



REGERINGSKANSLIET



Report from the meeting

“Unaccompanied Children from the Region of the Baltic Sea States”

**Interministerial and Interagency Co-operation for Improved Assessment, Care
and Reintegration**

**For Senior Officials from: Belarus, Denmark, Estonia, Finland, Germany, Iceland,
Latvia, Lithuania, Moldova, Norway, Poland, Russian Federation, Sweden and Ukraine.**

Including Background papers and Presentations

**Stockholm
February 10th – 11th 2003**

TABLE OF CONTENTS

A Introduction	4
B Conclusions.....	5
Chairman’s Conclusions	5
Заключение Председателя*	10
C Background Documents	16
Background paper	16
Тематический обзор*	22
Programme	30
Предварительная программа*.....	33
Group Work Issues.....	36
Дети без сопровождения из государств региона Балтийского моря*	39
D List of Participants with Addresses.....	43
E Opening of the Meeting	53
Welcoming Address by Mr. Jan O. Karlsson, Swedish Minister for Development Cooperation, Migration and Asylum Policy	53
Welcoming Address by Mr. Hannu Halinen, Director of the Secretariat of the Baltic Sea States	57
Welcoming Address by Mr. Bragi Gudbrandsson, Chair of the Working Group for Cooperation on Children at Risk	58

* The Russian version is an informal translation from the English original.

F Keynote Speakers and Comments from the Podium 60

Keynote Speaker I: Ms. Marie Hesse, Director, Psychologist at Child and Adolescent Psychiatric Outpatient Unit for Refugees and Asylum Seekers 60

Keynote Speaker II: Ms. Audra Mikalauskaite Head of the Division of Children and Youth, Ministry of Social Security and Labour of Lithuania 65

Тезисы выступления директора приюта «Отрадное» (Москва) Барсуковой Т.М. 70

Keynote Speaker III: Mr. Fredric Larsson, IOM Kiev, Ukraine 71

Comments from the Podium by Ms. Kate Halvorsen, Former Senior, Regional Policy Officer, UNHCR 79

Keynote Speaker IV: Ms. Amalia Carli, Psychologist at Oslo University 83

G The NGO perspective 100

The NGO Perspective by Ms. Annika Åhnberg, Chair of Save the Children Sweden 100

H Conclusion of the meeting 105

Concluding Speech by Ms. Berit Andnor, Swedish Minister for Child and Family Affairs 105

A Introduction

In response to the call for joint action, expressed by the Heads of governments at the meeting in St Petersburg in June 2002, the Swedish Minister for Development Co-operation, Migration and Asylum Policy and the Working Group for Co-operation on Children at Risk within the Council of the Baltic Sea States decided to invite member states of the CBSS, the European Commission as well as Belarus, Ukraine and Moldova to a meeting of senior officials in order for these representatives of governments to discuss improvements in the areas of assessment, care, reintegration as well as preventive measures.

The meeting took place at Frösundavik just outside Stockholm on the 10th and 11th of February 2003. Some 75 delegates from CBSS member countries, the European Commission plus Belarus, Ukraine and Moldova together with delegates from UNHCR, Save the Children and IOM discussed the possibilities of joint action and strengthened co-operation to improve the situation for unaccompanied children in the region.

This report is the first follow up of the meeting, allowing all decision makers, professionals, NGOs, IGOs and members of the public, to get a good overview of the presentations, discussions and deliberations that took place during the two day meeting. The report is the first follow up but in no way the last. As can be seen in the Chairman's Conclusions a number of follow up points and commitments were agreed upon at the meeting and it is the organisers' intention to see to that they are all implemented.

We see this meeting as an important and necessary first step to improving the lives of unaccompanied children in the region. By co-operating and by sharing expertise and experiences the countries in this region should be able to take on a joint responsibility for these children. A group of children that clearly demonstrates that their situation is unacceptable. Unaccompanied children should be seen as children with a right to receive stronger support than they are offered today.

The aim of the meeting, of this report and of all the follow up activities that will be organised is to contribute to making our region a safer place for all children. The existing co-operation, strengthened during the meeting, together with the newfound contacts will help us all in realising this vision. The co-operation between countries, agencies and authorities outlined in the papers included in this report is a necessary step towards mobilising all sectors of our societies in this endeavour.

Stockholm on the 3rd of March 2003

Per Sjögren
Director-General
Migration and Asylum Policy
Ministry for Foreign Affairs
Sweden

Lars Lööf
Senior Advisor
Children's Unit
Council of the Baltic Sea States

B Conclusions

Chairman's Conclusions

Chairman's Conclusions and agreements for follow up,

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. Longterm 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.

Заключение Председателя

Дальнейшее сотрудничество по проблеме детей без сопровождения взрослых

Введение

Высшие должностные лица стран - членов Совета государств региона Балтийского моря, высшие должностные лица из Белоруссии, Украины и Молдовы, представители Европейской Комиссии, МОМ и Управления Верховного комиссариата ООН по делам беженцев, вместе с представителями сектора неправительственных организаций в течение двух дней обсуждали проблему межминистерского и межведомственного сотрудничества для улучшения оценки состояния, помощи и реинтеграции детей без сопровождения взрослых, находящихся в этом регионе и происходящих из него. Были предложены долгосрочные мероприятия для решения тех сложных ситуаций, в которые попадают дети без сопровождения, включая профилактические меры.

Вклад основных докладчиков и выступавших в прениях

Я хотел бы особенно поблагодарить основных докладчиков и тех, кто выступал с комментариями по их выступлениям, за то, что они так красноречиво задали тон обсуждений на пленарных заседаниях и в рабочих группах. Основные докладчики и другие выступавшие затронули ряд проблем, касающихся сотрудничества, и я хочу упомянуть некоторые из них:

Дети, находящиеся без родительской заботы оказываются в очень уязвимой ситуации. Регион государств Балтийского моря имеет развитое сотрудничество в ряде областей, и выступавшие подчеркивали обязанности, которые правительства стран этого региона должны брать на себя в отношении детей без сопровождения.

Безжалостные взрослые, спекулирующие на страданиях детей путем торговли ими или контрабанды из одной страны в другую, дополнительно усугубляют уязвимость детей в той стране, где они оказались, лишая их документов. Существует соглашение, утверждающее абсолютное право ребенка на установление его или ее личности и говорящее о том, что установление личности является основой для межправительственного и межведомственного сотрудничества, которое может улучшить ситуацию этого ребенка.

Министр Карлссон в своей вступительной речи подчеркнул важность комплексного подхода для нахождения наилучшего пути для каждого ребенка. Он также затронул вопрос, позднее повторенный в других выступлениях, о том, что усиление контроля на границе поставит детей в еще большую зависимость от риска эксплуатации, поскольку это повысит цену "помощи" при пересечении национальных границ. Цена, достаточно достоверно установленная через опросы и полицейские расследования, может быть оплачена наличными или, когда наличный расчет невозможен, натурой. Таким образом ребенок оказывается в долгу у контрабандистов или торгашей. В долгу, который

оплачивается возрастающей эксплуатацией как в сексуальной, так и в других жестоких формах.

Также были подчеркнуты обязанности правительств в отношении оценки ситуации ребенка без сопровождения. Если несопровождаемый ребенок возвращен в страну его/ее происхождения, то на месте должны быть приняты адекватные меры для заботы о нем. Декларация Совета ЕС 1997 года по проблеме приема детей без сопровождения, происходящих из третьих стран, а также директивы ЕС по приему беженцев ясно определяют ответственность государств - членов Европейского Сообщества. Палермское соглашение – это еще один пример международного соглашения, определяющего, какую защиту несопровождаемые дети должны получать в стране, которая их принимает, и какая помощь должна быть им предоставлена для безопасного возвращения на родину. К сожалению, существование этих международных соглашений не всегда означает, что им твердо следуют на практике. На этой встрече мы слышали о том, что некоторые дети были возвращены в страну своего происхождения без каких бы то ни было приготовлений, обеспечивающих их безопасное возвращение.

Несопровождаемые дети в некоторых Европейских странах исчезают из приемных центров. Двусторонние контакты на всех уровнях могли бы способствовать усилиям, предпринимаемым государствами для того, чтобы попытаться быстро решить ситуацию каждого индивидуального ребенка и минимизировать очевидный риск эксплуатации. Эксплуатация, от которой страдают некоторые дети без сопровождения недопустима, и прекращение этого должно иметь первостепенное значение для всех видов сотрудничества: межправительственного, межведомственного, а также неправительственного.

Обсуждался вопрос о том, что процесс прошения убежища, при всем уважении к должным судебным процедурам, не всегда может гарантировать наилучшую для ребенка возможность получить помощь. С другой стороны, несколько человек выражали мнение о том, что право на убежище для детей, прибывших без сопровождения, должно уважаться. В этой связи должны быть признаны права ребенка на соответствующее проведение данной процедуры.

Благодаря участию неправительственных организаций на встрече стало известно, что в регионе существуют несколько неправительственных организаций, которые имеют свои программы и проекты, содержащие много знаний и опыта в помощи детям, оказавшихся в трудных обстоятельствах. Межминистерское и межведомственное сотрудничество должно извлекать пользу из этих проектов и программ. Сообщество неправительственных организаций также привело доводы в пользу большего уважения и признания специфических потребностей в помощи, существующих у детей без сопровождения. Представители неправительственных организаций также заверили участников встречи в своем желании и готовности принимать участие в развитии сотрудничества на всех уровнях. Это может выражаться и в совместном использовании их опыта и знаний в работе с должностными лицами и организациями, и в организации семинаров с целью дальнейшего развития регионального сотрудничества, которое инициировала эта встреча.

Во всех этих совместных усилиях необходимо подчеркнуть важность более пристального внимания к дальнейшему развитию профилактического подхода. Региональное сотрудничество должно быть расширено для того, чтобы улучшить все аспекты оценки состояния, помощи и реинтеграции детей без сопровождения взрослых.

Результаты обсуждений в группах

Прозвучали призывы превратить наш регион в регион безопасности, где дети без сопровождения будут услышаны и где к ним будут относиться с уважением, без дискриминации, таким образом уменьшая риск их дальнейшей эксплуатации, неправильного обращения или страдания.

Дети и молодые люди, оказавшиеся в отчаянных жизненных ситуациях, без какой-либо надежды на изменения к лучшему подвергаются особому риску стать жертвами преступления и эксплуатации. Региональная борьба с преступлениями при пересечении границы должна охватывать разные секторы нашего общества: Миграционное управление, пограничный контроль, а также службы социальной помощи и юридические учреждения. Должны быть приняты во внимание различные системы юридических учреждений.

Страна, где ребенок оказался, не может в одиночку решить, что лучше всего для этого конкретного ребенка. Страна принимающая и страна происхождения должны нести совместную ответственность. Юридические, социальные, медицинские или психологические оценки должны быть выполнены дружественным для ребенка образом и за как можно более короткое время, а также быть проанализированы, исходя из уважения к ребенку. Мы всегда должны помнить о том, что время - критический элемент в процессе помощи мальчикам и девочкам, оказавшимся в трудных обстоятельствах. Время не излечивает всех ран, но время может помочь в заживлении, если есть основа для такого заживления.

Существует потребность в сотрудничестве между должностными лицами миграционных и пограничных служб в свете роста количества преступлений по пересечению границ. Пограничники и должностные лица миграционных служб играют важную роль в ограничении преступности, где жертвами являются дети и несовершеннолетние. Присутствие детей без сопровождения при пересечении границы может указывать на уголовные преступления типа нелегальной торговли или других родственных форм преступления. Крайне важно привлечь внимание к проблеме преступлений при пересечении границы, где дети являются жертвами, с одной единственной целью - обеспечить их благосостояние.

Было отмечено, что много детей без сопровождения остаются в нашем регионе невидимыми для властей, так как власти не знают об их существовании. Гражданское общество и правительственные учреждения должны быть мобилизованы для того, чтобы оказать помощь этим детям.

Для того, чтобы иметь более полную картину в отношении ситуации с детьми без сопровождения в нашем регионе, необходимо рассмотреть возможность выпуска регулярных национальных и региональных отчетов. Могли бы быть составлены списки

должностных лиц и представителей неправительственных организаций, ответственных за различные аспекты этой проблемы.

Была подчеркнута роль средств массовой информации в вопросе профилактики преступлений и роста понимания среди общественности. В оценке состояния ребенка без сопровождения и его реинтеграции должны быть обеспечены безопасность и конфиденциальность для того, чтобы защитить неприкосновенность личности ребенка.

Социальной и/или психологической реабилитацией зачастую занимаются национальные или международные неправительственные организации, и доступ к этому виду услуг, к сожалению, неравномерен в большинстве стран региона, а дети, о чем часто упоминалось, не всегда вписываются в доступный им контекст реабилитации. Предоставляемые услуги не всегда соответствуют потребностям детей без сопровождения, которые часто имеют за плечами опыт насилия и длительных периодов без заботы и присмотра взрослых, и таким образом демонстрируют психологические трудности наряду с проблемами социального приспособления. Адекватные реабилитационные услуги, раннее вмешательство и поддержка для детей и семей в трудных обстоятельствах являются, вероятно, лучшими профилактическими мерами. Реабилитационным службам должны быть выделены необходимые для этого ресурсы.

Существует много добрых сил в нашем регионе, которые делают превосходную работу по осуществлению помощи и реинтеграции детей без сопровождения, и есть большая потребность в распространении и совместном использовании их практики и опыта.

Принятые обязательства

Высокая степень осознания своих обязательств и участие – вот то, что стало самыми поразительными моментами этих двух дней. Все участники охотно делились своим опытом, успехами и неудачами. Председатель убежден в том, что это усилит уже существующее межправительственное и межведомственное сотрудничество, и что будут установлены новые каналы для контактов и сотрудничества. Они найдут свое использование, когда надо будет надлежащим образом решать ситуации конкретных детей.

Были согласованы следующие обязательства:

1. Все страны региона договариваются о том, что никогда не будут посылать несопровождаемого ребенка назад в страну его происхождения, не убедившись предварительно в том, что там имеется кто-то, кто сможет позаботиться о ребенке.
2. Представители, присутствовавшие на встрече, обязуются сотрудничать:
 - а) на двусторонней основе, чтобы решать индивидуальные случаи детей без сопровождения взрослых
 - б) на многосторонней основе, ради распространения компетентности по этой проблеме в регионе.

3. Должен быть разработан "План действий по проблеме детей без сопровождения из региона стран - участниц". Участники совещания решили **обратиться в Рабочую группу движения «Сотрудничество ради детей, находящихся в опасности»**, существующего в рамках Совета государств региона Балтийского моря, с просьбой разработать такой план до конца 2003 года. План действий должен определить, каким образом можно осуществить следующие предложения:

- а) Учреждение национальных контактных пунктов. Национальный контактный пункт должен взять на себя ответственность за согласование национальных ресурсов в отношении всех аспектов оценки и реинтеграции детей: их идентификации, помощи, безопасного возвращения и реабилитации, включая медицинскую, социальную и психологическую помощь. Можно также создать национальные рабочие группы. Контактный пункт был бы естественным местом для получения информации при двустороннем сотрудничестве по поводу конкретных детей. Национальный контактный пункт должен сотрудничать с Детским отделом в Совете стран Балтийского региона. Список национальных контактных пунктов можно поместить на web site в Интернете, и таким образом легко вносить в него необходимые изменения.
- б) План действий должен включать в себя раздел с задачами и обязанностями регионального уровня. Он мог бы включать в себя обязанности инициировать и контролировать ранее согласованные действия и организовывать последующие встречи или семинары в рамках трех ключевых областей: оценка, помощь и реинтеграция. Детский отдел в рамках Совета стран Балтийского моря представляет собой естественный ресурс для координации контактов и организации встреч и конференций.
- в) Создание компетентности и потенциала во всех областях, имеющих отношение к оценке, помощи и реинтеграции детей без сопровождения должно стать важной частью Плана действий. В него должно входить обучение работников правовых и миграционных органов по проблеме детей без сопровождения взрослых. План должен определить, как могут быть организованы семинары по этим проблемам с участием практикующих специалистов из нашего региона. Неправительственные организации имеют все основания для того, чтобы организовать такие семинары при поддержке правительств и Рабочей группы Движения ради детей, находящихся в опасности, через Детский отдел.
- г) План действий должен принять во внимание тот факт, что необходимо охватить представителей сектора неправительственных организаций, частного сектора, правительственных организаций и правительств. Всех этих участников необходимо поощрять для того, чтобы они рассмотрели свои возможности оказать финансовую поддержку этим действиям.

- д) План действий – это часть процесса дальнейшей работы. В дополнение к этому, План действий должен также включать варианты дальнейшего сотрудничества между неправительственным и правительственным секторами. Возможно, будет целесообразно в соответствующее время провести следующую встречу высших должностных лиц по этому вопросу.

C Background Documents

Background paper

Background

The increased co-operation between countries, the increasing communication and the resulting growing awareness among young persons regarding life and opportunities in adjacent countries mean that young persons will strive to learn more by exploring the world around them. This is in essence a positive development, one that is welcomed by governments and enterprises alike. Increase in contacts and in knowledge is something that will benefit all citizens in the region. The possibilities that lie in regional co-operation and exchange of experiences and ideas across borders and the movement of persons is a vital part of the growth that the regional community we are all part of is experiencing. Thus connections on all aspects of life are and should be encouraged. The relative freedom of movement in the region that have come out of the international development and intergovernmental co-operation in our region has thus created a region that hopefully appeals to the young citizens and that will enable them to find ways in which this may be beneficial for them in achieving the goals they set up for themselves. Contacts with peers in other countries, exchange programmes for students, vacation trips and seasonal work opportunities all provide excellent learning possibilities for the young persons and for their countries of origin and host countries alike. History teaches us that regional development will prosper as contacts increase. The future even closer co-operation in the region on political, economical and social levels will no doubt increase the movements back and forth across our borders.

Children and young persons exposed to exploitation and abuse will also be among those that use the possibility of movement. Abusive experiences and social exclusion do not stop at national borders. Boys and girls who experience violence and exploitation in their lives will want to change their situation and may sometimes try to do so by leaving their country of origin. Boys and girls who lead lives where they see no future and detect no hope for improvement are also at risk of falling prey to other forms of exploitation. Traffickers in children for purposes of sexual exploitation or for purposes of exploiting the child in other forms of criminal activity regularly focus on recruiting children who find themselves in difficult circumstances. In a study conducted by Save the Children and UNHCR unaccompanied children themselves were asked about the reasons for leaving their home country on their own. The majority stated that it was a violent and abusive life situation that forced them to seek a better life elsewhere.

Children in the region cross our borders for several reasons: Some run away from war or warlike situations some from unbearable living conditions or exploitation. Some cross borders voluntarily and on their own, some pay adults to assist them. Others again are forced, coerced or deceived with promises of a brighter future in another country. Once in the new country some of these boys and girls are forced or threatened to commit crimes and some end up being exploited in the commercial sex market. The difficulty for the nations in the region to properly respond to both the protection needs and the rehabilitation needs of these young persons is clear. All countries are affected as countries of origin, transit countries and/or host countries and the need for stronger co-operation between responsible authorities is evident.

The majority of unaccompanied boys and girls in our region come from countries outside the Baltic Sea Region. The number of unaccompanied children in our countries differs, but most countries report an increase in recent years. This is specifically true for unaccompanied children seeking asylum. Some children reside in our countries without the authorities' knowledge. Among them, some have been trafficked into the country and some do not register out of fear of being sent back to their home country. A substantial number of the unaccompanied children that seek asylum do so without presenting any identity documents, making assessment and identification difficult for the host country. In Sweden for example, most unaccompanied children seek asylum after having spent some time in the country and not at the border, leading to difficulties for the Swedish authorities in establishing their route to Sweden. Furthermore the Swedish authorities are aware that some of these young persons are instructed by the adults assisting them not to reveal what identity documents they had when they entered the country in order to minimise the risk for the child to reveal the whereabouts or the identity of the people who assisted them, and the route they used to enter the country.

In many European countries registered asylum seeking children have disappeared from their residential centres. The fate of these young boys and girls is unknown and this is naturally a cause for great concern. This is unacceptable and all efforts must be made to find these children. The fact that children disappear highlights the imminent need of making identification and assessment of unaccompanied boys and girls easier and quicker.

It is equally important to recognise that the unaccompanied children in the region could be seen as two distinctive groups: One group of children that have in some way or other made themselves known to the authorities, usually by seeking asylum. There is yet another group that is of great concern, the group of unaccompanied children from the region, residing in a country in the region without the authorities recognition. This group is highly heterogeneous consisting both of girls and boys that stay in a country for some time and for some reason do not make themselves known to the authorities. Some in this group only spend a few days in the host country, forced to sell sex for a weekend. Some children fluctuate between the two categories, in one country a recognised and registered asylum-seeking child while in another living a clandestine life, unregistered and subjected to exploitation and abuse.

In a joint project, Separated Children in Europe programme, by Save the Children and UNHCR the often extremely difficult and stressful situation these young persons find themselves in has been explored and the host country's obligations towards these children have been clearly outlined. In some countries in the region extensive co-operation has been in place between the countries and UNHCR in establishing good practices for the assessment and care for these children. The cross border co-operation that is needed in order to look in a comprehensive way at an unaccompanied child's situation is however not in place. In the Statement of Good Practice coming out of the separated children programme it was stated, "A solution to their situation is likely to require attention in their home country and current country of domicile." It is high time to bring the responsible ministries together to formulate how such attention should come about to ensure safe and child friendly procedures in the assessment, care and reintegration of children without parental care.

Reasons for children crossing borders unaccompanied

In recent years the fact that children are trafficked across borders to be sexually exploited or otherwise exploited in a new country has received attention by the authorities, IGOs, NGOs and the public. Children that are trafficked and exploited dare not approach the authorities in their new country as the traffickers and profiteers use all kinds of threats in order to convince the young person that he or she is responsible for what is happening to them.

Unaccompanied children find themselves in a number of difficult situations and repeatedly national authorities are forced to realise that children dare not seek out the assistance of the host country's authorities and the authorities for their part do not know what to do with a young person should they seek such assistance. The praxis of sending unaccompanied children back to their home country without assessing the young person's right to assistance still prevails. The authorities often regard children as illegal migrants, thus depriving them of the protection that they need when they return. The responsible authorities in different countries in the region also lack expertise and competence in relation to the phenomenon of commercial sexual exploitation as well as to the phenomenon of criminality in young boys and girls.

Assuring the young person immunity for possible crimes committed when exploited is one issue that still needs to be solved, another is the possibility of granting the young person temporary rights of residence and protection while police investigations are under way regarding the persons responsible for the trafficking, smuggling or exploitation of the young person. Often the young unaccompanied person may have suffered from different forms of exploitation where sexual exploitation is one. This makes the assessment of her or his situation and future even more sensitive. The reintegration of a young girl that has been forced into prostitution may well be a sensitive matter depending on her life situation in the country of origin and so is probably the case with young boys and girls with a criminal lifestyle, sometimes including life threatening drug dependencies.

Reintegration

Experiences from other parts of Europe regarding trafficked children point to the need of establishing competent institutions and safe houses where trafficked girls and boys could be offered medical and psychological support, schooling, vocational training and eventually assistance in rejoining the surrounding society. Reintegration and rehabilitation efforts that have expertise in assisting children with multiple experiences of exploitation and with violent lifestyles are scarce in the region. Children arriving unaccompanied that have a criminal background and lifestyle are also in need of appropriate care in order to adjust their behaviour in a socially acceptable direction. Some children need assistance in order to be freed from drug or alcohol dependency.

In order to see to the reintegration needs of boys and girls returning to their countries of origin efforts have been made to implement some form of co-ordination where medical, psychological and social rehabilitation have been administered. These experiences point to the need for more information from the host countries. In several cases west European countries have been known to send the child back with no prior contact. This is naturally detrimental to all efforts that aim at improving the social reintegration of the child; efforts where the region the child comes from needs to be involved. The host countries simply send unaccompanied children back to the country

of origin as “Illegal Migrants” without prior assessment of the needs of the specific child. The responsibilities of authorities in all countries must go far beyond that.

Oftentimes the assessing authorities in the host countries are not aware of existing possibilities for receiving expert assistance in the countries of origin. Psychological, medical and social interventions are often seen as exclusively executed in your own country. This is naturally not the case. Several years of contacts and competence building and sharing of expertise and experiences across the region have seen the development of well funded and expertly run reintegration services. In some countries in the region these services are predominantly run as NGOs but with a solid funding base from international organisations and trusts. In relation to reintegration of trafficked boys and girls efforts have been made to produce contact books and manuals. One example of this is the “Resource Book for Working Against Trafficking in Women and Girls” produced by Kvinnoforum, Sweden which was published in the summer of 2002. The Childcentre web site, produced and maintained by the Children’s Unit within the Council of the Baltic Sea States, is another resource in finding and identifying resources for children in crisis, but none of these are exhaustive for the purposes of describing and maintaining up to date information on where a child may benefit from expert intervention. In many instances it is mere chance if the migration authorities or social authorities in another country know of the existence of a specific reintegration resource. NGOs in the region have naturally more contacts and these would be most valuable for the authorities to be able to co-ordinate with. Knowledge on existing programmes for rehabilitation and reintegration of children could be developed locally and communicated through focal points in the different countries, using existing networks like the National co-ordinators for children at risk within the network developed within the Council of the Baltic Sea States for example.

Assessment procedures

The assessment of unaccompanied children must always rest on the UN Convention on the Rights of the Child. All states in the CBSS region have signed and ratified this universally recognised convention. Several articles in this document are relevant.

To be able to quicken the assessment of the child’s total situation, more contact channels between the host country and the possible country of origin and country/countries of transit need be established. The child’s right to protection and rehabilitation should, it may be argued, supersede the process of assessing the legal right to asylum. This conflict of laws on child protection and respect for the due legal process of asylum assessment makes the issue of unaccompanied children a challenging one for many of the countries in the region. Migration authorities see their task as assessing the individual child’s right to asylum. This process, in order to follow international conventions and regulations follows due procedural regulations. These are lengthy, since the child has a right to appeal any decision taken and since, in most countries, applying for asylum is the only possible way of obtaining protection and social recognition in a country where you are not a citizen. The child may also rightly see it as beneficial that the asylum process is lengthy since an unfavourable decision will immediately force him or her to leave. Traffickers assisting children and adults in crossing borders have been known to instruct children to disclose as little as possible to the investigating authorities in order to increase the likelihood of gaining residence permits. Documents of identification and of travel are often taken from the child by the trafficker and not returned. The child’s own co-operation is not always seen by the child as the

best way to act. As anyone ever involved in assessing children at risk will know, the time element is crucial. One year in a child's life is a long time span, and if a child in need of support and rehabilitation does not receive any during that time it will be detrimental to his or her development. In order to be able to better assist a young person appearing in a country in the region not his or her own, authorities, child welfare institutions, medical centres, child psychiatric centres and NGOs need to extend their regional networks. Improved quality of the physical, psychological and the child welfare assessment will require increased attention and increased co-operation between relevant professionals in the countries in the region. The assessment needs to recognise the fact that some of these unaccompanied children will seek the authorities' assistance in order to get away from a criminal, brutal and exploitative environment. Others may come to the attention of the authorities through their own illegal activities, some may be recognised by the authorities as they try to enter the country without proper documentation and some may not be recognised until they themselves actively seek asylum.

The co-operation between governments and authorities within the region of the Baltic Sea States should allow for a strengthening of the process of assessment of the needs of unaccompanied children. The co-operation is in place in many areas that are relevant to the problem and should allow for a more informed and sensitive process of assessment. The evaluation of the young person's needs should benefit from knowledge on the specific situation in the country of origin and also the assessing body's knowledge on the situation for children and young persons in the different countries. The right of the child, unaccompanied or accompanied to a due legal process regarding an asylum application should not stand in the way for other child protective initiatives should the assessment of the child come to such a conclusion. The asylum process should not allow too much time to pass before any intervention in order to assist the child may be implemented.

Knowledge of the situation in the country of origin may benefit the young person in several ways: Contacts with parents or other adult relatives could easier be achieved enabling for the relevant authorities to assist the child's reconnecting with adult support. The assessment process would also be less time-consuming and children and young persons that need specific protection in the host country can more easily be distinguished from those that would benefit from a quick reintegration. The host country may then better support and protect the children where reintegration must take place in the host country.

Identification

In order to assist young persons they need to be identified and recognised by the countries involved. Depriving a girl or a boy of the identity is a severe infringement on the rights of the individual child. The identity consists of name, age, residence, origin and citizenship. Several traffickers as well as others have been known to take any document of identity from the children and several children arriving unaccompanied do so without any proof of identity making the issue of establishing this both time consuming and difficult for the assessing authority. Sometimes the child and the host country agree on a child's identity only to find that the country of origin demands further investigations before recognising the identity. The reintegration process is thus made more time consuming, cumbersome and sometimes in the end impossible. Valuable time that should be spent on assisting the child is spent on administrative difficulties.

The focus of the meeting

At the meeting of Heads of Governments in the Baltic Sea Region in St. Petersburg in June of this year the issue of unaccompanied children in the region was addressed. In the Chairman's conclusions, under "Human Security" it was stated:

"Joint efforts are also needed to find appropriate solutions to the acute problem of trafficking in children and the increasing number of unaccompanied minors crossing national borders within the region, their proper care, identification, repatriation and rehabilitation. In these activities, the member states will take into account the outcome of the UN General Assembly Special Session on Children held in May 2002."

It is in response to this the Swedish Minister for Development Co-operation, Migration and Asylum Policy and the Working Group for Co-operation on Children at Risk within the Council of the Baltic Sea States have decided to invite member states of the CBSS the European Commission as well as Belarus, Ukraine and Moldova to this meeting in order for the representatives of governments to discuss improvements in the areas of assessment, care, reintegration as well as preventive measures.

Proposed outcome of the meeting

A number of suggestions could be seen as an outcome for this meeting. The suggestions below are to be seen as such. The discussions during the plenary sessions and during the group work sessions will enable the participating delegates to express thoughts on how to improve the situation for Unaccompanied children within and from the Baltic Sea Region.

1. Establishment of channels for future bilateral co-operation in order to solve jointly cases of individual children, especially with regard to assessment, care and reintegration.
2. Discussions of a possible "Plan of Action Regarding Unaccompanied Children from the Region" that will include bilateral and multilateral commitments for joint work to meet the needs of these young persons.
3. The meeting may consider making a recommendation to establish contact points in all countries assuming responsibilities for facilitating the process of care and reintegration of unaccompanied children. The contact point should take on 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.
4. Needs should be identified for bilateral and multilateral co-operation for competence building.
5. Possibilities should be assessed for continued co-operation in the area within the framework of the Council of the Baltic Sea States. Such co-operation might involve a regional focal point to initiate and monitor activities agreed and organising follow-up meetings or seminars within the three key areas: Assessment, Care and Reintegration.
6. The follow up of the work should include the NGO-sector and the private sector in attempting to encourage both national and cross-border co-operation between all sectors in society to improve the situation for unaccompanied children.

Тематический обзор

Предыстория

Развитие международного сотрудничества, расширение общения, и, как следствие этого, все более близкое знакомство молодежи с условиями жизни и возможностями, существующими в соседних странах, приводят к тому, что молодежь, стремясь узнать как можно больше, начинает исследовать тот мир, который ее окружает. По своей сути это положительная тенденция развития, которую приветствуют как правительства, так и представители деловых кругов. Развитие контактов и знания несомненно принесут пользу всем гражданам нашего региона. Возможности, которые появляются в процессе регионального сотрудничества, обмена опытом и идеями через границы, а также в передвижении людей – это жизненно важная составляющая развития, которое переживает сегодня наше региональное сообщество, частью которого являемся и все мы. Поэтому надо поощрять контакты во всех сферах жизни. Благодаря относительной свободе передвижения в пределах данного региона, возникшей в результате развития международного и межправительственного сотрудничества между нашими странами, возник регион, который, хотелось бы надеяться, становится привлекательным для молодых граждан и может дать им возможности в достижении поставленных ими целей. Контакты со сверстниками в других странах, программы обмена для студентов, поездки на каникулы и сезонные работы обеспечивают превосходные познавательные возможности для самих молодых людей, их родных стран, а также тех стран, которые их принимают. Исторический опыт говорит о том, что региональное развитие будет все более успешным по мере увеличения количества контактов. В дальнейшем, еще более близкое сотрудничество в политической, экономической и социальной областях, без сомнения, приведет к увеличению процесса миграции через границы, как в ту, так и в другую сторону.

Дети и молодые люди, которые подверглись эксплуатации и унижению, также будут среди тех, кто воспользуется возможностями передвижения. Но унижение и социальная изоляция не прекращаются на национальных границах. Вполне вероятно, что мальчики и девочки, испытывающие в повседневной жизни насилие и эксплуатацию, захотят изменить свое положение и попытаться уехать из своей родной страны. Дети, живущие в таких условиях, что они не видят для себя будущего и не имеют никакой надежды на улучшение своей жизни, часто становятся жертвами других форм эксплуатации. Торговцы детьми с целью сексуальной эксплуатации или эксплуатации в какой-либо иной форме, имеющей криминальный характер, охотно вербуют детей, оказавшихся в трудных обстоятельствах. В исследовании, проведенном фондом «Спасите детей» и Управлением Верховного комиссариата ООН по делам беженцев, детей без сопровождения спрашивали о причинах их самостоятельного отъезда из родной страны. Большинство заявили, что насилие и унижительное положение вынудили их искать лучшей жизни в другом месте.

Дети нашего региона пересекают границы по разным причинам: одни убегают от войны или военных ситуаций, другие от невыносимых условий жизни или эксплуатации. Одни пересекают границу самостоятельно, на собственный страх и риск, другие платят

взрослым за помощь. Некоторых заставляют насильно, принуждают или обманывают обещаниями счастливого будущего в другой стране. Но оказавшись в чужой стране, эти мальчики и девочки часто становятся объектом принуждения или угроз с целью заставить их совершить преступление, или подвергаются эксплуатации на коммерческом сексуальном рынке. Государства нашего региона испытывают определенные трудности в том, чтобы должным образом обеспечить защиту и реабилитацию этих молодых людей. Все страны в той или иной мере испытывают воздействие этой проблемы: или как страны происхождения, или как транзитные, и/или как принимающие государства. Поэтому потребность в более тесном сотрудничестве между органами власти этих стран становится очевидной.

Большинство мальчиков и девочек без сопровождения в нашем регионе – это выходцы из стран, не входящих в состав государств Балтийского моря. Число несопровождаемых детей в наших странах различно, но большинство государств сообщают о том, что их количество в последние годы увеличилось. Это особенно актуально в отношении детей, ищущих убежища. Некоторые дети постоянно проживают в наших странах без ведома органов власти. Часть из них были нелегально ввезены в страну, а некоторые не регистрируются из страха, чтобы их не послали обратно на родину. Значительное количество несопровождаемых детей, ищущих убежища, делают это без предоставления каких-либо документов, что создает большие трудности для их идентификации в принимающей стране. В Швеции, например, большинство несопровождаемых детей начинают просить убежища только после того, как они уже некоторое время прожили в стране, а не на границе, что затрудняет возможности шведских властей установить, каким образом они попали в страну. Кроме того, шведским властям известно, что некоторые из этих молодых людей проинструктированы взрослыми, которые им помогали и запретили показывать те удостоверения личности, которые они имели при въезде в страну. Это делается для того, чтобы ребенок не смог раскрыть местонахождение или личности людей, помогавших ему, и тот маршрут, который они обычно используют для въезда в Швецию.

Во Европейских странах известны случаи, когда зарегистрированные дети, просящие политического убежища, исчезали из тех центров, где они проживали. Судьба этих молодых мальчиков и девочек неизвестна, и это, естественно, вызывает большое беспокойство. Такая ситуация совершенно недопустима, и надо приложить все усилия для того, чтобы найти этих детей. Тот факт, что дети исчезают, подтверждает настоятельную потребность в том, чтобы процедура идентификации и оценки состояния несопровождаемых мальчиков и девочек стала проще и быстрее.

Важно признать, что несопровождаемых детей в регионе можно подразделить на две четкие группы: одна группа - это дети, которые тем или иным образом стали известны властям. Обычно, это происходит, когда они просят политического убежища. Имеется, однако, и другая группа, которая вызывает большое беспокойство. Это дети без сопровождения из этого же региона, которые постоянно находятся в какой-либо из стран региона, но неизвестны властям. Эта группа очень неоднородная, состоящая как из девочек, так и из мальчиков, которые находятся в стране в течение некоторого времени, но по каким-то причинам не становятся известны властям. Некоторые из них проводят всего лишь несколько дней в принимающей стране, где их заставляют продавать свои сексуальные услуги в течение уикэнда. Часть детей колеблются между этими двумя

категориями. Будучи признанным и зарегистрированным как ищущий убежища ребенок в одной стране, он в то же время живет подпольно в другой стране, не зарегистрирован в ней и подвергается эксплуатации и насилию.

Программа «Разлученные дети в Европе», фонд «Спасите детей» и Управление Верховного комиссариата ООН по делам беженцев провели в рамках совместного проекта исследование тех чрезвычайно трудных и стрессовых ситуаций, в которых часто оказываются эти молодые люди, после чего были четко определены обязательства принимающей страны в отношении этих детей. В некоторых странах региона существует тесное сотрудничество с Управлением Верховного комиссариата ООН по делам беженцев в плане налаживания практических действий и помощи в отношении этих детей. Однако, необходимо еще сотрудничество между разными странами, для того, чтобы всесторонне решить ситуацию несопровождаемого ребенка. В Декларации о Доброй практике, являющейся частью Программы защиты разлученных детей, сказано: "Решение их ситуации потребует внимания как в их родной стране, так и в стране их нынешнего пребывания". Пришло время соединить усилия ответственных министерств из разных стран для того, чтобы сформулировать, сколько такого внимания необходимо, чтобы обеспечить безопасные и дружественные процедуры в определении состояния, необходимой помощи и адаптации детей, оставшихся без родительской опеки.

Причины, заставляющие детей пересекать границы без сопровождения

Тот факт, что детей переправляют через границу для сексуальной или другого рода эксплуатации в другой стране, привлек в последнее время внимание властей, межправительственных и неправительственных организаций, а также общественности. Дети, которых продают и эксплуатируют, не осмеливаются приблизиться к органам власти в их новой стране, так как торговцы и спекулянты используют все виды угроз, чтобы убедить молодого человека, что он или она несут ответственность за то, что с ними происходит.

Несопровождаемые дети попадают в разные трудные ситуации, и национальные власти должны понимать, что дети не осмеливаются искать помощь у властей страны, в которой они оказались. Власти, со своей стороны, тоже не всегда знают, что им делать с молодым человеком в случае, если бы он стал искать такую помощь. Все еще преобладает практика отправки несопровождаемых детей назад, в их родную страну, без соответствующего определения права молодого человека на помощь. Власти часто расценивают этих детей как незаконных мигрантов, таким образом лишая их защиты, в которой они нуждаются, когда возвращаются в родную страну. Ответственные органы власти в различных странах региона испытывают недостаток опыта и компетентности в отношении коммерческой сексуальной эксплуатации детей, а также преступности среди несовершеннолетних.

Обеспечение молодому человеку иммунитета за возможные преступления, совершенные вследствие его эксплуатации – это одна из проблем, требующих решения. Другая – возможность предоставления молодому человеку прав на временное проживание и защиту на тот период, пока полиция проводит расследование в отношении лиц, ответственных за торговлю, контрабанду или эксплуатацию этого молодого человека. Часто встречаются ситуации, когда молодой человек страдал одновременно от нескольких различных форм эксплуатации, в том числе сексуальной. Это делает определение ее или его настоящего и

будущего еще более деликатной проблемой. Реинтеграция молодой девочки, которую принуждали к проституции, может быть весьма щепетильной темой в зависимости от ее жизненных условий в родной стране. То же самое, вероятно, происходит с мальчиками и девочками, ведущими криминальный образ жизни, который зачастую включает в себя угрожающую жизни наркотическую зависимость.

Реинтеграция

Опыт других Европейских стран в отношении нелегальной торговли детьми указывает на необходимость открытия компетентных учреждений и безопасных мест для проживания, где этим девочкам и мальчикам можно было бы предоставить медицинскую и психологическую помощь, обучение, профессиональное обучение и, в конечном счете, помощь в воссоединении с окружающим обществом. Усилия, прилагающиеся в области реинтеграции и реабилитации детей, неоднократно переживших эксплуатацию и ведущих насильственный образ жизни, в нашем регионе еще недостаточны. Дети без сопровождения, имеющие криминальное прошлое и ведущие преступный образ жизни, нуждаются в помощи, которая позволила бы направить их поведение в социально приемлемое русло. Некоторые из них нуждаются также в помощи, чтобы освободиться от наркотической или алкогольной зависимости.

Для того, чтобы иметь возможность лучше удовлетворить потребности детей в процессе их реинтеграции по возвращении в родную страну, были сделаны попытки осуществить некую форму координации медицинской, психологической и социальной реабилитации. Этот опыт указывает на необходимость получения дополнительной информации из той страны, откуда ребенок возвращен. Известно несколько случаев, когда западноевропейские страны высылали ребенка на родину без необходимых предварительных контактов. Это негативно сказывалось на усилиях, направленных на улучшение социальной реинтеграции ребенка. Очевидно, что необходимо подключать усилия и той страны, откуда ребенок возвращается. Страны, где находился ребенок, просто-напросто высылают его назад, на родину как "незаконного мигранта", без предварительного определения индивидуальных потребностей определенного ребенка. Обязанности властей во всех странах должны быть гораздо шире этого.

Зачастую соответствующие власти в стране пребывания ребенка ничего не знают о возможностях квалифицированной помощи, существующих в стране происхождения ребенка. Психологическое, медицинское и социальное вмешательство часто рассматривается как нечто, существующее только в вашей собственной стране. Естественно, это не так. Несколько лет контактов, изучения опыта и совместного его использования в пределах региона показали развитие хорошо финансируемой и профессиональной службы реинтеграции. В некоторых странах нашего региона эти услуги предоставляются, в основном, неправительственными организациями, имеющими солидную базу финансирования, которое поступает из международных организаций и фондов. Были предприняты попытки создания контактных книг и справочников по проблеме реинтеграции нелегально вывезенных мальчиков и девочек. Один из примеров этого – книга под названием "Способы борьбы против нелегальной торговли женщинами и девочками" ("Resource Book for Working Against Trafficking in Women and Girls"), опубликованная Женским Форумом, Швеция, летом 2002 года. Вэб-сайт «Детский центр» («Childcentre»), размещенный и поддерживаемый отделом по работе с детьми в рамках

Совета стран Балтийского региона, является другим источником для нахождения и определения возможностей для детей, находящихся в кризисной ситуации, но ни один из этих справочников не дает исчерпывающей информации и описания того, где ребенок может получить квалифицированную помощь. Лишь по чистой случайности миграционные или социальные власти могут знать о существовании специальных реинтеграционных возможностей в другой стране. Неправительственные организации нашего региона имеют, естественно, большее количество контактов, и властям было бы крайне полезно согласовать с ними свою деятельность. Информация о программах реабилитации и реинтеграции детей могла бы разрабатываться на местном уровне, а затем распространяться в других странах, через существующие сети, такие как «Национальный координатор по проблемам детей, находящихся в опасности», в рамках сети, созданной Советом государств Балтийского региона.

Процедура оценки

Оценка состояния несопровождаемых детей всегда должна происходить в соответствии с Конвенцией ООН по Правам Ребенка. Все государства Балтийского региона подписали и ратифицировали эту всеми признанную конвенцию. Несколько статей этого документа имеют отношение к нашей теме.

Чтобы быть иметь возможность ускорить оценку ситуации ребенка в целом, необходимо установить большее количество каналов для контактов между страной пребывания, вероятной страной происхождения и транзитной страной (странами). Право ребенка на защиту и реабилитацию должно (это может обсуждаться) превалировать над процессом оценки юридического права на предоставление убежища. Коллизия между законом о защите прав ребенка и уважением к надлежащему юридическому процессу предоставления убежища делает проблему несопровождаемых детей весьма спорной во многих странах региона. Миграционные власти видят свою задачу в оценке права индивидуального ребенка на убежище. Этот процесс должен происходить в соответствии с международными конвенциями и соглашениями, а потому следовать определенным процедурным правилам. Они длительны, так как ребенок имеет право обжаловать любое принятое решение, а также и потому, что в большинстве стран просить убежища – это единственный возможный путь для получения защиты и социального признания в стране, где вы не являетесь ее гражданином. Ребенок может также справедливо понимать свою выгоду от того, что процесс предоставления убежища тянется долго, так как неблагоприятное решение немедленно принудит его или ее уехать из страны. Торговцы, помогающие детям и взрослым в пересечении границы, как известно, инструктируют детей о том, что они должны рассказывать органам расследования как можно меньше, для того, чтобы увеличить вероятность получения вида на жительство. Торговцы часто отбирают у ребенка документы, подтверждающие его личность, а также проездные документы, и не возвращают их. Собственное сотрудничество не всегда воспринимается ребенком как лучший способ действий. Любой, кто когда-либо имел дело с проблемой определения детей, находящихся в опасности, знает, что фактор времени имеет здесь критическое значение. Один год в жизни ребенка – это значительный промежуток времени, и если ребенок, нуждающийся в помощи и реабилитации, не получает их в течение этого срока, это может негативно отразиться на его развитии. Для того, чтобы иметь возможность наилучшим образом помочь молодому человеку, находящемуся в

чужой стране в пределах данного региона, власти, детские социальные учреждения, медицинские центры, детские психиатрические центры и неправительственные организации должны расширить свои региональные сети. Улучшение качества физической, психологической и социальной помощи потребует повышенного внимания и более тесного сотрудничества со стороны профессиональных организаций в странах региона. В процессе оценки состояния необходимо учитывать тот факт, что некоторые из этих несопровождаемых детей станут искать помощи властей для того, чтобы скрыться от преступной и жестокой среды, где они подвергаются эксплуатации. Другие могут попасть в поле зрения властей через собственные незаконные действия, третьи – в тот момент, когда они будут пробовать въехать в страну без надлежащих документов, а некоторые вообще не будут опознаны до тех пор, пока сами не начнут активно просить убежища.

Сотрудничество между правительствами и представителями власти в пределах региона государств Балтийского моря должно привести к улучшению процесса оценки потребностей несопровождаемых детей. Сотрудничество уже существует во многих областях, которые имеют отношение к этой проблеме, и оно должно способствовать развитию более информированного и чуткого процесса оценки. В процессе оценки потребностей молодого человека необходимо обращаться к информации о специфической ситуации в стране происхождения ребенка, а также непосредственно к тому органу, который производит оценку положения детей и молодежи в соответствующей стране. Право ребенка, несопровождаемого или сопровождаемого, на надлежащий юридический процесс рассмотрения заявления о предоставлении убежища, не должно препятствовать другим защитным инициативам, если в процессе оценивания потребностей ребенка было сделано заключение об их необходимости. Процесс предоставления убежища не должен затягиваться слишком долго, чтобы любое вмешательство, направленное на помощь ребенку, могло быть реализовано.

Знание ситуации в стране происхождения может принести пользу молодому человеку в нескольких отношениях: контакты с родителями или другими взрослыми родственниками могли бы быть установлены гораздо проще, что дало бы возможность представителям соответствующих властей помочь ребенку восстановить связь с поддержкой взрослых. Процесс оценки также занимал бы меньше времени, а детей и молодых людей, которые нуждаются в специальной защите в стране пребывания, можно было бы более легко отличить от тех, кому нужна более быстрая реинтеграция. Страна пребывания сможет лучше помочь и защитить детей в тех случаях, когда реинтеграция должна происходить в стране пребывания ребенка.

Идентификация

Для того, чтобы иметь возможность помочь молодым людям, их надо сначала идентифицировать и признать в тех странах, которые вовлечены в этот процесс. Лишение девочки или мальчика документа, удостоверяющего ее или его личность, – это грубое нарушение прав конкретного ребенка. Удостоверение личности включает в себя сведения об имени и фамилии, возрасте, постоянном месте жительства, происхождении и гражданстве. Известно, что некоторые торговцы отбирают у детей все документы, подтверждающие их личность. В этом случае дети, прибывающие без сопровождения, остаются без каких бы то ни было доказательств своей личности, что делает процедуру

установления их личности чрезвычайно длительной и трудоемкой для тех органов, которые производят оценку их состояния. Иногда ребенок и страна пребывания договариваются между собой об установлении личности ребенка, но выясняется, что страна происхождения ребенка требует дальнейших расследований прежде, чем признать его личность. Процесс реинтеграции, таким образом, становится более длительным, сложным, а иногда, в конечном итоге, и невозможным. Ценное время, которое должно быть потрачено на помощь ребенку, уходит на преодоление административных трудностей.

Основное содержание встречи

На встрече Глав Правительств государств региона Балтийского моря, которая состоялась в С.-Петербурге в июне этого года, была затронута проблема детей без сопровождения. В заключительном выступлении Председателя, в разделе «Безопасность человека» было сказано:

"Необходимо приложить совместные усилия для того, чтобы найти достойное решение острой проблемы торговли детьми и увеличивающегося числа несопровождаемых несовершеннолетних, пересекающих национальные границы в пределах региона, надлежащей заботе о них, идентификации, репатриации и реабилитации. В этих мероприятиях государства должны принимать во внимание выводы Специальной сессии Генеральной Ассамблеи ООН по проблемам детей, состоявшейся в мае 2002".

В ответ на это Шведский Министр по вопросам развития сотрудничества, миграции и предоставления убежища и Рабочая группа движения «Сотрудничество ради детей, оказавшихся в опасности» при Совете государств региона Балтийского моря решили пригласить государства - членов Совета, Европейской Комиссии, а также Беларусь, Украину и Молдову на встречу представителей правительств для того, чтобы обсудить возможности улучшения деятельности в области оценки, помощи, реинтеграции детей без сопровождения, а также некоторые профилактические меры.

Предложения по результатам встречи

Ряд предложений можно рассматривать в качестве результатов встречи. Ниже приводятся предложения, которые можно рассматривать как такой результат. Обсуждения, проходящие на пленарных заседаниях и в рабочих группах, дадут участникам возможность выразить свои мысли о том, как улучшить ситуацию для Детей без сопровождения, находящихся в пределах региона Балтийского моря, а также в тех случаях, когда они попадают за его пределы.

1. Определение каналов для будущего двустороннего сотрудничества в целях совместного решения дел конкретных детей, особенно в отношении оценки их состояния, помощи и реинтеграции.
2. Обсуждение возможного "Плана действий в отношении детей без сопровождения из региона Балтийского моря", который будет включать в себя двусторонние и многосторонние обязательства по совместной работе ради удовлетворения потребностей этих молодых людей.
3. Встреча может рассмотреть рекомендацию по созданию контактных пунктов во всех странах, принимающих на себя обязательства способствовать процессу обеспечения

помощью и реинтеграции детей без сопровождения. Контактные пункты должны взять на себя координацию национальных ресурсов в отношении всех аспектов оценки и реинтеграции детей: идентификацию, помощь, безопасное возвращение и реабилитацию, включая медицинскую, социальную и психологическую помощь.

4. Необходимо определить потребности в двустороннем и многостороннем сотрудничестве с целью повышения компетентности в этой области.
5. Должны быть оценены возможности для длительного сотрудничества в районе действия Совета государств региона Балтийского моря. Такое сотрудничество могло бы включать в себя решение основных региональных задач по инициированию и контролю согласованных ранее действий и организацию последующих встреч или семинаров в трех ключевых областях: оценка, помощь и реинтеграция.
6. Последующая работа должна охватить сектор неправительственных организаций и частный сектор для того, чтобы способствовать национальному и международному сотрудничеству между всеми секторами общества с целью улучшения ситуации детей без сопровождения.

Programme

Monday the 10th of February 2003

12.00 Lunch

14.00 Afternoon session

Chair:

Mr Per Sjögren, Director General for Migration and Asylum Policy, Ministry for Foreign Affairs of Sweden.

14.05 Welcoming Address

Mr Jan O. Karlsson, Swedish Minister for Development Co-operation, Migration and Asylum Policy

14.20 Welcoming Address

Ambassador Hannu Halinen, Director of the Secretariat of the Council of the Baltic Sea States

14.25 Welcoming Address

Mr Bragi Gudbrandsson, Chair of the Working Group for Co-operation on Children at Risk

14.30 Keynote speaker I: Assessment of trafficked and unaccompanied children.

Increased trans national co-operation to facilitate all aspects of assessment: Legal, social, psychological.

Ms Marie Hessle, Psychologist at Child and Adolescent Psychiatric Outpatient Unit for refugees and asylumseekers.

15.00 Keynote speaker II: Legal Assessment of Trafficked and unaccompanied children.

Ms Audra Mikalauskaite, Department of Families, Women and Children, Ministry of Social Affairs and Labour, Lithuania.

15.15 Comment from the podium

Ms Tatiana Barsoukova Director at Shelter Oratnodye, Moscow, Russian Federation

15.25 Discussion

15.40 Coffee

16.10 Keynote speaker III: Migration and Border control co-operation for the sake of the child:

How can migration and border control authorities co-operate to prevent the traffic of unaccompanied children across borders, and to prepare for the young person's reintegration?

Mr Fredric Larsson, IOM Kiev, Ukraine

16.40 Comment from the podium

Ms Kate Halvorsen, Former Senior Regional Policy Officer, UNHCR

16.50 Discussion

17.00 Keynote speaker IV: Reintegration of children.

Professional networking across borders facilitating reintegration in all its forms: Repatriation, rehabilitation and social re-inclusion.

Ms Amalia Carli, Psychologist, Oslo University

17.30 Comment from the podium

Dr Ruth Soonets, Head Paediatrician, Tartu Support Centre for Abused Children, Tartu, Estonia. Assistant Professor, Department of Paediatrics, Tartu University

17.40 Discussion

18.10 Practical information

18.30 Close of the day

19.30 Dinner hosted by Ms Barbro Holmberg, Swedish State Secretary for Migration and Asylum Policy.

Tuesday the 11th of February 2003

9.00 The NGO perspective
Ms Annika Åhnberg, Chair of Save the Children Sweden

9.30 Discussion on NGO initiatives

9.45 Group work session I

Delegates will discuss in three groups:

How to improve cross national co-operation regarding:

Assessment, Migration/Border control and Reintegration.

The groups will be lead by an appointed chair and a designated rapporteur will take notes. Interventions from the delegates on experiences and best practices on cross border co-operation are encouraged.

11.00 Coffee

11.30 Group work session II

13.00 Lunch

14.00 Afternoon plenary session

Chair **Mr Per Sjögren**, Director General for Migration and Asylum Policy

14.00 Presentation of the outcome and suggestions from the Group work sessions

The Chairs and Rapporteurs from the three groups will present the group discussions and the suggestions coming out of the group work.

15.00 Coffee

15.30 Conclusions

Agreements on follow up.

Discussion

16.30 Concluding remarks.

Ms Berit Andnor, Swedish Minister for Child and Family Affairs.

16.45 Close

Предварительная программа

Понедельник, 10 февраля 2003 г.

12.00 Обед

14.00 Пленарное заседание

Председатель:

Г-н Пер Шегрен, Генеральный директор по вопросам миграции и политики предоставления убежища, Министерство Иностранных дел Швеции.

14.05 Приветствие

Г-н Ян О. Карлссон, министр по вопросам развития сотрудничества, миграции и предоставления убежища, Швеция

14.20 Приветствие

Посол Ханну Халинен, директор Секретариата Совета государств Балтийского региона

14.25 Приветствие

Г-н Браги Гудбрандссон, Председатель Рабочей группы по вопросам сотрудничества ради детей, находящихся в опасности

14.30 Основной доклад I: Оценка состояния траффикированных детей и детей без сопровождения.

Рост межнационального сотрудничества в вопросах усовершенствования всех аспектов оценки: юридического, социального, психологического.

Г-жа Мари Хессле, Психолог. Глава Стокгольмского амбулаторного Центра детской и подростковой психиатрии для беженцев и людей, ищущих убежища, Швеция.

15.00 Основной доклад II: Юридическая оценка проблемы траффикуемых детей и детей без сопровождения.

Г-жа Аудра Микалаускайте, Департамент по вопросам семьи, женщин и детства, Министерство социальных дел и труда, Литва.

15.15 Комментарии с трибуны

Г-жа Татьяна Барсукова, Директор. Приют Отрадное, Москва, Российская Федерация.

15.25 Обсуждение

15.40 Кофе

16.10 Основной доклад III: Сотрудничество миграционных и пограничных служб ради блага ребенка:

Как могут сотрудничать миграционные и пограничные власти, чтобы предотвратить перемещение детей без сопровождения через границы и подготовиться к адаптации молодого человека?

Г-н Фредрик Ларссон, ИОМ, Киев, Украина

16.40 Комментарии с трибуны

Г-жа Кэйт Халворсен, бывший старший офицер по вопросам региональной политики, Управление Верховного Комиссариата ООН по делам беженцев.

16.50 Обсуждение

17.00 Основной доклад IV: Реинтеграция детей.

Международная сеть профессиональной помощи во всех формах реинтеграции: репатриация, реабилитация и социальная адаптация.

Г-жа Амалия Карли, психолог, Университет г. Осло, Норвегия.

17.30 Комментарии с трибуны

Доктор Рут Сунетс, Главный Педиатр, Центр поддержки детей, с которым плохо, обращаются, г. Тарту, Эстония. Доцент, Кафедра Педиатрии, Университет г. Тарту.

17.40 Обсуждение

18.10 Практическая информация

18.30 Завершение дня

19.30 Ужин. Гостей принимает г-жа Барбру Холмберг, Госсекретарь по вопросам политики миграции и предоставления убежища, Швеция.

Вторник, 11 февраля 2003 г.

9.00 Перспективы деятельности Неправительственных организаций

Г-жа Анника Онберг, Председатель организации «Спасите детей», Швеция

9.30 Обсуждение по инициативам Неправительственных организаций

9.45 Работа по группам. Часть I.

Делегаты будут вести обсуждение в трех группах:

Как улучшить межнациональное сотрудничество по вопросам:

Оценка, миграция /пограничный контроль и реинтеграция.

Работу в группах будут вести назначенные для этого Председатели, и будут выбраны секретари для ведения протокола. Поощряются выступления делегатов, желающих рассказать о своем опыте и ярких примерах практических действий в международном сотрудничестве по этим вопросам.

11.00 Кофе

11.30 Работа по группам. Часть II.

Продолжение обсуждений в группах и составление предложений и выводов.

13.00 Обед

14.00 Пленарное заседание

Председатель г-н Пер Шегрен, Генеральный директор по вопросам миграции и политики предоставления убежища.

14.00 Представление результатов и предложений, поступивших из рабочих групп

Председатели и секретари из трех групп представят результаты обсуждения в своих группах, заключения и предложения.

14.45 Обсуждение

15.00 Кофе

15.30 Заключительное слово Председателя

Обсуждение

Соглашения о дальнейшей работе.

16.30 Заключительные комментарии.

Г-жа Берит Анднор, Министр по проблемам Детства и Семьи, Швеция

16.45 Закрытие

Group Work Issues

Questions for the group work sessions:

Please find below a number of questions and issues that have bearing on the topic of how interministerial and interagency co-operation may improve the assessment, care and reintegration of unaccompanied children in the region. The questions have been raised in the preparation of the meeting in discussions with politicians, senior advisors and experts on children from different countries in the region.

The list below should be seen as indicative and by no means exhaustive. Some of the questions may be considered not applicable by the working groups and the groups may also decide to concentrate on questions and issues that are not represented below. It is the organisers intention that they may provide a starting point for discussions during the meeting in Stockholm.

Please look at these issues and consider how cross border co-operation could be encouraged:

General issues for all groups:

1. Most countries in the region have experiences of unaccompanied children as country of origin, transit country and host country. In what way is your country affected by the issue of unaccompanied children from the region?
 - a. As country of origin
 - b. As host country
 - c. As transit country
2. How is the issue perceived when your country is a country of origin: importance, authorities and agencies involved, actions taken?
3. How is the issue perceived when your country is a country of transit: importance, agencies and authorities involved, actions taken?
4. How is the issue perceived when your country is a host country: importance, agencies and authorities involved, actions taken?
5. Do involved countries have any bilateral co-operation in place with authorities in countries of origin countries of transit or host countries with regard to identification and repatriation? Successes and difficulties.
6. If an unaccompanied child should go missing in your country, is this registered in any way?

Migration and border control co-operation:

1. What do border control authorities ask on exiting or entering your country?
 - a. Of a child under 18?
 - b. Of someone that could be under 18?

2. Who meets or delivers young unaccompanied persons at the border?
3. If a child returns unaccompanied from another country, what are the procedures at the border?
4. Do you see a need for improvement of these procedures for all unaccompanied children?
5. If migration staff accompanies a child from another country, how can contacts before the arrival best be taken in order for the arrival of the child to work as well as possible?
6. How do migration authorities in your country deal with unaccompanied children from the region?
7. Do unaccompanied children from the region claim asylum in your country?
 - a. If so, are they given residence permits?
 - b. Are there other ways in which unaccompanied children stay without any formal registration in your country?
 - c. Are there available statistics on the number of unaccompanied children from other countries residing in your country?
8. How do migration authorities view children coming without parents but accompanied by someone else?
9. Do you have any information on the scope of unaccompanied children from the region being sexually exploited through the hands of traffickers?
10. Is there any bilateral co-operation in place between your country and another country on the issue of unaccompanied minors residing in your country?

Assessment co-operation:

1. Identification:
 - a. Who in countries of origin may assist in identification?
 - b. What are the demands on a request for assistance from a foreign country in order for it to be prioritised?
 - c. Is there any bilateral co-operation in place between your country and another country on the issue of assistance in identification of unaccompanied minors residing in your country?
 - d. Is exchange of photographs between countries possible?
2. Assessment of the child's social situation: Is it possible for social authorities in your country to co-operate with social workers in a host country or in a country of origin?
 - a. Can you see ways of making this possible?
 - b. Is it possible for social workers from another country to find out what kind of efforts has been made to help a specific child?
3. Looking into the child's life before leaving: What kind of information would be valuable for a proper assessment of the young person's capabilities and needs?
 - a. What information on the child is possible to send or receive from one country to another taking applicable laws on secrecy and protection of sensitive information into consideration?
 - b. Who in your country would be able to send this information? Local authorities or other bodies?
 - c. How is such information protected from unauthorised use? (Laws on secrecy, protection of sensitive personal information etc)
4. Learning about events during the travel from one country to another is sometimes important in order to fully understand and assess the child:

- a. Who in possible countries of origin and in transit countries may have knowledge on local events that may have had an impact on the child and may therefore be helpful in the assessment?
5. Psychological assessment: Here we believe it to be important to have some knowledge on the view in the different countries on the children we are concerned with.
 - a. Why do children run away from home?
 - b. What are the conditions in institutions where children and young persons live?
 - c. What reporting mechanisms are in place should a child go missing from an institution or from a centre where unaccompanied children stay?
6. To which extent are unaccompanied children involved in criminal activities?
 - a. Are there any indications that this is an organised criminality?
 - b. How can that be prevented?
7. To which extent are unaccompanied children subject to sexual exploitation in the host country?
 - a. Are there any indications in your country that this is an organised exploitation?
 - b. How can this be prevented?

Reintegration co-operation:

Reintegration is seen as encompassing the physical, psychological and social rehabilitation of the child in a context that can best cater for the specific needs of the young person. This is usually the child's home environment.

1. What agencies or authorities are responsible for assisting children in need of specific interventions in your country?
2. Do you see some of the problems that face young persons and children in your country as specifically difficult to resolve? Criminality in children, vagrancy in children, child drug abuse, children with a violent behaviour, children that have been sexually exploited or abused, children that have been abandoned by their carers, children living in the street, child prostitutes. Which of these groups do you think are least likely to receive the attention they need?
3. How can authorities in countries of origin and host countries co-operate bilaterally in order to ascertain that unaccompanied children are offered assisted and safe return?

General conclusions for all groups:

1. **Co-operation for competence building:** What scope is there for co-operation to develop systems and institutions for improved assessment, care and reintegration of unaccompanied children in our countries?
2. Are other types of institutional co-operation or twinning arrangements feasible with regard to the problem?
3. Is there a need for national co-ordination of issues of unaccompanied children and how can such co-ordination be achieved?

Multilateral follow-up to be discussed by all groups

1. In what way should the Council of the Baltic Sea States continue to work with issues of unaccompanied children?
 - a. Is there need for a regional focal point?
 - b. Should follow-up meetings be organised and, if so, on which subjects?

Дети без сопровождения из государств региона Балтийского моря

Вопросы для обсуждения в группах:

Ниже следует ряд вопросов и аспектов, связанных с темой улучшения межминистерского и межведомственного сотрудничества в области оценки, социального обеспечения и реинтеграции детей без сопровождения в регионе. Данные вопросы поставлены на основании проводившихся ходе подготовки к встрече бесед с политиками, старшими советниками и экспертами по вопросам детей из различных стран нашего региона.

Нижеприведенный список является примерным и отнюдь не исчерпывающим. Некоторые вопросы могут быть исключены рабочими группами как несоответствующие теме; рабочие группы могут также сосредоточиться на обсуждении вопросов и аспектов, не содержащихся в списке. Идея организаторов состоит в создании исходного материала, с обсуждения которого участники смогли бы начать встречу в Стокгольме.

Просим Вас изучить нижеследующие вопросы и предложить, как мы можем улучшить сотрудничество через границы:

Общие вопросы для всех групп:

1. Насколько актуальна для вашей страны проблема детей без сопровождения:
 - а) как страны происхождения?
 - б) как страны пребывания?
 - в) как транзитной страны?
2. Как относятся к проблеме детей без сопровождения в странах их происхождения: ее актуальность, компетентные учреждения и органы, предпринимаемые меры?
3. Как относятся к данной проблеме в транзитных странах: актуальность, компетентные учреждения и ведомства, предпринимаемые меры?
4. Как относятся к данной проблеме в странах пребывания: ее актуальность, компетентные учреждения и ведомства, предпринимаемые меры?
5. Ведут ли заинтересованные страны двустороннее сотрудничество с компетентными органами стран происхождения, транзитных стран или стран пребывания по вопросу установления личности и репатриации детей без сопровождения? Успехи, трудности.

Сотрудничество в области миграции и пограничного контроля:

1. Какие требования предъявляются органами пограничного контроля при въезде или выезде из вашей страны:

- а) ребенка в возрасте до 18 лет
- б) лица, предположительно, в возрасте до 18 лет

2. Кто встречает или доставляет на границу несовершеннолетних без сопровождения?

3. Какова процедура пограничного контроля в случае возвращения ребенка без сопровождения из другой страны?

4. Видите ли вы необходимость в улучшении таких процедур для всех детей без сопровождения?

5. В случае, если сотрудники миграционной службы сопровождают ребенка из другой страны, как наладить контакты, чтобы наилучшим образом организовать прибытие ребенка?

6. Как миграционные власти в вашей стране решают проблему детей без сопровождения из региона Балтийского моря?

7. Обращаются ли дети без сопровождения из нашего региона с просьбами о предоставлении убежища в вашей стране?

- а) Если да, предоставляется ли им вид на жительство?
- б) Имеют ли дети без сопровождения возможности остаться в вашей стране без прохождения официальной регистрации?
- в) Имеется ли статистика по количеству детей без сопровождения из других стран, пребывающих в вашей стране?

8. Как миграционные власти определяют статус детей, прибывающих в вашу страну в сопровождении не родителей, а какого-либо иного лица?

9. Есть ли у вас сведения о количестве детей, которые, оказавшись в руках торговцев людьми, подвергаются сексуальной эксплуатации в коммерческих целях?

10. Осуществляет ли ваша страна двустороннее сотрудничество на местах с другими странами по проблеме малолетних лиц без сопровождения, пребывающих в вашей стране?

Сотрудничество по оценке положения детей без сопровождения:

1. Установление личности:

а) Кто в странах происхождения может оказать содействие в установлении личности ребенка?

б) Какова должна быть форма запроса о содействии от иностранного государства, чтобы данный запрос был рассмотрен в первоочередном порядке?

в) Ведет ли ваша страна двустороннее сотрудничество на местах с другими странами по вопросу содействия в установлении личности несовершеннолетних лиц без сопровождения, пребывающих в вашей стране?

2. Оценка социального положения ребенка: имеют ли органы соцобеспечения в вашей стране возможности для сотрудничества с социальными службами в стране пребывания или стране происхождения?

а) Как, по вашему мнению, предоставить такие возможности?

б) Имеют ли социальные службы из другой страны возможность выяснить, какая помощь была оказана тому или иному ребенку?

3. Выяснение условий жизни ребенка до его отъезда: какие сведения имеют ценность для адекватной оценки возможностей и потребностей ребенка?

а) Какие сведения относительно ребенка можно передавать между странами, принимая во внимание действующие законы о неразглашении и защите секретной информации?

б) Кто в вашей стране может передавать такие сведения? Местные органы власти или другие учреждения?

с) Как защитить такую информацию от несанкционированного использования (Законы о неразглашении, защите секретной информации и т. п.)?

4. Для того, чтобы полностью понять и оценить положение ребенка, иногда важно изучить события, произошедшие во время поездки из одной страны в другую:

а) Кто в возможных странах происхождения и транзитных странах может располагать информацией о местных событиях, возможно, повлиявших на ребенка, что может пригодиться в оценке его положения?

5. Оценка психологического состояния: в этом вопросе, по нашему мнению, важно получить определенное представление о взгляде других стран на проблему детей без сопровождения.

а) Почему дети убегают из дома?

б) Каковы условия содержания детей и несовершеннолетних в учреждениях?

в) Каковы формы уведомления в случае исчезновения ребенка из учреждения или центра содержания детей без сопровождения?

6. Каковы масштабы вовлечения детей без сопровождения в уголовную деятельность?

а) Есть ли признаки того, что в этом замешана организованная преступность?

б) Какие профилактические меры можно предпринять?

Сотрудничество по вопросу реинтеграции детей без сопровождения:

Реинтеграция подразумевает физическую, психологическую и социальную реабилитацию ребенка в среде, которая наиболее полно отвечает его насущным потребностям. Обычно такой средой является его дом.

1. Какие органы или службы занимаются реинтеграцией детей в вашей стране?

2. Существуют ли, на ваш взгляд, проблемы, с которыми особенно трудно справиться детям и несовершеннолетним лицам из вашей страны? Детская преступность, беспризорность, детская наркомания, трудные дети, дети, подвергающиеся сексуальной эксплуатации или насилию, дети, оставленные без ухода, дети без определенного места жительства, дети, занимающиеся проституцией. Каким из вышеперечисленных групп уделяется менее всего внимания, в котором они нуждаются?

3. Как наладить двустороннее сотрудничество между компетентными органами страны происхождения и страны пребывания, чтобы обеспечить детям без сопровождения надлежащее содействие и безопасное возвращение?

Общие выводы для всех групп

1. **Сотрудничество с целью получения необходимых знаний:** в каком объеме необходимо вести сотрудничество по развитию систем и учреждений для улучшения оценки, социального обеспечения и реинтеграции детей без сопровождения между нашими странами?

2. Возможны ли иные формы межведомственного сотрудничества или меры для решения данной проблемы?

3. Имеется ли необходимость в национальной координации проблем детей без сопровождения?

а) В странах происхождения?

б) В странах пребывания?

в) Как наладить такую координацию?

Многостороннее продолжение дискуссии для всех групп

1. В какой форме Совету государств региона Балтийского моря следует продолжить решение проблемы детей без сопровождения?

а) Есть ли необходимость в рассмотрении данного вопроса в пределах региона?

б) Следует ли проводить дальнейшие встречи, если да – по каким аспектам?

D List of Participants with Addresses

Belarus

Mr. Dmitrij Figaro

Head of the Prophylactic Department / Ministry of Internal Affairs / **Telephone:** +375 17 229 79 90
2 Gorodskoy Val / 220615 / Minsk / BELARUS

E-mail: **Fax:** +375 17 229 77 63

Mr. Vladimir Galtejev

Deputy Director/Head of Refugees Division / **Telephone:** +375 17 226 89 93
Migration Department / Ministry of Labour and Social Protection /
23 2 Masharov / 220004 / Minsk / BELARUS

E-mail: **Fax:** +375 17 206 43 44

Mr. Vladimir Klemjato

Deputy Director / Department of Social and Pedagogical Work / **Telephone:** +375 17 222 66 98
Sovetskaya 9 / 220010 / Minsk / BELARUS

E-mail: root@minedu.unibel.by **Fax:** +375 17 220 84 83

Denmark

Mr. Sergio Daniel Kristensen

Programme Co-ordinator / **Telephone:** +45 35 24 85 12
Separated Children in Europe Programme /
Rantzausgade 60 / 2200 / Copenhagen / DENMARK

E-mail: sk@redbarnet.dk **Fax:** +45 35 39 11 19

Ms. Benedicte Siboni

Head of Section / 3rd Immigration Office / **Telephone:** +45 33 92 45 14
Ministry of Refugee, Immigration and Integration Affairs /
Holbergsgade 6 / DK-1057 / Copenhagen / DENMARK

E-mail: bsi@inm.dk **Fax:** +45 33 92 45 54

Ms. Lisa Stjernqvist

Head of Section / Danish Immigration Service / **Telephone:** +45 35 30 85 27
Sandholmgårdsvej 40 / 3460 / Birkerød / DENMARK

E-mail: lss@udlst.dk **Fax:** +45 35 30 85 73

European Commission

Ms. Isabel Gaudeul-Ehrhart

Administrator in Unit Immigration and Asylum / **Telephone:** +32 2 296 51 82
Directorate General Justice and Home Affairs /
LX 46 6/22 / European Commission / B-1049 /
Brussels / BELGIUM

E-mail: isabelle.gaudeul-ehrhart@cec.eu.int **Fax:** +32 2 298 03 12

Estonia

Ms. Kairit Magi

Senior Specialist / Aliens Department / Ministry of Interior Affairs / **Telephone:** +372 612 50 81
Pikk 61 / 15065 / Tallinn / ESTONIA

E-mail: kairit.magi@sisemin.gov.ee

Fax: +372 612 50 87

Ms. Katrin Masing

Consul / Estonian Embassy / Stockholm /
Tyrgatan 3 / 10041 / Stockholm / SWEDEN

E-mail: kmasing@estemb.se

Telephone: +46 8 54 57 22 80

Fax: +46 8 54 51 22 99

Ms. Annelie Poiklik

Chief Specialist / Refugees Department-Citizenship and Migration / **Telephone:** +372 612 69 66
13th Endla str / 15179 / Tallinn / ESTONIA

E-mail: anneli.poiklik@mig.ee

Fax: +372 631 37 44

Ms. Aive Sarjas

Advisor to the Ministry / Ministry of Social Affairs
Gonsiori str 29 / 15027 / Tallinn / ESTONIA

E-mail: aive.sarjas@sm.ee

Telephone: +372 626 97 50

Fax: +372 626 97 43

Finland

Ms. Jutta Gras

Senior Advisor / Immigration Department /
PO Box 26 / Fin-00023 / Government / FINLAND

E-mail: jutta.gras@sm.intermin.fi

Telephone: +358 9 160 428 77

Fax: +358 9 160 429 40

Ms. Anne Hujala

Senior Officer / Ministry of Social Affairs and Health /
PO Box 33 / Fin-00023 / Government / FINLAND

E-mail: anne.hujala@stm.vn.fi

Telephone: +358 9 160 739 07

Fax: +358 9 160 732 41

Ms. Leena-Maija Qvist

Senior Officer / Ministry of Labour /
PO Box 34 / Fin-00023 / Government / FINLAND

E-mail: leena-maija.qvist@mol.fi

Telephone: +358 9 160 470 15

Fax: +358 9 160 470 27

Germany

Mr. Volker Winter

Chief Superintendent / Leader Working group Illegal Migration /
Raaberg 6 /24 576 / Bad Bramstedt / GERMANY

E-mail: bgsp.nord.sb12@bgs.bund.de

Telephone: +49 41 925 021 20

Fax: +49 41 928 996 98

Mr. Maik Pawlowsky

Advisor / Ministry of Internal Affairs / Section M3, Asylum /
Alt-Moabit 101 D / 10559 / Berlin / GERMANY

E-mail: maik.pawlowsky@bmi.bund.de

Telephone: +49 18 886 812 165

Fax: +49 18 886 812 232

Mr. Christian Simon

Counsellor / German Embassy /
Skarpögatan 9 / 11527 / Stockholm / SWEDEN

E-mail:

Telephone: +46 8 670 15 07

Fax: +46 8 670 15 72

Iceland

Mr. Bragi Gudbrandsson

Chair of the Working Group for Cooperation on Children at Risk /
Höfdaborg / Borgartun 21 / 105 Reykjavik / ICELAND

E-mail: bragi@bvs.is

Telephone: +354 530 26 00

Fax: +354 530 26 01

Latvia

Ms. Inete Ielite

Director / National Centre for the Rights of the Child /
Brivibas 85 / 6 Floor / Lv-1001 / Riga / LATVIA

E-mail: inete@vbtac.lv

Telephone: +371 731 57 00

Fax: +371 731 49 14

Ms. Katrina Kosa

Second Secretary / Embassy of Latvia /
Odengatan 5 / P.O. Box 19167 / 10432 / Stockholm /
SWEDEN

E-mail: katrina.kosa@mfa.gov.lv

Telephone: +46 8 700 63 16

Fax: +46 8 14 01 51

Mr. Peteris Leiskalns

Parliamentary Secretary / Ministry of Children and Family Affairs /
Brivibas 85 / Lv-1001 / Riga / LATVIA

E-mail: centrs@vbtac.lv

Telephone: +371 731 57 00

Fax: +371 731 49 14

Ms. Sanda Silite

Third Secretary / Consular Affairs / Embassy of Latvia /
PO Box 19167 / Odengatan 5 / 10432 / Stockholm / SWEDEN

E-mail: sanda.silite@mfa.gov.lv

Telephone: +46 8 700 63 02

Fax: +46 8 14 41 03

Lithuania

Ms. Virginija Bartkeviciene

Senior Specialist / State Boarder Control Service /
Ministry of Internal Affairs

E-mail:

Telephone: +370 52 719 389

Fax: + 370 52 619 852

Ms. Audra Mikalauskaite

Head of Division of Children and Youth /
Ministry of Social Security and Labour /
Vivulskio 11 / 2600 / Vilnius / LITHUANIA

E-mail: audram@socmin.lt

Telephone: +370 52 603 788

Fax: +370 52 603 813

Ms. Lucija Voisnis

Head of the Asylum Affairs Division / Migration Department /
Ministry of Internal Affairs /
Sventaragio 2 / 2600 / Vilnius / LITHUANIA

E-mail: lucija.voisnis@vrm.lt

Telephone: +37 052 71 71 71

Fax: +37 052 71 82 10

Moldova

Mr. Anatolie Durbaïlov

Chief Inspector Public Order Police / Ministry of Internal Affairs /
Stefan cel Mare 75 / Chisinau / MOLDOVA

E-mail: sterbel@mai.md

Telephone: +373 2 25 53 68

Fax: +373 2 22 76 89

Ms. Natalia Pocitari

Specialist Coordinator / Main Directorate for Refugee /
Stefan cel Mare 74 / Chisinau / MOLDOVA

E-mail: dprm@hotmail.com

Telephone: +373 2 27 69 01

Fax: +373 2 27 69 00

Ms. Tatiana Samoila

Chief Assistant of the Department / Migration State Service /
Stefan cel Mare 124 / Chisinau / MOLDOVA

E-mail: migrare@moldtelecom.md

Telephone: +373 2 54 46 05

Fax: +373 2 27 72 23

Ms. Gabriela Tofan

Consultant / Legislation Department / Ministry of Justice /
August 1989 31 / MD-2012 / Chisinau / MOLDOVA

E-mail: gabi_tofan@yahoo.com

Telephone: +373 2 23 48 09

Fax: +373 2 34 7 98

Norway

Ms. Siw Ellefsen

Advisor / Ministry of Children and Family Affairs /
P Box 8036 Dep / 0030 / Oslo / NORWAY

E-mail: siw.ellefsen@bfd.dep.no

Telephone: +47 22 24 26 28

Fax:

Ms. Randi Kleven

Adviser / Directorate of Immigration / UDI /
Regional Office East / PO Box 8789 / Youngstorget / 0028 /
Oslo / NORWAY

E-mail: randi.kleven@udi.no

Telephone: +47 23 31 10 21

Fax: +47 23 31 10 50

Ms. Tone Julie Kvikstad

Advisor / Ministry of Children and Family Affairs /
PO Box 8036 Dep / 0030 / Oslo / NORWAY

E-mail: tone.kvikstad@bfd.dep.no

Telephone: +47 22 24 25 83

Fax:

Ms. Hilde Klemetsdal

Senior Executive Officer / Section for
Human Rights and Democracy / Ministry of Foreign Affairs /
PO Box 8114 Dep / 0032 / Oslo / NORWAY

E-mail: kle@mfa.no

Telephone: +47 22 24 30 53

Fax: +47 22 24 95 80

Mr. Lars Meling

Senior Adviser / Ministry of Justice /
PO Box 8005 Dep / 0030 / Oslo / NORWAY
E-mail: lars.meling@jd.dep.no

Telephone: +47 22 24 53 13

Fax: +47 22 24 95 30

Ms. Anne Brita Normann

Senior Adviser / Ministry of Justice
PO Box 8005 / 0030 / Oslo / NORWAY
E-mail: annebrita.normann@jd.dep.no

Telephone: +47 22 24 52 29

Fax: +47 22 24 95 30

Poland

Ms. Anna Jablonska

Specialist / Office for Repatriation and Aliens /
Koszykowa Street 16 / 00-564 / Warsaw / POLAND
E-mail: dmu2mswa@mswia.gov.pl

Telephone: +48 22 60 145 18

Fax: +48 22 84 821 92

Ms. Anna Malecka

Ministry of Education /
Al. Szucha 25 / 00-918 / Warsaw / POLAND
E-mail:

Telephone: +48 22 62 131 60

Fax: +48 22 628 81 36

Mr. Piotr Mierecki

Conspior General / Ministry of Interior and Administration /
Batorego 5 / 02-591 / Warsaw / POLAND
E-mail: wwm.onz@mswia.gov.pl

Telephone: +48 22 62 154 82

Fax: +48 22 62 154 82

Ms. Alexandra Wandyga

Specialist / Office for Repatriation and Aliens /
Koszykowa Street 16 / 00-564 / Warsaw / POLAND
E-mail: dmu2mswa@mswia.gov.pl

Telephone: +48 22 72 980 19

Fax: +48 22 84 821 92

Ms. Magdalena Wantola

Ministry of Education
Al. Szucha 25 / 00-918 / Warsaw / POLAND
E-mail:

Telephone: +48 22 62 131 60

Fax: +48 22 628 81 36

Ms. Ewa Waszkiewicz

Director of Common Courts' Department / Ministry of Justice /
Ujazdowskie Avenue 11 / 00-350 / Warsaw / POLAND
E-mail: waszkiewicz@ms.gov.pl

Telephone: +48 22 52 123 31

Fax: +48 22 62 805 12

Russian Federation

Ms. Tatiana M. Barsoukova

Director / Children Socio-Rehabilitation Centre /
Decabristov St-t 22 A / 127273 / Moscow / RUSSIA
E-mail: children-center@mtu-net.ru

Telephone: +7 095 904 10 39

Fax: +7 095 904 10 39

Ms. Galina Koupriyanova

Director of the Department / Ministry of Education /
Sadovaya-sukharevskaya 16 / 103051 / Moscow / RUSSIA
E-mail: infobox@youthpolitics.ru

Telephone: +7 095 208 73 25

Fax: +7 095 206 74 94

Ms Nina Shakhina

Deputy Head of Department /
Ministry of Labour and Social Development /
E-mail: dety@mintrud.ru

Telephone: +7 095 298 14 83

Fax: +7 095 294 78 85

Mr. Nikolay Moskvichev

Attaché / Russian Embassy / Stockholm /
Gjorwellsgatan 31 / 11260 / Stockholm / SWEDEN
E-mail: conrust@algonet.se

Telephone: +46 8 618 50 44

Fax: +46 8 656 44 85

Mr. Alexander Zelenov

Consul / Russian Embassy / Stockholm /
Gjorwellsgatan 31 / 11260 / Stockholm / SWEDEN
E-mail: conrust@algonet.se

Telephone: +46 8 618 50 44

Fax: +46 8 656 44 85

Sweden

Ms. Sofia Ask

National Police Board
SWEDEN
E-mail: sofia.ask@rkp.police.se

Telephone: +46 8 401 90 00

Fax:

Ms. Agneta Björklund

Desk Officer / Ministry of Social Affairs /
SWEDEN
E-mail: agneta.bjorklund@social.ministry.se

Telephone: +46 8 405 34 40

Fax: +46 8 723 11 91

Ms. Lisa Bergman

Head of Section / Ministry of Justice /
SWEDEN
E-mail: lisa.bergman@justice.ministry.se

Telephone: +46 8 405 47 11

Fax: +46 8 405 48 95

Ms. Eva Ekmehag

Desk Officer / Ministry for Foreign Affairs /
SWEDEN
E-mail: eva.ekmehag@foreign.ministry.se

Telephone: +46 8 405 32 60

Fax: +46 8 723 11 76

Mr. Martin Hagström

Desk Officer / Ministry for Foreign Affairs /
SWEDEN
E-mail: martin.hagstrom@foreign.ministry.se

Telephone: +46 8 405 28 90

Fax: +46 8 723 11 76

Ms. Christina Heilborn

Special Advisor / Ministry for Foreign Affairs /
SWEDEN
E-mail: christina.heilborn@foreign.ministry.se

Telephone: +46 8 405 46 62

Fax: +46 8 723 11 76

Ms. Ann-Sofie Holm

Asylum Officer / Swedish Migration Board / SWEDEN

E-mail: ann-sofie.holm@migrationsverket.se

Telephone: +46 8 680 24 18

Fax: +46 8 470 99 30

Mr. Staffan Kvarnström

National OPC-Coordinator / Swedish Coast Guard / Box 12854 / 11298 / Stockholm / SWEDEN

E-mail: staffan.kvarnstrom@coastguard.se

Telephone: +46 8 789 79 22

Fax: +46 8 411 32 38

Ms. Eva Larsson-Bellander

Programme-officer / Save the Children / Sweden / 10788 / Stockholm / SWEDEN

E-mail: eva.larsson-bellander@rb.se

Telephone: +46 8 698 90 00

Fax:

Mr. Thomas Palme

Ambassador / Ministry for Foreign Affairs / SWEDEN

E-mail: thomas.palme@foreign.ministry.se

Telephone: +46 8 405 31 27

Fax: +46 8 723 11 76

Mr. Per Sjögren

Director General / Migration and Asylum Policy / Ministry for Foreign Affairs / SWEDEN

E-mail: per.sjogren@foreign.ministry.se

Telephone: +46 8 405 55 30

Fax: +46 8 723 11 76

Ms. Anna Wessel

Project Manager / Swedish Migration Board / 601 70 / Norrköping / SWEDEN

E-mail: anna.wessel@migrationsverket.se

Telephone: +46 11 15 60 00

Fax: +46 11 10 81 55

Ms. Ingrid Åkerman

Secretary in Working Group on Knowledge about Sexual Exploited Children in Sweden / Ministry of Health Social Affairs / SWEDEN

E-mail: ingrid.akerman@social.ministry.se

Telephone: +46 8 405 24 22

Fax: +46 8 405 30 01

Ukraine

Mr. Vasil Hubko

Chief of Department of Migration / State Committee For Nationalities and Migration / Vladimorska 9 / 01025 / Kiev / UKRAINE

E-mail: vdh_hho@ukr.net

Telephone: +380 44 228 79 94

Fax: +380 44 228 79 94

Ms. Natalia Kopachovets

Director of the Department / Ministry of Justice /
Horodetskogo Street 13 / 01001 / Kiev / UKRAINE
E-mail: social@minsust.gov.ua

Telephone: +380 44 229 60 33

Fax: +380 44 229 45 84

Ms. Lyudmyla Yakymenko

Deputy Head of the Department / State Committee
on Family and Youth /
Desiatynna Street 14 / 01025 / Kiev /UKRAINE
E-mail: inter@dksm.gov.ua

Telephone: +380 44 228 56 94

Fax: +380 44 228 55 40

UNHCR

Ms. Dietrun Gunther

Regional Protection Officer / UNHCR /
Ynglingag. 14 / 11347 / Stockholm / SWEDEN
E-mail: swest@unhcr.ch

Telephone: +46 8 457 48 80

Fax: +46 8 457 48 87

Ms. Annika Lindén

Deputy Regional Representative / UNHCR /
Ynglingag. 14 / 11347 / Stockholm / SWEDEN
E-mail: swest@unhcr.ch

Telephone: +46 8 457 48 80

Fax: +46 8 457 48 87

Special Guests

Ms. Berit Andnor

Swedish Minister for Child and Family Affairs /
SWEDEN
E-mail:

Telephone: +46 8 405 33 24

Fax: +46 8 723 11 91

Ms. Barbro Holmberg

State Secretary for Migration and Asylum Policy /
Ministry for Foreign Affairs /
SWEDEN
E-mail:

Telephone: +46 8 405 56 49

Fax: +46 8 723 11 76

Mr. Hannu Halinen

Director / Secretariat of the Council of the Baltic Sea States /
SWEDEN
E-mail:

Telephone: +46 8 440 19 00

Fax: +46 8 440 19 44

Ms. Margareta Israelsson

Chairman in the Working Group on Knowledge about
Sexual Exploited Children in Sweden / Member of the Parliament /
SWEDEN
E-mail: margareta.israelsson@riksdagen.se

Telephone: +46 8 786 47 92

Fax: +46 8 786 61 36

Mr. Jan O. Karlsson

Swedish Minister for Development Cooperation /
Migration and Asylum Policy / Ministry for Foreign Affairs /
SWEDEN

Telephone: +46 8 405 55 37

Ms. Elisebeht Markström

Member of the Parliament /
SWEDEN

E-mail: elisebeht.markstrom@riksdagen.se

Telephone: +46 8 786 43 85

Fax:

Keynote Speaker

Ms. Tatiana M. Barsoukova

Director / Children Socio-Rehabilitation Centre /
Decabristov St-t 22 A / 127273 / Moscow / RUSSIA

E-mail: children-center@mtu-net.ru

Telephone: +7 095 904 10 39

Fax: +7 095 904 10 39

Ms. Amalia Carli

Clinical Psychologist / Psychosocial Centre for
Refugges / Oslo University /
Olav M Troviksvei 4 / 0864 / Oslo / NORWAY

E-mail: amaliacarli@hotmail.com

Telephone: +47 22 84 11 40

Fax: +47 22 84 11 41

Ms. Audra Mikalauskaite

Head of Division of Children and Youth /
Ministry of Social Security and Labour /
Vivulskio 11 / 2600 / Vilnius / LITHUANIA

E-mail: audram@socmin.lt

Telephone: +370 52 603 788

Fax: +370 52 603 813

Ms. Kate Halvorsen

Former Senior Regional Policy Advisor / UNHCR /
Björnöygata 23 / 4009 Stavanger / NORWAY

E-mail: kate.halvorsen@broadpark.no

Telephone: +47 51 53 04 80

Fax: +47 51 53 04 80

Ms. Marie Hessle

Director / Psychologist at Child and Adolescent Psychiatric
Outpatient / Unit for Refugees and Asylum seekers /
Kåkbrinken 11 A / 11127 / Stockholm / SWEDEN /

E-mail: marie.hessle@bup.sll.se

Telephone: +46 8 690 56 20

Fax: +46 8 690 59 06

Mr. Fredric Larsson

Programme Co-ordinator / IOM /
Mykhailicska St. 8 / 01001 / Kiev / UKRAINE

E-mail: flarsson@iom.int

Telephone: +380 44 568 50 15

Fax: +380 44 568 50 16

Ms. Ruth Soonets

Head / Tartu Child Support Centre /
Kaunase Pst. 11-2 / 50707 / Tartu / ESTONIA

E-mail: ch.abuse@online.ee

Telephone: +372 7 48 46 66

Fax: +372 7 48 47 67

Ms. Annika Åhnberg

Chair person / Save the Children / Sweden /
Rädda Barnen / 10788 / Stockholm / SWEDEN

E-mail: christina.paues@rb.se

Telephone: +46 8 698 91 81

Fax: +46 8 698 90 14

CBSS-Secretariat

Mr. Lars Lööf

Senior Advisor / Children's Unit / Council of the Baltic Sea States

E-mail: lars.loof@cbss.st

Telephone: +46 8 440 19 24

Fax: +46 8 440 19 44

Ms. Josefine Berger

Administrative Coordinator / Council of the Baltic Sea States /

E-mail: josefine.berger@cbss.st

Telephone: +46 8 440 19 34

Fax: +46 8 440 19 44

E Opening of the Meeting

Welcoming Address by Mr. Jan O. Karlsson, Swedish Minister for Development Cooperation, Migration and Asylum Policy

Distinguished participants, Ladies and Gentlemen,

I am very encouraged to see so many committed participants from our region assembled here today.

Indeed, the number of participants at this conference is beyond our expectations. This raises the expectations on the conference itself. As your hosts on this occasion, we will do our best to fulfil them.

The subject of this conference is the fate of unaccompanied children. At the heart of the issue are the children themselves. Young girls and boys that cross borders in our region, abandoned by their parents. They fall prey to ruthless adults who are profiteering on their suffering by trafficking or smuggling them from one country to another. They are deprived of their identity documents, and thereby the child's absolute right to his or her identity. They are exploited for labour, or trade to be raped in prostitution.

The number of children crossing our borders without known parents or caretakers has increased in recent years. But is not a new phenomenon.

Migration is as old as human kind. People move to seek better opportunities and challenges or to rejoin family or friends. Others move from danger, conflicts or poverty.

The Swedish Government is committed to provide protection to those in need. But we are aware that the asylum system today is also the focus of smugglers and the vehicle for the dreams of many migrants for a better life.

It is therefore necessary to address the entire migration chain. It begins with promoting peace, the respect for human rights and democratic principles. It entails the promotion of sustainable economic development in the countries of origin. Many of these measures are long-term in nature, but some can more immediately have an effect on the propensity of people and individuals to stay or to go.

A feature of migration today, is that our countries are affected both as host countries, as well as countries of origin or transit. We meet here as neighbours. We share a determination: we must not fail these children.

As neighbours, we know that the failure of one of us, is the failure of all of us. We hope that through the exchange of experiences and best practices at this conference, and not least through enhanced regional co-operation, we will be able to turn the successes of some of us, into our common success.

Children cross our borders for several reasons: Some run away from unbearable living conditions or different kinds of exploitation. Some cross borders voluntarily and on their own, some are sent by their parents. Many are forced, coerced or deceived with promises of a brighter future in another country.

Some are victims of trafficking in human beings. This trade is a gross violation of human dignity.

Last week, the Swedish film director Lukas Moodysson, was awarded for his eye-opening film “Lilja 4ever”. Lukas Moodysson has made a film about the unbearable reality of trafficking. When he received his award, he strongly urged for action. In his spirit, I would like this gathering not to become just another conference, but the beginning of our common fight against trafficking. Trafficking is a disgrace to our societies. It is slavery in our times.

The fight against trafficking in human beings is a priority for the Swedish Government. We about to adopt a Global Strategy on combating trafficking in human beings. The strategy includes a combination of preventive measures including development co-operation, and support to the victims.

In addition, Sweden is taking measures to be able to ratify the UN protocol against trafficking in human beings, and in order to incorporate the EU framework decision on the same issue.

Border management is an important government responsibility in our region. Migration needs regulation. But controls alone will not be sufficient. In fact, I believe that we are fairly well prepared when it comes to border management. The challenge is to strike a balance between control measures and prevention.

As a part of our development co-operation, Sweden supports a range of activities in the asylum- and migration sphere in the Central and Eastern Europe. The support is often channelled through international organisations such as the International Organisation on Migration, the UNICEF and ESCAP. Sometimes our support is channelled directly to organisations like Women to Women, Women's Forum and Save the Children.

But development co-operation is not the answer either. To care for this children is ultimately a matter of responsibility. The duty to shape a child friendly environment rests with all of us.

At national level, what has to be done is more or less self-evident. But when it comes to cross border co-operation, we know too little, and too little has been done.

The situation is now so serious that it has engaged our Heads of Governments. The issue of unaccompanied children was addressed at the summit of the Baltic Sea Region in St. Petersburg last June. The conclusions of the meeting emphasize the need for firm action.

It is now up to us to respond to the challenge posed by our national leaders. Action in the region must involve many sectors of our societies. Social welfare systems as well as the legislative systems need adoption. All actors need to gather more information and upgrade their knowledge.

In Sweden, as in some other countries, there is a strong tradition of the civil society being deeply involved in assisting children in difficult circumstances. In other countries, this is not the case. I believe that interministerial and interagency co-operation would benefit from having closer co-operation with the NGO-sector.

One important initiative is the Separated Children in Europe programme, a joint project between Save the Children and the UNHCR. Tomorrow morning, the Chair of the Save the Children in Sweden, Annika Åhnberg, a former Swedish Minister, will further elaborate on possibilities for enhanced cross-border interaction between the public sector and the civil society in our neighbourhood.

In our cross-border co-operation, we need more of informal networks, as well as formalised partnerships. We need co-operation between different actors. Co-ordination between different donors must be encouraged.

This conference is the first in its kind to embrace all aspects of the situation of children without parental care crossing borders in our neighbourhood. But one swallow does not make the spring. This work has only just started.

It is vital to make sure that the process set in motion by this conference continues.

What should this conference lead to? I believe that in order to be able to move forward, we need a firm commitment from the participating governments to enhance bilateral co-operation to solve individual cases of unaccompanied children, as well as to work multilaterally in promoting the issue in the region.

For instance, we have to agree never to send an unaccompanied child back to its country of origin, without having made certain that there is someone there to care for the child.

At this conference, we would like to invite all participating Governments to elaborate of a Plan of Action Regarding Unaccompanied Children within and from our Region.

Such an Action Plan would demonstrate our bilateral and multilateral commitment to meet the needs of these young persons and provides a common basis for further joint action against trafficking and other forms of exploitation.

The Action Plan could include a recommendation to all countries in the neighbourhood to establish a specific contact point. The contact point would co-ordinate national resources for unaccompanied children, propose seminars on competence building and organise other follow-up activities.

I believe that the process might need a regional focal point to initiate and monitor the activities we have agreed upon, and to organise follow-up activities. The Children's Unit of the Secretariat of the Council of the Baltic Sea States is ready to assume such a responsibility. Sweden is prepared to play a pro-active role and also to initially assist the Secretariat. Secondment of staff

and financial contributions are needed and we hope other countries will join us in providing such support.

The follow up process should include governments, the private sector as well as relevant NGOs in the region. If in due time found appropriate, another large-scale high level meeting could be a follow up to this meeting.

This conference has the potential of becoming a break-through for enhanced cross-border co-operation on the issue of unaccompanied children.

Today, gather at this conference, the choice is ours. We can choose to accept the ways things are, to look away. We can choose to let the magnitude of our task overwhelm or discourage us.

But we can also decide to act. It's a matter of acknowledging bitter reality of our failure to provide protection for the most vulnerable members of our societies, our children. It's a matter of deciding that we have failed these children long enough.

Thank you.

Welcoming Address by Mr. Hannu Halinen, Director of the Secretariat of the Baltic Sea States

**Distinguished Ministers,
Excellencies,
Ladies and Gentlemen!**

I am honored to be invited to this meeting of Senior Officials to discuss the situation on unaccompanied children in the Baltic Sea region. At the outset, and on a personal note, let me as a father of a teenage daughter, and as a former UN special rapporteur on human rights in another part of the world – the Middle East – tell you that this meeting could not focus on a more timely or serious issue. It is a cliché to point out that today's children represent tomorrow's society but thinking about what kind of an outlook into that future society some of our more unfortunate children possess can be a devastating thought.

In the Middle East the prospects for intergovernmental or interregional cooperation and dialogue today appear more remote than ever. Luckily, in the Baltic Sea region the deepening integration will enhance cooperation at all levels, spread understanding and facilitate mutual efforts at solving problems. Last week the political directors from the CBSS countries together with the EU Presidency and Commission met in Helsinki to focus on the EU enlargement and its effects on the Baltic Sea area; the Northern Dimension Action Plan and the future of the CBSS. A common view was that the enlargement bringing four new member countries Estonia, Latvia, Lithuania and Poland into the EU will strengthen the stability and speed up economic development around the Baltic Sea. Regarding the CBSS among the findings of the meeting were that the organization remains to be an important intergovernmental body working as a catalyst in particular in the context of the Northern Dimension and EU-Russia relations. Our work, however, in the future has to be even more demand-driven, taken into account i. a. inputs into economic growth, regional and sub-regional programmes, people-to-people contacts, cross border cooperation and building up a civil society.

The problem we are discussing here – the question of unaccompanied children – was also raised while we were considering the Kaliningrad issue. The conclusions of the CBSS St. Petersburg Summit regarding the need for joint efforts to find solutions to the problem of trafficking in children and the growing number of unaccompanied minors crossing national borders within the region are very much valid today, giving guidance for coming deliberations.

I thank whole-heartedly Jan O. Karlsson, Minister for Development Cooperation, Migration and Asylum Policy as well as Berit Andnor, Minister for Child and Family Affairs of the Swedish Government for the initiative and support. My gratitude goes also to the Working Group for Cooperation on Children at Risk within the CBSS for the invaluable work preparing and organizing this highly topical meeting. The goals set to the meeting – and as reiterated by Minister Karlsson – are certainly ambitious. For the sake of those many children in distress in our region I wish the best of success in meeting them.

Welcoming Address by Mr. Bragi Gudbrandsson, Chair of the Working Group for Cooperation on Children at Risk

Honourable Ministers, Mr. Chairman, Ladies and Gentlemen!

On behalf of WGCC, the working group for the cooperation on children at risk within the Baltic Sea Region, it's my privilege to wish you all welcomed to this important conference on unaccompanied minors.

As we all know the World Congress against the Commercial Sexual Exploitation of Children in 1996 was a milestone in the international awareness on this issue, which is of concern to us all. It was against this background that the cooperation among the member states of the Council for the Baltic Sea States, CBSS, in the area of children at risk was established at the initiative of Sweden and dedicated support of Norway. It was in January 1998 when the Heads of States of the CBSS decided, at a meeting in Riga, that children at risk should be among the priority issues on the agenda for their collaboration - a commitment that has been renewed at every meeting of the Heads of States since, latest in St. Petersburg in June last year which specifically identified the issue of unaccompanied children.

For the first three years this cooperation was lead by Sweden and Norway. These member states generously covered the cost of the operation and took on the basic responsibilities of organizing the activities necessary for this cooperation to develop. From the beginning of 2002, this cooperation became an integral part of the CBSS structure - by the setting up of WGCC and a special Children's Unit within the Secretariat of the CBSS. Our Senior Advisor, Mr. Lars Lööf, at the Children's Unit acts as the primus motor of the cooperation on a day-to-day basis.

At the very onset of the cooperation on Children at Risk, it was decided to develop a special tool to facilitate our work by the setting up of an international IT network, which we refer to as the Child Centre. This web page on the world wide internet serves as an open information centre, a data bank that contains accumulated knowledge in the form of research reports, lectures, legislations, guidelines etc. besides highlighting international events such as conferences, seminars and training programmes. The Child Centre also has a restricted area, which allows those professionals that are active in the cooperation from different member states to communicate on different issues that are of the nature that it should be closed.

A key to successful cooperation is an active professional involvement at the national level of the member states. Therefore a network of professionals and competence centres has been established. Each country nominates a national coordinator, an agency or an individual that is responsible for promoting, maintaining and developing the Child Centre. Also special Competence Centres have been selected on a national level to ensure the professional involvement and development of this adventure.

The WGCC has during the past year worked out a priority paper and a plan of activities in order to ensure well-defined and efficient guidelines for the cooperation. As referred to earlier, the commercial sexual exploitation of children was the issue that gave birth to this cooperation. It is

apparent, however, that the problems that children at risk face in our region are complex and the pattern may differ from one country to another. Therefore, the WGCC has sought for an extended mandate by introducing new priorities. The common priority issues that have already been established, gives the protection of children from all forms of sexual exploitation, abuse and trafficking continued focus of attention. But other issues have been introduced: street children and children without a family, children in institutions and in other form of protection and young offenders and self-destructive behaviour of children.

All the above-mentioned priority issues have both a direct and an indirect bearing on the topic of today's conference: Unaccompanied minors. In the discussions ahead, I am sure; this will become apparent, as we will witness the interdisciplinary, multiagency and cross-country presentations later today and tomorrow. This is why the WGCC is eager to contribute to a joint effort to address the issue of unaccompanied minors, by being one of the organizers of this meeting together with the Swedish government, and - perhaps even more importantly - to offer a venue for further cooperation in this respect by offering the WGCC administration, professional network and the Child Centre as a potential instrument for follow up.

At the very end, allow me to express my admiration and gratitude to the Swedish Government for the generosity in hosting this meeting. May I also convey special thanks to Ms. Josefine Berger, the Administrative coordinator, Mr. Lars Lööf, Senior Advisor and Ambassador Thomas Palme for their outstanding work in the preparation for this meeting.

Ladies and Gentlemen!

May your work during these two-day enrich your personal experience and professional competence for the benefit of the children in the region.

F Keynote Speakers and Comments from the Podium

Keynote Speaker I: Ms. Marie Hessle, Director, Psychologist at Child and Adolescent Psychiatric Outpatient Unit for Refugees and Asylum seekers

Assessment of Trafficked and Unaccompanied Children

It is a complicated task for professionals here in Sweden to make assessments of trafficked and unaccompanied children. I am very glad for this conference and I hope the meeting will result in new inter-ministerial and interagency cooperation around the vulnerable children upon whom we are focusing these days. I speak today from many years' experience as a psychologist working with unaccompanied children seeking asylum in Sweden. We all know that it is an extremely vulnerable situation for a child to be separated from the family. It is a risk situation and the child can, of course, become a target for trafficking. If we first take a brief look at the European perspective (Save the Children Report, 20

From the Swedish perspective, we soon realize that the group of unaccompanied children seeking asylum in Sweden is highly heterogeneous. We find that many of them are mainly *deprived* children. And we are not clear about the problems of trafficking. 02), three groups of unaccompanied children are mentioned. Children come to Europe because of three basic reasons:

1. deprivation
2. trafficking and
3. asylum seeking

I have been speaking with people who work with unaccompanied children seeking asylum in Sweden about the occurrence of trafficking. We all agree that trafficking is a very rare problem for the moment in this group. There are also cases among the permit cases (seek permission on the grounds that they are connected with someone already living in Sweden). In this group there are cases of children who have been forced into prostitution. It is our firm belief that the children who are used in trafficking in Sweden are not generally visible among the unaccompanied children undergoing the asylum process. They might, of course, have been in trafficking before and after the asylum process. Already in the beginning of the 1990s, we knew about children who were seeking asylum to gain protection after having been used in trafficking. We also know that children have disappeared from group homes of the Migration board in Sweden and that we do not always have information about the children after they have left the group home.

It is a heavy risk situation to be separated from the family. And in our country we are in the process of making it our responsibility to ensure that the life circumstances of these children are more secure while they are awaiting the decision on their asylum application. Our communities will have the responsibility for the children during the asylum process. And we must of course find strategies to discover children used in trafficking.

In my talk today, I will first present different assessment methods when meeting unaccompanied children. I will focus on the complications we meet when assessing the unaccompanied children. I will also make some brief comments about children in trafficking situation in connection with the assessment process.

Secondly, I will present data from a study concerning the assessment of the psychological problems of unaccompanied children in general and the Russian-speaking children in particular.

But first a few words about the reasons why children leave their own country, their family and their social context and seek asylum in another country. They leave their country mainly because of

1. armed conflict
2. persecution (political reasons and because of ethnic background)
3. no-one to care for the child in the home country
4. no future prospects
5. fear of death, brutality or arrest
6. tribal disputes
7. financial grounds or hunger
8. desertion or refusing military service

When the children arrive in Sweden they are loaded down with:

- Traumatic/stressful life experiences in the home country
- Traumatic/stressful experiences during their journey /flight
- Struggle with a false identity/history/age

These are the complex conditions that place great demands on the professionals who meet the child in various assessment contexts. We all know that the problems of false identities/histories/ages and other falsehoods are additional burdens that adults/smugglers have placed on the already heavily burdened child. It is a burden not to be allowed to tell the truth. We know that UN Convention on The Rights of the Child stipulates that all children have the right to their identity. Many children give witness about how they have been threatened. The smuggler says: “You have to tell the authorities the story I gave you, otherwise you could be killed”. We also meet a very complicated reality when the child with the false history says that she/he has been used in trafficking.

There is a basic issue to discuss whether the child needs to seek asylum to obtain protection and support to be affirmed in the vulnerable situation?

For unaccompanied children general seeking asylum, we usually make the following assessments:

- Asylum assessment
- Age assessment on occasion
- Social assessment (social authorities in the community where the child lives will do it in the future, the Migration Board is the acting body at present)
- Medical examination.
- Psychosocial screening/assessment in connection with the medical examination.
- Police investigation (in cases of suspected trafficking or crime)
- Medico-legal examination (by order of the police department in e.g. cases of suspected trafficking)

A child who is seeking asylum in Sweden has the same rights as other children living in Sweden. This means that the medical examination could result in different treatments. Children with drug or drinking problems, for example, can be given help in special clinics for such problems.

If we look at this battery of different assessments, we can conclude that Swedish social workers have a central role; they are like the spider in the web, and their prime duty is to consider the holistic situation for the child. In Sweden we have not really reached that goal yet when it comes to unaccompanied children seeking asylum, but we are working towards it and that the “Swedish model” will also include this very vulnerable group.

A central question remains: Is it at all possible to make a proper assessment of a child who has been forced to lie about his/her identity, life history, or age? I think we would all agree that the medical examination is certainly possible to make. It is also possible to make a psychological assessment of the child’s suffering. The symptoms are clearly evident. But it is totally impossible to form a clear idea about what kind of treatment/rehabilitation the child needs. It is also quite impossible to make a valid social assessment. Probably it is also complicated to do a legal assessment.

So, this is the complex reality we have to deal with when we meet these children. Not all children give false histories, but many do! And this makes it very difficult to talk with the children in a natural way. The adult, even those with long experience of dialogues with children, can feel insecure. It is very important for the person making the assessment to have a pronounced rapport with the child. It is essential not to come into conflict with the child. The following case example will give a good illustration of these complications.

Case

Two sisters, 13 and 16 years of age, inform that they come from a country outside Europe. They say that they have experienced massive war-trauma, imprisonment, sexual abuse in the prison, and violent death of the parents. The girls displayed severe symptoms of sleeping disorders, eating disorders, depression and constant fear. The older sister talked about suicide. She didn’t want to go on living after all she had experienced. After four months of regular encounters with the psychologist, the next part of these sisters’ story emerged: the sisters were taken to Sweden for trafficking. They had been the victims of trafficking, prostitution and had been subjected to violence and abuse in Sweden. This is the true story, while the initial story obviously was false. Their family existed in the country of origin. These children were never granted a Permanent Residence Permit. One girl left Sweden and went to another country outside Europe with a new identity. She obtained her residence permit in that country. The other sister struggled on here for a long time, living “underground”, still hoping to obtain a residence permit. It was impossible of course for them to return to their country of origin after having been sexually assaulted. Although this case is from the early 1990s, it shows that it is possible to gain the child’s confidence so that he/she can find the courage to tell the true story. This process often takes a long time, but is important to keep in mind when we speak about the possibilities and complications connected with making assessments and finding strategies for rehabilitation and treatment.

And now, a few words about the kinds of assessments that my colleagues and I make in connection with medical examinations. This comprises some 60% of the unaccompanied children arriving in Sweden. I will say a few words about what we know about the mental health status of

these children. The results are taken from our ongoing and continuous studies based on the psychosocial screening of the children in connection with their medical examination.

All of them, 100%, are suffering from anxiety and sleeping disorders. Fifty percent or more of the unaccompanied children seeking asylum in Sweden show signs of emotional distress and are in need of the assistance of the child and youth mental health care services. The children are suffering from a variety of symptoms including the following:

- Severe anxiety and feelings of depression
- Post-traumatic stress disorder
- Acting-out behaviour and aggression

The assessment interviews focus on:

- Sweden)
- Traumatic/stressful experiences in a time sequence: What happened in the country of origin to make the child leave? Important experiences during the journey/flight? Experiences in the country of exile?
- The child's current psycho-social situation in Sweden
- The child's physical and mental health.

And as I said above, when we are not sure of the child's identity, history and so on, we cannot make an adequate assessment of the child's treatment and rehabilitation needs.

These days we focus especially on children who are on the move in the regions that we all represent; this puts the spotlight on e.g. the Russian-speaking children¹. In our compilations we have looked at data from 15 cases of such children and have tried to give you a general picture on the basis of their stories.

1. In the country of origin
Severe family problems (alcohol, violence, unemployment, death of parent, separations).
The child has been living with a relative.
Rape, crime, lack of adult support.
2. The journey.
(The children are afraid to give information here)
3. In the host country.
Severe worries about the future.
Sleeping disorders.
Drinking problems.

¹ A. is a 14-year-old boy who speaks Russian and a little English. He is seeking asylum in Sweden. When I met him 4 weeks after his arrival, he was very sad and was difficult to make contact with. He smelled of alcohol. His story is very "sad" but is quite common among unaccompanied children coming to Sweden. He told me that his parents had died many years ago and that since then he had been living with an aunt. She became ill and could no longer take care of him, which is why he came to Sweden. He told me that he came here to find a better future, a better life. He also talks about his harsh life circumstances where violence was nearly an everyday occurrence in his home country. He says he wants to go to school and to get an education. But A. doesn't feel good. He feels alone and afraid. He is worried about his future and that he risks not getting permission to stay in Sweden. And he says that he has no future in his home country. "I will kill myself if anyone tries to send me back!"

Self-destructive behaviour with the threat of or actual attempt at suicide

In every one of these cases you can read in the conclusion from the psychologist: “Very uncertain assessment. Not credible?”

Although we see the suffering and the symptoms, we are unable to understand the reasons behind it; and we don't really know what form of rehabilitation or treatment the child needs. This is the situation we are facing today.

Conclusion

Assessments of unaccompanied children are a complicated task for professionals in Sweden due to identification problems. This makes it difficult to properly respond to both the needs of protection and rehabilitation.

We need support across the borders to help these vulnerable children to attain at least an adequate good-enough life situation. We need to learn more about each individual case, and we need to discuss cross the borders possible strategies for rehabilitation and treatment in the individual case. A discussion is necessary where in this region these children can get social protection, support and rehabilitation. Hopefully we can work out possible strategies during this conference. And we all must continue the important task of finding and helping the most vulnerable children, the children residing in the country without the authorities recognition, the children who can be used in trafficking, the children who are invisible in the asylum process as well as in the society.

Keynote Speaker II: Ms. Audra Mikalauskaite head of the Division of Children and Youth, Ministry of Social Security and Labour of Lithuania

Legal Assessment of Trafficked and Unaccompanied Children

Lithuania is a cross-roads country. It has the borders with Latvia in the North, Poland in the South, Belarus in the East and Russia (Kaliningrad Oblast) in the West. It means, that it is a bridge between the West and East, between the EU and further Soviet countries. In the very foreseeable future it will become part of the European Union, but at the same time it has a very close history with the eastern part of Europe and its closest neighbours – Belarus and Russia. We can say that Lithuania is a very dynamic transit country and that it's why the children up to 18 years of age from other neighbouring countries may come to Lithuania as:

- unaccompanied single child from the third countries;
- may be stopped in Lithuania as a transit person as his final destination was not Lithuania.

The same situation may be found and with Lithuanian children, nevertheless legally without legal guardian or legal permission from his or her parents or guardians they cannot be found as an accompanied single travellers abroad.

In my statement I will focus mainly on the legal procedures for the children who come to Lithuania as an accompanied asylum- seeker minor.

General situation on trafficking and migration of children to Lithuania

According to the data of the Ministry of Interior of Lithuania, the countries where women and girls are trafficked from Lithuania are changing. Some years ago these countries were: Israel, Greece, United Arab Emirates and Turkey. Today it is Germany, Spain, Denmark, Norway, the Netherlands, UK and France. In 2001 in Germany there were 119 cases in trafficking of women from Lithuania, 73 out of them were 18-24 years old and in 6 cases it was young girls of 14-17 years old.

Data from the Migration Department states, that in 2002 there were 25 applications (14 boys and 11 girls) from unaccompanied children asking for the asylum status to get the asylum seekers status in Lithuania. 14 were of 16-17 years old, 8 – 14 to 15 years and 3 younger than 13 years old. These children were – 19 from Russia, 2 – from Belarus, 1 – from Latvia and 3 - stateless. If it is compared with the figures of how many children and from what countries come to Lithuania with the families, it could be seen that the majority of the were from Russia as well – 139, 9 – from Afghanistan, 7 come from Turkey, 2 from Georgia, 2 from Sri Lanka and 1 stateless.

There is no evident data that these minors were involved in any illegal engagement: sex industry or drug distribution. All of them at once were placed in the Refugee Acceptation Centre. This procedure differs from that for the adult persons. For the adult person before getting into the procedure for the asylum seekers status in Lithuania, they are placed in the Refugee Registration Centre of the State Board Protection Service under the Ministry of Interior.

According to the amendments made in 2002 to the Law “On Refugee Status” the separated minors-asylum seekers should be exempt from all the special procedure (implementation of the principles of safe third country, safe country of origin, manifestly unfounded application for asylum). Applications for asylum submitted by such minors are examined as soon as possible. Separated minors-asylum seekers are accommodated in the Refugee Reception Centre, where the temporary guardianship is established to them.

All the assessment procedure for the minors – asylum seekers are performed in respect of the recommendations of Good Practice relating to asylum process.

These Principals of the Statement of Good Practice relating to Asylum Process are:

- **Access to Asylum Process (p. 11.2);**
- **Appointment of Legal Representative (p. 11.2);**
- **Minimal Procedural Guarantees;**
- **Special Attention during the course of Examination of Applications (p. 11.4, 11.5, 11.6);**
- **Attention to Young People who Become Adults during the course of Asylum Process (p. 11.7);**
- **Durable Decisions (p. 12)**

Main Legal Acts of the Republic of Lithuania Regulating the Legal Status of Children Asylum Seekers:

- Law of the Republic of Lithuania on Refugee Status (further – Law on Refugees);
- Order of Examination of Applications for Refugee Status and Issue of Documents, which was approved 5 October 2001 by the Order of the Minister of Internal Affairs (further – Order of Examination of Applications);
- Cooperation Agreement between the Ministry of Internal Affairs, Society of the Red Cross and UNHCR dated 26 March 2001 (further - Cooperation Agreement)

Access to the Asylum Process (p. 11.1):

“Good Practice”:

- “Third safe country” rule should not apply;
- Exemption from the principle of “manifestly unfounded applications”;
- Exemption from the “safe country of origin” principle

Lithuanian practice:

- Article 10 of the Law on Refugees provides for the exemption of children asylum seekers from “third safe country” rule;
- Pursuant to Article 14 of the Law on Refugees accelerated procedure cannot be applied to children asylum seekers therefore they are exempt from all special principles
- Pursuant to Article 8 of the Law on Refugees, children asylum seekers must be appointed a guardian who will take care of the child’s social life in Lithuania;
- Order of Examination of Applications states that at the child asylum seeker’s interview his or her lawyer and guardian should be present;
- According to the Cooperation Agreement participation of the lawyer of the child asylum seeker is obligatory at all stages of the asylum procedures

Appointment of Legal Representative (p. 11.2):

“Good Practice”:

Children asylum seekers at all stages of the procedure should have legal representatives who will provide legal assistance free of charge

Lithuanian practice:

- Pursuant to Article 8 of the Law on Refugees, children asylum seekers must be appointed a guardian who will take care of the child’s social life in Lithuania;
- Order of Examination of Applications states that at the child asylum seeker’s interview his or her lawyer and guardian should be present;
- According to the Cooperation Agreement participation of the lawyer of the child asylum seeker is obligatory at all stages of the asylum procedures

Minimal Procedural Guarantees (p. 11.3):

“Good Practice”:

- Applications should be examined by competent employees;
- Possibility of appeal against a negative decision
- Prioritised examination of applications

Lithuanian practice:

- Applications are examined only by the central body – the Migration Department;
- According to the Order of Examination of Applications only the employees with appropriate training may examine applications of children asylum seekers;
- The Law on Refugees and the Order of Examination of Applications provide for the right of children asylum seekers to appeal against negative decisions
- According to the Order of Examination of Applications, examination of applications of children asylum seekers will be given priority.

Special Attention in Examination of Applications

“Good practice”

- Children’s fair of persecution has to be assessed by professionals;
- The interview of the child should be carried out in a child-friendly manner where the lawyer, guardian and other persons, participation of which has positive effects on the child, will be present
- In the course of examination of children’s applications it is necessary to follow UNHCR recommendations, 1997

Lithuanian practice:

- According to the Order of Examination of Applications, only personnel with special training should work with children;

- The Law on Refugees and the Order of Examination of Applications state that at the interview of the child his guardian, lawyer and, if necessary, medical worker should be present
- Employees of the Migration Department keep raising their qualifications, particularly in the field of examination of children asylum seekers' applications. In this matter UNHCR, IOM and our partners from Migration Departments in foreign countries such as Finland,
- Sweden, Denmark, Ireland, Poland and other countries, provide us with significant assistance and support

Attention to Young People who Become Adults during the course of Asylum Process (p. 11.7)

“Good Practice”:

- Young people who become adults during the course of the asylum process should be treated in a generous fashion. Besides, it is necessary to avoid delays during the process

Lithuanian practice:

- According to the Order of Examination of Applications, applications of children asylum seekers shall be given priority

Durable Solutions (p. 12):

“Good Practice”:

- Granting asylum (integration, adoption);
- Family reunification, return to country of origin or to third country

Lithuanian practice:

- According to the Lithuanian legislation, a child may be granted in Lithuania both refugee status and a residence permit on humanitarian grounds. Such a child has the right to all guarantees related to asylum;
- A child may be returned to his country of origin or to a third country only if this is considered safe for the child. The Law on Refugees provides for the possibility for the child, who is recognized as a refugee, to reunite in the Lithuanian territory with his or her parents.

Other Positive Changes in Lithuanian Legislation and Practice pertaining to the Principles of the Statements of Good Practice

“Good Practice”:

- Freedom from Detention;
- Confidentiality
- Age Assessment;
- Temporary protection, healthcare, education

Lithuanian practice:

- According to the Law on Refugees children are detained only in exceptional cases. There are also provisions on measures alternative to detention, automatic review of decisions on detention;
- All information relating to asylum seekers in Lithuania is confidential
- Procedure of age assessment is carried out only in the case of serious reasons to believe that the person is more than 18 and provided the guardian of the child has no objections;
- In accordance with the Law on Refugees, after children asylum seekers submit asylum applications they are accommodated in the Refugee Reception Centre where best conditions for their education and healthcare are created

From what was mentioned it is quite evident that at this time migration problems related to the question of the unaccompanied asylum seeking minors is not so evident in Lithuania and the procedures are carried according the recommendations of good practice.

Тезисы выступления директора приюта «Отрадное» (Москва) Барсуковой Т.М.

На встрече «Дети без сопровождения в странах Балтийского региона»

Без прошлого нет будущего. Жизнь человека похожа на листок большого дерева – и что может значить один листок без самого дерева и его корней.

Для каждого человека важны его корни. Многое в развитии зависит от внутреннего потенциала ребенка, его возможностей с учетом его корней.

Все это было учтено при разработке стратегии работы с детьми-гастролерами, без сопровождения взрослых, очутившихся в приюте и в Москве.

Выявить и найти таких детей в России поручено милиции, затем их помещают в реабилитационные учреждения, где при комплексном подходе специалистов (психологов, социальных работников, педагогов и др.) составляется индивидуальная карта его реабилитации и начинается работа по выявлению причины ухода ребенка из дома, повышению его самооценки и восстановлению утраченных социальных связей.

Комплексная работа должна проводиться не только с ребенком, но и с его окружением, т.к. семья, родственники, друзья, знакомые имеют огромное значение в жизни ребенка. Такую работу лучше проводить там, где ребенок родился и вырос. Поэтому сеть социально-реабилитационных учреждений значительно выросла.

Конечно, при выяснении причин ухода ребенка из дома, эта причина чаще всего кроется именно во взрослых, но не всегда невнимание рассматривается как панацея. Чаще всего дети уходят из дома от безысходности.

У детей, которые попадают в страны Скандинавии и Балтии без сопровождения, - причины те же самые. Ребенок должен вернуться на Родину и при должном внимании и квалифицированной помощи взрослых найти свое место в жизни.

Для этого важна информированность социальных служб стран о работе, проведенной с ребенком за пределами страны его происхождения, и, конечно же, скоординированная социальная работа. Для этого необходимо искать формы взаимодействия.

Keynote Speaker III: Mr. Fredric Larsson, IOM Kiev, Ukraine

Migration and Boarder control cooperation for the sake of the child

Acknowledgement:

The speaker gives special thanks to D. Grondin, M. Tomiyama, and P. Miasnikoff for their significant contributions. Thanks also to P. Holmes, F. Lamara, H. Mattila, N. Motus, K. Kravchuk, N. Guzun, and others for providing input.

The Return and Reintegration of Trafficked Minors: Practice, Experience and Problems

At nine years of age Svetlana was put in an orphanage, due to a broken home and a mother suffering from alcoholism.

At eleven, a friend - 5 years older than Svetlana - invited her to visit “aunt” Inessa, who immediately demonstrated false affection towards Svetlana. Svetlana was starving for attention and was an easy target, from which huge financial gains could be made. At eleven Svetlana was too young to know how much money a virgin could generate, in a country of destination, where “flowers and large apes are everywhere” as aunt Inessa had told her.

“Aunt” Inessa proposed to assist her in earning a lot of money abroad, which could return Svetlana's mother to normal life, and in the process took Svetlana to a doctor, assuring herself of the fact that the girl was in fact a virgin.

Inessa managed to buy visas for herself and two, so called, “daughters” –Svetlana and Viktoria, another fourteen year old victim, and had them registered in her passport as her own children.

Unfortunately, the well-designed family scene did not raise any suspicion, and Svetlana was able to depart from Ukraine as well as arrive in UAE without any problems.

There they were taken to a house with other young girls, but her blond hair made her quite unique. A person paid ten thousand USD for one night with her.

“Aunt” Inessa decided to sell Svetlana once again. This time, she delivered the girl to a luxury yacht. This time, Svetlana - resisted, and the customer got nothing. However, Svetlana now found herself in additional problems, as her traffickers demanded that she work for them in order to return ten thousand USD, they now said that they had lost because of her.

Having no knowledge of contraception, Svetlana became pregnant. In the 5th month of her pregnancy, she had a forced abortion, done in a hotel room. At that time she was 12 years old.

The late abortion almost killed her. After the abortion she was sold to an Uzbek woman, who kept a brothel under the cover of a hotel.

One day, the local Police raided the hotel, and Svetlana, being a foreign citizen without proper documents, was arrested and sentenced to prison for 9 months, now 13 years of age. 15 inmates were kept in one small prison cell, walks were prohibited.

Svetlana was finally allowed to contact the Ukrainian consulate and get permission to return home, but she still had to serve her full prison term. When released from prison, she tried to get home to Ukraine only to get stranded in Tashkent, unable to return without money. After a call to UAE, a friend help her.

A police officer on duty at Borispol Airport made a call to the IOM Mission in Ukraine and informed them of the arrival of a 14-year-old girl.

At that time she did not know that her father had died, while her mother was so intoxicated that she did not even understand that she had a daughter.

Svetlana had to spend a month in the IOM rehabilitation facility in Kiev for medical treatment and psychological counselling. This as Svetlana had severe complications from the forced abortion as well as numerous STIs.

After completing the course of medical treatment, Svetlana has now gone home to here home city, where she has been issued new documents and meet the Board of Trustees of the child protection agency, as she is still a minor.

She now lives in an orphanage, receiving assistance from IOM through local NGOs including private lessons on a daily basis; she hopes to be able to acquire sufficient skills to be able to be reinserted in the national educational system.

Svetlana is now sixteen and want to become a bus driver after finishing school.

Minister, Mr Chairman, Ladies, Gentlemen,

Trafficking in minors is a distinct and highly disturbing form of the wider phenomenon of trafficking in human beings. Unaccompanied minors are especially vulnerable and require special care and safeguards. Since year 2000 IOM has assisted more than 1600 victims of trafficking in Moldova and Ukraine, providing medical, psychological, gynecological, vocational training as well as legal assistance. Since September 2001 in Chisinau and February 2002 in Kiev we have opened medical rehabilitation centres in cooperation with the authorities in these two countries, with the biggest financial assistance coming from Sweden, US, and EU. Of these victims approximately 6 % have been minors. Of special concern is the worrying trend that in Ukraine we had only been referred one minor up until 2001, but in 2002 we were referred no less than 11.

Minors are trafficked for a number of reasons: prostitution and other types of sexual exploitation, forced labour other types of economic exploitation, participation in criminal activities, begging and even organ removal. However, it seems that a majority of minors are being trafficked for sexual exploitation. Even when minors are trafficked for other purposes, sexual exploitation commonly occurs. The IOM caseload in Moldova and Ukraine clearly reflect this fact and is further supported by a number of studies, which has also determined a definite increase in the number of minors of minors being trafficked to Europe.

The countries of origin of unaccompanied minors who arrive in the EU Member States are increasingly diverse. The main regions of origin are: Central and Eastern Europe

(Albania/Kosovo, Moldova, Romania and Ukraine), Africa (Nigeria, Rwanda and Sierra Leone) and Asia (China, Afghanistan and Sri Lanka). The majority of these children are between 16 -18 years old, although unaccompanied children from Africa tend to be younger, as young as 6 to 7 years of age. In Ukraine we have assisted children as young as 3 years of age trafficked for the purpose of beggary. Many of these children are poorly educated; some are recruited through violence or even kidnapped.

When addressing the issue of migration in relation to unaccompanied minors, and in particularly trafficking, we can draw up a list of causes and effects. With regards to minors from the wider Baltic Sea region, push factors such as the break down of socio-economic standards, community life, and family structures and the legislative system seems to dominate. The fact that trafficking in women and children is organised with little risks has further increased the scope of the problem through an exponential increase of organised crime targeting this particular business.

Return

Assisting with voluntary returns of unaccompanied minors can be a complex and sensitive issue, even more so when we talk about victims of trafficking.

The fact that many destination countries, including European, despite international obligations and commitments to the contrary, through laws and practice consider trafficked women, even minors, as ordinary irregular migrants and, hence, immediately deportable without access to the most basic assistance, which not only results in discouraging victims to testify against their traffickers thereby providing traffickers with the protection of anonymity upon which they depend to perpetuate the trafficking cycle, it further denies them the access to existing assistance structures, in for example Moldova and Ukraine

Victims of trafficking should be seen as victims of organised crime, and not irregular migrants, and hence not deportable. This being even more self-evident, when talking about minors.

IOM is currently implementing numerous AVR programmes across Europe in particular with a focus on trafficking, including trafficking in minors. But as can be seen from **the statistics** the majority of or referrals, in Ukraine, come from our NGO partners who have identified women and children in Ukraine, women and children that has managed to escape on their own accord or more usual been deported from the country of destination, as they have been treated as an illegal migrant. Only from Turkey to the port of Odessa in 2002, 1305 Moldavian women, 757 Ukrainian women, 123 Russian women and approximately 200 of other nationalities from within the former Soviet Union were deported that had been involved in so called sex related activities.

IOM AVR assistance applies where an unaccompanied minor, regardless of status, expresses a wish or agrees freely with the recommendation of a guardian, to be assisted in returning home. In assisting unaccompanied children in their return to the home country or a third country, the following should in principle be ensured²:

² Other reference texts relevant to unaccompanied minors: *Statement of Good Practice*, 2000, issued by the Separated Children in Europe Programme; European Union, *Council Resolution of 26 June 1997 on unaccompanied Minors who are Nationals of third Countries*.

- the "**best interests**" of the child have been considered by all during the whole process (pursuant to the Convention on the Rights of the Child, and usually specified in the national laws or policy/practice of the country from which the child would be returned).
- the consent of the **legal guardian** has been established;
- there has been **sufficient information and counselling** of the child and/or the guardian;
- there is **agreement of the host and origin countries** to the assisted return;
- the **family or an appropriate care provider and reintegration** mechanisms have been identified in the country of return;

The programmes provides for screening and acceptance of referrals from project partners, usually NGOs, police, and Government Authorities, and the co-ordination with local police on protection measures for women and children in the country of destination.

Provision of safe shelter is either directly provided by IOM or through coordination with NGOs and Government structures. Pre-departure counselling to trafficked migrants before departure, the verification of identity and/or support in obtaining appropriate travel documentation for migrants wishing to return, the preparations of travel arrangements, ticketing, departure assistance at airports, medical and minor escorts, etc

When necessary, programmes provide needed voluntary medical assistance, including general medical, psychiatric, and gynaecological examinations and basic medicine needs as recommended. Further, through the programmes relevant information regarding medical background, reception and reintegration needs is provided to the Mission/NGO in home country.

IOM work closely with the responsible Government authorities in implementation of our programmes, including the provision of care for children. Here exemplified through the Inter-ministerial Coordination Group in Ukraine, headed by the vice-prime minister, which is coordinating the Ukrainian response to this problem.

Reintegration

Observations seem to suggest that a great majority UAM and in particular trafficked minors are vulnerable to various health risks.

Upon the return home, victims of trafficking, and minors in particular, face severe health problems and immediate economic hardships due to, harsh economic conditions in the country, lack of professional and work skills, depression and other psychological problems, and social stigmatisation. The vast majority of the individuals returned and assisted by IOM suffer a wide range of psychological and physical traumas, which need to be properly identified and correspondingly treated. Due to the fact that almost all returnees are exposed to unprotected sex, violence, and harsh living conditions, they require gynaecological, including STI/RTI and HIV screening, psychological, psychiatric, dental examination and treatment.

Health issues facing the unaccompanied minor are particularly complex. Exploitation of children, either sexual or economical, through near slavery conditions, also means physical, mental and emotional exploitation.

Victims of trafficking, and especially minors, face several reproductive health problems, such as unwanted and unsafe pregnancy, complications associated with teenage pregnancies, unsafe abortion, and sexually transmitted infections, including HIV/AIDS. Close to 100 % of the victims, forced into prostitution, assisted by IOM suffer from STIs and/or RTIs.

Children are more vulnerable and less able to protect themselves against sexually transmitted infections (STIs) and against unwanted pregnancy. They will be less prone to, or less successful, to negotiate the use of condom, for example. During one act of unprotected sex with an infected partner, an adolescent girl has a 30% risk of acquiring genital herpes and 50% of acquiring gonorrhoea³.

Adolescents worldwide have about a yearly five percent incidence rate of contracting a STI's, but that rate is six to sixteen times higher for children involved in prostitution⁴.

Sexually exploited children are also at higher risk of acquiring HIV.

Repeated STI's and untreated STI's can have long-term sequelae such as pelvic inflammatory disease and infertility. Lack of or inappropriate treatment for STIs increases the risk to acquire HIV.

Ignorance about the HIV transmission, the mistaken belief that having sex with a virgin can cure HIV/AIDS and the reduced risk of acquiring HIV with a "clean" child who would be less likely infected with HIV, fuel the demand for very young girls. Fifty to ninety percent of children rescued from brothels in South East Asia are infected with HIV⁵.

Sexual exploitation of children means that children often give birth to children. Sexually active adolescent girls, who do not use contraception, have a 90% chance of becoming pregnant within one year. It means an unwanted pregnancy with often recourse to unsafe abortion and consequent high-risk of injury and death; self-induced abortion through drugs, herbs or physical abuse; ectopic pregnancy; complication of pregnancy and lack of prenatal care. Sexually exploited children, both girls and boys, are often raped. Children, as compared to adults, are more susceptible to die from the violence associated with it.

Victims of trafficking in general, and children in particular, suffer from post-traumatic stress disorder. Also, depression, anxiety, sleep disorders, disempowerment, eating disorders, increased suicide risk are the potential lot of these children. There is a lack of mental health services for minor migrants in most countries of the European Union and outside.

³ Facts in brief: teen sex and pregnancy, The Alan Guttmacher Institute, 1999.

⁴ Economic and Social Commission for Asia and the Pacific: Sexually Abused and sexually exploited children in the greater Mekong sub-region: a qualitative assessment of their health needs and available services, UN, Geneva, 2000.

⁵ World Congress Against Commercial Sexual Exploitation of Children – Impact Statement, Stockholm, 1996.

After being referred to IOM individuals can benefit from a reintegration assistance package, which currently embraces the following services provided directly to the beneficiary to assure a dignified and humanitarian reinsertion into society:

- airport reception;
- escort and travel assistance to final destinations;
- providing overnight accommodations;
- social, legal, medical and psychological assistance;
- distribution of reinstallation grants;
- referrals and provision of grants for assistance, including vocational training and monitoring in cooperation with local NGOs, etc

Rehabilitation centres for victims of trafficking have been established, in cooperation with national authorities, in Moldova and Ukraine for the reception, counselling, and medical evaluation/treatment. The purpose of these centres is to offer the women and children temporary safe accommodation, access to psychological and medical counselling and treatment, and possible training and/or access to legitimate employment opportunities under one roof, in order to smooth the victims' reinsertion process into their families and society, as well as to facilitate access to vocational training and/or employment orientation courses and apprenticeship programme.

Mr Chairman, to successfully combat trafficking in minors a number of issues need to be addressed.

In regards to criminalization and prosecution:

Any comprehensive programmatic approach towards the issue of trafficking in minors must promote the effective criminalization and prosecution of the crime involved. Failing to take this perspective into account any initiative will have marginal impact at best. Not taking an active role in assisting in bringing traffickers to justice, through close cooperation with and support of law enforcement, can only be perceived as shortsighted as well as potentially unethical. The experience from Ukraine show that trafficking can be combated, and combated successfully given the resources, in this case funds are currently provided by Sweden and previously by the EU.

To support the criminalization and prosecution of trafficking in minors, law enforcement functions to rapidly gather, evaluate and exchange intelligence on an interagency level should be promoted, practical training should be provided to law enforcement in countries of origin and countries of destination in how to collect, analyse and share intelligence as well as how to deal with minors.

This must be underpinned by the development of an adequate and clearly understood legislative base that is workable and relevant in the national context and harmonized with international standards and obligations.

Improving the position of victims, in particular minors, in criminal proceedings, including the improvement of victim support mechanisms as well as provide for better protection of the privacy

and safety of the victims, is not only an essential condition to gain the cooperation from victims in prosecutions, but it also have a deterring effect on traffickers, as strengthening the position of the victim increases the chances of being caught and convicted.

Effective action against trafficking requires that national measures be coordinated and combined with international measures through the development of formal bi-lateral as well as informal operational co-operation mechanisms.

Not only international cooperation needs and should be enhanced and facilitated to address this problem. Adequate interagency cooperation on national as well as international level is essential and must be facilitated.

In regards to protection and reintegration:

Alternative mechanisms must be found for the return of victims of trafficking, i.e. voluntary return programmes, including incentive structures. This is the only humanitarian option and would be to the benefit of all parties, including the countries of destination, as deportation is always a more expensive option benefiting only the traffickers.

In addition, medical protocols and mechanisms for the effective treatment for this specific and vulnerable group must be developed and applied, considering local contexts.

The systems of data collection and information exchange on this issue needs to be improved as soon as possible. The lack of statistical data makes it even harder, in terms of defining and implementing effective policies to combat trafficking and allocating suitable resources.

In regards to prevention campaigns:

Prevention campaigns should be perceived as a complementary tool, as no amount of information campaign activities can prevent trafficking considering the socio-economic contexts in many countries of origin, which leaves the individual with no other choice but to try to find work abroad. All prevention activities should build upon experience gathered, and include pre-campaign research, message testing, and actual impact assessment, based on scientific evidence, rather than being emotional and donor driven, and pursue the dissemination of information through media, which is effective both in terms of reaching the targeted audience and in terms of their costs.

Training materials for schools that will become part of the regular curriculum should be designed. In cooperation with NGOs teacher's manuals should be produced, targeting the vulnerable age group 15-18 years. Training in regards to the relevant teaching methodology should also be provided.

There is strong political commitment on the part of the governments, in Belarus, Moldova and Ukraine in combating this crime motivated not only by the severity of the crime and that the scope and profits from trafficking, as well as national health and demographic concerns, has a destabilizing potential for the countries as a whole, but also by the perception that *their citizens* are the targets in a process accelerated through the legitimisation of trafficking through the

relative inaction and apparent indifference of international actors considering the severity of the issue involved.

We continue talking about the necessity of democratic values and human rights in Europe, on conference after conference, in declaration after declaration, but if we, can not, will not, are not able to protect the most basic of rights, through the lack of resources, political will or otherwise, the right of child, the right of Svetlana, not being sold and abused, what is there left for us to protect? The trade in children in Europe today is a disgrace for Europe and a disgrace for us in this room today.

Fredric Larsson
Stockholm 10/2-2003

Comments from the Podium by Ms. Kate Halvorsen, Former Senior, Regional Policy Officer, UNHCR

Introduction

In my comment I would like to focus on the right of separated or unaccompanied children, including trafficked children, to seek asylum in their own right; and the fact that the group of children who are the theme of this conference might be refugees as defined by the 1951 Refugee Convention.

Global Context

However, first of all, I think it is important to put this conference and its geographic and thematic focus into a larger context, i.e. the European and global context. The phenomenon of children separated from their parents or other primary caregiver(s) leaving their countries and seeking protection elsewhere, is of course, neither specific to the Baltic Sea area; nor to Europe or the rest of the world.

Separated children are part of any major refugee or migratory movement. Common to all these children are, on the one hand their right to seek and enjoy international protection; and on the other hand, their need for a long-term solution which is individually determined and based on the principle of the ‘best interests of the child’.

During the past 3,5 years I have worked for UNHCR here in Europe as a Senior Regional Advisor on Refugee Children with a particular task to address the protection of separated children seeking asylum. In an effort to enhance and prioritize this work UNHCR in partnership with Save the Children established the “Separated Children in Europe Program”.

Over the past few years, approximately 20 000 children arrive every year to seek asylum in Western and Central European countries. Most of them are older boys and most of them come from countries devastated by war, poverty and deprivation. Some of them have been trafficked, but regrettably we do not know much about the extent and scope of the phenomenon of trafficking in separated children.

My comment is based on this recent work experience and the international legal standards and guidelines promoted and adhered to by the UN.

The Right of Children to Seek Asylum

In the work to prevent trafficking and facilitate a quick integration in the host country or reintegration in the country of origin, it is essential that there is a legal and fair procedure to determine the long-term solution, which is in the best interests of each individual child. This procedure has to respect the right of children to seek international protection; and the fact that these children might be refugees.

Currently, I believe that the asylum procedure, by which refugee status is determined, is the correct channel for these children unless there are clear reasons that this is **not** in their best interests.

Many countries in Europe and North America are working on creating special procedures, status and treatment of victims of trafficking in human beings. Although these measures are all important and needed and of course in line with the Palermo Protocols, I believe that **for children** the best and safest is still the asylum procedure. For the following reasons:

1. it ensures the same fair and thorough procedure for all children
2. the systems are well-established in the host countries
3. it ensures that international standards on child rights and refugee rights are followed
4. it (should) include as criteria so-called child-specific persecution

I would like to talk a bit more about the concept of child-specific persecution, because I think it is particularly relevant here.

What is child-specific persecution?

Gross violations of the rights of the child under certain circumstances lead to situations that fall within the scope of the 1951 Refugee Convention.

Examples are most notably, trafficking of children for prostitution and sexual exploitation; their subjection to forced labour; the situation of street children; forced recruitment into armies; female genital mutilation; forced marriage and forced pregnancy.

This is of course, not to say that all of them are refugees, but that they might be and that each one of them needs an individual assessment. In other words; some of these trafficked children; some of the street children; some of the sexually exploited children; some of the children who have been forced into labour **might** be refugees and need international protection.

Examples:

- Street child: 16 year old boy from Guatemala was recognized as a refugee in the USA in 2001 based on fact that since no family could be traced anywhere in Guatemala or Mexico where they also had been residing, he most likely would end up as a street child in Guatemala City if returned; and as such, based on numerous country reports etc., he would be at high risk of persecution.
- Sexual exploitation: An Iranian teen-ager was recognized as a refugee in Turkey because her father had sexually abused her for many years and also tried to force her into prostitution. Neither her mother/family nor the state was able to protect her against this abuse and it was considered a high risk that she would end up in the same situation if returned.
- Forced marriage: several cases in Norway of girls in high risk of being forcibly married have been recognized as refugees
- Forced labour: 2 Iranian girls sold by mother to a drug dealer who sexually abused them and forcibly involved them in drug dealing, were recognized as refugees in Turkey in 2002 based on both the fact that they were forced into the drug business and sexually abused
- FGM: several cases in Germany, Austria and France where girls in fear of FGM if returned, have been recognized as refugees

- Forced recruitment to armies (child soldiers): A few years ago several Afghan boys were recognized as refugees in Germany as they feared forced conscription to Taliban if returned.

During my travels and through my work, it became evident that child-specific persecution is not sufficiently understood and applied in the refugee status determination in most countries in Europe.

UNHCR, through its process of Global Consultations with member governments concluded last year that the 1951 Refugee Convention is still indeed a very relevant and good international legal instrument.

It is now high time that the Refugee Convention becomes **more relevant** for child asylum applicants, rather than creating alternative mechanisms and thereby excluding children from this important protection channel.

This can be done first and foremost during the interview and assessment of child applicants' claims in applying a child-sensitive approach. It means, among other things that staff are specially trained and skilled in child rights, in child care, child development and children's particular experiences in situations of violence, crime, poverty and deprivation. It also means that certain procedural safeguards are in place, such as appointing a guardian; legal representation; and maybe most importantly, that child applicant cases are prioritised and dealt with in a timely manner.

When that is said, I do not believe that all separated children should be pushed through the asylum procedures. If there are clear reasons that it is in their best interest not to, then they should not. For example; if the parents have been traced and they are clearly willing and able to care for the child, the child should be returned as soon as possible without any delay. Therefore, the tracing and assessment of the family situation is such an important and integral part of assessing a claim.

Another aspect related to the refugee status determination is the principle of **the best interests of the child**, specially referred to in Article 3 of the Convention on the Rights of the Child.

I believe that a 'best interests' assessment should first be made to assess whether the child should apply for asylum; and there should also be a 'best interests' assessment for all those children who are rejected as refugees to determine their long-term solution.

Safe Return

Lastly, just a few words about the solution of return and reintegration in country of origin.

According to UNHCR guidelines based on international standards for a return of a separated/unaccompanied child to take place certain safeguards need to be in place. In other words, they should be returned in safety and dignity. So, what does a 'safe return' of a child mean?

The main criterion is that there is a caregiver who is willing and able to take care of the child upon return and facilitate reintegration.

This would normally be the parents or close family members, or other adults, or could also be a government (approved) institution.

When the caregiver has been identified it should be considered whether it is necessary to give material assistance to the family concerned.

Appropriate counselling should be given to the child, especially if the child is reluctant or there is family pressure not to return.

End

I would like to close by emphasizing that in this work to protect and identify long-term solutions for each individual separated child on the move, cross-border and regional cooperation is of vital importance. Therefore, I think that this conference is extremely important and can show the way for other countries and regions, which are struggling with the same issues.

Keynote Speaker IV: Ms. Amalia Carli, Psychologist at Oslo University

Introduction

First of all I want to thank for being invited to participate in this meeting on Unaccompanied Children for Senior Officials from the Baltic Sea States.

I work currently as a Child Psychologist at the Psychosocial Centre for Refugees (PSCR), a multidisciplinary institution working in the fields of Psychology, Psychiatry and Social Anthropology at the University of Oslo. The PSCR also carries out research and has responsibility for promoting competence about work with refugees in Norway. The Centre's Child Psychologist's gives tuition and consultation to those working in Child Guidance Clinics, Child Welfare Offices, School and Kindergartens, Health Institutions as well as receiving centres for young refugees. You may visit our home page in English, at www.med.uio.no/ipsy/pssf

This presentation is based on my own clinical work with unaccompanied children and youth, as well as on supervision work and consultations given to those working with separated children and their caregivers (Carli, 1986, 1999, 1997, 2003). The youngsters had a migrant, UN refugee or asylum seeker background and may have arrived to Norway on their own, with relatives, known or unknown persons or with "agents". Over the years I have directly and indirectly been acquainted with children and youth with a refugee, migrant or adoptive background eventually re-united with one or both parents in Norway, in their homeland – or in another country. Parents may have migrated before - or after the child's arrival while others may have stayed in the home country all the time. In order to explain the dynamic of this complex situation I will illustrate this presentation with anonymized cases studies; including those of children I followed back to their country to meet their biological family.

There are parallels among the life experiences of separated children that have to be taken into account when proposing strategies to address the problems related to separation and eventual repatriation. Still each case should be considered individually and in full accordance with the basic needs and experiences of this very child and the capacities and motivation of caregivers and communities who are going to receive him or her. The young persons needs for special care, rehabilitation, treatment and social and economical re-inclusion should also be addressed in a holistic way. Support should be given in order to strengthen child, family and community and follow up should be evaluated and documented. Networking across borders should include professionals working in Primary and Secondary Health Care as well as representatives of governmental institutions and NGOs. Respect and flexibility within this kind of collaboration is essential. Guidelines should be elaborated to avoid pitfalls on all levels of the work involving care and eventual repatriation of separated children.

Preventive strategies should be implemented, in order to reach children and parents who could be involved in future separation or trafficking as well as to avoid that repatriated children are sent abroad again. The more separations the more dangers the child may meet and the harder the later reintegration to a normal life may be.

In order to understand the needs of children who face a repatriation process we have to make use of basic knowledge on child and adolescent psychology, as well as of an understanding of migratory processes and their dynamics. Due to the fact that all separated children have undergone bereavement from primary care givers and often also traumatic experiences, I find it appropriate to briefly present theory and research on attachment, loss as well as on childhood traumas.

Attachment, Separation, Traumatic experiences and the Re-establishing of Bonding

The reflections shared here are based among others on Attachment theory (Holmes, 1993; Bowlby 1953, 1980; Winnicott, 1986), Research and Clinical Work about Childhood Traumas (Pynoos and Nader, 1990; Terr 1991; Eide-Midstand, 1991; Christie, 1994) as well as on Re-Attachment issues in children and youngsters (Fahlberg, 1991; Harper, 1994; Payne, 1996).

Attachment behaviour is common for all mammals and aims to create and maintain bonding between individuals, bringing care, comfort and protection. Attachment to a protective and loving figure is decisive for humans since it brings a feeling of continuity and inner consistence. Through the intimate interaction with predictable and caring persons able to identify and take into account the child's needs and wishes, the child starts to experience being a separate self (Stern, 1985). Through the experience of deserving and getting love and care, and the acknowledging of his/her own needs as valid the child will develop feelings of empathy and self worth. This is an ongoing process that continues through life, the basis of which is set through the first childhood years. Children who were deprived from a constructive experience early in life may have a low self esteem and present considerable difficulties in re-attaching to new caregivers as well as in their relation to other children as well as adults.

Since John Bowlby's pioneer work on attachment and loss in children (Bowlby 1953; Holmes, 1993) there has been an ongoing development helping us to understand the importance of a secure attachment to primary caregivers in children and the possibilities for negative development when bonding is unsatisfactory, non-existent or severed due to separation from children and primary caregivers (Fahlberg, 1991). In the cases this presentation deals with, even there where children had a positive bonding to primary care givers, this may have been severed due to loss or separation – as in the case of unaccompanied refugee minors, those who have been without their parents for a long time before reunion, as well as for adopted children. These experiences leaves children in a fragile situation, depending on the new caregivers' capability to recognise the child's needs and, hopefully, meet them (Kaplan, 1995). Failure by adults to acknowledge the child's special situation and feelings of loss due to bereavement may bring the child into a negative social, psychological and even physical development.

Central in the understanding of children's capacity to cope with adversity is the concept of Resilience (Waaktaar & Christie, 2000). Factors contributing to a child's resilience are to be found within the qualities of the stressors or the context where they take place, as well as on resources and capacities within the child. Implementation of programs aimed to promote the development of self worth through creative experiences in a context of community and continuity are seen as particularly important in order to build up the child's own coping mechanisms (Ibid.).

In order to be able to help separated children and adults working or caring for them we have to understand the kind of experiences children undergo and what kind of activities could promote coping strategies in individual and community. We need also to understand the pull and push dynamics of the migratory processes that press children away from their biological families.

Why do children leave their homes?

In order to address the issue of repatriation the reasons why the child left his or her home on the first place should be considered. A thorough overview on the different reasons why children cross borders in our region is given in the Background paper (CBSS, 2003) following the invitation to this meeting, as well as on other publications (IOM 2002). Among the most frequent reasons for a child to leave their family we have war and armed conflicts, political, ethnic and religious persecution, poverty and deprivation as well as trafficking. Also escaping family violence and abuse are to be taken into account.

While this is written we face the possibility of a war against Irak that would have devastating consequences for humanity but especially for children if it becomes reality. According the United Nations, 1,2 million children could die in such an armed conflict. USAs president George W. Bush and his allies justify such a war as part of his fight against what they call an *Axis of Evil*, threatening Western civilization, democracy and human rights. Though adults in charge of a child may as well think to have good arguments for sending a child elsewhere, in order to have a better future than at home, the reasons for this to happen are many and usually put us in contact with the real challenges humanity should be fighting:

From 1950 until now the world's production has been multiplied by five and commercial exchange more than ten times. Profits and richness have given benefits to an international class representing a limited amount of the World's population: of 6 billion inhabitants only 500 millions live comfortably, while the resting 5,5 billions live in social and economic exclusion due to poverty. Between 1960 and 1970 there were about 200 millions of poor people, earning less than one dollar a day. In the nineties their number had increased to 2 billions. The world has now more than 20 million refugees and 30 million displaced persons as well as 150 millions of economical migrants, 20 millions of them in Europe. Together with a globalisation process we have seen the increase in poverty, unemployment and general exclusion from labour, education and health services, even in industrialized countries. We have also seen the increasing in impediments against migration from the Third World into the Western industrialized countries who protect themselves with laws and passport controls aimed to avoid the pull of migrants and refugees escaping poverty and persecution. Mafias and trafficking networks profit from the desperate situation of the many who may recur to them in order accede to rich countries. The rest is well known by now: people risk their and their children's lives in overcrowded vessels, trains and containers. They may be robbed, forced into slavery, criminality or illegal work while attempting to move from the hopelessness of exclusion to a dream of abundance and success that is transmitted continuously from advertisements, television and films all over the world. Within this context the situation of women and young girls is particularly vulnerable since they also become prey of abuse, rape, unwanted pregnancies and sexually transmitted diseases, while many are forced into sexual slavery (Principe, 2003).

On a global macro perspective we have issues conformed by economical inequality and social deterioration, corruption and political unrest, civil wars and other forms of aggression as well as pornographic and prostitution industry. Within this context we have children trafficked for sexual and slave work as well as for macabre rituals and organ abduction. But also children “legally” – or illegally exported from their home countries for international adoption should be included here since the reasons why care for them is not provided neither within their family nor within appropriated institutions in their home country are to be found in the same kind of social and economic disorganization and disrespect for human and children’s rights that are a daily situation in far too many countries in our world.

On a micro perspective we are confronted as well with the interests of some, often adult family members, deciding on the fate of their own or their relative’s children whom they may transport for what they may think is a better opportunity or just to abuse and take profit of the child.

“Suzy” could illustrate several of the issues presented above: she grew up with her impoverished and uneducated single mother in a Third World country characterized by corruption and social injustice. As a toddler she was robbed by a relative and sold to an adoption lawyer who provided the child “legally” to a Scandinavian adoption organization. She was then granted a Norwegian citizenship and grew up with adoptive parents who acted of good will and who did not know of her background as a stolen child. The adoption organization hid her background for Suzy, her adoptive parents and her biological family who in spite of hard living conditions did whatever they could to find her.

It is important to remember that a great number of persons live in Europe as legal or illegal migrants without being allowed by migration authorities to bring their children to live with them. Both parents and children may take action through illegal channels and agents in order to live together, though this is not always the ending result: children may be trafficked or strand in transit lands without the possibility neither to return home nor to meet their parents.

Last but not least children and youngsters may runaway from what they experience as inhuman conditions due to violence and abuse within their own families or their community wishing to have a good future. They aim to reach some autonomy, even if being involved in criminal activities and to be able to take profit of the material opportunities that seem to be there for whoever wants to take their share. Unfortunately as we will see, independently of the reasons behind a children’s separation from their parents and familial background they may face all sorts of hazards to their physical and psychological integrity.

The child’s experiences while away from her parents

Exposed to insecure and negative life situations

Before, after separation and due to an eventual repatriation separated children undergo situations that may contribute to later difficulties. Children face uncertainty due to changes in caregivers and housing arrangements as well as changes in language and school system. They meet also perils on their way to an asylum country, only to see that they may not be allowed to stay there and may be forced to move to a new place legally or illegally.

Research on unaccompanied minors shows that even those who have a protective atmosphere and good follow up have often an unsatisfactory life situation and are treated badly: they often present learning and language difficulties, are frequently exposed to racism and discrimination, and therefore excluded from social activities. Many have also problems in finding work (Hjelde, 2003).

Even after been granted a stay permit their parents may not be found and when they are they may not be allowed, able to or willing to come to meet them in the new country. When facing repatriation some parents are not able to or for other reasons willing to receive the child back. All along the way, fundamental Children's rights may not be respected.

Several years after been abducted from her mother "Jenny" found her and wanted to go back home to live with her and her siblings, but she was disappointed. Her biological family was loving and caring but extremely poor and the girl was discouraged to share their fate, instead they pleaded for her to stay in her new country and use the opportunities they said nobody in the family would ever be able to reach.

Children may face poor care and maltreatment

The quality of care the children receive while being without their parents may vary: some are under the over protectiveness of well functioning grand parents who can give emotional support and cover material needs. Other children may live with relatives who provide for basic needs even if they show little emotionally involvement. There are also children left at the care of inexperienced siblings still teenagers or in their twenties. Last but not least we have children exposed to the most unthinkable physical and psychological cruelties and punishments, sexual harassment and other abuses carried by women or/and men to whom they are completely dependent on. It is important to remember that the same child may be exposed to different qualities of care through his or her life at home and elsewhere.

Young age and beauty can by itself be a risk factor putting girls in danger of trafficking. Under this meeting I was informed that there was considerable difference in where girls were forced into prostitution, in some (often Western) countries facing more "human" conditions like less clients, better hygiene, food and clothes than in others (Larsson, 2003, PC).

Though few children would refer to it, we know there have been cases of girls and boys being raped by traffickers or forced into prostitution and criminality as well as drug abuse both before coming to a new country but also under the flight and after the child is placed with assumed relatives in the exile country. This brings us to another difficult issue. In Norway for example, the last years there has been an average of about 500 to 700 persons allegedly under 18 years old per year (UDI, 2003) arriving without their parents and seeking for asylum. Separated children arriving to Norway are not automatically given assistance under the Law of Child Welfare. This means that upon arrival to a reception centre a child may move to or continue living with a relative who is not suited as a caregiver. Implementing the Child Welfare Law would mean that the adults in charge of the child would first be approved as capable care givers. It would also mean that the caregivers would be followed up with inspection and supervision. They could also receive support – economical and otherwise- from the Child Welfare System as would be the case if a Norwegian child was in the same life situation. All this would ensure that Children's Rights are being met.

Unfortunately abuse and improper care is often disclosed after the child has been living for a longer period with adults unable or unwilling to provide appropriate care for the child.

In the case of nine year old “Rita”, already under our first meeting, she complained of having “lots of lice and lice babies”, since the couple in charge of her wouldn’t clean her hair. She told as well that both man and woman beat and mocked her. They would not buy winter shoes for her, so that she had to go to school with rubber shoes, in the snow, this resulting of her being wet the whole day. She told us she had to go to the dentist and doctor on her own, prepare food and do a lot of shopping alone. Not surprisingly perhaps, she experienced having a low status among other girls at school.

In spite of not being able or willing to care for a child within the context that is considered appropriate, persons from the same family or just the same ethnic group or political party than parents may be granted fundamental rights as if they were caring parents. This fact may allow them to have custody for the child or at least meet him or her without any control.

From reception centres we have been aware that such acquaintances far too often seem to take economical profit of the child, visiting her when she receives her monthly payment, or at least involving the child in their own problems. Children are sometimes asked to lie to those caring for him or her at the reception centre and who often are the first reliable and caring persons the child has met for a long time. Some young people have been reported to look alleviated when personal in reception centres denies them the right to visit an “uncle” or “aunt” whom the child on his or her own cannot oppose.

The role of relatives and extended ethnic group

Far too often we experience that the adults in care of the child may have personal and economical interests in the child staying with them, moving to another family or leaving the country. Political issues may also play their part, like in the case of Iranian youth living in Scandinavia and “recruited” to join their parents in Irak to form part of the Iranian armed resistance Muhajedin:

Separated Iranian children who had been living in Scandinavia after being evacuated from Irak under the Gulf war in 1991 were later recruited to guerrilla work in that country. Both girls and boys have left Scandinavia the last four years or so, after filling sixteen, apparently of own will, in order to reunite with their parents. The truth may though be that they are brainwashed into participation in military activities, forced to leave their life projects in the Western countries where they lived most of their lives. Under the absence of their biological parents these children had been under pressure from their parent’s comrades who saw as their obligation to provide for the youngsters to be included in military actions. Since children left Scandinavia nobody seems to follow up their whereabouts.

Though there are kind and committed adults others may privilege familial loyalties or own economy and not the child’s needs. As named before the child may be under press to keep secrets or tell lies, often about their own identity and kinship relations.

A school age girl living with an aunt came into contact with the Child Welfare office after the aunt’s sadistic maltreatment –burning, cutting, hitting- over time. After being placed in a

foster home the girl told she was forced to say her father was dead and her mother's new husband abused her. The aunt claimed the child back, alleged the girl lied and that her brother was killed in civil war circumstances – an argument she had used in order to stay in Norway. When it came to the extreme maltreatment the child was subjected to the aunt justified this as being “culturally” accepted in her home country and “whole continent”. Since she was denied the care for her niece, she wanted the child sent back to her home country, where there still was a civil war. Different relatives living in other European countries claimed for the child as well. Fortunately the child was later re-united with both her parents, who had been living in a Western European country, ignoring the hazards their daughter underwent. A DNA test was carried to prove paternity.

Under any kind of procedures considering the child's well being the role of relatives and members of ethnic group should be carefully evaluated. Far too often we see that acquaintances and other members of the child's ethnic group claim that the child is not to be considered as “Norwegian”, and instead be placed with of those approved by extended family, religious or ethnic group. There has been cases were girls have been stigmatised as having a bad moral just because they grow up within a Norwegian context.

It is fundamental that those caring for a separated child, or having close contact with him or her are able to respect the host countries institutions and collaborate with them in the best interests of the child. They should be able to accept Child Welfare conditions including support, qualification and follow up before they are granted full custody of a child. When this is so we have seen that both child and carers can profit of it. Unfortunately there are too many cases where someone picks a child up from a reception centre claiming to be a relative appointed by parents to care for the child only to discover later that severe abuse has taken place.

Rita arrived to Norway with an agent and was placed at a reception centre. From there she was picked up by an uncle, and later placed with acquaintances of her father. All of the adults in contact with Rita condemned her mother's new relation and filled the child with animosity against her. They also impeded the mother to talk with the girl on the phone for more than a year, and when pictures where the child was on were sent back home they advised other relatives not to let the mother see them, in order to punish her. About eight adults, including those the child lived with and who maltreated her followed Rita to the airport and were granted permission to talk to the child. Their main message was not of good expectations for her travel but still of rejection for the child's mother. When meeting her mother the child was ambivalent, and at the end she cried: “I am angry because mom left dad but I love her, that's what I tried to tell that people in Norway, but they did not agree”.

There are too many cases were adults in charge of the child couldn't take the child's perspective and where the child is under great pressure to lie or keep important information hidden, also about abuse and maltreatment. Key words here should be that belonging to the same ethnic group should not give adults access to separated children without their qualifications and motivations being assessed and their actions monitored. The same could be true when it comes to establishing the motivations and needs in the biological family in case of a repatriation to be considered.

We need to assess what the child has gone through in the external world, as well as on his own subjective universe. It is important to understand how this child experienced separation and what

meaning he or she gives to it, in order to propose realistic and constructive strategies in case of repatriation.

Assessment issues prior to Repatriation

Assessment of needs and possibilities should include those related to the child himself, but also to the family of origin, the home country's institutions, the possibility of treatment and recovery, security issues as well as income generating programs, both for the child or young person and her family.

Assessing the child

If possible one should assess the quality of care before and after the separation as well as the child's reactions to it:

Was care good enough? poor? Were there serious difficulties as neglect or other physical, psychological or sexual harassments? Did the child present symptoms of distress, learning difficulties, psychosomatic problems and the like?

When assessing the child one should attempt to approach the child's factual experiences before and after separation, as well as to capture the child's emotional experiences, his or her understanding and meaning of the separation. Was it seen as an opportunity for a better life or as a betrayal from the parents? Or even a confusing mixture of both? Did the child experience marginalizing in society or in the family she was living with? When it comes to school performance, were there "lost years", lost proficiency in mother tongue language, learning difficulties due to separation and other kind of traumatic experiences?

As important to determine the presence of stressors and difficulties is to assess the child's resources and resilience. The more we are able to assess the child's experiences – both in the external world, but also his /her own subjective experiences under separation, as well as the child's talents and capacities to overcome difficulties, the more we may be able to suggest constructive strategies in case of repatriation.

Assessing the family of origin

When assessing the family it is fundamental to verify kinship relations through DNA test if possible, as well as to establish the quality of bonding. One should find out about the inside relations within the family as well as the child's roles and functions. Attachment from the family members' to the child, and his attachment to them should as well be established. One should find out the reasons for the child to leave home –economical, war, abuse, exploitation. The family's motivation or lack of it, to receive the child and their capacity to care for and protect the minor should also be established. Through our work we have often witnessed that parents in the home country may not want the child sent back for different reasons.

A fourteen-year-old girl living in a reception centre managed to trace and make a telephone call to her mother who was living in a European country. The mother got angry and commanded the girl to tell she was dead. Later the mother called back and said she had lied to her and that she was not her real mother anyway. The girl did not believe this to be true but was very sad because of what she experienced as strong rejection.

The socio economical situation of the family has to be assessed as well: they may be loving and motivated to care for the child but lack the necessary economical means to do so. In such cases one should consider the possibility to support the family – or the grown up child- through income generating activities. Such has been the case when helping girls trafficked into prostitution and repatriated back to Vietnam (Hauff, 2003,PC) and to Ukraine (Larsson, 2003 PC), and who received help through NGOs in order to be able to support themselves and contribute to their families.

Sending the child “home”

When considering repatriation different aspects related to Legal and Police issues, Psychological issues, the role and function of the caregivers in the host country, and the role and influence of the extended ethnic group are to be taken into account.

As stated before, one should be sure that the child is going back to real, but also caring parents able to understand what the child has gone through and committed to make the efforts to reintegrate the child in the family, the school and the community. Going back to the “home country” does not necessarily mean going to stay with caring parents for good. There is a real danger that children who have been separated easily are sent away abroad in a new search for better opportunities:

When I met “Rita’s” mother and stepfather they seemed genuinely happy to have her back. They were impressed by the girl’s knowledge of Norwegian and wanted to give her a new opportunity in “the West”. They asked therefore if they could send her back to Norway in a few years to visit friends and keep the language. I begged them not to do so, not before Rita was a grown up girl with her High School diploma. In their wish to give her a good opportunity in life they were already considering to send her to the void were she had met learning difficulties, estrangement and maltreatment.

In the “best cases” children may face the possibility to be sent away again to stay with relatives – other may be subject to trafficking anew, or may even choose a destiny of sexual exploitation in a Western country rather than at home where poverty, hunger and sickness make everything worse. Sergio Daniel Kristensen, Program coordinator for Save the Children in Denmark shared with us under this meeting that young girls working as prostitutes in Denmark and sent back home to their home countries in Eastern Europe without follow up, were found to come back to Denmark up to seven times!

Prior to sending the child back the host country we ought to consider institutionalisation as a possibility when the family is not able or willing to care for the child. The more extreme experiences the child has been subjected to, the more the possibility for the biological family not to be able to cope with the child or to protect him or her from others. These are issues to be considered in order to coordinate efforts across borders.

Collaboration between authorities

It is important here to stress that those involved in repatriation should be able to collaborate in an open and honest way as long as it is possible. Hidden agendas may come up for light later on, especially when dealing with authorities in the home country. It is important to be able to keep confidentiality, but one should be sensitive as well as when disclosures are required on the best interest of the child.

When asked to bring Rita back home, the Norwegian Child Welfare officers unwillingly told me that her father lived in Norway illegally, and that nobody should know about it, especially not the Norwegian police. Interestingly when on our way up in the plane the sympathetic woman police –in plain clothes- that accompanied us commented on Rita’s Teddy Bear. The child said it was a present from her father and immediately added “but do not tell anybody, since there may be police people here, you know...” “This may show under which press to keep secrets the child was, but also some of her deeper wishes: if the police got to know her dear father’s whereabouts he could follow her home...

The case is that the information I was asked not to disclose would show to be important when I was dealing with the very professional local authorities – mostly men, but also some women police officers- who kept on asking “Why was this child sent away and where is her father, why does not him care for her?” Then I told them: “He would like to, but he is illegally living in Norway, and can’t take care of his daughter”. If I had kept this information for myself, my collaboration with local authorities could be impeded. Now the police officer was “on my side”, and she could as well explain to her colleagues in the child’s home country how difficult situation the father was at.

During all the process of repatriation we should be aware of our own prejudices against other professionals and/ or nationals. At this point we get into another important issue that is dealing with home authorities, those receiving the child, and relating to the family in the original country. Efforts should be made to have contact with professionals and institutions both on a formal and an informal level in order to ease collaboration across borders.

Professional networking when considering repatriation

When considering repatriation to the home country and the original family, rehabilitation and social re-inclusion, the child’s past experiences, present situation and realistic future perspectives should be taken into account. Though according to the Convention of the Rights of the Child it is a child’s right to live with her of his family of origin it is important that such right is not misused, sending a child to difficult life conditions. This brings us to the professionals involved in the kind of networking we aim to and that include those working at Child Welfare Offices, Police and Migration Administration, School and Health Institutions and in some cases NGO workers both in host country and in the child’s home country. Last but not least Community and Religious Representatives in home country may be included into such collaboration.

When the adoption organization that brought Suzy to Scandinavia denied helping her adoptive and biological families to keep in touch with each other, her biological mother got in touch with Social Workers in her home town who provided emotional support, orientation

and a feeling of being included that she deeply needed. From Scandinavia the adoptive parents contacted the Salvation Army who then got in touch with their officers in Suzy's home country. They visited the biological mother most willingly, talked to her with respect, and prayed for her gave her email letters from her daughter and adoptive parents sent to the Salvation Army's offices.

As we have seen, the reasons forcing a child to be separated from her parents are usually to be found in deep economical and political unrest as well as social exclusion. When NGOs, community workers or those representing the host country can provide the biological family with accept, understanding and respect this can contribute to palliate self-blame and even heighten up their status within their community. Hopefully this will also contribute to them showing a more accepting attitude towards the returning child.

Collaboration with Embassy representatives

Prior to repatriation, and if possible, collaboration with the child's national embassy should be attempted in order to involve them in the process and ally with national representatives when caring for their citizens, acknowledging their role. Embassy officials may help to trace and contact parents, provide for travel documents and prepare migration authorities in charge of clearing the child's entrance into his or her country. Ideally this could avoid long interrogations and exhausting procedures upon arrive that can be shocking for the child, her parents and others involved in repatriation.

When it comes to the role of the host country's diplomats when sending a child home, I choose to draw from the positive experience when bringing "Rita" back home.

The Norwegian embassy provided a person to meet us at the airport as well as a translator – and some money change. The Embassy also offered to keep in touch with the family in case they needed a professional network that could assist them.

Ideally one could expect a tight collaboration between embassy officers in the child's home country and those making the arrangements for repatriation from the host country. This could avoid too many bureaucratic situations that may be a shock for the child to experience.

Authorities and Professionals in the home country

Professionals in both host and home country may open or hidden condemn parental actions that put the child in such a difficult situation. For professionals in host country involved in repatriation it is important to be aware of own prejudices towards home country authorities and professionals.

Out of my experiences though, it seems as authorities in home country may in some cases ignore the magnitude of the problems related to separated children living abroad. This is not difficult to understand: with a heavy case load and many children and families in difficult situations in the home country, there may be enough of challenges in there not allowing to keep up with all kinds of criminality and trafficking humans are exposed abroad.

In Rita's case, the migration and police officers that met us at the airport were shocked to know that such a little child could be on their own. Some officers were openly moved: this

was the first child in such a condition they ever saw, and they were willing to implement the necessary rules implying that this child should be put in a children's home, the mother in prison and both mother and step father prosecuted for child trafficking. That the family belonged to an ethnic minority involved in armed actions against the government may have made the officers attitudes to them harder than what others may have been exposed to, but they did seem to try to give a fair treatment of child and family. Eventually through the Norwegian representatives intermediation and collaboration – police, psychologist, embassy official - the family was allowed to move together soon after arrival.

Home authorities may be bound to legal aspects and requirements that could have effects like the institutionalisation of child that were sent “home” in order not to be institutionalised in host country.

In some cases the biological family may meet prejudices against their ethnic group or social class from those who prefer to ignore the psychological and practical dimensions of the child's and her family's circumstances. Those showing understanding and willing to help may lack the necessary political or economical means to implement the support that is needed.

When we followed Suzy home to her biological mother all sort of impediments were put in our way so that we would not be able to talk directly with them: even the host country's embassy strongly advised against our trip. When in the home country we later got to know that the almost indigent biological family had been asked to lie after giving them some rice and beans. The aim was to protect a local landlord and politician who had been involved in keeping the circumstances about the adoption secret in collaboration with the adoption agents from Scandinavia.

The unprivileged position that families and their children may have in their home country may be a pull factor when it comes to trafficking and other forms for separation from parents. When coming back home the same under privileged circumstances may jeopardize the future of child and family and the establishment of positive relations among them.

The school

As we saw due to changes in living arrangements, schools and languages the child facing repatriation may bring with him a history of defeat. For adults listening the child fluently speaking this foreign language it may be difficult to understand the child's academic limitations. It is therefore important to create a good alliance with school personal so that they are aware of the problems the child may meet when trying to keep up with curricula as well as socially. One should be aware that their status again could be low in their home country and that they could face stigmatisation and exclusion anew.

Prior to our arrival Rita's mother arranged a meeting with the inspector of the school where the girl was going to attend. She was informed of Rita's experiences when abroad, her change in language and poor written command of mother tongue. The school in her home country was much more competitive than in Norway and the mother was encouraged to help with homework. Tuition was carried in three different languages and alphabets and Rita was to make a big effort to catch up with her mates. Since Rita had felt isolated from school mates

at school in Norway the inspector promised to keep an eye on her and provide for the conditions so that she could be integrated in her new class.

A positive experience at school can provide a child with the healing atmosphere she needs provided that parents and teachers understand the child's situation and give her the necessary support.

Health and psychological assistance

As a consequence of forced migration and trafficking, children may experience deprivation, hunger and abusive treatment that can leave sequelae over time. Children and youth being repatriated may often need a general health check up, a gynaecological one, dental examination as well as a psychiatric/psychologic assessment (Larsson, 2003). Both boys and girls may suffer from sexually transmitted diseases. Girls may have had unwanted pregnancies and abortions that have to be addressed. Fredric Larsson, Programme Coordinator for the International Organization of Migration stressed the importance of providing counselling and treatment in the child's country of origin when working with children abducted to work in prostitution. According to him when the treatment offered reflects the reality and cultural context children are used to they may open up more easily and therefore profit more of the treatment offered (Larsson, 2003, PC).

Preventive measures

Working with unaccompanied minors may force us to find ways to improve life conditions of other children in our countries through enhanced awareness of their conditions of life, the possibility to implement preventive measures as well as to support families and communities. Information about trafficking, illegal migration and its consequences should be distributed through Schools, Television, Religious meetings, Working places, Shops and the like. One should consider the possibility to involve children in Child to Child Participation programs. Fredric Larsson (2003) informed about his work in Ukraine that involves the elaboration of training materials, teachers' manuals as well as orientation to victims.

The emotional costs for those involved in repatriation

Research dealing with professionals working with persons subject to man made traumas makes us aware of the emotional impact this may have on helpers (Lansen, 1990; Danieli, 1992). Being confronted with Children separated from their family for whichever reason may deeply affect persons attached to the child in the home country as well as those related to and/or involved in caring for the child in the host country. But also professionals and authorities in both home country and receiving country may become emotionally involved or at least affected by the children's life situation.

When migration and police officers at Rita's home country wanted to place the child in a children's home upon arrival both the police officer and myself volunteered to stay overnight with the child, on the floor if necessary. We were suddenly aware of being in foreign ground, with few possibilities to influence on relevant decisions. Communicating our feelings of impotence was not functional so we tried instead to propose solutions and have an openly collaborative attitude, showing respect for those involved.

When dealing with so diverse situation one feels “on duty” all the time, often forced to provide for “Cultural Translations” so all parts have a better understanding of each other’s frame of reference and experiences.

“Jenny’s” family in her home country was surprised at the girl’s way of dressing as well as the direct form of addressing her adoptive parents. In order for the girl not to be stigmatised as inconsiderate and eventually being ostracized from her traditional and submissive family, they were explained that Jenny’s ways were commonly accepted “in the West” and not a sign of the girl’s particular malfunctioning.

Professionals involved in repatriation may be forced to work under untraditional settings that open up for sharing some kind of intimacy with children and their families, having meetings at home or talking “on the way” (plane, public places or private homes) about central issues for the child. Consequently it may be difficult to balance distance and closeness and there is a danger of becoming over involved. Professionals can also be stigmatised by those taking distance from the repatriation to be carried, i.e. family members of the child, the child himself or even other professionals. On the other hand children subject to trafficking, forced migration and abuse have low status in their home country and in the receiving country, a characterization that may “contagiously” be extended to those closely working with them. Professionals may then feel ostracized from their own colleagues, as may be the case for those working with other low state clients like drug addicts, prostitutes, children and adults subject to sexual abuse, torture victims and the like.

While following Rita to her home she seemed sad and angry, when the plane left Norway she said: “Oh Norway, I love Norway!, I do not want to leave Norway”. It was hard not to be moved by it and even wonder if the right action was being carried. After arriving to her home country the girl was put in an office crowded by officers eager to observe this “first meeting” between child and mother. This disturbed the girl; she looked ambivalent towards her mother as well as reckless and prone to tantrums. She had literally to be forced into the arms of her mother while being observed, jeopardizing the possibility to be allowed to stay with her family. On the hope that they would not separate Rita from her mother, it was explained to the officers that the girl had been brainwashed against her mother, was disturbed by so many people present, and was tired and confused.

Flexibility may be required at an individual and institutional level for those involved in dealing with home country officials and professionals, relatives and children being repatriated. Those carrying this work may be expected to have a “clinical understanding “ of individuals, systems and structures and be able to handle unexpected situations in a non-conventional way. In order to prevent exhaustion and eventual burn out they should be provided with the necessary follow up and support by those employing their services.

Concluding comments

When considering repatriation one has to focus on the child’s best interests, both if staying in the host or transit country and if travelling back to his original country and family. Assessment of needs and possibilities when it comes to the child, family of origin and home country should be

stressed prior to the effectuation of a repatriation. Repatriation should be carried only when this would benefit the child and when his/ her fundamental rights are known to be cared for. The child and the family's motivations should be assessed as well.

After Repatriation is a fact follow up may be necessary at different levels. This includes evaluation and documentation of the child's adaptation to home, family, school and society in general. The family may need support carried by professionals and/or NGO representatives, the extension and quality of such activities should be documented as well.

A follow up should always consider the possibility of mal adaptation and abuse occurring at all levels, i.e. family, school, institutions as well as the possibilities of new trafficking, exploitation and social stigmatisation in society as well as in the family.

Children subject to separation, trafficking and abuse may need different forms of rehabilitation including health and psychological care, extra help at school as well as the possibility to learn new skills in order to support themselves or contribute to the family's economy. Some young people may suffer after being socialized into criminal activities or from substance dependence that may require special attention and in some cases institutionalisation. Young people may face new dangers of stigmatisation and exclusion at all levels, especially those subject to sexual exploitation. In order for repatriation to be successful extended support to child, family, school and other institutions must be provided.

Networking across borders should include the exchange of information and knowledge, as well as support by Developmental Aid Organizations – like Peace Keeping Forces, and well established NGOs (religious organizations, child advocacy org, etc). This could contribute as well to the implementation of programs aimed to prevent that new children are separated from their families or trafficked, as well as to avoid that those repatriated are sent abroad anew. Networking should be based on mutual respect and both formal and informal contact among those involved.

The main message here should be: Don't leave the child alone!

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G The NGO perspective

The NGO Perspective by Ms. Annika Åhnberg, Chair of Save the Children Sweden

First of all I would like to thank the Swedish Minister for Development co-operation, Migration and Asylum Policy for inviting me to this conference and giving me the possibility to present to you a NGO – perspective on the extremely important and difficult issues on unaccompanied Children migrating in our region. The main question is: How can we assure these children their rights and possibilities to good living conditions as stated in the UN Convention on the Child's Rights. A Convention that all our countries have ratified and promised to implement in our respective country.

I represent here today Save the Children Sweden but also other NGO: s working for the plight of these children with the same mission.

Save the children Sweden has been working with unaccompanied or separated children since more than 10 years back. An intensive co-operation with other NGO.s in Sweden has taken place as well.

During these years about 5000 separated from more than 50 countries have come to Sweden. Two thirds of them have been boys and the majority of them arriving at an age of 14 to 17. Last year more than 568 children applied for asylum in Sweden. Most of these children came from Iraq, Somalia and former Yugoslavia. But in the last years a new phenomenon has taken place. Children are coming from more nearby countries around the Baltic Sea. And this phenomenon we all meet as countries of origin, countries of transit or countries that receive these children. This is why we are here at this conference. Some of our countries might at the same time be countries of origin, transit or receiving children.

In the beginning **the children** were not even counted in the statistics. As a result of Rådda Barnen's demand children were counted in statistics in 1988.

In 1990 Save the Children Sweden organized the first Nordic conference. At that time the majority of unaccompanied children applied for asylum from Eritrea and Iran.

In 1992 the number of children coming was very high, about 1500, due to the conflict in the former Yugoslavia, but also due to the situation in Somalia.

For many of these children coming from a different culture it has been very difficult to adjust to Sweden.

Many of them were traumatised, lonely and had difficulties in school in Sweden. And their problems continued even after having stayed quite some time in Sweden.

With assistance of Save the Children, home- country visits have been organised and this has been of great help to the children.

A group of children with residence permit has been accompanied by adults to visit their home country and to meet family members. After such a visit they could much better cope with their lives. And this is a kind of activity that would be needed to a much larger extent in Sweden and elsewhere.

Save the Children saw the importance of creating a network of NGOs working with the issue of separated children.

In 1997 "The Separated children in Europe programme" was started in partnership with Save the Children organisations and UNHCR.

One great achievement of SCEP was the creation of our network comprising 28 countries, among them, the Baltic States, Poland, Germany, which are represented here today.

At this website you can find all kinds of information on separated children, the good examples of treatment and the bad. You can find the links to other organisations and networks.

Why do some children travel?

A study by the Save the Children done in the year 2000 shows that most of the unaccompanied children who are migrating in Europe do it because they are moving away from a conflict situation or from poverty and serious deprivation. It is obvious that these children live in extremely difficult circumstances. Often the child lacks a caregiver because a separation has already taken place. Quite often there is some link with the country the child is aiming for. Sometimes the initiative comes from children themselves because they need to earn money.

Very often there is a presence of traffickers and networks that bring the children.

The situation of these children is not acceptable. There has to be action taken by all countries in our region. To be able to do that we need a strong co-operation between countries and between different actors in society.

Greater freedom of movement within Europe has resulted in many children leaving their homeland in search of a better life. Many of them with good results but some fall into underpaid work and child trafficking. Many children are coming "en route" via some place else, to Sweden. And the situation is the same in other countries.

Afghan and Somali children tell us that they have lived in Moscow or Tallinn for several months waiting to be transported further.

The explosive growth of Internet has given children in Eastern Europe a once-unthinkable opportunity to interact with others internationally. However the Internet is also a catalyst for the once-unthinkable spread of child pornography.

Examples from other regions show that these children are moving back and forth. A report made by International Social Service analysed a sample of 256 Albanian children repatriated between 1998 and 2000 from neighbouring countries. At the beginning of 2001, 98 of these children remained in Albania, while 155 of them had emigrated abroad again. Some children migrate several times.

In October 2002 the Separated Children in Europe Programme/SCEP published the report: "The Situation of Separated Children in Central Europe and the Baltic States".

This report, which focuses on asylum, compares and analyses the main findings of the Country Assessments of eleven countries in Central Europe and the Baltic States, providing an overview of the situation of separated children in these places. It shows that some countries in Central and Eastern Europe are sending, as well as receiving countries, but mostly transit countries.

The report states that trafficking is considered as a very serious problem in Europe. However there is little information on the numbers of children separated/trafficked and few cases have been recorded. Almost in all countries affected by this phenomenon the authorities have taken initiatives to tackle trafficking. These measures, however, have been introduced mainly in the context of crime control and prevention, rather than as specific measures for the protection of children. And I want to underline once again that we must see this problem from a child perspective. Neither in countries of origin or in receiving countries or transit countries there are efforts enough made to assure the separated children an acceptable standard of living.

Sweden and other host countries do not give these children sufficient protection and care. In Sweden last year 48 separated children seeking asylum disappeared from reception centres before their asylum the authorities processed applications.

We must find out why they disappear and to where.

It is known that some separated boys and girls have been engaged in criminal activities and some have been sexually exploited, but for some we don't know at all what has happened.

Sometimes applications are rejected and children have to return to their country of origin. There are many problems linked to this because:

- there is a lack of reception facilities
- there is a lack of rehabilitation places for those youngsters that in many cases will end in up the streets if sent home
- The children's families are socially weak and can not give the children proper care.

The international network of the Red Cross is often used to search for parents and relatives to these children.

I think that from what I have said so far you have drawn the conclusion that actions must be improved and co-operation must be increased. I hope that NGO: s will have an important role to play in this process of development.

What can we do as NGO: s?

Our role is clear. We want to be your partners but we are **not taking over the responsibility** from the authorities for these children, we are advocating on behalf of them. And at the same time that we are closely co-operating with authorities and governments, we will act as watchdogs and we see it as our task to continuously urge you to do more. We will follow your development.

We are determined to continue our work with The Separated Children in Europe programme, which so far mainly has dealt with refugee children. It will **widen its focus** to work as an **action programme for migrant, trafficked, refugee and asylum seeking children.**

With the generous grant from the EU, the programme will carry out an assessment of the situation for these children in **all EU** member states including Norway and Switzerland. **Children** will participate in the assessments. They will tell us what they need. And what was good and bad in the way they were treated.

Due to the lack of funding this could not be done in the countries of Central and Eastern Europe. And it is our strong wish that resources could be found to include these countries in the new phase of assessment.

A new statement of good practice including children who are migrant and trafficked will be worked out. The statement of good practice is a very useful tool in working with these children. The statement describes a minimum standard what needs to be accomplished in the areas of assessment, care and integration for these children.

With the assistance of our network partners and our **NGO partners** around the Baltic Sea **we will strengthen our network.**

We will encourage our partners to cooperate with other NGO s at country level.

The training of officials from the government and NGO: s has taken place with representatives from the Baltic States, Poland and Germany involved in the issue of separated children.

In Lithuania there has been an amendment to the current law on Refugee Status to include the right of separated children to submit an asylum application. Our counterpart in Lithuania is now preparing for a seminar drafting regulations and educating guardians

In March Save the Children will organize a seminar in Rumania

Hopefully also this can be done on Lithuania later on this year if funding is secured. We will train relevant authorities on specific child rights issues.

In Sweden we have just started to update our assessment of all separated children in Sweden, This study will give us an updated picture of the situation of separated children here.

What Save the Children Demand

Finally I would like to propose to you some actions that need to be undertaken and which we hope that you would agree on and decide upon.

- Sweden and the EU should allocate more of economic support to children.
- A mapping exercise of all the separated children in this region must be carried through to get an overview of the situation
- Migration authorities and social welfare authorities must co-operate in countries and internationally across borders. Focal points must be identified and coordination takes place. We have had the strength to organise police co-operation over the borders. We must also organise social services across the borders.
- A child should never be sent back to her/his country of origin if the conditions have not been thoroughly investigated and planned for.
- New models must be found to support returned children in their home-countries, i.e. foster-families and reception centres
- Children who are victims of trafficking should be granted international protection.
- If a child disappears from a reception centre, the incident should immediately be reported to the police and social welfare authorities.

Ladies and Gentlemen,

We believe that first and foremost separated children should be treated as CHILDREN. Numerous reports have shown that these children are the most vulnerable because they are separated from their parents and outside their country of origin. These children need the support

from governments and society institutions more than most our children. I thank you for your determination to deal with these complicated problems and I thank you for listening to me this morning.

H Conclusion of the meeting

Concluding Speech by Ms. Berit Andnor, Swedish Minister for Child and Family Affairs

Distinguished participants, Ladies and Gentlemen:

I am happy to be here this afternoon and have the opportunity to say some words of encouragement as you go back home to continue the process that has been initiated by this meeting. I wish my schedule had enabled me to spend more time with you during these days and to share all the expertise and enthusiasm that you have shared with one another.

You came here with high expectations on this meeting. Having listened very carefully to the chairman's conclusion with you I am convinced that this has been a very worthwhile meeting and that some of those expectations have been fulfilled. You have listened to very qualified speakers and in the group discussions you seem to have touched on many important issues that need to be further developed.

I want to start by repeating some of the points made by Minister Karlsson in his opening statement

Children cross borders for several reasons – some run away from unbearable living conditions or different kinds of exploitation. Some do it voluntarily and on their own, some pay adults to assist them. Others again are forced, coerced or deceived with promises of a brighter future in another country.

- Joint efforts are needed to be able to counteract the fact that children cross borders for these reasons. No government can alone solve the problem, nor can an authority or organisation do it on its own.

- A regional focus involving many sectors of our society – migration management, border control, welfare authorities and the legislative system, NGO's and civil society all need to be involved in this work if we are to be successful. Building networks between different actors is vital.

We have a long tradition of cooperation between the Nordic countries. Cooperation within the context of the Council of the Baltic Sea States is not quite as old but celebrated its tenth anniversary last year. In that time much has been accomplished in many areas.

One accomplishment in the area of cooperation, which I would like to highlight, is the cooperation on children at risk in the Baltic Sea Region. It was initiated and developed by two of my predecessors as Minister of Children and Family Affairs, Mrs Klingvall and Mrs Thalén. This work started as a follow up measure on a regional basis of the First World Congress on Commercial Sexual Exploitation of Children held here in Stockholm in 1996. After a meeting very similar to this one in Tallinn in 1998 it was decided that joint efforts should be made to raise

the awareness, raise the level of competence and build networks among decision makers and different professionals who meet the children in question.

The Swedish Government took on the main responsibility for this project and the Norwegian Government supported the project. A long process led to decision in October 2001 to establish a more permanent cooperation on children at risk. In the years leading up to this decision, national coordinators have been appointed in all countries, national competence centres are in place and meet on a regular basis and a well functioning web page – the Childcentre – has been developed. A reference group of senior officials from all countries was closely connected to the project.

The decision to formalise the cooperation over a period of three years meant a commitment from all countries to finance a children's unit at the secretariat and to form a Working Group for Cooperation on Children at Risk – the WGCC. This means that the regional cooperation on children can go on – and it can grow.

The work was initially concentrated on commercial sexual exploitation of children – a very important issue. It soon became evident that the focus needed to be expanded to children at risk of sexual abuse and exploitation, so most of the work done so far has been in this area.

When planning its work for the coming years the working group needed to set some priorities. A starting point was the statement by the Heads of Government at their meeting in St Petersburg in June last year stressing the need for “joint efforts to find appropriate solutions to the acute problem of trafficking in children and the increasing number of unaccompanied minors crossing national borders within the region, their proper care, identification, repatriation and rehabilitation.” A decision was taken to explore the possibilities of a meeting between senior officials with the aim of establishing a regional cooperation to improve the work with these children.

Going back to the chairman's conclusions – there seems to be agreement on the need for a follow up process to this meeting. So – with the support promised by the Ministry of Foreign Affairs – we can look forward to a coming cooperation to better the lives of children who cross the borders in the region regardless if they came voluntarily or were trafficked. The aim must be to see these children as individuals each with his or her history. These children deserve the possibility of meeting stable adults who can give them support and a helping hand to create new ways and a belief in a future.