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Foreign &
Commonwealth
Office

22/12/2009

[REDACTED]
[REDACTED]
London
[REDACTED]

Dear [REDACTED]

Thank you for your email of 30 November on "FCO Child Safeguarding Generally and in the UK's Development of Child Removals to Afghanistan and elsewhere".

You asked what guidance has been, or will be, given to Foreign and Commonwealth Office (FCO) staff on how to safeguard and promote the welfare of children in both its operational and its policymaking activities. UKBA staff members working in the FCO estate overseas are - like their colleagues in the UK - following all organisational guidelines so as to meet relevant statutory duties, including s55 of the Borders, Citizenship and Immigration Act 2009. As you state this is primarily a matter for UKBA rather than FCO staff members and as such there is no specific training for staff in the FCO on s55 of the Borders, Citizenship and Immigration Act 2009. The FCO continues to work overseas in a variety of fora and in many different ways to meet International treaty and convention obligations on human rights and to promote the welfare of children.

You asked about the work of the FCO's Migration Fund to develop a forced returns programme for unaccompanied asylum seeking children (UASC). The FCO Migration Fund was replaced by the Returns and Reintegration Fund (RRF) in April 2008. The RRF is managed from within the FCO but also draws on expertise and resources from DFID, UKBA and MoJ.

There is currently only one RRF project that is of relevance to your query. There is an ongoing feasibility study to assess the viability and options for return of UASC - in the first instance - to a small number of Asian countries.

We are covering two broad areas in this project. The first is looking at generic issues that might have an impact on removal of UASC. A key part of that process is to gather views of key stakeholders such as local authorities, child protection organisations and relevant NGOs. The second area of the project is to look at country specific challenges and opportunities.

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This involves considering how best to meet the needs of the child relating to the specific challenges in the country of return. Policies and views of the Governments and other key stakeholders in those countries are of importance in that process. This feasibility study, and the consultation process that is central to it, is just one stage in a process to ensure that the UK meets its treaty obligations you refer to in your note.

You asked specifically about how a forced removals scheme for children to Afghanistan is consistent with the UN Security Council report of March 2009 on Afghanistan. As you are aware there is currently no return of unaccompanied asylum seeking children to Afghanistan. If there is a change to that policy then we would first consider the particular conditions on the ground in Afghanistan at that time and many sources of guidance such as UN reports to inform our view. We would again ensure that any and all relevant treaty obligations were met.

I hope that this letter has been helpful in answering your queries.

Yours Sincerely,


Migration Directorate
Foreign and Commonwealth Office

From Director of CCD now C&D @ UKBA

cc: