



# No **child** should be left behind

Bergen Summer Research School Policy Brief | June 2023

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## Eliminating discrimination of unaccompanied young people in Norwegian childcare

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- ▶ ▶ This policy examines how current child welfare policies fail to meet the distinct needs of this vulnerable group and puts forth considerations for policy change in line with international recommendations.

## 1. Key points

In order to meet its international children’s rights obligations, Norway must bolster the existing support structures for unaccompanied minors aged 15-18:

1. Allocating additional resources to childcare facilities;
2. Empowering children to receive extensive psychological and educational assistance;
3. Addressing educational disparities;
4. Provide fair access to welfare services.

## 2. Introduction

According to the Convention on the Rights of the Child (CRC), all children and young people below the age of 18 have the human right to adequate care, special protection, and support [1]. The Committee on the Rights of the Child has established that these rights include all children, including asylum-seekers, refugees, and migrants, regardless of nationality or statelessness[2]. Despite these legal obligations, Norwegian laws and policies provide limited access to care and welfare services to unaccompanied refugee minors aged 15–18. This lack of protection violates children’s rights.

More specifically, the Norwegian government must provide childcare services and protection for unaccompanied minors up to the age of 18 without discrimination (Article 2 CRC; CO 2010, §50, 52; CO 2018, §31) [3]. The Committee specifies in General Comment 6 that unaccompanied minors should have the same level of protection and care as national children in Norway (GC 6, §39) [4]. General Comment 23 on its turn highlights that the child protection and welfare system is responsible for migrant children, and unaccompanied children should be placed in family settings, if available, or in community care (GC 23) [4]. Care arrangements should always consider the best interests of the child (Article 3 CRC; Article 20 CRC) as highlighted in Figure 1.

## 3. Potential challenges

**Age-Specific Discrimination:** Unaccompanied minors in this age group are discriminated against compared to younger unaccompanied minors and Norwegian children in the child protection system (who receive services until age 25). Also historically, there has been a systemic bias against this group, clear in its limited access to child welfare services and support.

**Discrimination Implications:** This lack of comprehensive child welfare services often intensifies the psychological trauma and mental health issues that these minors have brought from their past. It also creates socioeconomic hurdles by restricting access to education, which subsequently hinders future employment opportunities and overall assimilation into Norwegian society.

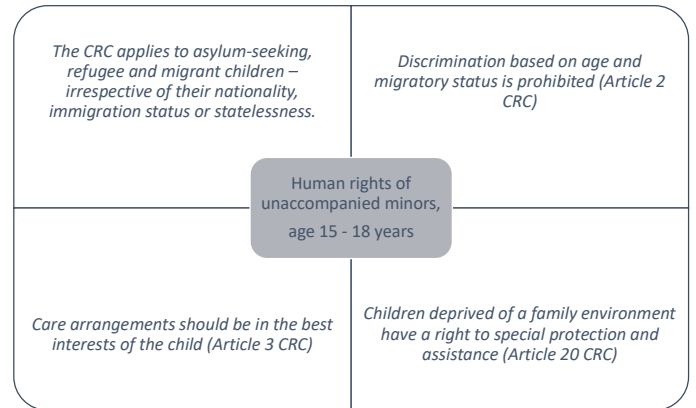


Figure 1: Legal children’s rights framework

**Existing Child Care Policy:** Norway’s prevailing child welfare policy, steeped in a historical preference for younger minors and native children, falls short in meeting the distinct needs of unaccompanied minors in the 15–18 age bracket. Some research also suggests that existing support mechanisms, although limited, have helped several minors transition into adulthood with relative stability [5, 6].

Policy changes may face opposition because of the potential increase in administrative complexity and the financial burden. There may also be societal apprehension about allocating more resources to refugees. The key points of the proposed policy amendments are listed below.

## 4. Proposed solutions

**Policy Change Considerations:** There is a growing understanding of the need to revise the current Norwegian laws policies. Norway falls far short of child welfare policy recommendations. These international bodies support a more inclusive child welfare system that refrains from age-based discrimination. Policy changes can bring immediate benefits, such as improved mental health and social well-being of minors. Long-term inclusive policies can improve societal integration, reduce associated costs, and foster a more diverse and inclusive Norway.

It is essential to end discrimination, systemic imbalances of power, and structural inequities in Norway’s childcare services. Unaccompanied youths must not be denied care, have enhanced access, or face disparities in community care. These goals require dismantling barriers to justice, creating equitable access, and freeing resources to serve the population adequately. To achieve fairness and equality, all the needs should be met with fairness, insight, and compassion, as highlighted in 2.

- **Short term:** Immediate amendments could include enhancing the resources and support provided by helping centres, providing specialized training for caregivers, and starting programmes to bridge the edu-



Figure 2: Barriers with current legal systems.

cational gap for these minors. Looking ahead, it is essential to contemplate a thorough revamp of the policy to guarantee that all children within Norway’s jurisdiction receive equal treatment in the provision of child welfare services, irrespective of their age or refugee status.

- **Long-Term Amendments:** Addressing the plight of unaccompanied refugee minors aged 15-18 in Norway is a multifaceted issue that demands a holistic solution. Weakening the current childcare policy could be a pivotal move towards ensuring that these minors enjoy equal rights and opportunities, enhance their well-being, and cultivate a more inclusive society. Despite these hurdles, Norway, under the watchful eyes of global organizations and guided by the ethos of human rights, stands at the threshold of effecting meaningful improvements.

## 5. Conclusion

In conclusion, embracing a comprehensive strategy that includes policy revisions, the enhancement of existing support structures, and heightened public awareness could lay the groundwork for significant enhancements in the lives of unaccompanied refugee minors in Norway.

## 6. Recommendations

1. Age testing: ensure a holistic approach, i.e., include psychological assessment of maturity in addition to biometrical scans of bone and dental structure
2. Ensure adequate standards of living, including nutrition, care and psychological support, for unaccompanied minors at least until they are 18 years of age, as well as after-care until they are 25 years of age
3. Intersectional approach: Ensure that other categories of identity, including gender, ethnic background and cultural or religious diversity, are not left out of sight and are on a case-by-case basis.
4. When considering solutions, due regard shall be paid to the desirability of continuity in a child’s upbringing and to the child’s ethnic, religious, cultural and linguistic background.
5. Support for carers: Mere provision of care is not enough. As unaccompanied or separated children may be at heightened risk of abuse, mental health issues and exploitation, monitoring and specific support to carers should be foreseen to ensure their protection

# Further relevant SDGs



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