

Fundamental rights of children displaced in the EU following the Russian war of aggression

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1. Children fleeing Ukraine

1.1. Data on children fleeing Ukraine

Table 1 Children fleeing Ukraine

Category of child	Registration system Y/N	Number of children (as disaggregated as possible) (as of 22 March 2023 unless otherwise specified)
Overall number of children	N	56.341 ¹
Arrived accompanied by mother, father or another legal guardian		N/A
Arrived without parents, but with other family members, neighbours or family friends		N/A
Arrived unaccompanied	N	2.000 ²
Arrived within a group of children, as an organised evacuation from Ukrainian institutions or foster carers (with or without an appointed legal guardian)	N	461 ³
Arrived within a group of children, through private initiatives, such as football		N/A

¹ Diario de sesiones del Congreso de los diputados. Comisión de derechos de la infancia y adolescencia. 22 March 2023: https://www.congreso.es/public_oficiales/L14/CONG/DS/CO/DSCD-14-CO-871.PDF

² Ibid

³ Slide 13: <https://inclusion.seg-social.es/documents/20121/0/230222+PPT+Balance+Ucrania.pdf/70ec1d14-ab76-e358-dbcc-231340b88fa6?t=1677078525860>

clubs (with or without an appointed legal guardian)		
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Source: *Journal of sessions of the Congress of Deputies. Spain. Committee on the Rights of Children and Adolescents. 22nd March 2023.*

At present, the registries of the Ministries with responsibilities in this area do not have records available where this disaggregated information can be found. For its part, the Ministry of Home Affairs has records of the accumulated data on temporary protection decisions granted, but the information is not available. Likewise, the Ministry of Social Rights (with competences in unaccompanied children) has a statistics section in the Childhood Observatory with a register of children in data which is also not accessible.⁴ Therefore, the data that have been filled in the table are not from statistical sources, but from statements made by the Director General of Childhood of the Spanish Government at the Commission on the Rights of Children and Adolescents on 22 March 2023.⁵

Other data that is public and that has been consulted for this report are those published by the Ministry of Inclusion, Social Security and Migration of the Government of Spain regarding the people who have passed through the Reception, Care and Referral Centres (CREADE, by its acronym in Spanish)⁶. Thus, as of 15 May 2023, we see that a total of 29,929 children under 18 years have passed through these facilities, of which 14,944 are boys and 14,985 are girls. These represent 30% of the total number of arrivals in CREADEs. Of this total, 19,827 arrived in families, but the data portal does not specify whether family is understood to mean only parents or legal guardians or also other types of accompanying persons.

According to the Ministry of Inclusion, Social Security and Migration data portal⁷, a total of 4,601 children and adolescents needed foster care, but there is no disaggregated data on whether this foster care was in a family or in reception facilities for unaccompanied children. On the other hand, the Ministry noted in its presentation "A

⁴ Data requested from the Ministry of Social Rights and Agenda 2030 as of 29 June 2023.

⁵ Ministry of Inclusion, Social Security and Migration, CREADE Statistics, available at:
https://public.tableau.com/views/ucrania_16490687789290/ucrania_cifras?%3AshowVizHome=no&%3Aembed=true#11

⁶ Ministry of Inclusion, Social Security and Migration, CREADE Statistics, available at:
https://public.tableau.com/views/ucrania_16490687789290/ucrania_cifras?%3AshowVizHome=no&%3Aembed=true#11

⁷ Ministry of Inclusion, Social Security and Migration, CREADE Statistics, available at:
https://public.tableau.com/views/ucrania_16490687789290/ucrania_cifras?%3AshowVizHome=no&%3Aembed=true#11

year of reception"⁸, that 461 of the children arrived from a Ukrainian institutions and 93 of whom had a disability.⁹

1.2. Crimes against children fleeing Ukraine and children going missing

Table 2 – Serious crimes against children fleeing Ukraine and children going missing

Issue / risk	Number of cases i) reported and ii) investigated
Violence, including domestic violence	N/A
Sexual abuse	N/A
Trafficking for exploitation	N/A
Children reported as missing	N/A
Other crimes against children fleeing Ukraine	N/A

Source: N/A. There is no published data on crimes involving displaced children from Ukraine who have arrived in Spain, or on missing children. Data requested from the Ministry of Social Rights and Agenda 2030 as of 29 June 2023.

⁸ Slide 13: <https://inclusion.seg-social.es/documents/20121/0/230222+PPT+Balance+Ucrania.pdf/70ec1d14-ab76-e358-dbcc-231340b88fa6?t=1677078525860>

⁹ Ministry of Inclusion, Social Security and Migration, CREADE Statistics, available at: https://public.tableau.com/views/ucrania_16490687789290/ucrania_cifras?%3AshowVizHome=no&%3Aembed=true#11

2. Child protection – legal, policy framework and procedures in place

2.1. Responsibilities of child protection authorities

2.1.1. Individual children, including unaccompanied and separated children

On 4 March 2022, following the outbreak of war in Ukraine on 24 February 2022, the Member States of the European Union decided to adopt Council Implementing Decision 2022/382, establishing the existence of a mass influx of displaced persons within the meaning of Article 5 of Council Directive 2001/55/EC¹⁰ with the aim of providing an immediate response to the mass displacement of persons fleeing the conflict in Ukraine. Thus, the Spanish Government passed Royal Decree-Law 6/2022, of 29 March, which adopts urgent measures within the framework of the National Response Plan to the economic and social consequences of the war in Ukraine¹¹, and approved in the Council of Ministers Order PCM/169/2022, of 9 March, which develops the recognition of temporary protection for people affected by the conflict in Ukraine¹². Article 49 of this

¹⁰ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. Available at [DOUE-L-2001-81926](#)

¹¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. Available at [DOUE-L-2001-81926](#)

¹² Real Decreto-ley 6/2022, de 29 de marzo, por el que se adoptan medidas urgentes en el marco del Plan Nacional de respuesta a las consecuencias económicas y sociales de la guerra en Ucrania (for the adoption of urgent measures as part of the national plan in response to the economic and social consequences of the war in Ukraine). Available at: [BOE-A-2022-4972](#)

Royal Decree-Law recognises the special procedure for the temporary protection of children affected by the humanitarian crisis.

It recognises in its second section that all children and adolescents, whether accompanied or unaccompanied, are direct beneficiaries of temporary protection, applications will be submitted by the adult person accompanying them and in the case of unaccompanied children by the Public Governmental Entity in charge of their guardianship.

Temporary protection gives the right to residence and work in Spain, as well as access to basic services (health, education, social benefits...). Temporary protection applies to Ukrainian nationals, stateless persons and third-country nationals with legal residence in Ukraine, as long as they cannot return to their country of origin. In addition, Spain also granted the application of this measure to those Ukrainian nationals who were in Spain before the outbreak of the war, but who, because of the war, cannot return. Therefore, all children who have left Ukraine, alone or accompanied, are directly processed for temporary protection.

Temporary protection must be requested on behalf of the children by the legally authorised person, as mentioned above, at the Reception, Attention and Referral Centres (CREADE)¹³ located in Madrid, Barcelona, Malaga and Alicante, and failing this, at the police stations authorised for this purpose in the rest of the Autonomous Communities¹⁴. Children and adolescents who request it must present documentation accrediting their Ukrainian nationality or their legal residence permit in the country in conflict, and they must also accredit their kinship with the person requesting it on their behalf¹⁵.

¹³ Order PCM/169/2022, of 9 March, developing the procedure for the recognition of temporary protection for persons affected by the conflict in Ukraine. Available at

<https://inclusion.seg-social.es/web/ucrania-urgente/w/centros-recepcion-atencion-derivacion-desplazados-ucrania>

¹⁴ Ministry of Inclusion, Social Security and Migration. Reception, Care and Referral Centres for Ukrainian Displaced Persons. Available at: <https://inclusion.seg-social.es/web/ucrania-urgente/w/centros-recepcion-atencion-derivacion-desplazados-ucrania>

<https://ucraniaurgente.seg-social.es/listado-de-comisarias/>

¹⁵ Instructions of the Ministry of the Interior concerning the temporary protection of Ukrainian children displaced to Spain: Available at: <https://www.icab.es/export/sites/icab/.galleries/documents-noticias/Instrucciones-relativas-a-la-proteccion-temporal-de-menores-ucranianos-desplazados-a-Espana.pdf>

The extraordinary nature of the procedure means that, within 24 hours of the application for temporary protection, the Spanish authorities will decide whether or not to grant it. Protection is automatically extended for another year after one year has elapsed since the granting of protection if the body competent to declare protection has not terminated it¹⁶.

The creation of the CREADE facilities was a response mechanism to centralise and streamline the procedures relating to all displaced persons arriving in Spain. Thus, these devices have a temporary stay nature with three specific functions: reception and initial assistance for which they have accommodation places in the centre itself or in nearby locations; management for obtaining temporary protection within 24 hours; referral to the spaces of the reception network for adults and family nuclei, and for referral to the child protection services of the Autonomous Communities in the cases of unaccompanied children. Therefore, the itinerary is as follows: Firstly, the initial reception and orientation is managed by the Ministry of Inclusion and the social support entities, from there, temporary protection is managed with the Ministry of the Interior, the COVID protocol is carried out and finally they are referred to the corresponding services¹⁷.

Children who come accompanied by their parents or direct relatives must prove their parental relationship through the relevant documentation; otherwise, DNA tests may be requested in order to avoid situations of human smuggling or trafficking¹⁸. If deemed necessary, the National Police (coordination of GCP Good Clinical Practice, which guarantees ethical quality) will proceed to take DNA samples. Information will be sent to the Public Prosecutor's Office and to the Protection of Minors of the Autonomous Region. The maintenance of children with their family units, as provided for in international and national regulations, will always prevail.¹⁹

¹⁶OHR (2022). Report on Temporary Protection Ukraine. Available at: https://www.interior.gob.es/opencms/pdf/2022/Ucrania-Proteccion-Temporal/MININT_Prot_Temp_UCR_07.-v2.pdf

¹⁷Ministry of Inclusion, Social Security and Migration. Reception Plan for Displaced Persons from Ukraine, as of 15 March 2022. Available at: https://www.lamoncloa.gob.es/serviciosdeprensa/notasprensa/inclusion/Documents/2022/150322-plan_acogida-ucrania.pdf

¹⁸Ministry of the Interior. Instructions on the Temporary Protection of Ukrainian children displaced to Spain. Available in: <https://www.icab.es/export/sites/icab/.galleries/documents-noticias/Instrucciones-relativas-a-la-proteccion-temporal-de-menores-ucranianos-desplazados-a-Espana.pdf>

¹⁹Ibid.

Once they leave the CREADE facilities, if their family does not have sufficient resources to live independently, they can enter the network of the National Reception System, which is part of the Ministry of Inclusion, Social Security and Migration. In the first phase, the reception system will cover basic needs and provide help to acquire the necessary skills for the development of an independent life. In the second phase, the system will continue to provide support through financial measures for rent and other basic necessities in case of continued need. In order to access the National Reception System, families must undergo an initial assessment of their eligibility and needs, and once assessed, they will be allocated a reception place²⁰. These procedures are managed by the social entities collaborating in the foster care system.

In the case of unaccompanied or separated children, CREADE, or the Autonomous Community where the children arrives, will have to refer them to the protection services of the Autonomous Community where the child is located, as they are responsible for providing immediate attention, as provided for in Article 14 of the Organic Law on the Legal Protection of Minors²¹. In accordance with the provisions of Article 148.1.20 of the Spanish Constitution, which states that the Autonomous Communities have powers relating to "social assistance". Each Autonomous Community therefore has its own autonomous children's laws, where protection systems are regulated based on the standards set out in national²² and international regulations. Thus, protection measures in the strict sense, i.e., foster care or residential care as modes of exercising the care of a child will operate based on the provisions of each Autonomous Community legislation.

For cases of Ukrainian children without family references who have arrived in Spain, Royal Decree-Law 6/2022, of 29 March, states that when children affected by the war are not accompanied by their parents or legal guardians, the Public Government Entities shall provide them with immediate care and assume their provisional guardianship by means of an administrative resolution. Thus, the preferred option is protection based on the provisional guardianship of Section 4 of Article 172.4 of the Spanish Civil Code and not the guardianship envisaged for situations of abandonment in Section 1 of the same precept, which entails the suspension of parental authority or ordinary

²⁰ Ministry of Inclusion, Social Security and Migration. Dudas Frecuentes de los Desplazados Ucranianos en España. Available at: <https://inclusion.seg-social.es/web/ucrania-urgente/w/dudas-frecuentes-desplazados-ucrania>

²¹ Ley Orgánica 1/1996, de 15 de enero, de Protección Jurídica del Menor, de modificación parcial del Código Civil y de la Ley de Enjuiciamiento Civil. Available at: <BOE-A-1996-1069>

²² Specifically, Law 26/2015, of 28 July, on the modification of the child and adolescent protection system, sought to bring uniformity to all regional protection systems by establishing common criteria and minimum standards in the application of the law throughout the territory.

guardianship. These actions will always be reported to the Public Prosecutor's Office, as well as to the State Security Forces and Corps so that the child can be registered in the Register of Unaccompanied Foreign Minors (RMENA, by its acronym in Spanish)²³, which depends on the National Police.

The autonomous protection systems therefore have the duty to protect and guarantee the rights of children and adolescents under their guardianship and/or custody²⁴. It is therefore based on this territorial distribution of competences that unaccompanied Ukrainian children must be placed at the disposal of the protection services of the Autonomous Community. In accordance with the provisions of Art. 172 ter et seq. of the Civil Code and Art. 19 et seq. of the Organic Law on the Legal Protection of Minors, the guardianship can be carried out through residential foster care or through foster care in a non-relative or extended family (Ukrainian relatives residing in Spain).

The Public Governmental Entity, therefore, will determine the most appropriate measure in each case, and must guarantee that access to the exercise of all their rights (schooling, health, bureaucratic-legislative procedures) will be facilitated. In any case, care will be taken to ensure that the children maintains communication and links with his or her family of origin, if he or she has one, and if the family arrives in European territory, all the procedures for family reunification will be facilitated. The granting of temporary protection, which provides for the right to family reunification in Spanish territory, transferring this protection to the children's relatives, provided that this family unit was constituted in the country of origin and that due to the circumstances that gave rise to the need for protection, they have been separated²⁵.

Finally, it is worth highlighting the recommendations made in this regard by the Ministry of Social Rights and Agenda 2030, which is responsible for children and families²⁶. It determined that it should be ensured that the child or adolescent who arrives in our

²³ Ministry of Home Affairs and National Police Directorate. Instructions on the Temporary Protection of Ukrainian children displaced to Spain. Available at: <https://www.icab.es/export/sites/icab/.galleries/documents-noticias/Instrucciones-relativas-a-la-proteccion-temporal-de-menores-ucranianos-desplazados-a-Espana.pdf>

²⁴ Articles 21 and 22 of Law 26/2015 determine the basic obligations of children in residential and family care.

²⁵ OAR (2022) What is Temporary Protection? Available at: <https://www.interior.gob.es/opencms/pdf/2022/Ucrania-Proteccion-Temporal/MININT Prot Temp UCR 07.-v2.pdf>

²⁶ Ministries of Social Rights and Agenda 2030. Recommendations for citizens on the displacement and reception of children and adolescents. Available at: <https://ciudadesamigas.org/wp-content/uploads/2022/03/circular-ministerio.pdf>

country without an adult guardian has legal permission from their legal guardians or from the Ukrainian government to carry out this movement, that these movements have been made through official channels and in coordination with the competent authorities of the autonomous community, as well as studying cases of risk or lack of protection in order to take the measures determined by law.

2.1.2. Children evacuated from Ukrainian institutions

Regarding children evacuated from Ukrainian institutions, there is very little information due to a lack of data collection or harmonisation of data already collected by public bodies and social entities. In this context, UNHCR notes that there have been cases of children with disabilities from Ukrainian institutions who have arrived in Spain.²⁷ There is not much published information in this regard. The Ministry of Inclusion, Social Security and Migration has accounted 461 children arrived within a group of children, as an organised evacuation from Ukrainian institutions or foster carers (with or without an appointed legal guardian), 93 of these children have disabilities.²⁸

2.2. Safeguards and measures addressing risk of violent crimes against children fleeing Ukraine

2.2.1. Safeguards to protect and defend children from crimes

The Russian invasion of Ukraine has disproportionately affected and harmed vulnerable groups of the Ukrainian population, including women and children. International and civil society organisations have repeatedly warned of the heavy burden on children,

²⁷ UNHCR interview via teams transcribed on 16 June 2023.

²⁸ Slide 13: <https://inclusion.seg-social.es/documents/20121/0/230222+PPT+Balance+Ucrania.pdf/70ec1d14-ab76-e358-dbcc-231340b88fa6?t=1677078525860>

including trafficking, sexual exploitation, abduction and illegal adoption²⁹. Regarding measures in favour of victims of trafficking or sexual exploitation, and the protection of children, it should be noted that the United Nations has warned that millions of women and children who move as refugees from Ukraine require protection, as they are "the most vulnerable" to being victims of human trafficking or "other forms of exploitation"³⁰.

The OSCE published on 9 March 2022 a series of recommendations to prevent human trafficking in this situation of mass migration flows, including the provision of psychological care for displaced persons. According to the latest GRETA report of 2018 on Ukraine's compliance with the Council of Europe Convention on Action against Trafficking in Human Beings (Warsaw Convention), Ukraine is primarily a country of origin of people exploited outside the country and in the country itself, the main purposes of exploitation being labour exploitation and exploitation for sexual exploitation, with the majority of victims being women and children. It was therefore urgent to adopt public policy measures to address the situation of women and girls who, in particular, may be doubly victims in this context and to facilitate their access to specialised care services for victims of trafficking and sexual exploitation³¹.

The European Commission adopted a ten-point plan for stronger European coordination in the reception of people fleeing the conflict in Ukraine, which includes the need to adopt a specific plan to address the risks of trafficking arising from the conflict in Ukraine. This plan finally took shape in early May based on the EU Anti-Trafficking Strategy 2021-2025, is articulated in five main objectives and provides a series of concrete actions and recommendations to be implemented by various actors³².

In this context, UNICEF Spain notes that children fleeing the conflict in Ukraine are at greater risk of being victims of human trafficking and exploitation³³. At the national level,

²⁹ European Parliament. Briefing on Russia's war in Ukraine. Ukrainian children forcibly displaced. Available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747093/EPRS_BRI\(2023\)747093_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/747093/EPRS_BRI(2023)747093_EN.pdf)

³⁰ Ibid.

³¹ Ibid.

³² European Commission. 10-point plan: For greater European coordination in the reception of people fleeing the war in Ukraine, 22 March 2022. Available at: https://home-affairs.ec.europa.eu/10-point-plan-stronger-european-coordination-welcoming-people-fleeing-war-ukraine_en

³³ Press release: UNICEF. Children fleeing war in Ukraine are at increased risk of trafficking and exploitation. Available at: <https://www.unicef.org/es/comunicados-prensa/ninos-huyen-guerra-ucrania-corren-mayor-riesgo-victimas-trata-explotacion>

Royal Decree Law 6/2022 establishes protection measures for particularly vulnerable groups, such as children, victims of violence against women and victims of human trafficking and sexual exploitation in the context of the humanitarian crisis caused by the war, whose due safeguarding also requires immediate action by the public authorities³⁴. UNHCR Spain works closely with host governments who are responsible for the registration of refugees and supports the identification of refugees at risk, the assessment of trafficking risks through protection monitoring, the deployment of specialised staff and the training of volunteers in protection from exploitation and abuse, trafficking and gender-based violence. From the outset, UNHCR also launched the Stay Safe awareness campaign to inform Ukrainian refugees of the risks and offer advice on how to stay safe³⁵.

The Ministry of Gender Equality grants direct aid to public and private entities involved in the prevention, detection, care and protection of victims of human trafficking violence and sexual exploitation in the context of the humanitarian crisis. In this context, the Ministry has set up a 24-hour information hotline in Ukrainian for all displaced women from Ukraine. Likewise, in the case of children, the Anar Foundation has set up a 24-hour psychological care chat³⁶. The chat.anar.org has simultaneous translation into Ukrainian, Russian and English among other languages. Children and adolescents will be able to contact professionals through this chat to resolve doubts and situations that may pose a problem for him or her, to act in an emergency to bring them to safety or to protect them if they are in a situation of risk³⁷. Specific training is being provided to Ukrainian psychologists so that they can deal with requests for help coming in by phone.³⁸

³⁴ Royal Decree-Law 6/2022. Of 29 March, adopting urgent measures within the framework of the National Plan of response to the economic and social consequences of the war in Ukraine. Available in: <https://www.boe.es/buscar/act.php?id=BOE-A-2022-4972>

³⁵ UNHCR. Ayuda España. Child Protection. Available at: <https://help.unhcr.org/spain/proteccion-de-ninos-y-ninas/>

³⁶ Ministry of Gender Equality. Government Delegation against Gender Violence. Information on Gender Violence for displaced women (SPECIAL UKRAINE). Available at: <https://violenciagenero.igualdad.gob.es/informacionUtil/extranjeras/ucrania/vgeneroGeneral.htm>

³⁷ ANAR Foundation (2022). If you are a child or adolescent. Available at: <https://violenciagenero.igualdad.gob.es/informacionUtil/extranjeras/ucrania/doc/FOLLETOUCRANIA.pdf>

³⁸ Asociación Anar, Press Release: <https://www.anar.org/la-fundacion-anar-se-reune-con-la-asociacion-ucraniana-de-segovia-para-ofrecer-su-ayuda/#:~:text=C%C3%B3mo%20ayuda%20ANAR,os%20en%20infancia%20y%20adolescencia.>

In the Reception, Attention and Referral Centres (CREADE), devices for the prevention of human trafficking and exploitation have been implemented. In this regard, the entities Diaconia Spain, the White Cross and the Red Cross have set up spaces to attend to victims. In the different CREADES spread throughout the national territory, services for the prevention of trafficking have been set up, for example, in the CREADE of Barcelona there is the NGO Adoratrices, in the CREADE of Malaga and Alicante there is the Red Cross³⁹

At the regional level, the Community of Madrid approved the Protocol on the Protection of Children and Adolescents Displaced from Ukraine to the Community of Madrid as a result of the War Conflict through the Regional Ministry of Family, Youth and Social Policy for children who have previously lived with a family residing in the Community of Madrid on temporary stays for holidays, studies or medical treatment, as well as those who are accompanied by a relative or adult who does not legally represent them. Also, those who may arrive alone in the region fleeing from war. The Directorate General for Childhood, Family and Birth Promotion monitors the situation of children at risk. When these children have already lived with a family in Madrid, the Community of Madrid will collect information to verify this previous cohabitation and that the persons with whom they reside have a negative certificate of criminal record and sex offenders' register and will adopt the resolution of provisional guardianship within the Commission for the Guardianship of Minors. In cases in which they are accompanied by an adult or relative who is not their guardian, the document that gives legal cover to the children's cohabitation with that person shall be checked in order to maintain the de facto guardianship situation, always prioritising the interests of the child and with the corresponding resolution of protection measure from the Guardianship Commission. If there is any indication that the child may be the victim of an act constituting a crime of trafficking or any other illicit act, the relevant measures will be taken, and the situation will be reported to the Public Prosecutor's Office⁴⁰.

³⁹ Ministry of Inclusion, Social Security and Migration, Un año de acogida (A year of intake), Available at: <https://revista.seg-social.es/-/20230222-un-a%C3%B1o-acogida>

⁴⁰ Press release: Community of Madrid. La Comunidad de Madrid aprueba un Protocolo para garantizar la protección de menores desplazados desde Ucrania, 28 March 2022. Available at: <https://www.comunidad.madrid/noticias/2022/03/28/comunidad-madrid-aprueba-protocolo-garantizar-proteccion-menores-desplazados-ucrania>

2.2.2. Support for children victims of crimes to protect and defend children from crimes

Due to the large number of displaced persons arriving in Spain since March 2022, different protocols for the legal protection of families were implemented. Judicial powers in Spain are derived from the Autonomous Communities. Therefore, it is the judicial power of each Autonomous Community that has implemented different lines of action to cover the needs of children and their families free of charge, which has included working with local Bar associations towards the provision of assistance.

The Official Bar Association of Madrid is working in coordination with the Warsaw Bar Association to assist Ukrainian refugees arriving in the country of Poland and who will subsequently travel to Spain. A collaboration agreement has been signed to establish control and assistance mechanisms for displaced persons arriving in Spain, one of the priority objectives of the Bar Association being the creation of safe spaces for the families of Ukrainian lawyers within the system of reception of persons seeking protection in Madrid.⁴¹ The Madrid Bar Association also assists institutionally in the reception of the most vulnerable children arriving in Spain in the Community of Madrid. The Official Bar Association of Madrid (ICAM) has published on its website a guide in Spanish, Ukrainian and English to provide legal advice to Ukrainians who have fled the conflict in their country. The guide has been prepared by the Immigration and Procedural Areas of the Bar Association with the aim of helping refugees to know what their rights are.⁴²

The Barcelona Bar Association is implementing a legal aid project for Ukrainian refugees, providing free legal advice to Ukrainians arriving in Barcelona. Through the Public Defence, Aliens, International, International Criminal and Human Rights committees, and with the involvement of the Barcelona Young Lawyers Group, the Catalan institution has launched the programme "Assistance to the Ukrainian Population".⁴³ The

⁴¹ The Official Bar Association of Madrid (ICAM). ICAM travels to Poland to promote a legal corridor and facilitate the hosting of Ukrainian lawyers' families in safe spaces. Available at: <https://web.icam.es/el-icam-viaja-a-polonia-para-impulsar-un-corredor-legal-y-facilitar-la-acogida-de-familiares-de-abogados-ucranianos-en-espacios-seguros/>

⁴² Press note: The Official Bar Association of Madrid publishes a guide for citizens fleeing armed conflict in Ukraine. Available at: <https://web.icam.es/el-colegio-de-abogados-de-madrid-publica-una-guia-para-ciudadanos-que-huyen-del-conflicto-armado-de-ucrania/>

⁴³ The Barcelona Bar Association. Ukrainian Population Assistance. Available at: <https://www.icab.es/es/actualidad/noticias/noticia/Proyecto-de-la-Abogacia-de-Barcelona-Ukrainian-Population-Assistance/>

programme offers legal assistance, collaboration and monitoring in the referral of displaced Ukrainians to the Social Services of Public Bodies and NGOs, and the production of a "Basic Emergency Guide to Assistance for Displaced Persons" to displaced Ukrainian families in Barcelona.⁴⁴

The Malaga Bar Association, through the subcommittee of the special service of Legal Assistance to Foreigners and in collaboration with the Human Rights section, has also made available to Ukrainian citizens a free legal advice and legal assistance service. This Bar Association advises and assists them in the processing of applications for temporary protection and other queries they may have in relation to the loss of their rights because of the war conflict.⁴⁵

2.3. Guardianship/legal representation arrangements for unaccompanied and separated children fleeing Ukraine

2.3.1. Arrived unaccompanied

In Spain, the ordinary procedure when a child or adolescent arrives in the territory without the company of their parents or legal guardians works according to the provisions of article 172.1 of the Civil Code. Thus, the Public Entity in charge of child protection will declare the situation of abandonment and will proceed to assume the guardianship of the child and adopt the necessary protective measures for his or her care.

A child is considered to be in neglect when there is a breach or impossible or inadequate exercise of the established duties of protection and when they are deprived of the necessary moral or material assistance. In Spain, competence in relation to child protection is transferred to the Autonomous Communities, as mentioned in previous

⁴⁴ Ibid

⁴⁵ The Malaga Bar Association. The Malaga Bar Association condemns the military invasion of Ukraine and creates a free legal advice service for those affected by the conflict. Available at: <https://abogaciademalaga.es/ayuda-a-ucrania/>

points, so it will be the Autonomous Communities' child protection services that will be responsible for the guardianship and care of unaccompanied children.

Child protection systems can decree two protection measures in the strict sense: residential care or foster care. In both cases the Public Governmental Entity will hold the guardianship of the child, but the provisional guardianship will be of the protection centre in the first case (specifically, the director of the centre receives the mandate of guardian) or of the family in the second case.

In the case of the emergency situation arising from the conflict in Ukraine, specific measures have been adopted with the aim of adapting them as much as possible to the needs and reality of the situation. Thus, Royal Decree 6/2022 determines that action will be taken with unaccompanied children, providing them with immediate attention through the figure of provisional guardianship. This measure means that the guardianship or parental authority of the legal guardian of the child will not be removed immediately, but can be maintained until the Public Entity carries out the relevant proceedings, at which time the real situation of abandonment may or may not be established and the Public Entity can therefore proceed to assume guardianship of the child. Therefore, in this way we can dictate the measure of provisional guardianship without prior declaration of abandonment, as is the usual procedure. However, in this way, children will also be referred to the protection services of the Autonomous Communities, and it will be the Public Entity responsible for their protection that will decide on the measure of residential or family foster care.

Based on the principle that the Autonomous Communities are responsible for child protection, we have analysed specific measures that have been adopted by some autonomous governments to resolve the situation of Ukrainian children who have arrived in their territory.

The Regional Government of Andalusia (Junta) approved Decree-Law 5/2022 of 17 May to regulate the stay and reception of children displaced in Andalusia due to the war in Ukraine⁴⁶. The Junta drafted this regulation to be able to regulate the temporary protection of Ukrainian children as a consequence of the armed conflict through the measure provided for in the state regulation on foreigners called temporary displacement of unaccompanied children. Thus, Articles 187 and 188 of the Regulation

⁴⁶ Decree-Law 5/2022 of 17 May to regulate the stay and reception of children displaced in Andalusia due to the armed conflict in Ukraine. Available at: <https://www.boe.es/buscar/doc.php?id=BOJA-b-2022-90151>

of Organic Law 4/2000 (law on foreigners or LOEX) provide for the possibility of temporary displacement of unaccompanied children for a maximum period of 90 days or a school year if they come to study; these are humanitarian and temporary programmes to provide care for children who cannot receive it in their country of origin. As this measure was not originally designed for emergency contexts, the regulation makes it impossible to extend temporary displacement for longer periods of time. For this reason, the Junta decided to expressly regulate by means of this Decree-Law the cases of foreign Ukrainian children arriving in the Autonomous Community and to be able to care for them through supportive families who take them in temporarily through the formalisation of a provisional guardianship.

This measure was proposed because it was considered that many of these children are not in a situation of risk or lack of protection by their parents or guardians, but rather that their situation is a circumstance that has arisen due to the conflict. Thus, the exercise of provisional guardianship over children displaced from Ukraine to the territory of Andalusia will be linked to the temporary protection granted by the international legal system, which lasts for one year and can be automatically extended for periods of 6 months for a maximum period of one year. What must be stressed is that the concept here understood as a supportive family is not the same as that of foster family provided for both in the Civil Code and in articles 17 and 18 of the LOPJM, since in the latter case there is no measure of abandonment. Therefore, interviews and reports should be focused on the purpose of the ongoing measure and always under the prism of the Ukrainian Central Authority and within the framework of the international legal order.

For this type of foster care to be carried out, the children must have the express authorisation of those who have parental authority or guardianship to move the child, otherwise the Public Entity must adopt the ordinary protection measures. Thus, the person or family interested in exercising provisional guardianship must fill in a form and undergo a suitability process; they must also accompany the child in the application for temporary protection, facilitate the return of the child to the country of origin once necessary; facilitate family reunification within the European Union; among other rights and obligations. However, even if the child are under this type of temporary guardianship, they must be registered in the National Police's register of unaccompanied children (RMENA)⁴⁷.

⁴⁷ This was also expressed by the Public Prosecutor's Office, through a decree of the Juvenile Prosecutor's Office of the Provincial Court of Seville. Available at: https://defensordelmenordeandalucia.es/sites/default/files/decreto_fiscalia_ninos_de_ucrania.pdf

For its part, the Community of Madrid approved a specific protocol⁴⁸ to address the situation of children and adolescents displaced from Ukraine. This protocol determines that children who have already lived with a family residing in Madrid may formalise a provisional guardianship under the framework of temporary protection of foreign children provided for in Spanish Immigration Law⁴⁹. As for Ukrainian children arriving without family references, the usual procedure carried out in Spain is the declaration of abandonment and then assumption of guardianship by the Public Governmental Entity will be followed. For the latter cases, the Community of Madrid has promoted temporary foster care, prioritising families with special ties to the Ukrainian community.

The Generalitat de Catalunya set up an emergency circuit⁵⁰ to speed up and simplify the foster care of unaccompanied Ukrainian children. The corresponding suitability assessments will be carried out on the families and the child will be declared unaccompanied, with the public governmental entity holding legal representation and the family holding daily-care responsibilities.

Therefore, it is the larger regions with the greatest capacity to take in Ukrainian nationals that have taken specific measures to address this situation. As for the rest of the Autonomous Communities, no specific information has been found on specific measures they have adopted regarding the reception of Ukrainian children. Therefore, we assume that the measures and procedures in place in these communities are the ordinary ones for cases of unaccompanied children, already mentioned at the beginning of this section.

2.3.2. Arrived without parents, but with other family members, neighbours or family friends

In the case of separated children, the norms and principles of international law make it clear that measures relating to the separation of the child from the accompanying adult should be the last option to be considered as long as this is not contrary to the child's

⁴⁸ Community of Madrid. Directorate General for Childhood, Family and Birth Promotion. Protocolo relativo a la protección de niños, niñas y adolescentes desplazados desde ucrania a la comunidad de madrid como consecuencia del conflicto bélico, of 22 March 2022. Available at: https://www.comunidad.madrid/sites/default/files/gobierno_abierto/protocolo_ucrania.pdf 23.3.2.2.pdf

⁴⁹ Royal Decree of Spain 557/2011, of 20 April. Available at: <https://www.boe.es/buscar/act.php?id=BOE-A-2011-7703>

⁵⁰ Catalonia with Ukraine. Welcoming a family or a child. Available at: <https://web.gencat.cat/es/ucraina/com-colaborar/acollir-una-familia-o-un-menor/>

best interests. Children have the right to grow up and develop in a family, a concept broadly understood as set out in the Convention on the Rights of the Child. Likewise, the Framework Protocol on Unaccompanied Minors⁵¹ determines that the separation of the child from the adult should only take place in cases of imminent risk for the child, taking into account the specific circumstances of the case, which should be assessed on an individual basis.

In order to clarify the situation regarding separated children from Ukraine, the General State Prosecutor's Office drafted an internal note for provincial delegated prosecutors⁵² (they must always be informed by the Public Governmental Entity in charge of child protection of the arrival of an unaccompanied or separated child in the territory), with the aim of giving the most appropriate response. Thus, it differentiates between unaccompanied children in the written sense and children accompanied by an adult guardian, but who is not their parent or guardian, in which case we will speak of Minors at Active Risk. In both cases, it determines that they will be placed in the provisional care of the Public Protection Entities, but without prejudice to the fact that, at the time of specifying the type of care, the different situation in which they find themselves may be taken into account. This determines, therefore, that the circumstances of each case must be assessed and the most protective measures for children must be adopted, considering its best interests.

Understanding that provisional foster care will be established and that the Public Governmental Entity can decide on the type of foster care, it is understood that the persons accompanying them can therefore be their foster relatives and become the temporary foster carers. Always stressing that these children must be registered in the RMENA register, and that the Public Entity must in any case monitor and control the child and the person accompanying him/her.

⁵¹ Ministry of the Presidency. *Protocolo Marco sobre determinadas actuaciones en relación con menores extranjeros no acompañados*, agreed on 22 July 2014 by the Minister of Justice, the Minister of Employment and Social Security, the Minister of Health, Social Services and Equality, the State Attorney General, the Secretary of State for Security and the Undersecretary of the Ministry of Foreign Affairs and Cooperation. Retrieved from:
<https://www.boe.es/boe/dias/2014/10/16/pdfs/BOE-A-2014-10515.pdf>

⁵² Internal note "Ukrainian foreign children at active risk", dated 8 June 2022, addressed to the provincial delegated prosecutors. Available at:
<https://www.uria.com/documentos/publicaciones/8207/documento/ajum60art.pdf?id=13185&forceDownload=true>

The Community of Madrid foresaw this case in its action protocol⁵³ and determined in its seventh point the procedure to be followed in cases where Ukrainian children arrive accompanied by a reference adult. In these cases, it determined that the link between these persons will be studied to determine whether it could constitute a crime or evidence of a situation of lack of protection or risk. If none of the above is evidenced, the accompanying person shall maintain temporary guardianship and cohabitation, provided that this is in the best interests of the child. When a documented minor is accompanied by a guardian who is also displaced, once all the NIEs have been registered, the NIE of the adult will be linked to the NIE of the minor, specifying the link in each case. If the accompanied minor is under three years of age: the photo of the Temporary Protection presentation receipt must show the minor together with the adult responsible for him/her.⁵⁴ The PMMENA will be activated (registration in the RMENA as a MINOR AT RISK, avoiding the duplication of the minor's NIEs. The Public Prosecutor's Office and the Protection of Minors of the Autonomous Community.⁵⁵

In any case, foster care will always be temporary and the reunification of the child with his/her parents or guardians will be ensured. In addition, if at any time the Public Entity determines that the child is at risk or unprotected, the appropriate protective measures must be taken.

2.3.3. Arrived within a group, from Ukrainian institution or foster carers (with or without an appointed legal guardian)

In view of the cases of Ukrainian children accompanied by the professionals who were guarding them in the protection system of their country of origin, the Public Prosecutor's Office has also issued a statement, making clear the need to verify that this guardianship

⁵³ Community of Madrid. Directorate General for Childhood, Family and Birth Promotion. Protocolo relativo a la protección de niños, niñas y adolescentes desplazados desde ucrania a la comunidad de madrid como consecuencia del conflicto bélico, of 22 March 2022. Available at: https://www.comunidad.madrid/sites/default/files/gobierno_abierto/protocolo_ucrania.pdf 23.3.22.p df

⁵⁴ Ministry of Home Affairs. Instructions on the temporary protection of Ukrainian minors displaced to Spain. Available at: <https://www.icab.es/export/sites/icab/.galleries/documents-noticias/Instrucciones-relativas-a-la-proteccion-temporal-de-menores-ucranianos-desplazados-a-Espana.pdf>

⁵⁵ Ibid

is truly that of the person accompanying the children on behalf of the institution.⁵⁶ The prosecutor's office warns that, regardless of the fact that the Ukrainian authorities themselves sometimes refer to these persons as guardians of the children, it is not certain that they really are, as they may simply be persons who work in these centres but that the guardianship per se corresponds to the State or to some private organisation.

For their part, the Ukrainian authorities have expressed their preference for children coming from war to be able to remain in the care of persons accompanying them, both those who do so at the request of parents or legal guardians, and those who do so because they are employed by or responsible for the protection institutions from which they come.

According to the provisions of Royal Decree 6/2022, entities that are not previously accredited to support or carry out residential or family foster care may be accredited on an extraordinary emergency basis, but this must always be accompanied by a commitment to successive control and monitoring by the Public Protection Entity. Thus, if any case of risk or lack of protection is detected in these children, they will be declared unprotected and the relevant protection measure will be agreed (as for example the Prosecutor's Office of Salamanca, in Castilla y León⁵⁷). As an example, the Junta of Castilla y León took over the guardianship of 85 children from a Ukrainian orphanage who arrived at the Inmaculada School in Armenteros (Salamanca), where technicians from the Social Services Department detected "cases of lack of protection". The Salamanca Prosecutor's Office opened a protection file for each of them as "abandoned" minors. The minors were transferred to centres in Valladolid. The Junta monitored the Ukrainian children and became aware of "cases of lack of protection or that the minors were not properly cared for as they should be within the protection system of Castilla y León". For this reason, the Administration initiated the guardianship file for the children who remain in Armenteros, awaiting their transfer to Valladolid, where they will reside temporarily until a possible return to their country. The children will remain in the same centre or very close centres if they cannot all be in the same one, and that the

⁵⁶ Internal note "Ukrainian foreign children at active risk", dated 8 June 2022, addressed to the provincial delegated prosecutors. Available at: <https://www.uria.com/documentos/publicaciones/8207/documento/ajum60art.pdf?id=13185&forceDownload=true>

⁵⁷ Press release: The Junta assumes guardianship of 85 Ukrainian children from an orphanage in Salamanca after detecting "cases of lack of protection". Available at: https://www.eldiario.es/castilla-y-leon/junta-asume-tutela-85-menores-ucranianos-armenteros-salamanca-detectar-casos-desproteccion_1_9207811.html

guardianship will be the responsibility of the Accem association, with the aim of guaranteeing the wellbeing of the minors.⁵⁸

The Junta has worked in coordination with the Ministries of Foreign Affairs and Social Affairs, as well as with the Ukrainian Consulate, which wants the children to be able to return to their country "as soon as possible, as well as informing the Public Prosecutor's Office.

Likewise, the Andalusian Ombudsman's Office for Children and Adolescents in its complaint number 22/1811 of 12 January 2023⁵⁹ states that it is awaiting the instructions issued by the Ministry of Social Services and Agenda 2030, regarding the possibility that these children with a protection measure adopted in their country of origin be considered as cross-border foster care as regulated in article 20 ter of the LOPJM or that it be decided to adopt another protection measure of those contemplated in the legal system.

2.3.4. Arrived within a group, through private initiatives, such as football clubs (with or without an appointed legal guardian)

Since the war began, there have been numerous private initiatives that have brought Ukrainian children to Spain. In most cases, these are private entities or institutions that have a link with the child, such as sports clubs. In any case, the Spanish authorities have warned from the outset of the risks associated with the displacement of children separated from their families. This is also expressed by the Ministry of Social Rights in its recommendations⁶⁰, where it calls for transfers to be carried out through official channels and in coordination with the competent authorities of the autonomous

⁵⁸ Ibid

⁵⁹ Office of the Ombudsman for Children and Adolescents in Andalusia. 3 October 2022. Available at: <https://defensordelmenordeandalucia.es/solicitamos-un-protocolo-especifico-que-ofrezca-una-respuesta-agil-a-los-ofrecimientos-de>

⁶⁰ Ministry of Social Rights and Agenda 2030. Recommendations for citizens on displacement and reception of children and adolescents. Available at: https://www.mdsocialesa2030.gob.es/comunicacion/docs/comunicado_MDDSS_16_03.pdf

communities. Failure to follow the relevant channels may expose children to situations of human trafficking and other situations of risk and lack of protection.

If children come with a person declared as their legal guardian, it is necessary to make the relevant enquiries to verify that this guardianship corresponds to that person, or if the document that grants him/her the guardianship is indeed valid. In any case, Royal Decree 6/2022 allows for the extraordinary accreditation, as a matter of urgency, of entities that are not previously accredited to support or carry out residential or family foster care. Always under the control and monitoring of the Public Entity for Protection. Therefore, these private initiatives can play the role of provisional guardians of these children, being in charge of the protection measure that is imposed.

In any case, the arrival of Ukrainian children and adolescents in the territory should always be reported so that they can be registered, with a view to the relevant monitoring and controls to be carried out by both the Public Prosecutor's Office and the public protection entity.

2.4. Placement of unaccompanied and separated children fleeing from Ukraine

Table 3 – Placement of unaccompanied and separated children

Type of placement	Number of children	Details
With adult relatives	N/A	
With a foster family	N/A	
With person who looked after the child when fleeing	N/A	
In reception centres for unaccompanied children (all nationalities)	Approx. 2,000	
In reception centres for children fleeing Ukraine	N/A	<i>No specific centres have been set up for unaccompanied Ukrainian children. They have been in the system with children of other nationalities.</i>

Other placement		
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Source: Europa Press. 2.000 Ukrainian Minors are in Spanish Protection (2.000 menores ucranianos se encuentran bajo el cuidado de entidades de protección en España) 22 March 2022. Available at: <https://www.europapress.es/epsocial/migracion/noticia-2000-menores-ucranianos-encuentran-cuidado-entidades-proteccion-espana-20230322190349.html>

At a broad level, in Spain, there is a lack of disaggregated data on unaccompanied or separated foreign children. The division of competences that gives the protection of unaccompanied children to the autonomous regional protection systems and accompanied children to the national one, as well as the division of actors dealing with migrant children, makes it very difficult to bring together all the information and systematise it in a reliable way. The lack of data makes it very difficult to draw conclusions about the quality of the response and the unmet needs. The system was not prepared to collect data prior to the emergency, and the situation that has arisen has made it even more complicated to obtain any type of disaggregated information.

2.5. Children evacuated from Ukrainian institutions

We have interviewed UNHCR Spain to date 16 June 2023 and they have not been able to respond due to lack of information on this issue. We have also contacted the Ministry of Social Rights and Agenda 2030 via the Transparency Portal as of 29 of June 2023. We have also contacted UNICEF Spain via email as of 27 of June 2023. In the latter cases, we are still awaiting a response.

2.5.1. Institutional placements

Information unavailable

2.5.2. Alternative care

Information unavailable

2.5.3. Safeguards for children placed in institutional care settings

Information unavailable

2.5.4. Access to local services and support

Information unavailable

2.6. Child-friendly information and means to ensure participation of children from Ukraine

2.6.1. Child friendly information

In the care provided by the social entities in the first reception at the CREADE facilities, specific actions aimed at recently arrived children and adolescents were foreseen⁶¹. Professionals trained and sensitised specifically in communication skills for children fleeing their countries created children adapted to provide simple and accessible information for their age and maturity, so that they could understand the situation they were going through and thus reduce the feeling of stress.⁶²

In addition to the materials adapted to children in the CREADEs, we have found a generalised lack of this type of resources for this group throughout the country. In this way, and as support for the national authorities, with the collaboration of the Ministry of Social Rights and Agenda 2030, UNHCR Spain and Plataforma Infancia⁶³ published the report child friendly information for children and adolescents who have had to flee

⁶¹ Spanish Red Cross, Ukraine Crisis and affected countries. Situation report 10. Available at: <https://www2.cruzroja.es/documents/5640665/1241418411/Informe+Situaci%C3%B3n+10+Ucrania+Países+Afectados.pdf/b35df550-101b-6d56-c63c-5c78b75ca35b?t=1684423616986>

⁶² Ibid.

⁶³ Plataforma Infancia is a network of 75 organisations with the mission to protect, promote and defend the rights of children and adolescents in accordance with the United Nations Convention on the Rights of the Child.

Ukraine⁶⁴. The report incorporates in a language appropriate to persons under 18 years of age information on their rights upon arrival in Spain, on their protection in case they are in danger, the documentation they need to be in the territory, the right to temporary protection, the right to family reunification, as well as where to find psychological support, where to find Spanish classes and other important issues for the child. In addition, the Anar Foundation⁶⁵ set up the 24h Anar chat for children and adolescents who need help in a safe and confidential space where you will be listened to, respected and where you can express what is happening to you to help you find the best solution⁶⁶.

2.6.2. Child participation

The Reception, Care and Referral Centres (CREADE) managed by Accem, Red Cross and CEAR and set up by the Ministry of Inclusion, Social Security and Migration, has already set up a toy library with toys, stuffed animals, games and children's materials so that the children who come to this care centre can do what is appropriate for their age: play and have fun in a space specially adapted for them. Following the outbreak of war in Ukraine, which led to the arrival of displaced people from this country all over Europe - especially women and children in their care - the Catalan government decided to allocate a specific part of the Temps x Cures (TxC) programme to care for this group. Within the framework of the Temps x Cures programme, which aims to advance equality and public co-responsibility for the care of children and adolescents, the Temps x Cures Ukraine project was born, aimed at people displaced by the war in Ukraine. In the logic of TxC, it also aims to free up time for families, especially for women, who are the ones who mostly do the work of the cures and, moreover, it seeks to generate new quality employment in this sector. To respond to this reality, the Temps x Cures Uraïna project was set up, which currently has more than 720 children and young people participating and is being deployed in different territorial areas of Catalonia - Terres de l'Ebre,

⁶⁴ Children's Platform, UNHCR and Ministry of Social Rights and Agenda 2030. Information for children and adolescents who have had to flee Ukraine. Available at: https://help.unhcr.org/spain/wp-content/uploads/sites/61/2022/07/UCRANIA_CASTELLANO.pdf

⁶⁵ The ANAR Foundation is a non-profit organisation that helps children and adolescents at risk, whose origins date back to 1970, and is dedicated to the promotion and defence of the rights of children and adolescents in situations of risk and neglect, through the development of projects both in Spain and Latin America, within the framework of the United Nations Convention on the Rights of the Child.

⁶⁶ ANAR Foundation (2022). If you are a child or adolescent. Available at: <https://www.anar.org/wp-content/uploads/2022/03/FOLLETO-CHAT-ANAR-NINOS-UCRANIA.pdf>

Catalunya Central, Barcelona, Maresme i Garraf, Girona, Tarragona and Lleida - and will continue until the end of the year 2023.

3. Access to social rights

3.1. Access to health care

3.1.1. Scope of medical care for children fleeing Ukraine

Table 4 – Scope of medical care for children

Scope of medical care for children	Y/N	Reference / details
Only emergency care/essential treatment of illnesses (Article 13.2 TPD)	Y	
Complete medical check -up / health screening	Y	
Mental health screening (PTSD, depression, anxiety)	Y	
Vaccinations for children	Y	
Mental health / psychosocial support	Y	
Children with disabilities and those with chronic illnesses have access to the medical care needed		

Source: [Type your source here.](#)

In Spain, the health system is public, meaning that health care is universal and free of charge and provided for by the government under each Autonomous Community. The Organic Law 4/2000 (LOEX) provides that all foreigners registered in the municipal register can receive health care and in the case of children they will always receive health care. In the case of persons displaced by the war in Ukraine, they are guaranteed health care from the outset, and a 60% discount on the price of medicines was also provided for. The system for accessing the health card consists of presenting the accreditation of the application for temporary protection issued by the National Police or the resolution itself if you already have it at the corresponding health centre. Health competences are also transferred to the autonomous communities, so it is the autonomous health system that processes and issues the health cards.

For its part, the Ministry of Health has published a guide for action in the event of the arrival of displaced persons from Ukraine⁶⁷, which indicates how to proceed in different cases, and in which children, both accompanied and unaccompanied, are considered throughout the text.

This action guide was created because displaced populations may have a higher risk of developing infectious diseases for various reasons: low vaccination coverage in Ukraine, lack of access to the health system during the displacement, and also the pandemic period in which the displacements took place. The guide therefore determines the COVID protocol to be followed by both, CREADE and the Autonomous Communities, the actions to be taken in the event of infectious diseases, as well as the actions relating to the vaccination of new arrivals. As mentioned above, vaccination coverage in Ukraine is quite low, so Spain provided for the possibility that those who wished to be vaccinated could do so free of charge. In the case of children and vaccination, the specific vaccination schedule for children⁶⁸ was followed. Thus, in the event that they did not have an updated vaccination schedule, it was foreseen that they could access the accelerated vaccination schedule⁶⁹. This system provides for administering the same vaccines that would be administered in an ordinary process, but in less time, thereby achieving faster immunity.

3.1.2. Challenges in practical provision

Public health care in Spain is a system that has been in place for multiple decades and is quite well developed. Even so, there are still challenges due to the continuous years of budget cuts that have been eroding the quality of care. The main challenge that could be deduced from the measures implemented to care for the Ukrainian population is the lack of measures to tackle the language barrier in social and health care. It is essential for a person who goes to the doctor to be able to communicate in order to express his or her ailment and for the professional to be able to make the right diagnosis. We have

⁶⁷ Ministry of Health. Guide to action to be taken on the arrival of displaced persons from Ukraine. Available at: https://www.sanidad.gob.es/gabinetePrensa/ucrania/docs/Guia_de_actuacion_desplazados-Ucrania_18.03.2022.pdf

⁶⁸ Ministry of Health. Common Lifelong Immunisation Schedule. Recommended Calendar year 2023. Available at: https://www.sanidad.gob.es/areas/promocionPrevencion/vacunaciones/calendario-y-coberturas/docs/CalendarioVacunacion_Todalavida.pdf

⁶⁹ Ministry of Health. Accelerated Vaccination Calendar. Available at: https://www.sanidad.gob.es/areas/promocionPrevencion/vacunaciones/calendario-y-coberturas/docs/Calendario_Acelerado_Vacunaciones.pdf

not found any specific measures on the part of the Autonomous Communities to address this problem. Nevertheless, It would have been advisable to be able to adapt materials to the language of origin to facilitate patient-doctor communication, as well as to have support persons to mediate by accompanying the patient. Furthermore, it should be borne in mind that the main procedures are carried out through local health centres, small centres staffed by local personnel and normally with fewer resources.

3.1.3. Mental health and psychosocial support for children fleeing Ukraine

Fleeing a country in conflict has a major impact on mental health, and is particularly relevant for children, as witnessing the atrocities of war can leave a profound impact on their maturity and stage of development. It is therefore essential to bear in mind the risk of deterioration of mental and psychosocial health due to the significant stress caused by the conflict when planning the response to the arrival of the Ukrainian people. It is very important to be able to count on mental health professionals who have a child perspective when dealing with children, to provide them with psychological first aid in the care given to them in the first moments after their arrival, and also to have resources to treat the post-traumatic stress that may develop in the medium to long term.

Professionals from different fields were deployed in the CREADE facilities to accompany the people received, channelled through the collaborating social entities (Accem, Red Cross, CEAR), whose services included psychological support and the strengthening of their emotional wellbeing.

In addition, psychosocial care has also been provided to the children through the creation of Child Friendly Spaces, both in the first care areas and in the family reception areas. Thus, play and games areas have been created in these facilities with toys, translated books and material for workshops and handicrafts. A mobile unit was also installed in the CREADE facility in Madrid where educational and psychosocial reinforcement and healthy leisure activities were carried out for Ukrainian children between 6 and 14 years of age⁷⁰. This unit worked with adapted material and with professionals who spoke their language with the aim of creating a friendly and safe environment for the child.

⁷⁰ Press release: Plan International activates programmes in Ukraine and Spain for the protection, psychosocial support, education of children and adolescents. Available at: <https://plan-international.es/noticias/programas-ucrania-espana-porteccion-educacion-ninas-ninos>

In Catalonia, an emotional and psychological accompaniment service was set up to attend to post-traumatic crisis situations for people displaced by the conflict⁷¹. Likewise, the Head of Health Care for the Andalusian Regional Government issued a recommendation requesting that their general state of health should be assessed upon arrival, with special attention to their mental health⁷². The Generalitat Valenciana also issued its own protocol⁷³ for the health care of displaced persons from Ukraine where it expressly mentions that all health actions carried out must take into account the psychological impact of the crisis, promoting equity and eliminating access barriers such as language or other socio-cultural issues.⁷⁴

3.2. Access to education

3.2.1. Types of schooling

In Spain, competences relating to education are devolved to the Autonomous Communities, so there may be differences between them, although the educational content has basic aspects in common. There are two types of schools, private and public. Public schools are free of charge until the child reaches the age of majority.

⁷¹ Press release: First anniversary of the Russian invasion of Ukraine. Available at:
<https://web.gencat.cat/es/actualitat/detall/Primer-aniversari-de-la-invasio-russa-a-Ucraina>

⁷² Andalusian Regional Government. Recommendations for actions for epidemiological surveillance and vaccinations in people from Ukraine in Andalusia as of 17 March 2022. Available at:
https://www.andavac.es/wp-content/uploads/2022/03/Recomendaciones_Vigilancia_Epidemiologica_Vacunaciones_Refugiados_Ucrania_Andalucia.pdf

⁷³ Generalitat Valenciana. "Protocolo de actuación ante la llegada de personas desplazadas desde Ucrania en el ámbito de la comunitat valenciana". Disponible en:
https://coronavirus.san.gva.es/documents/469630/1982415/1-1.-+Protocolo+Ucrania+01.04.22_firmado.pdf/f759ba20-4e5f-5d70-7644-a79227c03834?t=1649067544731

⁷⁴ Article 12 of Organic LOEX 4/2000 states that foreigners have the right to health care under the terms provided for in current legislation on health care, including mental health support. Available at:
<https://www.boe.es/buscar/act.php?id=BOE-A-2000-544>

The website created by the Ministry of Inclusion, Social Security and Migration "Urgent Ukraine" put all relevant information concerning schooling for children⁷⁵. In Spain, education is compulsory from the age of 6 until the age of 16. The years of schooling are divided into different educational stages, being the infant stage from 0 to 6 years old, (in public schools schooling can be accessed from the age of 3). The primary education stage, from 6 to 12 years of age, which is taught in schools. The Compulsory Secondary Education stage, from 12 to 16 years of age, normally taught in public schools in other centres called institutes. Finally, the Bachillerato, from 16 to 18 years of age, also taught in secondary schools, this last stage is the one that gives you access to university studies. As an alternative to the Bachillerato is Vocational Training, from the age of 16 onwards, which is an alternative to university studies and can be taught in secondary schools or in specific centres for vocational training.

In the case of Ukrainian children, they can access the education system without need for homologation up to the fourth year of secondary school. From that year on, they must submit a copy of the certificate of the course equivalent to the one they wish to attend, that of the three previous years in the case of an Secondary School, and the two previous years in the case of high school⁷⁶.

Each autonomous community manages the educational centres, so the enrolment procedures may vary from one to another. In general, to request the access of a children to the educational system, the guardians must go to any centre (school or institute) and there they can initiate all the procedures and documentation for schooling.

⁷⁵ Ministry of Inclusion, Social Security and Migration: How is schooling in Spain? Available at: <https://ucraniaurgente.seg-social.es/w/escolarizacion-desplazados-ucrania>

⁷⁶ Ministry of Education and Vocational Training. Subdirección General de Ordenación Académica. Available at: <https://www.educacionyfp.gob.es/dam/jcr:1c5b3604-6114-42ee-b354-6aa8251e8cba/ucrania.pdf>

Table 5 – Enrolment and attendance of children fleeing Ukraine

Types of schooling		Number of children enrolled	Number of children attending	Source
National formal educational system	Children in nursery	15%		
	Children in primary education	37%		
	Children in secondary education	25%		
Physical attendance of Ukrainian led school / educational setting		N/A		
Online attendance of Ukrainian led school / educational setting		N/A		

Source: This data was obtained from the Ministry of Education and Vocational Training through the Transparency Portal on 23 June 2023.

According to data from the Ministry of Inclusion, Social Security and Migration, 30.583 Ukrainian children have been enrolled in the Spanish education system one year after the start of the war.⁷⁷ The latest disaggregated data provided by the Ministry of Education as of 30 December 2022 indicated that the highest percentage of children enrolled in school is in the first school stage, which includes children between 6 and 12 years of age. This is followed by a little more than half of those between 12 and 18 years of age, which includes both secondary school and baccalaureate, it should be emphasised here that from the age of 16 onwards it is not compulsory to be enrolled in school. As for the number of children who have attended Ukrainian online schools, no data is available. Moreover, it should be noted that many of those who are enrolled in the Spanish system could probably also be attending Ukrainian online school⁷⁸.

⁷⁷ This data was requested from the Ministry of Education and Vocational Training through the Transparency Portal on 13 June 2023.

⁷⁸ Ministry of Inclusion, Social Security and Migration. "A Year of Welcoming" Available at: <https://inclusion.seg-social.es/documents/20121/0/230222+PPT+Balance+Ukraine.pdf/70ec1d14-ab76-e358-dbcc-231340b88fa6?t=1677078525860>

3.2.2. Support to integration in the formal educational system

The Ministry of Education took several measures to facilitate the integration of Ukrainian children and accelerate their learning, including the recruitment of Spanish language assistants, Ukrainian teachers and the development of educational materials in Ukrainian.

On the other hand, the Ukrainian government made a series of resources available to the Ukrainian population to enable them to continue with the school year online⁷⁹. Spain does not envisage that children who are in the territory will not be enrolled in the Spanish system during the compulsory period from 6 to 16 years of age because they are attending Ukrainian schools online. However, in order not to lose their roots, Ukrainian children are encouraged to follow the classes they wish to take in Ukrainian education in a complementary manner, making it compatible with the Spanish school timetable⁸⁰. This has meant that many children have been combining both types of education, which may have overburdened the children.

Within the framework of the integration of these new children, each Autonomous Community has implemented specific measures to favour their inclusion.

The Junta of Andalucía has intensified the action of teachers in the Temporary Language Adaptation Classrooms (Aulas Temporales de Adaptación Lingüística, ATAL), and guaranteed free places in school canteens when the family is declared vulnerable by the Social Services, as well as guaranteed places and a corresponding subsidy when the child is in a family where both parents work⁸¹.

The Government of Aragon drafted a protocol for the schooling and reception of Ukrainian students⁸². It was determined that Ukrainian children would be monitored by

⁷⁹ Ministry of Education and Science of Ukraine. "Remote platforms for learning, self-development and receiving help and feedback". Available at: <https://mon.gov.ua/ua/news/distancijni-platforni-dlya-navchannya-samorozvitku-ta-otrimannya-dopomogi-j-perevirenoyi-informaciyi>

⁸⁰ Ministry of Inclusion, Social Security and Migration. "Procedures for schooling displaced children from Ukraine". Available at: <https://ucraniaurgente.seg-social.es/w/escolarizar-desplazados-ucrania>

⁸¹ Regional Government of Andalusia. "Andalusia with Ukraine". Available at: <https://www.juntadeandalucia.es/sites/default/files/inline-files/2023/06/20230529%20Plan%20de%20medidas%20y%20apoyo%20Andaluc%C3%ADa%20con%20Ucrania.pdf>

⁸² Government of Aragon. "Protocolo del departamento de educacion, cultura y deporte del gobierno de aragón para la escolarizacion, acogida e inclusión de alumnado ucraniano". Disponible en:

a commission created for this purpose, which would be responsible for accompanying and supporting schools in the reception of children, as well as providing any necessary advice. The reception coordination team will carry out individualised monitoring to ensure their reception and inclusion. In addition, the teachers in the centres will have an intercultural mediation service, a Spanish reinforcement programme and an emotional support network.

The autonomous community of the Canary Islands has a protocol for schooling, reception and emotional well-being for non-EU children in vulnerable situations⁸³. In addition, a free course to learn Spanish for Ukrainian-speaking people was developed with the organisation Radio ECCA.

The Generalitat de Catalunya created a reception protocol for displaced children from Ukraine⁸⁴. It guarantees a free schooling place for all displaced children in one of the centres closest to their place of residence and that sibling groups will have a place in the same centre. To guarantee a good reception and adaptation, a reception commission will be created in the centres, individualised accompaniment and monitoring of the child will be carried out, and the child will be provided with the emotional support he/she needs.

The Junta de Galicia also drafted a Resolution for the reception and schooling process of students displaced by the conflict in Ukraine⁸⁵. It was determined that the educational team of the centre will carry out an initial assessment of the pupils from a curricular, linguistic and emotional point of view. Based on this analysis, the necessary educational, linguistic and emotional support will be determined in order to provide them with the best possible care, as well as guaranteeing a canteen service and free transport.

<https://educa.aragon.es/documents/20126/2297960/Protocolo+Acogida+Refugiados+Educaci%C3%B3n+Arag%C3%B3n.pdf/1ec1a261-affe-f787-ae07-b3f90ead9201?t=1648468695861>

⁸³ Government of the Canary Islands. "Protocolo de Escolarización, acogida y bienestar emocional". Available at: <https://www.educacionyfp.gob.es/dam/jcr:221130aa-bdd8-479e-84a5-69139af06b68/protocolo-de-escolarizaci-n--acogida-y-bienestar-emocional-para-alumnado-en-situaci-n-de-vulnerabilidad--orientaciones-a-centros-educativos--1-.pdf>

⁸⁴ Generalitat de Catalunya. "Protocol d'acollida d'alumnat desplaçat de la guerra de Rússia contra Ucraïna als centres educatius". Available at: https://documents.espai.educacio.gencat.cat/IPCNormativa/20221403_Protocol_acollida_Ucraina_centres_educatius.pdf

⁸⁵ Ministry of Education and Vocational Training. Educational Resources. Available in: <https://www.educacionyfp.gob.es/atencion-educativa-ucranianos/recursos-educativos.html>

Since 2018, the Valencian Community has had a reception protocol for newly arrived displaced children⁸⁶ and has also created a complementary document⁸⁷ for the reception of Ukrainian children with some specific recommendations for teachers on how to deal with reception.

Other Autonomous Communities such as the Principality of Asturias, the Community of Madrid or the Regional Government of Extremadura have incorporated measures to provide linguistic and socio-emotional support to Ukrainian children, as well as support for canteen and transport grants.

Finally, the Ministry of Education has compiled on its website a variety of specific resources to support professionals in the classroom with new Ukrainian children⁸⁸.

3.2.3. Data on dropouts and NEETs (not in education, employment, or training)

The territorial layout of Spain, in its autonomous region division, and its distribution of competences, makes it difficult to have access to disaggregated data at any level. Each Autonomous Community keeps records of the students enrolled in its education system, which makes it difficult to coordinate the data of each Autonomous Community at the national level. We see this lack of disaggregated data in normal situations, which makes it even more complicated at a time of crisis. It is worth noting that the Ministry of Education has a powerful database⁸⁹ with some parameters for disaggregating information, which other ministries do not. Even so, it has not been possible to obtain disaggregated information on the Ukrainian population who have decided to drop out of school or who have chosen not to follow any educational programme.

⁸⁶ Official Journal of the Valencian Community. Available at: <https://ceice.gva.es/documents/169149987/169965695/protocol+ACOLLIDA+NOUVINGUTS-2018.pdf/1538c215-8921-4b26-86d3-70bb5c852ced>

⁸⁷ Generalitat Valenciana. "Acogida del alumnado procedente de Ucrania". Available at: https://ceice.gva.es/documents/169149987/356012149/STOP_WARS_cas.pdf

⁸⁸ Ministry of Education and Vocational Training. Educational Resources. Available in: <https://www.educacionyfp.gob.es/atencion-educativa-ucranianos/recursos-educativos.html>

⁸⁹ Ministry of Education. Education Statistics. Available at: <https://www.educacionyfp.gob.es/servicios-al-ciudadano/estadisticas.html>

3.3. Access to social welfare – forms of social assistance related to children

The European Commission helps Member States to expand their reception capacities and launched the Safe Homes Initiative to accept and support them at local, regional and national levels and in partnership with the private sector. On the one hand, the European Development Fund helps provide social housing for families and individuals in the vicinity and covers the purchase and renovation of suitable accommodation. The European Social Fund can also support investments in neighbourhood housing especially for people with special needs, disabilities, children and elderly people.

The Reception Plan, implemented by the Ministry of Inclusion, Social Security and Migration, offers Ukrainian families accommodation and maintenance, financial aid, schooling, Spanish classes, psychosocial care, employment assistance, recognition of diplomas for students and attendance at workshops, legal assistance and free roaming⁹⁰.

In addition, the Spanish Council of Ministers approved, at the proposal of the Ministry of Inclusion, Social Security and Migration, a Royal Decree regulating the direct granting of subsidies to the Autonomous Communities to finance the provision of direct financial assistance to beneficiaries of the Temporary Protection Scheme affected by the conflict in Ukraine who lack sufficient financial resources⁹¹. 52.8 million euros was earmarked to finance the payment of an amount of 400 euros per month per adult who is the final beneficiary of the benefit, plus 100 euros per month per dependent children, as well as the management costs incurred by the Autonomous Communities⁹². The beneficiaries must prove their relationship with the dependent children, by means of a resolution granting the temporary protection scheme jointly and joint census registration with the

⁹⁰ Ministry of Inclusion, Social Security and Migration. "Plan de acogida para personas desplazadas procedentes de ucrania". Available at: https://www.lamoncloa.gob.es/serviciosdeprensa/notasprensa/inclusion/Documents/2022/150322-plan_acogida-ucrania.pdf; Ministry of Inclusion, Social Security and Migration. "A year of welcome". Available at: <https://inclusion.segsocial.es/documents/20121/0/230222+PPT+Balance+Ucrania.pdf/70ec1d14-ab76-e358-dbcc-231340b88fa6?t=1677078525860>

⁹¹ Press release: Escrivá proposes aid for Ukrainian families in a vulnerable situation of 400 euros per month and 100 euros per child. Available at: <https://revista.seg-social.es/-/2022-ayudas-familias-ucrania>

⁹² Royal Decree-Law 6/2022. Of 29 March, adopting urgent measures within the framework of the National Plan of response to the economic and social consequences of the war in Ukraine. Available in: <https://www.boe.es/buscar/act.php?id=BOE-A-2022-4972>

child. In the event that there is more than one person responsible for the child, only one of them may receive the additional amount for dependent children. The aid will be paid monthly, subject to justification of the requirements, and will last for a maximum of six months. The period of execution of the actions to be financed is until 31 December 2023⁹³.

⁹³ Royal Decree 673/2022 of 1 August, which regulates the direct granting of subsidies to the autonomous communities to finance the provision of direct financial assistance to beneficiaries of the temporary protection regime affected by the conflict in Ukraine who lack sufficient financial resources. Available at: <https://www.boe.es/buscar/doc.php?id=BOE-A-2022-12938>

4. Additional legal and practical barriers and challenges

4.1. General challenges

The Spanish State has shown signs of collaboration, reflecting the best values of our society, and we want to make available the information and mechanisms necessary to channel them effectively and safely, as UNHCR points out. Many entities, as well as civil society, have offered their collaboration to respond to this humanitarian crisis, and numerous families have shown their willingness to take in children and adolescents who are leaving the country. The complexity of the Spanish State, which is divided into 17 autonomous communities and 2 autonomous cities with competences over minors, education, health care, residence or social welfare, makes it difficult to coordinate an adequate response to the arrival of Ukrainian children.⁹⁴

This response must be more coordinated with the competent governmental institutions to ensure the protection of children and adolescents, guaranteeing that the necessary requirements and measures are met to maintain their protection.⁹⁵ In addition to the complexity in the coordination of the different social entities and the competent state authorities⁹⁶, we find a lack of coordination in their actions with regard to the reception of Ukrainian children⁹⁷. Within the scope of the competencies of each department, the reception of Ukrainian nationals is the responsibility of the Ministry of Inclusion, Social Security and Migration, of the competent authority for child protection in each autonomous region and city, as well as of the government delegations.

⁹⁴ Ministry of Social Rights and Agenda 2030. "Recommendations for citizens on the displacement and reception of children and adolescents". Available at: <https://www.plataformadeinfancia.org/wp-content/uploads/2022/03/recomendaciones-para-la-ciudadania-sobre-desplazamientos-y-acogida-de-ninos-ninas-y-adolescentes.pdf>

⁹⁵ Ministry of Social Rights and Agenda 2030. "Recommendations for citizens on the displacement and reception of children and adolescents". Available at: <https://www.plataformadeinfancia.org/wp-content/uploads/2022/03/recomendaciones-para-la-ciudadania-sobre-desplazamientos-y-acogida-de-ninos-ninas-y-adolescentes.pdf>

⁹⁶ Article 143 of the Spanish Constitution of 1978. Available at: <https://app.congreso.es/consti/constitucion/indice/titulos/articulos.jsp?ini=143&fin=158&tipo=2>

⁹⁷ Source: Written interview with UNHCR Spain on 22 June 2023.

The placement and place of residence of unaccompanied children and adolescents is the decision of the competent authority of each autonomous community and city. In case that there are indications or suspicions of risk or neglect of a child, this must be reported immediately to the Office of the Public Prosecutor for Minors and to the Security Forces and Corps. At all times the children and adolescents must be listened to, and information must be provided, in a manner adapted to their age, on the process of transfer, reception, available resources and the processing of the request for temporary protection.⁹⁸

The State proposes a series of measures such as informing of any anticipated arrival of children and adolescents via email apoyo.ucrania@inclusion.gob.es or through the form on the official website of the Ministry of Inclusion, Social Security and Migration, and also informing the competent authority of each autonomous community of intentions to transfer children without their family members or legal guardians, ensure that all children and adolescents arriving in our country without an adult referent have legal permission from their guardians or the Ukrainian government, or guarantee that all transfers of children are done through official channels and in coordination with the competent authority of their autonomous community.

Another of Spain's major difficulties in establishing effective policies for vulnerable people is data collection, as noted by UNHCR.⁹⁹ In the area of forcibly displaced persons and Ukrainian children, the complex nature of the phenomenon contributes to the inaccuracy of the figures, which makes it difficult to develop adequate and sustainable public policies over time. In Spain there is a need to improve the data culture to understand the phenomenon of Ukrainian IDPs and its impact through data, to make decisions and implement public policies based on these data, and to streamline and improve prevention and protection processes. Data alone does not reflect reality, but it allows us to understand the complexity of the situation. That is why it is essential in decision-making processes.

⁹⁸ Spanish Government. Response in Congress. Available at:
https://www.congreso.es/entradap/l14p/e24/e_0242310_n_000.pdf

⁹⁹ Source: Written interview with UNHCR Spain on 22 June 2023.

4.2. Challenges for children at multiple risk/disadvantage

The humanitarian crisis of the conflict in Ukraine has led to a series of advances in the Spanish reception system and in the adoption of protocols to clarify how family care should be provided to those who arrive alone, but it has also generated challenges that must be addressed. Coordination and supervision of solidarity initiatives to host families by competent authorities such as UNHCR, as well as access to official and quality information, to be able to carry out the relevant procedures and access rights. In the case of children, the resources of the refugee reception system and attention to their specific needs, as well as spaces for play and specific professionals to deal with them.

Another major challenge is to pay special attention to possible needs related to mental health and emotional well-being, such as those caused by war-related trauma, sudden uprooting, separation from friends and family, lack of information or difficulty in communication, getting used to a new country, language, home, climate, school and friends. In addition to guaranteeing the existence of specific support measures to achieve integration, ensuring a bridge with the system of origin and good coordination between educational centres and those of the refugee reception network, it is also important to ensure that schools become protective environments and places of integration into society, with materials adapted to the needs of children so that they are informed of their rights and are able to integrate into society.

5. Policies in place

5.1. Dedicated action plan and/or integrated measures

One of the national measures was Royal Decree-Law 6/2022 of 29 March, adopting urgent measures within the framework of the National Plan of response to the economic and social consequences of the war in Ukraine. The Government decided to promote a National Plan, which includes both regulatory and non-regulatory measures, and which has been drawn up following a process of dialogue with the most affected sectors, social agents, the Autonomous Communities and political parties. The basic objectives of the measures that make up this Response Plan were to lower energy prices for all citizens and companies, to support the most affected sectors and the most vulnerable groups, and to reinforce price stability. The aim is to limit the economic and social costs of the geopolitical distortion in the price of gas, nip the inflationary process in the bud and facilitate the economy's adaptation to this temporary situation, while strengthening the foundations for economic recovery and the creation of quality employment¹⁰⁰.

On the other hand, the Ministry of Inclusion, Social Security and Migration implemented the Urgent Ukraine website with all the information for people who have had to leave Ukraine and want to apply for temporary shelter in Spain. On the website, users can find information on temporary protection, entry and reception, health, education, child protection, and other administrative issues¹⁰¹. The Ministry also set up Acoge Familia Ukraine together with the "La Caixa" Foundation, where host families with refugee families connect in different parts of the territory in the provinces of Alicante, Barcelona, Girona, Madrid, Malaga and Murcia. The programme to welcome families from Ukraine, Familia Necesita Familia is coordinated with the MISSMI, the body responsible for the National Reception System (SNA) and the circuit and resources that this system makes available to people who arrive in our country in a situation of forced displacement, as is the case of Ukrainian families. To set up this network of host families, the programme

¹⁰⁰ Royal Decree-Law 6/2022 of 29 March adopting urgent measures in the framework of the National Plan of response to the economic and social conditions of the war in Ukraine. Available at: <https://www.boe.es/buscar/doc.php?id=BOE-A-2022-4972>

¹⁰¹ Ministry of Inclusion, Social Security and Migration. Available at: <https://ucraniaurgente.seg-social.es/>

relies on the alliance and collaboration of social entities linked to the activity and programmes of the "la Caixa" Foundation that will house the Technical Host Offices (OTA), which will be responsible for carrying out the entire process of validation, care and monitoring of the families that access the project¹⁰².

There are good practices in the coordination of health aid to Ukraine. The INGESA is the body of the Ministry of Health in charge of coordinating several fundamental aspects of the health aid that Spain is providing to Ukraine. On the one hand, INGESA is responsible for collecting information on the number of beds that the Autonomous Communities are making available for the evacuation of patients from Ukraine to Spain. INGESA has also set up an e-mail address to resolve all queries and doubts and to provide the requested information related to health care for displaced persons from Ukraine. Finally, INGESA is also the body in charge of coordinating humanitarian aid shipments of health material from the National Health System and other state bodies such as the Civil Guard to Ukraine. Its work consists of facilitating bureaucratic procedures and authorisations and collaboration and coordination with the rest of the institutions involved¹⁰³.

The Ministry of Education and Vocational Training together with the Autonomous Communities approved the Contingency Plan for the schooling of displaced Ukrainian students. The first action was the immediate schooling of children arriving in Spain because of the conflict, in accordance with the regulations and practices in force in each Spanish Community.¹⁰⁴

5.2. European Child Guarantee

On 5 July 2022, the Council of Ministers approved the Agreement approving the State Action Plan for the Child Guarantee¹⁰⁵, which constitutes the roadmap for public

¹⁰² Fundación la Caixa, "Acoge una Familia Ucrania". Available at: <https://fundacionlacaixa.org/es/acoge-familia-ucrania>

¹⁰³ Ministry of Health, National Institute of Health Management. Available at: <https://ingesa.sanidad.gob.es/actividad/ayudaSanitariaUcrania/home.htm>

¹⁰⁴ Press release: "The Ministry and the Autonomous Communities validate the Contingency Plan for the schooling of displaced Ukrainian students" March 2022. Available at: <https://www.educacionyfp.gob.es/prensa/actualidad/2022/03/20220330-sectorial.html>

¹⁰⁵ Plan de Acción Estatal para la Implementación de la Garantía Infantil Europe https://www.mdsocialesa2030.gob.es/derechos-sociales/infancia-y-adolescencia/docs/PlanAccion_MAS.pdf

administrations in the fight against child poverty until 2030. The situation of Ukrainian children has been specifically contemplated within the work axes proposed in the Plan. Specifically, it has identified and expressly mentioned in the section on specific categories of vulnerable children "asylum seekers or international protection, temporary protection (Ukraine) and refugees "¹⁰⁶. In order to meet the objectives defined in the planned axes (axis 1: fight against poverty and reinforcement of social protection for children and adolescents; axis 2: universalisation of social rights through access and enjoyment of essential quality, accessible and inclusive services and axis 3: promotion of territorial equity, protective, egalitarian, inclusive and participatory environments) a series of specific measures were developed, among which some related to Ukrainian children are mentioned.

As cross-cutting measures for the second axis, measure 78 proposes the implementation of a collaboration programme for Ukrainian language assistants for schools in Spain, and measure 79 proposes free health care, under the same conditions as the local population, for all children and adolescents from Ukraine who request temporary protection.

5.3. Budget

Information unavailable

¹⁰⁶ Table 1. Groups of children and adolescents in situations of special vulnerability and estimated number per group. p. 16. Available at: https://www.mdsocialesa2030.gob.es/derechos-sociales/infancia-y-adolescencia/docs/PlanAccion_MAS.pdf

Annex 1 – Research and data

Table 6 – Research on experiences of children fleeing Ukraine

Surveys or research studies on experiences of children fleeing Ukraine	
Name/title	Acogida de las entidades locales a niños, niñas y adolescentes de Ucrania / Reception of Ukrainian Local Entities of Boys, Girls and Adolescents from Ukraine.
Main findings (max. 1000 chars)	On-going through September 2023
Highlight any findings re. gender, age, disability and diverse characteristics	The UNICEF Child Friendly Cities initiative is a survey to find out what measures are being implemented that take children's rights into account. This survey aims to recognise good practices in the reception of Ukrainian children by local governments in Spain.
Methodology (for surveys/polls indicate sample size and sample method)	Survey
Source	https://ciudadesamigas.org/encuesta-acogida-ucrania/

Table 7 – Research on experiences of children fleeing Ukraine

Surveys or research studies on experiences of children fleeing Ukraine	
Name/title	
Main findings (max. 1000 chars)	
Highlight any findings re. gender, age, disability and diverse characteristics.	
Methodology (for surveys/polls indicate sample size and sample method)	
Source	

Annex 2 - Promising practices

Table 8 – Promising practice # 1

Promising programme / practices aimed at providing protection and support to displaced children fleeing the war in Ukraine	
Name/title	Acoge Familia Ucrania – Familia Necesita Familia
Implementing body (public authority, CSO etc)	The Ministry of Inclusion, Social Security and Migration and "La Caixa" Foundation,
Funding body	Fundación "La Caixa"
Reference in EN and original language (incl. URL, where available)	https://fundacionlacaixa.org/es/acoge-familia-ucrania
Start / end date or ongoing	2022 March 23rd – present (for now until 2024)
Main target group	Ukrainian Forcibly Displaced Families
Scope (local/regional/national)	Madrid, Barcelona, Murcia y Málaga
Objectives and outputs	<p>Promote the integration of Ukrainian families through a network of host families.</p> <p>Objective 1: Dissemination and recruitment of families interested in hosting Ukrainian refugee families.</p> <p>Objective 2: Screening and assessment of eligible host families</p> <p>Objective 3: Connecting and transferring Ukrainian refugee families with host families</p> <p>Objective 4: Attention and follow-up by the reference entity of the State System of Reception</p>

<p>Brief description (max. 1000 chars)</p>	<p>The Ministry of Inclusion, Social Security and Migration, together with the "La Caixa" Foundation, implements the project to activate, receive and manage requests for foster care from Spanish families. Once the interest and possibilities of the families have been validated, these will be provided to the Ministry itself in order to connect them with the families of refugees from the exodus from Ukraine. This project is being implemented in four of the provinces that are registering the highest volume of arrivals: Madrid, Barcelona, Murcia and Malaga.</p> <p>After the first short-term reception, in hostels, hostels or hotels, and allows an assessment of the state of the family and the diagnosis of needs. Press release After this first reception, the Foundation will implement a project to activate, receive and manage requests for fostering from Spanish families for a period of between six months and a year. The "la Caixa" Foundation will assess the number of people who can be accommodated, the characteristics of the home and the time period in which they can commit to maintaining the shelter, among other parameters. The validated applications will be referred to the Ministry itself and will be connected with the requests for shelter received.</p> <p>"La Caixa" plans to invest 2.5 million euros until next year in Familia Necesita Familia.</p>
<p>Highlight key elements of the programme/practice which makes it promising (sustainability, measurable impact etc) (max. 500 chars)</p>	<p>With the collaboration of the Autonomous Communities and the City Councils of the four cities, the multidisciplinary teams are in charge of accompanying and monitoring the foster families in their insertion itinerary, facilitating the process of acquiring autonomy in Spanish society.</p>

Monitoring and evaluation and the bodies involved	The Ministry of Inclusion, Social Security and Migration
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Table 9 – Promising practice # 2

Promising programme / practices aimed at providing protection and support to displaced children fleeing the war in Ukraine	
Name/title	Chat Anar Org
Implementing body (public authority, CSO etc)	ANAR Foundation
Funding body	ANAR Foundation
Reference in EN and original language (incl. URL, where available)	https://www.anar.org/como-ayuda-anar-a-los-ninos-adolescentes-y-familias-ucranianas/
Start / end date or ongoing	15 March 2022 - present
Main target group	Ukrainian Children
Scope (local/regional/national)	National
Objectives and outputs	<p>The aim of char.ANAR.org is to assist minors who need it in Ukrainian, Russian or English, through the simultaneous translation service.</p> <p>To provide psychological support, specifically emotional support, as well as legal and social</p> <p>Provide legal and social assistance or refer them to the resources they require if they are in Spain.</p>
Brief description (max. 1000 chars)	<p>The ANAR Foundation, which helps children and adolescents at risk set up its chat.anar.org in Ukrainian and English (which can be contacted by minors arriving in Spain who need free psychological, legal and social help) as well as their families. It provides service and calls for dissemination through 116.000 (EU telephone number for cases of missing or unaccompanied minors) and has drawn up a decalogue to explain the war to children, as well as disseminating its work on social networks, also in English and Russian, especially Tiktok to reach the youngest children arriving in Spain. ANAR has given specific training to the counsellors who attend the chat.ANAR.org so that they can assist minors who need it in Ukrainian, Russian or English,</p>

	<p>through the simultaneous translation service. All of them have specific training to provide psychological support, and specifically emotional support, as well as to provide legal and social assistance or refer them to the resources they require if they are in Spain.</p> <p>Fundación ANAR has prepared a Decalogue to explain to Spanish children and adolescents the war in Ukraine and how it is affecting Ukrainian families. ANAR has prepared a video and a leaflet with specific information on the Ukrainian crisis, which has been distributed to all the institutions involved in this emergency, as well as a decalogue of advice on how to explain the war in Ukraine to children.</p> <p>ANAR Foundation is networking with all European countries to help Ukrainian children and adolescents through Missing Children Europe. This organisation has created a unique website for the coordination and reporting of cases of missing children fleeing Ukraine. If you want to report a disappearance or if you suspect/know of an irregular situation involving a minor, you can contact us on 116 000, the European missing children's hotline in Spain managed by ANAR.</p>
<p>Highlight key elements of the programme/practice which makes it promising (sustainability, measurable impact ect) (max. 500 chars)</p>	<p>Children themselves can write to chat.ANAR.org where a safe and confidential space where they will be listened to and where they can express what is happening to them to help them find the best solution. In addition, this information has been disseminated on social networks, also in English and Russian, especially Tiktok to reach the youngest children arriving in Spain.</p>
<p>Monitoring and evaluation and the bodies involved</p>	<p>ANAR Foundation</p>
