are certain courses and training programmes for foreign students to support and ensure their smooth integration into the education system and the society (Ministry of Education and Culture, 2007), in practice unaccompanied children are not offered introductory (beginners) language classes:

*...most hours they are observers but they might feel part of Cypriot culture while they learn Greek. I think it would be better if there were more intensified courses to learn about the Cypriot culture. I do not know whether the State will invest time, money and effort in such people... I guess they do not know what will happen if they will reject or keep them (SW).*

Introducing children into a school setting is paramount for creating stability and normality into their everyday life. Furthermore, it is an essential factor in the process of assisting children to reconstruct their life:

*The school has a great role to play, and helps greatly in their socialisation: to make friends; it is the first group for a child to join. If you think that they usually live in a shelter with children from other countries without any emotional or other support from the neighbourhood, it's the only way to be included in the Cypriot culture (SW).*

Although good intentions exist and the Ministry of Education has acknowledged the best practices for integration, in practice it is argued that education is not being designed strategically (Themistokleous, Vrasidas and Zempylas, 2012):

*For children who live at the shelters the system does not cover more special needs children, such as recreation, psychological support, education, connection with the community, are incomplete. In cases of Cypriot children who are on the shelters for other reasons, it would be good if things were different (SW).*

The second element looked at the suitability of the guardianship system for responding to unaccompanied children's needs and rights. Although Cyprus has an established legislative framework for children's guardianship it covers only basic needs. A governmental employee who had the opportunity to get into the field demonstrated her dissatisfaction with the system:

*I don't know if it is compliant with CRC. If it is, then CRC is very poor and inappropriate. Based on our cases of trafficking most of the social services professionals follow very strictly the law without being able to look for unique differences in each individual (ORG).*

Additional gaps were raised concerning the asylum application process:

*There is no family tracing whatsoever...They say that due to admin difficulties an applicant has to wait to reach 18 years of age. When they become 18 years old they will be treated as adults and usually they will be sent back to their countries (ORG).*

The responses from the two groups highlighted the lack of coordination among all actors. They pointed to the need for further improvement in the roles and responsibilities within various agencies. Such agreements would result in the development of more effective care and protection for children:

*First of all cooperation among the different actors is the key issue. There is not a formal communication and cooperation protocol among the police, the asylum service and the social services which would guide us based on specific procedures and practices. We need to build on procedures and on a national action for children with emphasis on separated children (ORG).*

The third core area researched was the compliance of the guardianship system to national and international standards on children's rights, as well as the main factors which can influence (enhance or reduce) the compliance of the system. Regarding this section it was evident that policies and legislative frameworks exist in the Cypriot system for the protection of unaccompanied children, however a number of gaps were highlighted:

*It (the legislative framework) is not compliant with International and European standards. It is compliant only with the national standards. The Law has to be changed. There is no proper immigration law... They haven't ratified the European Directive on unaccompanied children and there are no major policies and the 10th Directive (ORG).*

The interviews highlighted the State's inability to implement its legislation and to solve inter-organisational problems between state departments in order to proceed with the law implementation, i.e. legal representation by the Children's Commissioner:

*The established Law in 2009 states that the guardian must be also a legal representative of the child; the Commissioner for Children was appointed. Unfortunately it is the third year now since that change and it has not worked yet. It is a big problem for the rights of unaccompanied children. In practice the asylum process is too complicated for a lawyer, imagine for a non-lawyer, and one who is not even a citizen of the country who knows the law (ORG).*

All of the interviewees declared that a consistency between principles, provision and reality would ensure sufficient protection for the children from trafficking and exploitation:

*The law is not specific, and so it is intertwined with the exploitation of persons. Because there isn't any compatibility between the authorities and the services, we cannot find the link between trafficking and unaccompanied children (SW).*

The fourth area explored was the effectiveness and capacity of the guardianship system to protect unaccompanied children from trafficking and exploitation. The responses to the issue of guardianship throughout the groups of interviewees were varied:

*The children's basic human needs are covered; there is no problem with that. But we don't know what happens to children who do not submit the asylum application. There is a great need as it has already been mentioned to fully implement the Law which covers the main areas of children's protection (ORG).*

The interviewees made it apparent that the responsibility of SWS is very crucial on how they treat unaccompanied children and how they protect them:

*... It has to be noted that as long as the public SWS do not pay attention to unaccompanied asylum seeker needs, it is possible to become a victim of trafficking at a later stage in their life. I'm emphasizing this area, as a common policy procedure is to reject adolescents who applied for asylum, stayed in Cyprus for a long time, even for 6-8 years, and then their application was rejected (ORG).*

A view that unaccompanied children should be treated individually with efforts directed in understanding the specific conditions they experience at any given time was also expressed:

*There is not any individualization of needs and rights. A third country national should not be treated like a national of this country. Such policy generates more problems than it tends to solve. When an adult or child asks for asylum, we need to be aware of their special needs and requirements in order to treat them equally (ORG).*

Social workers also commented on the lack of humanism and respect on the government's part for unaccompanied children:

*Much effort is needed and much humanity and respect is expected for their treatment. There should be a more active integration process as well as a more comprehensive and coordinated effort. That's why, in some cases, children who don't feel comfortable to live in a shelter they leave. Children should have the possibility to choose what they want to do and not what we want them to do (SW).*

### **The experiences of children**

#### **The Survival dimension:**

The main findings in terms of survival are focused on nutrition, home and health. The interviews with children in Cyprus demonstrated that food was offered to children while they lived in children's homes:

*I tried to eat what it was offered (CHILDout).*

It seems that the children ate in order to survive, whether they liked or not the food offered. Most probably the food offered was not decided upon any cultural, dietary or religious needs:

*No, I didn't like the food when I was there (CHILDout).*

The children mentioned that although their complaints were put forward, nobody cared about that or did something to change the quality and kind of food provided at the Homes. There was no reply or effort to improve it:

*I didn't like the food there but I was obliged to eat it because if I didn't eat I would stay hungry (CHILDout).*

The Homes they stayed were institutionalized. That means that they had to follow rules such as eating together etc.

*At the place that I live now I can eat what I like. I have some freedom to go out I am more relaxed and more comfortable now (CHILDout).*

The interviewed children did not have good memories from their time at the children homes:

*I didn't like it at the shelter. I have bad memories from that shelter (CHILDout).*

Another one added:

*I am really better now. Back then it was bad (CHILDout).*

Regarding health needs those were covered in full and the children knew how to ask for help and from whom, when there was such need:

*Yes I went to hospital once. It was OK. (CHILDout, 20 years old, Nigeria).*

They would also inform the responsible people at the shelters in case of health issues:

*I would report to the people at the shelter and they would drive me to the hospital for exams (CHILDout).*

### **The development dimension**

The interviewees referred to their time at school as a good memory. School was used as an inclusion attempt immediately after the children entered the shelters:

*I went to the Technical School. It was nice (CHILDout).*

A positive memory was also added by a second interviewee:

*The school was good. The first 3 months were difficult, but then things went really well for me (CHILDout).*

Apparently they all went to Technical Schools where currently there is a trend for the weakest students to study there in order to get technical training on certain professions e.g. plumber, electrician etc.:

*I don't know about other schools; they told me to go there and I went (CHILDout).*

*The school that I used to go was not chosen by me; they sent me to the school that they chose (CHILDout).*

While studies in other countries demonstrate that unaccompanied children often show a great determination to succeed, to get a good education, and to make a successful transition to life (Barrie and Mendes, 2011; Broad and Robbins, 2005), in those cases, it seems that others decided about their future, without offering them any prior education needs' evaluation.

### **The protection dimension:**

This group of responses examined the possible risks entailed through their journey and relations with adults. Uncertainty about their future was a common reply to a relevant question:

*I don't see my family and I don't know how my life is going to be. Took the boat and arrived to Limassol (CHILDout).*

Furthermore, transportation and trafficking risks were pointed:

*My mom made an arrangement with these people to take me to Japan but unfortunately they brought me to Cyprus (CHILDout).*

The children clearly identified fear factors and dangerous situations they faced during their effort to reach a host country:

*Some children disappeared when we travelled together. I was lucky... I took the boat and arrived to Limassol (CHILDout).*

Such incidents had consequences to their later lives:

*I am very careful now... I go only to my house and to my friends... (CHILDout).*

This reply demonstrates the high level of trauma experienced. It also reveals the necessity for a full needs' assessment or therapeutic support, which was not provided by the relevant authorities.

It seems also that they have understood that adults are the people who are responsible to protect children, but at the same time, they are able to hurt them:

*I am careful when I meet other adults but I trust the officers in this organisation (CHILDout).*

### **The participation dimension:**

The section included the exploration of terms of citizenship, life projects and spirituality. The responses received offered the opportunity to understand that these children have no citizenship rights. Travelling and staying in a different country than that of their origin made them aware of the required procedures which ensure legal residence:

*Now that I am in Cyprus I know the meaning of the word VISA (CHILDout).*

Another one added for the same issue:

*I know that you have to take a VISA when you want to go to a country (CHILDout).*

However, the children did not seem able to plan ahead and/or frame their lives in a certain future context:

*I would like to have a job and a family (CHILDout).*

In fact, anxiety and stress was raised on the specific question as they do not have a residence permit. All children participants envisioned to finish school and find a work in Cyprus.

*It is difficult to plan ahead as I don't know what will happen with my application. I have heard different rumours and negative stories from other people (CHILDout).*

The children felt free at all times to express their religion in Cyprus. They did not feel threatened because of that in any way possible. Their responses below also show that they have the opportunity to express themselves with other people too:

*It's ok when I am with African people we pray and sing together (CHILDout).*

*Yes, I still follow my religion here (CHILDout).*

Overall, the results from the fieldwork indicated the importance of cooperation in developing culturally sensitive programmes that facilitate the integration of unaccompanied children. Active integration process in relation to an individualized needs' assessment could be vital. This could reduce the above mentioned gaps, as well as to improve the quality of care and protection offered to them.

## **V. CYPRIOT GUARDIANSHIP SYSTEM: ILLUSION OR REALITY?**

The main findings depicted a series of multi-level implications and raised issues of concern in various areas of practice. Although there is an effort to protect the rights of unaccompanied children there is low awareness and low protection standards which have placed them in a particularly vulnerable situation. A plethora of international and European legislative frameworks and regulations concerning the protection of children and their best interests have being ratified or put into practice by the Republic of Cyprus. However, it was observed that state institutions are not able to effectively implement them. It is noteworthy to highlight that all interviewees mentioned only the immigration and asylum legislation.

An administrative fragmentation in relation to services' overlapping was also identified (ICRC, et al. 2004). Different sets of legislation applied result to the involvement of at least two governmental authorities, which are not in close collaboration through formal protocols and multi-disciplinary team meetings. Resulting to this situation, the service users



fall through bureaucratic ambiguities. The relevant departments of the Ministry of Labour and Social Insurance and the Ministry of Interior have different approaches on the issue (Akasereh, 2011). Additional difficulties were also presented due to the lack of a co-operative approach or common goals and equal participation. Any communication is actually based on informal communication channels, apart from exchanging formal letters, where one service informs the latter about the progression of the minor or update of their legal status.

The respondents in the study have highlighted a range of issues which impede practice. Stress and uncertainty are the feelings which are met quite frequently among the social workers and other professionals. Social workers who are appointed as guardians to support and protect children are increasingly required to work on the edges of the system, balancing between their obligations as social carers and as public employees who cannot skip or interpret under a different perspective the current legislation as it was highlighted by the research findings.

The provision of an effective and appropriate guardianship system is fundamental in order to ensure the protection of rights of unaccompanied children. However in Cyprus guardianship functions are also pivotal for the concrete application of the best interest of unaccompanied children. In addition, it has been proved, in many cases, dysfunctional (Trimikliniotis & Demetriou, 2008).

There were numerous factors identified that constitute barriers in the inclusion of unaccompanied children such as the inability of the Social Welfare Services to keep up with the constantly changing settings and therefore predict the demand on their services and respond appropriately to children's needs and rights; the wide range of children's cultural and linguistic needs; lack of proper procedures and practices for age or needs' assessment; children's ignorance of their age, dropping out of school or moving out of the guardianship system's protection; lack of counselling support and integration programmes; lack of public awareness on discrimination and diversity issues.

The appropriateness of response to children needs and rights also constitutes an undetermined subject. In practice, the holistic approach of separated children's guardianship is limited or focused on the residential accommodation, food and compulsory schooling. The State does not appear to be greatly involved and working towards establishing provisions for the children's needs. Considering unaccompanied children and adolescents as 'refugees', entitled to gain temporary protection and residence documents until they attain the age of maturity leads to minimal standards of care and reception and an important neglect of their psychological needs. Perhaps those attitudes lead some of the interviewees to comment on the lack of humanism and respect on the state's part towards them.

The above mentioned gaps could be fulfilled with the introduction of a specific organisation, where particular attention would be given to their personal needs for further development, supplementing by a network of supporting services, such as legal, psychological and mental health services.

## VI. IMPLICATIONS FOR SOCIAL WORK PRACTICE IN CYPRUS

Asylum and migration issues have been raised into very important areas for both social policy and social work practice. Within EU guidelines and directives national policies have been formulated to respond to continuously new requirements. For Southern European countries like Cyprus which are points of entry for immigrants, asylum seekers, both children and adults, responding to these requirements and with this kind of pace have been an extremely challenging area of concern. Furthermore, as Southern European countries have been deeply affected by the financial crisis, which in combination with an expanded and inefficient public administration, has led professionals and policy makers to practice according to fiscal cuts and austerity measures. In June, 2013 the new elected Cypriot government announced its new social policy measures, specifically targeted towards vast reductions and cuttings on social benefits for asylum seekers and refugees and replacing (75%) them with food vouchers.

Within this context and taking into consideration all the above mentioned about the gaps of the Cypriot guardianship system social work practitioners are meant to practice a new kind of social work practice. A practice serving firstly governmental wishes and needs rather than service users' needs, it cannot be considered as effective and fruitful (Fook, 2002). Social work practice is directed for years from a political thought which demands less for more. Social work practitioners' numbers decrease while social problems increase and are more complicated e.g. unaccompanied minors in societies which are already deprived and underdeveloped. A number of questions and dilemmas need to be extensively discussed and reflected on. For example, is it the lack of adequate legislation's implementation that makes the situation complicated? It seems that a presupposition for welfare provision to unaccompanied children as a major pull factor exists.

Structural barriers in achieving effective implementation result in the contradictions that underpin the social work values. It is important to reflect upon what changes could be made to practice and organizational systems which might enhance professional and organisational relationships, and even contribute to policy resolution.

Dehumanizing social work and its practitioners is expected to create more social problems rather than solve the current social and financial crisis. The dominant mentality of having governmental social workers to act as implementers of State policies has to change. Traditional approaches to social services provision and social work practice must incorporate and merge with multi-cultural and radical approaches. Cypriot social workers need to reflect on the “new” challenging situations they have to work on, the need to differentiate their daily practice and give emphasis to client-centre approach irrelatively gender, nationality, religion and any other “ethical” or “cultural” criteria they may hold.

On a wider scale, the construction of frameworks that promote both interagency collaboration and professional growth would possibly develop a culture of learning organizations having more effective changes for achieving quality of services. It is anticipated the notion that people who work together can learn together, and can create potential material for learning that can be valid for different professional groups as well.

However, there are not any consequence-free decisions. It is an important area for discussion as many social workers all around the world feel that they are powerless and voiceless and unable to affect social realities (Fook, 2002) – an impression occasionally echoed by some of their service users. It may be assumed that Cypriot social workers, like other social workers around the world, should regard the theoretical framework of their profession as a foundation for their professional intervention.

It is argued that unless both, organisations and professionals, re-examine their value-basis, social work usefulness will be limited in challenging social phenomena like separated children.

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