

Chairman's Conclusions

Further Co-operation on Unaccompanied Children

Introduction

Senior officials from the member countries in the Council of the Baltic Sea States, senior officials from Belarus, Ukraine and Moldova, representatives from the European Commission, IOM and from UNHCR have, together with representatives from the NGO sector, for two days discussed the issue of Interministerial and Interagency Co-operation for Improved Assessment, Care and Reintegration of Unaccompanied Children within and from the region. Long term solutions to the vulnerable situation facing unaccompanied children have been proposed, including preventive measures.

Input from the Keynote Speakers and Commentators

I would like to extend a special note of thank you to the keynote speakers and the commentators to the speeches as they so eloquently set the stage for the discussions in the plenary and in the working groups. The keynote speakers and commentators raised a number of issues regarding co-operation and I will here mention a few:

Children without parental care are all in a highly vulnerable situation. The region of the Baltic Sea States have a developed co-operation on a number of areas and the speakers underlined the responsibilities that governments in this region should be able to take on in relation to unaccompanied children.

Ruthless adults that profiteer on the suffering of children by trafficking or smuggling them from one country to another add to the child's vulnerability in the host country by regularly depriving children of their identity documents. There is complete agreement on the child's absolute right to his or her identity and that the identity is the starting point for all intergovernmental and interagency co-operation that may improve the child's situation.

Already Minister Karlsson in his opening speech stressed the importance of a comprehensive approach to find the best way for each child. He also raised the concern later reiterated in other interventions that increased border control alone puts children at more risk of exploitation, as it tends to raise the price of "assistance" in crossing national borders. The price, well documented through interviews and police investigations, may be paid in cash or, when cash is a problem, in kind. Thus the child finds him/herself in debt to the smugglers or traffickers. A debt paid off by an increasingly violent exploitation both sexually and in other brutal forms.

The responsibilities of governments to properly assess the situation of the unaccompanied child were also stressed. If an unaccompanied child is returned to his or her country of origin, there must be adequate provisions in place to care for the child. The EU Council Declaration from 1997 on treatment of Unaccompanied Minors who are nationals of third countries as well as the EU directive on reception of asylum seekers clearly state this responsibility by member states of the European Union. The Palermo protocol is another example of an international agreement that outlines provisions for how unaccompanied children should be protected in the host country and how they should be given assistance for a safe return. Unfortunately the existence of these international agreements does not always mean that they are adhered to in practice. We have at this meeting heard of several cases where children have been returned to their country of origin without any preparations being made for their safe return.

Unaccompanied children in several countries in Europe disappear from reception centres. Bilateral contacts on all levels would contribute to actions being taken by the states in order to attempt at solving the individual child's situation in an expeditious manner and minimise the obvious risk of exploitation. The exploitation that some unaccompanied children suffer is unacceptable and ending this must be of high priority for all co-operation: intergovernmental, interagency and NGO-co-operation alike.

It has been argued that the asylum process with its respect for due legal procedures may not always guarantee the best way for a child to receive the best possible assistance. On the other hand several cautioning voices were raised that the right to asylum for children that arrive unaccompanied must be respected. In this context child specific persecution need to be recognised.

It was brought to the meetings attention through the NGO participation that all across the region several NGOs have programmes and projects in place where a lot of expertise and experiences in assisting children in difficult circumstances are in place. Interministerial and interagency co-operation should be able to benefit from having more input from these projects and programmes. The NGO community has also argued for a greater respect and acknowledgement of the specific needs of assistance that unaccompanied children have. The NGO representation also assured the meeting of the willingness and preparedness of NGOs to take part in developing co-operation on all levels. Both in sharing their experiences and expertise with officials and agencies and in organising seminars to follow up the regional co-operation this meeting has initiated.

In all these co-operative approaches there is a need to highlight the importance of a more effective focus and further development of a preventive approach. Regional co-operation should be enhanced in order to improve all aspects of assessment, care and reintegration of unaccompanied children.

Conclusions from the group discussions

Calls have been made to make this region a region of safety and a region where unaccompanied children will be listened to and respected in a non-discriminatory way thus minimising the risk of further exploitation, abuse or suffering.

Children and young persons in desperate life situations without any hope for change are at special risk of becoming victims of crime and exploitation. A regional focus on combating these cross border crimes therefore needs to involve many sectors of our societies: Migration management, border control as well as the social welfare and the legal systems. Different legal systems should be taken into account.

It is not up to the host country alone to decide what is in the best interest of the individual child. The host country and the country of origin should share the responsibility. Legal, social, medical or psychological assessments need to be carried out in a child friendly manner and in as short a time as possible and should include a respectful analysis. We must always remember that time is a crucial element when assisting boys and girls in difficult circumstances. Time does not heal all wounds but time may assist in healing if the context for healing is in place.

There is a need for migration and border control authorities and officials to co-operate in view of the increase in cross border criminality. The border personnel and migration officials have an important role in curbing criminality where young persons and children are victimised. The presence of unaccompanied children at border crossings may indicate criminal offences such as trafficking or other related forms of crime. Therefore, it is imperative to raise the awareness of cross border crime to which children are victims with the ultimate aim of ensuring the welfare of those children.

It was pointed out that many unaccompanied children in the region are invisible since authorities are not aware of their existence. The civil society and government institutions should be mobilised in order for these children to be taken care of.

To get a full picture of the situation with regard to unaccompanied children in the region regular national and regional status reports should be considered. Lists of responsible officials and NGO-representatives for various aspects of the issue could be drawn up.

The role of the media in prevention and in raising public awareness was emphasised. Both with regard to assessment and to reintegration of unaccompanied children security and confidentiality must be assured in order to protect the integrity of the child.

Social and/or psychological rehabilitation are often administered by national or international NGOs and access to this kind of service is unfortunately uneven in most countries in the region and children, it was often pointed out, do not always fit into the rehabilitation context available to them. The services provided don't always match the needs of unaccompanied children who often have a history of both violent experiences and extended periods without adult care and supervision, thus demonstrating psychological difficulties along with social adjustment problems. Adequate rehabilitation services, early interventions and support for children and families in difficult circumstances are probably the best preventive actions. Necessary resources should be allocated to rehabilitation services.

Many good forces in the region do a lot of excellent work on care and reintegration of unaccompanied children and there is a need for more dissemination and sharing of good practices and experiences.

Commitments for follow up

The high level of commitment and concern is what have been the most striking elements during these two days. All participants have willingly shared their experiences, successes as well as failures. It is the chair's conviction that this will strengthen existing intergovernmental and interagency co-operation and that new channels of contact and co-operation have been established. These will come to good use, when individual cases of children will need to find a proper solution.

The following commitments have been agreed upon:

1. The countries in the region all **agree on the practice** never to send an unaccompanied child back to a country of origin, without having made certain that there is someone there to care for the child.
2. The representatives present at the meeting have made a **commitment to co-operate**
 - a. **bilaterally** to solve individual cases of unaccompanied children and
 - b. **multilaterally** in promoting competence building on the issue in the region.
3. A **“Plan of Action Regarding Unaccompanied Children from the Region of the participating states”** should be elaborated. The meeting have agreed to ask the Working Group for Co-operation on Children at Risk (WGCC) within the Council of the Baltic Sea States to formulate such a plan before the end of 2003. The Plan of Action should outline how to implement the following proposals:
 - a. **Establishment of national contact points.** The national contact point should assume responsibility to co-ordinate national resources in relation to all aspects of assessment and reintegration of children: Identification, Care, Safe Return, and Rehabilitation including medical, social and psychological support. National working groups may also be called for. The contact point would be a natural point of reference for bilateral co-operation regarding individual children The national contact point should co-ordinate with the Children's Unit at the CBSS. The list of national contact points could be carried on the web site and thus easily be kept updated.

- b. The action plan would include a section on the tasks and responsibilities for a **regional focal** point. These would include responsibilities to initiate and monitor activities agreed and organising follow-up meetings or seminars within the three key areas: Assessment, Care and Reintegration. The Children's Unit within the Council of the Baltic Sea States with proper secondment provides a natural resource to co-ordinate contacts and implement meetings and conferences.
- c. **Competence and capacity building** in all areas pertaining to the assessment, care and reintegration of Unaccompanied Children should be an important part of the Action Plan. This should include training for law enforcement and migration authorities on how to work with unaccompanied children. The plan should outline how seminars on these issues with practitioners from the countries in the region could be organised. NGOs are well placed to organise some of these seminars with support from governments and the WGCC through the Children's Unit.
- d. The Plan of Action will take note of the fact that activities in the area must **include actors from the NGO sector, the private sector, governmental agencies and governments**. All these actors should be specifically encouraged to consider their ability to contribute financially to these activities.
- e. The Plan of Action is a part of the **follow up process**. In addition to this the Plan of Action should include how the NGO-sector and the governmental sector may continue to co-operate. If in due time found appropriate, this meeting could be followed by another senior officials meeting.