



Separated Children in Europe Programme

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The content has been prepared from publicly available sources and information provided by UNHCR and the participants of the Separated Children in Europe Programme's NGO Network.

Programme Update

Steering Committee

The Steering Committee met at the end of May to review the implementation of recommendations from the November 2004 external evaluation of Separated Children in Europe Programme. The progress on each recommendation was discussed and the Steering Committee agreed upon immediate points of action.

Daphne II Project Implementation

Translation of the Statement of Good Practice into 20 languages is now underway and should be finalized by end of July 2005.

The translations handled by the SCEP management will be proofread by Network partners and published during the summer.

SCEP Programme Staff is consulting with NGO Network partners concerning the possibilities for launch events and awareness raising activities in relevant countries.

A Croatian version of the Statement of Good Practice has been translated and published jointly by the Centre for Social Policy Initiatives and UNHCR Croatia.

EU Working Group

The EU Working Group has begun drafting a new position paper on the pros and cons of the use of biometric data. This draft position paper should be discussed with the wider SCEP NGO Network at the next Network meeting in October 2005. Furthermore, the EU Working Group will submit comments on the EC Return Directive once it is published.

Article in Forced Migration Review

An article 'Is Europe failing separated children?' by Diana Sutton and Terry Smith was published in the May 2005 issue no. 23 of Forced Migration Review, p. 29-31.

www.fmreview.org/FMRpdfs/FMR23/FMR23full.pdf

Article in ‘The asylum-seeking child in Europe’

Terry Smith’s presentation ‘European refugee law and its impact upon children’ at a conference in Göteborg 24-25 September 2004 is published in the book ‘The asylum-seeking child in Europe’.

Changes with NGO partners & UNHCR

Irish Refugee Council: Separated Children’s Officer, Heilean Rosenstock-Armie has a new email address heilean@irishrefugeecouncil.ie. Please discard her old temporary one.

Menedek has become the new Hungarian NGO partner to the SCEP NGO Network. Contact person is Júlia Gázsó, e-mail gjuli@menedek.hu

Refugee Council: Helen Johnson’s phone number has changed to +44 (20) 7346 1129
The Children’s Panel Advice Line number has changed to +44 (20) 7346 1134

Salvati Copiii (Save the Children Romania):

Bogdan Postelnicu’s phone number has changed to +40 (21) 316 61 76 and his e-mail address has changed to rosca@salvaticopiii.ro

Save the Children Albania has become a new NGO partner to the SCEP NGO Network representing Albania. Contact person is Anduena Shkurti, e-mail anduenashkurti@savealbania.org

Slovene Philanthropy: New contact person is Separated Children Co-ordinator Marina Uzelac, e-mail marina.uzelac@filantropija.org

UNHCR BO Prague: Focal point Takayuki Ueno’s e-mail has changed to ueno@unhcr.ch

UNHCR

UNHCR working paper ‘European Refugee Policy: Is there such a thing’

A UNHCR working paper by Joanne van Selm was published in May. It discusses the nature of Europe and its approaches to asylum and refugee issues from their origins through to the Hague Programme and analyses the type of unsuccessful ‘visions’ that various governments have advanced to develop a European approach to the ‘refugee and asylum problem’ and the European Commission’s efforts to systematically broaden the debate. www.unhcr.ch/cgi-bin/texis/vtx/home/opedoc.pdf?tbl=RESEARCH&id=42943ce02&page=publ

World refugee day

The UNHCR theme for 2005 World refugee day on June 20th was ‘courage’ to honour the indomitable spirit of tens of millions of refugees and displaced who have overcome enormous loss and hardship to start anew’.

The newly appointed High Commissioner, Antonio Guterres, said “the international community must also do more for the world’s estimated 20-25 million internally displaced persons”, and that “all of us bear a responsibility for ensuring that those genuinely in need of international protection receive it”.

UNHCR statistics released on June 17th show that the number of refugees in the world in 2004 had decreased by 4% to 9.2 million, which is the lowest since the 1980s. However, the number of ‘persons of concern’ to UNHCR rose from 17 million to 19 million during the year, partly due to the Darfur crisis.

Press releases at: www.unhcr.ch/cgi-bin/texis/vtx/news/opedoc.htm?tbl=NEWS&id=42b191e82s

Guterres’ speech at: www.unhcr.ch/cgi-bin/texis/vtx/events/opedoc.htm?tbl=EVENTS&id=42afe7512

European Union

Hague Programme Action Plan 2005-2010

The European Commission launched its 5 year Action Plan for Freedom, Justice and Security, with detailed proposals for EU action on areas including migration management, visa policies, asylum and the fight against people trafficking.

Key actions:

- In the area of fundamental rights the Commission has committed to presenting a comprehensive strategy on the protection of the rights of the child in 2005. It is also proposing to set up a single pan-European emergency telephone number for missing and abused children.
- The Commission is proposing to convert the European Monitoring Agency for Racism and Xenophobia into the Fundamental Rights Agency. The Agency is to act as a reference point for civil society, to promote dialogue and raise awareness. It will also have a role in collecting and disseminating information and data.
- The Commission is to present a common immigration policy plan, with the objective of having a common policy by 2010. This will focus on fighting illegal immigration and trafficking in human

beings. The Commission will present a Communication (end 2005/start 2006) on ways to strengthen the fight against trafficking in human beings, notably children. It will also present a communication on the participation of civil society in the search for missing and sexually exploited children.

- The Commission is hosting a public hearing on a future EU approach to the admission of economic migrants, on 14 June. The hearing will look at
 - The degree of harmonisation the EU should aim for
 - Admission procedures for paid employment and self employment
 - Rights of migrant workers, integration and return issues

The Commission is to present a concrete policy plan on migration, taking on board this consultation and written submissions, by the end of the year

- A common EU asylum policy and uniform refugee status should be agreed. This is intended to better guarantee refugees' rights and to combat abuses of the asylum system. Regional Protection Programmes are to be developed with third countries.
- Exchanges of best practices between Member States, on integrating migrants, are to be developed.
- Exchanges of information to prevent and combat crime, should operate between Member States, as they do among national law enforcement and judicial authorities, while preserving protection of personal data.
- In the framework of the Solidarity and Management of Migration Flows Programme funding will be available through four funds –
 - European External Borders Fund
 - European Integration Fund
 - European Refugee Fund
 - European Return Fund

A mid-term review of the action plan will take place in November 2006

More information is available at:

europa.eu.int/comm/justice_home/index_en.htm

Hague Action Plan endorsed by European Council

The Action Plan that outlines the implementation of the Hague Programme 2005-2010 was endorsed by European Heads of State and Government at the summit of 16-17 June. By the end of 2005, the Commission is expected to put forward a proposal for a supplement to the Action Plan emphasising the external dimension of the area of freedom, security and justice.

ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/85349.pdf

EP Report on EU immigration policy

A European Parliament own initiative report (A6-0136/2005) on EU immigration policy was adopted by 431 votes to 124. MEPs criticised the failure of the Council to move legal migration to the co-decision procedure. They called for the creation of legal channels of migration to help reduce illegal immigration and rejected proposals to create reception centres, outside the EU, for immigrants seeking to enter the EU.

Draft directive on asylum procedures

The European Parliament is also discussing amendments to the draft directive on asylum procedures (14203/2004 – C6-0200/2004 – 2000/0238 (CNS)). The comprehensive draft directive addresses issues such as access to asylum procedures, the notion of safe countries of origin and of safe third countries. The proposed amendments would bring the directive more closely in line with general principles of international law, the Geneva Convention and with the Convention on the Rights of the Child.

Critical report on procedures directive adopted by LIBE

The Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament adopted on June 21st Wolfgang Kreissl-Dörfler's report on the asylum procedures Directive.

The amendments to the Directive proposed in the highly critical report were for the most part kept intact, including a proposal to delete article 35A of the Directive, the so-called 'super safe country' principle. Although an amendment to delete the 'safe country of origin' principle was not passed, the possibility to create national lists of 'safe countries of origin' (Article 30A) was rejected by the LIBE Committee.

The Committee agreed that asylum seekers should have the right to an effective remedy with suspensive effect and that detention of asylum seekers should not exceed a time limit of 6 months. The Committee put safeguards in place limiting, but not rejecting the use of accelerated procedures.

The European Parliament is expected to vote on the report July 4-7. The Parliament is only being re-consulted, and the directive is not subject to co-decision.

LIBE debate May 24th at:

europarl.eu.int/meetdocs/2004_2009/organes/libe/LIBE_20050524_1500.htm

The report and proposed amendments at:
http://www.europarl.eu.int/meetdocs/2004_2009/organes/libe/LIBE_20050620_1500.htm

Eurodac second evaluation report

The second annual report of Eurodac (EU fingerprint database) published on June 21 shows that 13% of the total number of asylum applications in the EU (except Denmark, but including Norway and Iceland) were 'double applications'.

Eurodac hits almost doubled compared to 2003. According to Agence Europe, this may be partly due to 10 new member states joining the Union on 1 May 2004. Another factor behind the rise is that the Eurodac database had no records at all when it became operational in January 2003 and more hits are to be expected as more fingerprints are entered into the database.

In 2004, Eurodac processed 232,205 fingerprints of asylum seekers, 16,183 fingerprints of people crossing the borders irregularly and 39,550 fingerprints of people apprehended while illegally on the territory of a Member State.

Press release at:

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/05/214&format=HTML&aged=0&language=EN&guiLanguage=en>

EC-Albania readmission agreement

The signed text of the readmission agreement with Albania has been published. It includes a requirement for Albania to readmit not only its own nationals, but also irregular migrants in the EU who have transited Albania.

Available at:

europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:L:2005:124:SOM:EN:HTML

Report on the Situation of Fundamental Rights in the European Union

Concerns regarding children raised by the EU Network of Independent Experts on Fundamental Rights in 'The Report on the Situation of Fundamental Rights in The European Union in 2003' focus on trafficking and discrimination against Roma children, particularly with respect to education.

The report also identifies the detention of, both accompanied and unaccompanied, minor asylum seekers as a specific problem.

The report can be downloaded from
europa.eu.int/comm/justice_home/cfr_cdf/index_en.htm

Amnesty International has published an Open Letter to the incoming UK Presidency of the EU with a series of recommendations on how the EU's Common European Asylum System should be improved to ensure that human rights violations are not tolerated by any EU country.

European Union countries are increasingly violating their international obligations on asylum according to three reports released simultaneously today by Amnesty International to mark World Refugee Day. (Amnesty International, Brussels 20th June 2005)
web.amnesty.org/pages/369-200605-feature-eng

Council of Europe

Convention on Action against Trafficking in Human Beings adopted

The Committee of Ministers of the Council of Europe adopted on May 3rd the Convention on Action against Trafficking in Human Beings.

During the drafting progress both the Parliamentary Assembly of the Council of Europe (PACE) and NGOs have voiced their concerns about whether the provisions in the Convention were sufficient.

PACE concluded in January that the draft does not live up to expectations and appeared to concern itself more with Member States concerns regarding illegal immigration rather than protecting victims of trafficking.

Amnesty International and Anti-Slavery International have stressed that the focus should be shifted from protection of borders to protection of victims of trafficking.

Some of the PACE suggestions have been taken into account: some provisions have been made binding and a minimum period of 30 days as a recovery and reflection period for victims has been included.

The wording in the provision on the issuance of temporary residence permits is still vague and the provision regarding border measures fails to refer to the right to seek asylum.

On May 16th in Warsaw 14 CoE member states signed the Convention: Armenia, Austria, Croatia, Cyprus, Iceland, Luxembourg, Malta, Moldova, Norway, Poland, Portugal, Romania, Serbia and Montenegro and Sweden.

wcd.coe.int/ViewDoc.jsp?id=828587&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75

Council of Europe Guidelines on forced returns adopted

The Council of Europe's Committee of Ministers adopted on May 20th a set of guidelines on forced return of illegal residents.

The guidelines are a response to a number of deaths of people in the return process. They are based on the idea that human rights and effective procedures for return are mutually compatible and should stress the need for more transparency and better communication.

Twenty guidelines on forced return at:

wd.coe.int/viewDoc.jsp?id=856881&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75

Committee on the Rights of the Child

General Comment on the treatment of unaccompanied and separated children outside of their country of origin which was adopted by the Committee on 3 June will be published and translated into French and Spanish within the second half of 2005.

Available in English at

www.obchr.org/tbru/crc/General_Comment_No_6.pdf

Concluding Observations adopted in respect of reports submitted by States parties to the Committee on the Rights of the Child, 39th session from 16 May to 3 June 2005.

The documents are provided in advance unedited version and in the original language of adoption, with translations into additional languages to be found in due course on the Treaty Body Database of the website of the Office of the High Commissioner for Human Rights at www.obchr.org.

Bosnia and Herzegovina:

www.obchr.org/tbru/crc/Bosnia_and_Herzegovina.pdf

Norway: www.obchr.org/tbru/crc/Norway.pdf

Under the Optional Protocol to the Convention, on the Sale of Children, Child Prostitution and Child Pornography, the Committee adopted Concluding Observations in respect of Norway:

www.obchr.org/tbru/crc/Norway_Optional_Protocol.pdf

The **revised global Reporting Schedule** setting out the tentative consideration of State reports by treaty and session in 2005 and 2006. The schedule,

correct as of 23 May 2005, is subject to change without notice.

www.obchr.org/tbru/Reporting_schedule.pdf

Denmark: Save the Children Denmark together with seven other organisations, who submitted a joint supplementary NGO Report to the Danish Government's 3rd periodic report, met in June with the pre-sessional working group of the UN Committee on the Rights of the Child in Geneva. The Constructive dialogue with the Danish State party's delegation will take place during the 3rd session in September

Ireland: The Children's Rights Alliance made up of various children's rights organisations has started its shadow report for the UN Committee on the Rights of the Child, following the State's submission. The Irish Refugee Council will assist with submissions in relation to refugee children and separated children.

United Kingdom

The Joint Committee on Human Rights (JCHR) in their 31 March 2005 report considered the UK's reservation to Article 22 of the Convention on the Rights of the Child and reiterated their previous finding that the UK Government's view that such a reservation is 'necessary' in the interests of effective immigration control, is unfounded.

The JCHR stated that the practical impact of the reservation is to leave children subject to immigration control with a lower level of protection in relation to a range of rights, including those unrelated to their immigration status, than national children.

Changes and Developments in Law, Policies and Practice

Austria:

The European Court of Justice (ECJ) ruled on May 4th that Austria has breached EU law by failing to transpose fully the Directive prohibiting discrimination on the grounds of race or ethnic origin (Directive 2000/43/EC).

The deadline for member states to transpose this Directive was 19 July 2003, except for the 10 new Member States, who had to ensure that their legislation complied with the Directives by their accession to the EU on 1 May 2004.

Employment, Social Affairs and Equal Opportunities Commissioner Vladimír Špidla said that Member states have now had five years to put

this EU law into their national legislation and urged Austria to move quickly to meet their all obligations in this area, which is vital for the protection of fundamental rights in the EU.

EU press release at:

www.europa.eu.int/rapid/pressReleasesAction.do?reference=IP/05/543&format=HTML&aged=0&language=en&guiLanguage=en

Finland

Some changes in the Integration Act concerning separated children have come into force. It is now made clear that the reception centre can keep the child in the centre before a guardian has been appointed. Sometimes there are people who shortly after arrival of a child are demanding the child to be given to them claiming to be the parents, but there are doubts about the real connection and family ties. The purpose is to protect children in these situations until family ties are made clear.

The Directorate of Immigration has started to give temporary protection to asylum seekers, which is now possible according to the rather new Alien's Act.

Countries of origin in question are among others Somalia, Afghanistan, Iraq and Sierra Leone.

NGO's and people working with asylum seekers have stated their concern about this. Temporary protection means restricted rights and benefits, e.g. no right to work. One concern is that also separated children will be given only temporary protection and at least one minor already has.

To give temporary protection has not been common before and NGOs see this as part of tightening immigration controls in EU. The fact is, though, that the numbers of asylum seekers in Finland have not increased remarkably in recent years, 3.221 in 2003 and 3.861 in 2004.

The Finnish Government is preparing an immigration policy programme. It will be the second ever done. A working group gave its proposal on June 15th.

NGOs have concerns that the programme will focus merely on immigration as needed labour force, but at least the proposal of the working group also gives a number of policy guidelines concerning humanitarian immigration. It states that Finland will actively promote the development of the international system of protection, e.g. it is critical towards shifting responsibility by establishing camps in transit countries.

It states that one of the main values behind immigration policy is the principle of the best interests of the child. Separated children are given some attention throughout the document. The proposal states e.g. that when assessing the best interests of the child, child welfare expertise has to be consulted as well as expertise in children's issues will be increased with different professionals. Possible return has to be prepared very carefully and should also be followed up upon. The services to traumatised children has to be developed and the right to go to school to be guaranteed.

Germany:

The European Court of Justice (ECJ) ruled on April 29th that Germany has breached EU law by failing to implement the Directive prohibiting discrimination on the grounds of race or ethnic origin (Directive 2000/43/EC). The deadline for member states to transpose this Directive was 19 July 2003.

Ireland

In autumn 2005 the government will publish an "Immigration and Residence Bill". This bill will set out Irish immigration policy and law for the foreseeable future.

The government recently published some proposals in that respect, to which it has invited responses, which can be submitted before the end of July. www.immigrantcouncil.ie/

Slovakia

By mid June the president of Slovakia is expected to sign a new law about the social-legal protection of children.

Slovenia

A round table on Separated Children Issues in Slovenia was held on 7 June 2005 in Ljubljana.

Beneficiaries were representatives of Centres for Social Work (the responsible institution on appointing guardians), Ministry of Labour, Family and Social Affairs, Section of Immigration and Refugees, Asylum Home and Centre for Foreigners within Ministry of Interior, UNHCR and other related organisation (GOs and NGOs) active in the field of the child issues, migration and asylum.

The round table was organised by Seecran (South East European Child Rights Action Network).

Main conclusion was that there is a need of improvement of separated children protection in Slovenia. As a consequence a round table meeting with competent ministries (Ministry of Labour,

Family and Social Affairs, Ministry of Education and Ministry of Interior) will be organised with the aim of taking concrete steps to improve the situation of separated children in Slovenia.

Sweden

The Swedish parliament is close to adopting a resolution on regularisation, which will allow all people who claimed asylum before 31 December 2004, and who live in Sweden on 10 December 2005 without any kind of residence status, to apply for a permit based on humanitarian reasons. If adopted the closing date will be 31 December 2005 and could involve more than 15,000 people.

More information on www.flyktingamnesti.nu/

Switzerland

Switzerland is to join Schengen and Dublin II. On June 5th the Swiss voted in favour of signing up to the European Union's Schengen and Dublin II accords governing cooperation on crime-fighting and asylum.

The Swiss Parliament will continue to discuss further restrictions of the Asylum Act in the autumn.

In case these restrictions, as they now stand, go through, Switzerland will have one of the most restrictive asylum laws in Europe.

Shortly after the UN-Committee against Torture (CAT), the first Commissioner for Human Rights of the Council of Europe made public their concerns about various changes that would very likely be put in place.

See

www.coe.int/T/E/Commissioner_H.R./Communication_Unit

United Kingdom

The Government has introduced a new Immigration and Asylum Bill to take forward elements of its February 2005 five-year strategy for asylum and immigration, which includes a new asylum model introducing a streaming process to applications, and the end of the practice of granting indefinite leave to remain to refugees (to be replaced by an initial grant of limited leave).

There is widespread concern about the proposed speed with which applications will be processed, and about the wholly inadequate arrangements for applicants to get legal advice. The government maintains that you do not need legal advice to claim asylum.

The concerns for separated children within the proposed new asylum model are that age-disputed children are forced through the new system as adults, and that those accepted as children will have much more onerous reporting restrictions placed upon them.

As much of the asylum-related measures are likely to be implemented administratively (without legislative amendments required), it is anticipated that the new Bill is likely to focus more on managed migration issues than asylum

The Refugee Council's response is available at www.refugeecouncil.org.uk/news/2005/june05/rela0605_2.htm

On April 5th the Education and Skills Committee published its report on the Government's implementation of 'Every Child Matters' (a September 2003 Government paper on children). The report's recommendations included:

- The Government should proceed with the utmost caution with proposals to introduce a child index constituting an electronic file on every child in England. Existing evidence does not demonstrate that such an index is likely to be of value.
- A review of the newly-appointed Children's Commissioner for England's should be undertaken within three years of the establishment of the office, to ensure that the role is not unduly constrained by its legal remit.
- More joined-up working within and between Government departments is required.

The Labour Party were returned to Government (albeit with a reduced majority) in the May 2005 General Election. The new UK cabinet minister responsible for immigration and citizenship is Tony McNulty MP.

Detention

Belgium

On May 27th, 12 Members of Parliament from 8 political parties took part in a visit to the repatriation centre "127bis" near Brussels airport.

It is hoped that this visit will lead MPs to create real alternatives to the detention of children. The visit was organised by a number of NGO's and succeeded in raising the issue of the detention of children in the national newspapers and on the national radio. For more information please contact Christophe.Renders@jrs.net

Italy

According to an Amnesty International report released June 20th foreign nationals, including people seeking asylum, are increasingly being placed in detention in violation of international human rights standards. Amnesty International's report details allegations that people in temporary holding centres in Italy have been subjected to physical assault by law enforcement officers and supervisory staff, and to excessive use of tranquillizing drugs. The centres are often overcrowded, unhygienic and with poor medical care. Many of those detained experience great difficulty gaining access to the asylum determination process and challenging the legality of removal orders.

The full report 'Temporary stay - permanent rights: the treatment of foreign nationals detained in temporary stay and assistance centres' is available at web.amnesty.org/library/index/engneur300042005

Spring 2005 saw many revolts happen inside detention centres, revolts occurred against administrative detention and against expulsions.

Via Corelli's detention centre in Milan is probably the symbol of actual situation: inside this cpt migrants' revolts lasted for months and they were organized with great co-ordination and communication. Repression comes from police that use sedatives, beatings, abuse but also from courts.

Courts today issue sentences that try to hit migrants in an exemplary manner, migrants that rebelled against living conditions inside detention centres.

The variegated composition of movements that have been struggling for the closure of detention centres found others that take position against these jails and against Bossi-Fini law.

Inside detention and identification centres hundreds of citizens are caged. These are citizens that met huge difficulties in their journey toward Europe.

The president of Puglia region expressed his opinion against "Italian Guantanamo" and he appealed to all regions' administrations in order to have all detention centres closed.

In addition, police unions in Modena and Lecce declared that detention centres are a failure and they are responsible of the most of criminality.

[Excerpt from www.meltingpot.org/articolo5537.htm]

United Kingdom

A report by the Council of Europe Commissioner for Human Rights Mr. Alvaro Gil-Robles on his 2004 visit to the UK was released in June 2005. The report examined issues relating to asylum, including the detention of asylum seeking children – both

separated and in families. It recommended, inter alia, that:

- The Government should produce comprehensive statistics on the detention of asylum-seeking children and make these publicly available;
- Efforts must be made to find and implement alternatives to detention for families with children;
- The detention of children for any period should be authorised by a judicial authority (as opposed to an administrative body as at present);
- Where an asylum seeker has been accused of the 2004 criminal offence of deliberately destroying identity documents, the burden of proof that none of the defences apply should rest with the prosecution.

Inspections of two removal centres for asylum seekers in the UK (Dungavel and Tinsley House) were conducted in November 2004 and the findings, criticising the detention of asylum-seeking children and the lack of safeguards in place to protect the welfare of detained children, were published in May 2005.

An Amnesty International report released June 20th estimates that tens of thousands of people who have sought asylum have been detained solely under the country's Immigration Act. Their detention is in many cases protracted, inappropriate, disproportionate and unlawful. For many people who have sought asylum in the UK, languishing in detention has led to mental illness, self-harm and even to people attempting to take their own lives. The report, based on visits to the majority of UK detention facilities, details cases where people presented little risk of absconding but who suffered prolonged misery as a result of their detention.

The full report 'Seeking asylum is not a crime: detention of people who have sought asylum' is available at

web.amnesty.org/library/index/engneur450152005

The Refugee Council's response is available at www.refugeecouncil.org.uk/news/2005/june05/relea0605_1.htm

Age Assessment

Spain

The Spanish authorities have finally taken into account the reports of UNHCR, NGOs and medical studies demonstrating the variability and inaccuracy of the Greulich & Pyle age assessment.

Therefore, during the last two months, improvements in the means of determining the age have been introduced in Madrid.

In a recent meeting held by UNHCR with the General Prosecutor of the Regional Government of Madrid and the Prosecutor of Minors of Madrid, they informed that the practice of complementary test to determine the age of those who claim being minors, is being carried out.

These additional tests consist on a dental and a secondary sexual characters examination, which added to the wrist x-ray, will result in a bit more accuracy in age assessment.

Nonetheless, taking into account that this practice is quite recent it cannot yet be confirmed whether this practice is being applied in the entire national territory and its real effectiveness.

United Kingdom

The Refugee Council Children's Panel has undertaken a lot of work with age-disputed children in recent months.

Statistics indicate the scale of the problem. From March 2004 until May 2005 they supported 164 clients who had been age-disputed; 79 of them were found to be children and are now being looked after by social services departments. Of the rest, some were found to be adults, some gave up trying to prove their age, some were deported and some disappeared.

From November 2003 to September 2004 one social services department in the east of England were asked to conduct age assessments on 74 age-disputed separated children locked up as adults in a detention facility. 35 of them were found to be children and were released to the care of the local authority.

In April 2005 a significant legal judgement was made (the "I and O judgement") as the Home Office were found to have detained two separated children unlawfully and they are liable to pay compensation.

Guardianship

Croatia

On 24 May UNHCR and the Centre for Social Policy Initiatives (CSPI) started education of potential guardians for separated children foreign nationals, as envisaged under the Project "Support to Guardianship System for Separated Children, Foreign Nationals, including Asylum Seekers" (implemented in 2005).

The Project is supported by the Ministry of Health and Social Welfare and the Centres for Social Welfare in Zagreb region that identified the first group of out-of institution collaborators skilled in individual work with children, to be trained as potential guardians for separated children foreign nationals. The group included 17 participants who all expressed their interest to work with separated children foreign nationals. The education program is divided in two parts and the second training will take place in September.

It is expected that Centres for Social Welfare will identify one additional group of potential guardians (15 - 20 persons) to also be trained under the same education program (two training sessions) in the period September - December 2005.

Slovenia

Training for separated children's guardians was organised and implemented as a one day event on 27 May 2005.

Beneficiaries were future guardians and social and refugee workers (Slovene Philanthropy volunteers). The number of all participants was 19. The training was organised by Slovene Philanthropy. The main objective of the training was to enhance the already existing network of educated guardians for separated children.

Reception

Belgium

The organization Solentra has started a phone hotline, providing psychological support to undocumented and asylum seeking minors who have been victims of violence. The hotline was established as part of the children's department of a large hospital in Brussels.

Finland

The number of asylum seeking separated children has been increasing lately. At the moment, June 2005, there are 188 minors in Finland waiting for the decision to their application.

The group homes for minors in reception centres have been full and new units have been opened.

According to the Directorate of Immigration the total number of arrivals in 2004 was 140, 110 boys and 30 girls. In 2005 till mid May the total number of arrivals is 86, 67 boys and 86 girls. The main countries of origin are Somalia, Afghanistan, Angola and Bulgaria.

Germany

Due to inconsistencies in the registration of asylum-seeking separated children in 2004, the Federal Office for Migration and Refugees examined all cases again and submitted new 2004 statistics on arrivals of separated children seeking asylum in Germany.

Total number of arrivals in 2004 was 636, 397 boys and 239 girls. Main countries of origin were Vietnam, Ethiopia, Turkey, Eritrea and Afghanistan. All figures refer to separated children from ages 0 to 16 only – separated children from the age-group 16 and above who do have legal competence within the German framework of asylum and alien laws constitute the bulk of separated children in Germany, but are not counted separately.

Access to school: In principle, children of asylum seekers have access to free primary education.

In the majority of the federal states (Laender), asylum seekers, refugees and rejected asylum seekers are obliged to attend school, but in some Laender (education being in the sole responsibility of the Laender) they only have the right to attend school.

In these Laender, the children concerned are sometimes not provided with school materials, transportation fees are not refunded, and the school has the right to refuse admission of the individual child.

Due to lobby work by terre des hommes and other NGOs in Thuringia the school law was changed in March 2005. Now asylum seeking children as well as those whose asylum application has been rejected are obliged to go to school.

In other federal states like Saxony, Saxony-Anhalt, Baden-Wuerttemberg and Rhineland-Palatinate changes to this effect are expected.

Ireland

Until recently Separated Children placed in hostels and under the care of the Health Service Executive (HSE) were given full supplementary welfare allowance of €124.80 and stayed in self-catering style accommodation.

It was not deemed in the best interests of the child by the HSE and a recent change in policy sees the payment cut to €19.10 similar to that received by adult asylum seekers in direct provision centres across Ireland.

It was believed by some that the larger payment was a pull factor for separated children to come to Ireland or even for adults to pose as children, though there is no real evidence of this.

The children now live in direct provision style centres. The numbers are smaller in each centre. They also receive a clothing allowance twice a year from the community welfare officer as well as books, uniform and travel allowances for school.

These same children used to all receive an additional €141.60 child benefit a month. Since May 2004 however, one must meet the habitual residency criteria, which entails proving residency in the state for two years before being able to access benefits such as child benefit.

Such a stark cut in payments will make it very difficult for these children to integrate with Irish children and classmates as they have little or no disposable income to partake in weekend activities.

The Netherlands

It is estimated that 11.000 children (with parents) are still in reception.

In the beginning of 2005 there are about 500 separated children of the age of 15, 16 and 17 in reception. In 2004 there were 594 separated children in the Netherlands.

With the campaign “a royal gesture”, thousands of Dutch people asked the Dutch queen to regularise the situation of rejected asylum-seekers who had to wait very long for an answer to their asylum application.

Based on the support letters and e-mails generated by this campaign, a book has been compiled to be presented to the queen on World Refugee Day June 20.

<http://www.eenroyaalgebaar.nl/>

Slovakia

Preparations of the project for special facilities for separated children in Slovakia has been finalised and the house in Horne Orechove was opened 14 April 2005.

The Slovak Humanitarian Council has met with UNHCR to talk discuss experience and proposals and were invited to a special inter-ministerial meeting concerning the UN in Slovakia.

The most obvious problem to resolve is the situation when a child waits a guardian – he/she waits in the police station and it can last for more than a day.

The best solution would be if a minor would be taken directly to Horne Orechove. But there is a problem concerning the court decisions that the Office of Labour, Social Affairs and Family cannot

act without. A second meeting will take place within 2 weeks.

Slovenia

Slovene Philanthropy has prepared a “Strategy for Dealing with Separated Children Issues in Slovenia 2005-2006” and a draft project proposal on accommodation facility for separated children.

The main idea of the project proposal is to create a special accommodation facility for separated children in respond to the current situation with lack of special accommodation facility for separated children.

Spain

In a report released June 20th Amnesty International says the Spanish government's moves to control immigration and the entry of foreign nationals means the right to seek asylum in Spain is in danger of extinction. People fleeing grave human rights violations are being prevented from reaching Spain to seek asylum and obtain protection. The report condemns the serious shortcomings in the attention shown to foreign nationals, both in terms of rescue at sea, and reception facilities on arrival. Amnesty International has also documented the unlawful expulsion of foreign minors in contravention of Spanish law.

The full report ‘The Southern border: the State turns its back on the human rights of refugees and immigrants’ is available at

web.amnesty.org/library/index/engneur410082005

Switzerland

Although the number of new asylum applicants – and along with that the number of separated children – has again dropped in the last few months, Switzerland still continues to exclude those asylum seekers from welfare benefits who received a non-admissibility decision.

These persons are only granted a minimal emergency aid from the cantons in charge of organizing their expulsion.

Most of them disappear after receiving such a decision. They either stay clandestinely in anonymous urban areas or travel on to other European countries. It is also possible that separated children obtain a non-admissibility decision.

The Federal Office of Justice drew up an expertise in order to ascertain the compatibility of emergency aid for separated children with the UN Convention on the Rights of the Child and the Swiss

constitution. The following are the most important results:

- It has to be examined individually if emergency aid for a separated child is satisfactory in order to comply with the CRC (article 3).
- Separated children who receive a non-admissibility decision also stay under legal guardian law.
- The emergency aid needs to be child adequate (article 3 CRC).
- Separated children should be informed about their rights to get emergency aid.
- It's the duty of the authorities to protect these children – no matter whether they ask for the emergency aid or not.

Three months after editing the report, the Federal Office for Migration has not yet provided information on how they will change their practice in accordance with the recommendations made.

United Kingdom

The National Register for Unaccompanied Children, NRUC, becomes fully operational in July 2005.

The Home Office and local authorities caring for separated children will be obliged to enter basic details of all separated children who have claimed asylum, and all those who they are looking after.

It is being viewed by some parties as an exercise in streamlining financial arrangements for separated children, but we hope that it will also prove to be a valuable aid in keeping separated children safe as there are better tracking mechanisms in place, and that the register will allow for better planning of effective services for young people.

Procedures and Recognition

Finland

All decisions made to separated children 2004

Asylum	1
Need of protection	19
Individual humanitarian reasons	30
Family ties	2
Return under Dublin	32
Negative decision	17
Process cancelled	9
Decisions total	110

Situation of asylum process for 86 separated children arrived in 2005 (by May)

Eurodac-hits	13
Interviewed	22
Interview booked	20

Decisions made with these 86 cases

Temporary protection	1
To be returned under Dublin	5
Cancelled (Dublin)	3
Decision made total	9

(Source: Directorate of Immigration)

Germany

The regular UNHCR monitoring of Federal Office decisions revealed that within the first five months after the entry into force on January 1st 2005, the new Immigration Act has so far not had a positive effect on the recognition rate with regard to separated children, especially those who claimed persecution by non-state actors, a fact which in principle can now lead to refugee status.

Ireland

Figures for last year from the Office of the Refugee Applications Commissioner show applications fell to 4,800 last year compared to 8,000 the previous year.

This drop reflects a pattern among western European countries such as the UK down 33 per cent, and Denmark and Germany both down 30 per cent. In contrast, asylum claims last year increased significantly among accession states closer to eastern Europe and Africa, such as Cyprus (up 124 per cent), Malta (up 116 per cent) and Poland (up 17 per cent).

Minister for Justice said the fall in asylum figures was a 'vindication' of the Government's immigration policies. A spokeswoman for the Minister said developments such as increased investment in the asylum applications system, fast-tracking of claims for certain countries, and the

imposition of fines for airlines and haulers who transport asylum seekers here were key factors in the drop in applications. She also said the citizenship referendum may have had a significant impact on asylum patterns.

The Irish Refugee Council, meanwhile, said that while domestic immigration policies may have played a role in the drop, international factors also had a major impact. Global figures show asylum applications across industrialised countries are the lowest since 1988. Increase in asylum figures for accession countries suggested these countries did not have the same deterrent systems in place as in Western Europe.

The Refugee Applications Commissioner's report for last year, meanwhile, shows 1,117 people were refused 'leave to land' in Ireland in the first quarter of 2004. This typically happens where a person does not have sufficient documentation to prove their identity.

New figures also show the office of the Refugee Applications Commissioner granted 237 people refugee status in the first three months of the year, while 1,259 new asylum applications were made in the same period.

Some 599 deportations were carried out in 2004. In the last five years 2,268 people have been deported from the State. A further 611 people left on a voluntary basis.

[Source: Irish Times; April 26 2005]

People appealing against a refusal to grant them refugee status have to make their case to a tribunal that does not publish its decisions. Nor does it make them available to anyone other than the applicant and, of course, the body defending the initial refusal of refugee status, the refugee applications commissioner.

The applications commissioner, therefore, has all of them and is unique in possessing an overview of the appeals tribunal's decisions and any patterns or precedents. It means there is no guidance for practitioners on how the Irish tribunal interprets refugee law in relation to such vexed issues as who constitutes a "social group" mentioned as deserving of protection under the Geneva Convention. It is very possible that one member might interpret it in one way, and another in a different way.

The Refugee Appeals Tribunal was set up in 2000 under the 1996 Refugee Act to hear appeals against initial decisions on refugee status by the Office of the Refugee Applications Commissioner.

Minister for Justice Michael McDowell appoints the 35 members of the Refugee Appeals Tribunal

though they are statutorily independent. This is understood by the United Nations High Commissioner for Refugees to mean that each member carries out his or her functions independently. There is no independent selection procedure, no interview, no necessary qualification other than five years in legal practice.

Members of the tribunal are appointed on a part-time basis for a three-year period. Members are paid on a fee-per-case basis. The fees vary, depending on whether it is a document-based case, whether it is an accelerated appeal or a full oral hearing. Payment on a fee-per-case basis makes the Refugee Appeals Tribunal different from other tribunals, such as the Employment Appeals Tribunal, where those sitting are paid per day, or the Equality Tribunal, which is staffed by salaried civil servants.

Applications for refugee status and appeals are heard in private. This is to preserve the confidentiality of the asylum seekers and is the norm internationally.

The only insight obtained into the workings of the appeals tribunal is through judicial reviews in the High Court, and this avenue is limited to complaints about the procedure - the court cannot re-examine the facts of the case.

Many of the procedural complaints are never aired as the tribunal often settles the case by offering a fresh appeal without allowing it to go to court, thereby implicitly acknowledging the basis for the complaint. Last year 124 judicial review cases were either settled by the tribunal, or a new appeal was ordered by the High Court. The applicant's challenge failed in 28 cases. This caused the Master of the High Court, Edmund Honohan SC, to express concern earlier this year at the high number of judicial reviews taken successfully against the tribunal. He said they showed that many of the reviewed decisions were not "evidence-based".

[Source: Irish Times; June 6 2005]

Slovakia

The trend of decreasing number of separated children who ask for asylum continues, probably because of changes in transporters' ways.

A decision in a case of a separated child has been made – unfortunately, after 3 years it was negative.

Return

ECRE has at the end of June issued a policy paper entitled "The Return of Asylum Seekers whose applications have been rejected in Europe".

Its aim is to make a positive contribution to the return debate and to present some of the issues from the perspective of those fearing the prospect of return.

By highlighting the rights and the vulnerabilities of certain groups of people within the broader category of asylum seekers whose asylum claims have been rejected, ECRE seeks to increase understanding of the problems they face and emphasises the potentially devastating consequences on the lives of individuals of return policies and practice which do not properly consider the facts of each case.

The aim is also to make suggestions to national governments and the European Union on the development of return policies that recognise and respond to the complexities of the issue, include all the necessary human rights safeguards and promote sustainable returns.

The paper will soon be available on ECRE's website www.ecre.org

Ireland

On the 1st of June a charter flight to Bucharest deported 50 Romanians. A seven-year old child who was in school when Garda National Immigration Bureau officials came to collect his mother, father and younger sibling for deportation, was left behind in the operation. Days later he was escorted back to Romania with officials.

The previous charter flight to Nigeria in March resulted in two mothers being deported with some of their children being left behind. RTE (The Irish National Television and Radio Network) made a *Prime Time* documentary, aired in early June. The documentary followed the two mothers to Lagos and it raised some awkward questions as to why these families had failed in the asylum process and why they were deported without their children.

It also followed another case in Lagos of a mother and son. The son is an Irish citizen, born in Ireland before the citizenship referendum in May 2004. His visa in Nigeria had expired and the mother did not have the money to travel to get another Nigerian visa. The child is therefore illegal in Nigeria, with no status, rights or protection.

All the above were on the same charter flight as Olunkunle Eluhanla, the exam student who was also deported on the same flight but granted a six month visa to return after a week of demonstrations by his school colleagues. Recent events have highlighted in Ireland the dangers and inhumanity of target removals and charter flights. The panic to

fill seats results in mistakes being made and families are often separated. Debate has started in Ireland in the media and there has been a call for more transparency and publications of decisions.

Slovenia

The Slovenian government and IOM have signed an agreement on the establishment of an assisted voluntary return programme for migrants in the country.

The agreement, which determines the cooperation between the two parties and the assistance to be provided to different categories of migrants, gives special attention to vulnerable migrant groups such as victims of trafficking, the disabled, the elderly, pregnant women, single parents and unaccompanied minors. Refugees and asylum seekers will also be offered the possibility of voluntary return to their home countries.

For those people who want to return to their home countries, IOM will advise on practical issues to be taken into account before departure. IOM will also provide assistance in obtaining travel documents and whenever possible, will help organize assistance upon departure, transit and arrival.

For more information, contact Ms. Alenka Malensek, IOM Ljubljana, Tel. +386 1 434 73 51, e-mail amalensek@iom.int

Spain

Moroccan and Spanish NGOs denounced the fact that some 28 minors were deported to Morocco without any guaranties that they would be well treated once they arrived. Some of them never arrived home.

www.canalsolidario.org/web/noticias/noticia/?id_noticia=6452

United Kingdom

Save the Children's England Programme, UNHCR London and the Refugee Council continue to express their concerns to the UK Home Office in regard to its planned pilot project to return unaccompanied children to Albania.

Save the Children UK are considering working with Save the Children Albania to attempt to monitor the outcomes of children who are returned to Albania under the pilot.

Section 9 of the 2004 Act permits the Home Office to withdraw support – including accommodation – from failed asylum seekers with families who do not co-operate in procedures for their removal.

The current pilot roll-out of this measure has apparently encountered problems, and may even have been halted, due to a high level of disappearance of families involved in the pilot, and little apparent increase in co-operation over removal.

The Refugee Council made a statement on the plights of the Zimbabwean failed asylum seekers facing deportation, see

www.refugeecouncil.org.uk/news/2005/june05/rela0605_4.htm

Trafficking

New guidelines to protect rights of child victims and witnesses adopted by the United Nations

The Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime have been adopted by the United Nations Commission on Crime Prevention and Criminal Justice at its 14th session, held in Vienna from May 23rd -27th, 2005.

The new UN Guidelines were finalized by an intergovernmental group of experts convened by the UN Secretary General, which met in Vienna earlier this year. The Guidelines set forth a framework to ensure that children who have been victims of crimes or witnesses to crime are treated in a fair, dignified and secure manner when they are involved in a judicial process.

The UN Guidelines are based on the guidelines on justice for child victims and witnesses of crime finalized in 2003 by the International Bureau for Children's Rights (IBCR).

The adoption of the Guidelines comes at a crucial time. More than ever, the rights of children are infringed and children are victims of trafficking, sexual exploitation and involvement in armed conflict.

In addition to adopting the Guidelines, the UN resolution - originally presented by Canada and co-sponsored by more than 50 Member States - invites Member States to draw on them when drafting legislation regarding children. It will be submitted for final adoption at the next session of the United Nations Economic and Social Council (ECOSOC) in July.

After final adoption it will be posted at www.unodc.org. An unofficial version is available at www.ibcr.org/Publications/UN%20Guidelines_unofficial.pdf

Baltic Sea Region

The Children's Unit of the Council of the Baltic Sea States (CBSS) arranged a meeting of experts in Kiev April 26-27: "Building Competence and Capacity on Care, Rehabilitation and Reintegration of Children Victims of Trafficking in the Baltic Sea Region"

From Denmark, the CBSS national coordinator on fighting child trafficking from UFC–Children and Youth participated together with representatives from Danish Red Cross and Save the Children.

The outcome of the conference, a paper on the 'Level of protection, care, psychological, medical and social assistance as well as short or long term placements available for children victims of trafficking in the Baltic Sea Region', will be available online on the website of Children's Unit of the Council of the Baltic Sea States soon.

www.childcentre.info.

Denmark

Save the Children Denmark is working closely in a partner team with other organisations in Denmark to establish procedures for how to assist foreign girls who are identified as potential victims of trafficking for sexual exploitation in Denmark. The team assisted two potential victims in May 2005.

Helga Conrad, the OSCE Special Representative on Combating Trafficking in Human Beings, visited Denmark June 7-9. Helga Conrad met with Danish NGOs in order to hear their views on Danish initiatives to protect and assist victims of trafficking prior to meetings with GOs and Danish Government representatives.

Save the Children Denmark informed her of the situation in Denmark regarding trafficked children and the gaps we see in the Danish preparedness to assist these children.

In June, an inter-ministerial working group in Denmark will finalise an addition on trafficked children to the Danish Action Plan on Combating Trafficking in Women. It is most likely that the action plan will mainly be addressing assistance to child victims of sexual abuse, which is against the recommendations of Save the Children.

Germany

From April 20 to 21 2005, an expert seminar on trafficking in children was jointly organized by the German Agency for Technical Co-operation (GTZ) and the Federal Criminal Investigation Office.

The primary goals of this conference were to establish a common definition on child trafficking

and to collect statistics and cases to get an overview of the dimension of child trafficking in Germany.

Main problem identified was the oftentimes non-functioning of the referral system in cases of trafficking, i.e. although a variety of government and NGO support structures exist in Germany, they are often insufficiently linked to each other.

It was agreed to devise mechanisms for improved co-operation and networking.

Miscellaneous

Croatia

On May 6th UNHCR Croatia and the Centre for Social Policy Initiatives (CSPI) organised a presentation of the Statement of Good Practice which was translated and published jointly by the two organisations.

Representatives of the related Ministries and state bodies, Office of the Ombudsperson for Children, international and national NGOs participated.

In the discussion participants stressed practical problems such as accommodation, medical assistance and guardianship for separated children and expressed their interest to further co-operate on the protection of separated children in Croatia.

Denmark

At the Open air music festival in Roskilde June 26-July 3 this year's humanitarian campaign message is "Act Against Slavery". Save the Children Youth will be present and their awareness-raising activities will focus on separated children in Denmark.

Finland

Central Union for Child Welfare, Refugee Advice Centre and The Centre for Torture Victims organised a seminar about asylum seekers on May 24th.

About 150 experts working with asylum seekers (workers and directors in reception centres, lawyers and judges, authorities from governmental, regional and local level) discussed about the situation and rights of asylum seekers in Finland.

Special attention was paid to "travelling Dublin-families", among them many children. Also psychiatrist Göran Bodegård from Sweden gave a presentation about the phenomena "apathetic children" in Sweden.

A press conference was held and media coverage was quite good.

Germany

From April 11 to 13 2005 the Federal Association for Unaccompanied Minor Refugees (Bundesfachverband Unbegleitete Minderjährige Flüchtlinge/BFV) organised its regular training seminar for NGO and government staff as well as private guardians dealing with separated children.

The congress comprised, among others, working group sessions on the implementation of the new Immigration Act (with an expert from the Federal Office), on psychological/social disturbances endured by young refugees (with a psychologist, social worker, lawyer), on voluntary repatriation programmes (with the Head of a NGO voluntary repatriation counselling centre), and on minors living as illegal immigrants (with a social scientist).

Greece

On Tuesday 7 June, UNHCR Athens, together with the Ombudsman in Greece and his Deputy Ombudsman for Children's Rights, launched the 'Guidelines for the Treatment of Separated Children Seeking Asylum in Greece'.

These Guidelines, adapted to the Greek context from the SCEP Statement of Good Practice, were drafted by UNHCR Athens and commented on by the Ombudsman and UNHCR implementing partners. The objective of this initiative was to promote with government authorities key issues in the protection of separated children seeking asylum in Greece, in particular identification, non-detention, appropriate referral and guardianship issues.

The launch took place by way of a press conference, jointly organised by UNHCR and the Ombudsman. The Ombudsman, the UNHCR Representative and the Deputy Ombudsman for Children's Rights made brief presentations, followed by interventions by two government representatives, namely, the Secretary-General of the Ministry of Public Order and the Secretary-General of the Ministry of Interior.

The guidelines were received very well, and applauded as a very useful initiative – even though it was acknowledged that they set high standards, that could not be applied in speed.

The press conference was attended by some 40 participants from key media including the BBC, state and private radio stations and by two TV channels. Also Representatives from Embassies, NGOs, IOM, AI and key Ministries were among the audience. Before the end of the press conference several questions were responded by the

speakers. So far some 16 newspapers have published extensive and supportive articles.

UNHCR Athens and the Ombudsman will now focus their efforts in widely disseminating the guidelines among the key government services: police, coast guard, prosecutors and courts, and government social services. The guidelines will also be disseminated routinely at UNHCR seminars.

Further lobbying and advocacy efforts will focus primarily on inclusion of relevant provisions in the new asylum legislation (to be drafted by the government - Ministry of Public Order - over the next few years), new legal measures required concerning the guardianship of, and legal assistance to, separated children (Ministry of Health and Social Solidarity and Ministry of Justice), and enhanced co-operation between government departments and service providers to ensure the identification, the referral to the competent authorities, and overall protection and improvement of the treatment of separated children in Greece, in practice.

Portugal

Antonio Guterres, the new UN High Commissioner for Refugees and one of the founders of the Portuguese Refugee Council (PRC), have laid the foundation stone for a new PRC Centre near Lisbon

Slovenia

A regional seminar entitled “Children in the Enlarged European Union” was held on 21 May 2005 in Ljubljana. Slovene Philanthropy had a presentation on separated children issues in Slovenia.

The seminar was organised by Seecran (South East European Child Rights Action Network). The main topics of the seminar were social exclusion and education, discrimination of minorities (roma in particular) and separated children.

The main conclusion of the seminar was that there is a general feeling of a need for a supra-national coordinating structure in Slovenia regarding children rights issues.

United Kingdom

According to a new Home Office estimate between 310,000 and 570,000 illegal immigrants are living in the UK. It is the first time the government has put a figure on the number of illegal immigrants.

It was produced by taking the numbers of foreign-born people living in the UK recorded in the 2001 Census and subtracting the estimated number of legal immigrants.

Home Office officials say they have sought to take into account the fact that some illegal immigrants may not have filled in their census forms.

[Source: BBC news, June 30 2005]

Refugee week, from 20 June 2005, was celebrated in the UK with a theme of 'persecution'. The festival aimed to focus on the contribution of refugees to British society and promoting diversity and understanding of refugee issues. Information packs were distributed to about 200 schools in Scotland as part of Save the Children's activities.

On June 25th, the '19:51 Glastonbury Declaration on the Right to Asylum 2005' written exclusively for the Refugee Council by Patrick Neate, was performed at the Glastonbury Festival at 19:51 to reflect the year the United Nations Refugee Convention was signed. It is supported by the UNHCR, who was also at the festival..

It marks the launch of the Refugee Council's groundbreaking new campaign, 'Don't Believe the Type'. The charity aims to draw attention to the state of the public debate on asylum and start a major fight back for one of the UK's most marginalised and vilified groups. A virtual launch of the 'Don't believe the type' website also took place.

www.dontbelievethe.type.org.uk/

Publications

The asylum-seeking child in Europe

Hans E. Andersson et al. (eds.). Centre for European Research at Göteborg University, Göteborg, 2005. 205 p. ISBN 91-89608-15-1

Presentations from the conference 'The asylum-seeking child in Europe' held in Göteborg 24-25 September 2004.

Order by e-mail to birgitta.jannebring@cergu.gu.se

Community development with refugees: towards a framework for action

Special issue of the Community Development Journal, vol. 40, no. 2, April 2005-07-05

A collection of articles and case studies on community development with refugees regarding e.g. education and training, building organisations, ensuring basic needs are met.

Price: 11.00 GBP

Order by e-mail to Jnl.mkt@oupjournals.org

Conclusions and recommendations of the Committee Against Torture: Switzerland

CAT/C/CO/34/CHE, May 2005

Addresses issues on the revised law of asylum, asylum seekers' access to legal counsel, detention, complaints filed against the police and forcible deportation.

www.obcbr.org/english/bodies/cat/docs/AdvanceVersions/CAT.C.CO.34.CHE.pdf

The evolving capacities of the child

Gerison Lansdown. Save the Children & UNICEF Innocenti Research Centre, 2005.

Article 5 of the UN Convention on the Rights of the Child states that children should receive guidance on their rights in a way that reflects their growing maturity and their progress towards adulthood "in a manner consistent with the evolving capacities of the child". This report gives insight into 1) The practical and programmatic implications of this principle 2) What this principle means in relation to parental responsibility and cultural tradition

This study examines how interpretations of the "evolving capacities of the child" could influence approaches to the implementation of child rights and contributes to the ongoing efforts to show how the Convention balances the rights of children and the rights of the parents.

To order at the price of SEK 100:

www1.rb.se/Shop/Products/Product.aspx?ItemId=1346

Foreign Territory: the internationalisation of EU asylum policy

Oxfam, London, 2005

European Union asylum policy is shifting overseas. The politicisation of asylum-related issues and the desire to 'manage migration' are the forces behind a wave of new 'internationalised initiatives which could have a serious impact on the lives of refugees. This mixed agenda has the potential to enhance as well as threaten refugees' safety and dignity, but at present it includes inadequate safeguards for their protection, and it is insufficiently informed by an understanding of the realities of their lives..

The report presents an agenda for action to ensure that the internationalisation of asylum policy pays full regard to the rights and protection of individuals

Copies of the report at GBP 5 can be ordered from publish@oxfam.org.uk

To download free in English and French:

www.oxfamgb.org/ukpp/resources/foreignterritory.htm

Immigration as a labour market strategy - European and North American Perspectives

Jan Niessen and Yongmi Schibel (eds.). Migration Policy Group, Brussels, 2005. ISBN: 2-930399-17-1

The publication contains nine country reports focusing on verifying the economic impact of immigration, assessing immigration needs (in terms of demographic changes and labour market shortages/mismatches), and selecting and recruiting immigrants (what kinds of admission systems are used?).

The countries are: Canada, France, Germany, Hungary, Italy, Poland, Spain, United Kingdom and United States.

www.migpolgroup.com/publications/default.asp?action=publication&pubid=151

Minors at the borders: report on repatriations of Moroccan children from Spain

SOS Racismo, Al Jaima and the General Council of the Spanish lawyers

Proceeds from trafficking in human beings and illegal migration/human smuggling : a report of the Workshop 5 Project Team following the joint FATF-MONEYVAL typologies meeting held in Moscow from 6to 8 December 2004

Council of Europe, European Committee on Crime problems, Select Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL)

Available at

www.coe.int/T/E/Legal_affairs/Legal_cooperation/Combating_economic_crime/Money_laundering/Documents/Typologies%20Report%20-%20proceeds%20of%20THB%20and%20IM%20Final%20310505.pdf

Racist Violence in 15 EU Member States

European Monitoring Centre for Racism and Xenophobia (EUMC), Vienna, 2005.

The focus of the report is on the extent and nature of and policy responses to racist violence in the EU15. Many of the countries studied fail to properly monitor and keep statistics on racial violence which may make the process of developing policy responses and ways to tackle racism more difficult.

The report is based on national studies by the EUMC's National Focal Points and builds on collected data for the period 2001-2004.

More information and the report:

www.eumc.eu.int/eumc/index.php?fuseaction=content.dsp_c_at_content&catid=3fb38ad3e22bb&contentid=425d16baae210

Report of Mr Alvaro Gil-Robles, Commissioner for Human Rights, on his visit to Switzerland 29 November - 3 December 2004, for the attention of the Committee of Ministers and the Parliamentary Assembly

Council of Europe, Office of the Commissioner for Human Rights, Strasbourg, 8 June 2005.

The report examines the asylum system, the treatment of rejected asylum seekers, trafficking in human beings, racism and xenophobia, the independence of the judiciary and domestic violence amongst other issues and concludes with recommendations to the Swiss authorities.

Available in English and French on

www.coe.int/T/E/Commissioner_H.R./Communication_Unit/Documents/By_year/2005/index.asp#TopOfPage

Short guide to the European Convention on Human Rights

Donna Gomien. 3rd ed. Council of Europe, Strasbourg, 2005. 200 p. ISBN 92-871-5670-0. 17 EUR + postage.

A concise overview of the basic rights guaranteed by the Council of Europe's Convention on Human Rights, and the case-law relating to these rights, the procedures followed by the European Court of Human Rights when handling applications under the Convention, and the role of the Committee of Ministers as a supervisory organ in giving force to the judgments of the Court. Covers developments to the end of 2003.

More information at

book.coe.int/EN/ficheouvrage.php?PAGEID=36&lang=EN&produit_aliasid=1919

Order at

book.coe.int/sysmodules/RBS_page/admin/redirect.php?id=36&lang=EN&produit_aliasid=1919

Working with ethnically and culturally diverse families and children: a review of best practice and guidelines

Barnardos, Dublin, 2005. ISBN 1 898662 74 6

In May the leading children's charity Barnardos along with the Children's Research Centre, Trinity College Dublin, launched this piece of research. The document looks at national and international best practice. One section looks at separated children and states the SCEP Statement of Good Practice 3rd edition, as the model example of best practice. Appendix three of the publication is in fact a

summary of recommendations taken from the SCEP publication. It is hoped practitioners working with separated children and refugee children will utilise its recommendations.

Free (+96c postage), www.barnardos.ie

World migration 2005: costs and benefits of international migration

International Organization for Migration (IOM), 2005.

Focuses on the economics of migration, its costs and benefits analysing the effects of globalisation, trade liberalisation, economic integration and the widening gap between rich and poor nations on migration flows. It looks at the impact of the world's 185 million migrants and their potential contribution to socio-economic development and cultural enrichment both at home and abroad.

www.iom.int

Events

19-21 May, Madrid, Spain

Seminar on "Legal and social protection for separated children"

Organized by Save the Children Spain.

26-27 May, Maastricht, the Netherlands

Conference: Migration and Integration in Europe: towards a European Policy?

Organised by Forum Maastricht together with the Maastricht University

Topics include: Managing Migration from a Global, European and National Perspective, Integration of Migrants from a Comparative Perspective, Success and Failure of Migration & Integration Policies, Communicating Migration and Integration Policies, Migration from a European Labour Market Perspective and Migration as a Solution for Demographic Developments.

For more information:

www.unimaas.nl/forum/%2Dmaastricht/

1-2 June, Gmunden, Austria

European Congress "Quality4Children"

Organised by project initiators IFCO (International Foster Care Organisation), FICE (Fédération Internationale des Communautés Educatives), and SOS Children's Villages.

All participants from 54 European countries agreed: without the participation of children and youths, the foundations for a project aimed at securing and

developing binding quality standards for child care would be missing.

This should aim to establish a high standard as the rule and "the best interests of the child" should establish the framework within which high quality child care can be practised.

The goal of "Quality4Children" is to put into effect, throughout Europe, a child care method which focuses on the needs of each individual child, and to have the necessary guidelines implemented on the political level.

"In the child's best interests" was once more clearly defined: children and youths who cannot grow up with their biological parents are the true experts on their own situation. They play a key role in improving their opportunities for development.

www.quality4children.info

2 June, The Netherlands

Children's Rights within alien's law

Organised by Defence for Children International the Netherlands in cooperation with the juridical educational institution OSR.

A newly developed course with 23 participants, mainly lawyers. The course will be repeated in November 2005.

9 June, Copenhagen, Denmark

Conference in Response to Human Trafficking

Organised by the Danish Red Cross.

The conference focused on good practises in Europe, including collaboration between civil society and law enforcement agencies.

9-10 June, Paris, France

Integrating migrants in Europe – comparing the different national approaches

Organised by the Cicero Foundation, Maastricht/ Paris

International seminar for experts in the series 'Great Debates'

www.cicerofoundation.org/seminars/programme_june05.html

17 June, Paris, France

Conference "Asylum, how to come out of arbitrary and injustice".

Organised by France Terre D'Asile in relation to the World Refugee Day.

Politicians and researchers are invited.

More details at www.ftda.net/breve.php3?id_breve=69

8-10 September, San Remo, Italy

Application of International Humanitarian Law, Human Rights and Refugee Law: UN Security

Council, Peacekeeping Forces, Protection of Human Beings in Disaster Situations.
Organised by International Institute of Humanitarian Law.
Draft agenda and further information at www.iubl.org

9-12 September, Valencia, Spain
International Course on Refugee and Asylum Law
Organised by .ELENA
The course will introduce international refugee law in relation to current asylum trends in Europe and will be dedicated to the study of the main articles of the 1951 Geneva Convention relating to the status of refugees and relevant human rights treaties.
The course will be presented by James Hathaway and will be conducted in English.
The course is aimed at legal counsellors and lawyers from across Europe who defend or who are interested in defending cases concerning refugees and asylum seekers.
Closing date for registrations is 15 July 2005.
More information at www.ecre.org/new/Valencia.DOC

22-24 September, Torino, Italy
“Young Words Happening”
Organised by The City of Torino
The event will involve 2,000 young people from all around the world. This initiative, which is organized by the Departments of Youth and International Cooperation in the context of the activities planned for the Olympic Truce, is oriented towards the suspension of verbal aggression and the conflict of positions.
“Young Words Happening” is open to young people between the ages of 18 and 35 and represents a unique opportunity to actively listen, tolerate and dialogue with diverse cultures.
For additional information, contact young.words@comune.torino.it

20 October, Regents College, London, UK
and
9 November, Royal York Hotel, York, UK
Conferences on refugee children
Organised by Refugee Council
Refugee children are some of the most vulnerable and marginalised children in our society. The Refugee Council has a long tradition of working with these children. Even in the face of increasing demands on all agencies working in this field it is a priority to ensure the safety of refugee children and maximise their opportunities. This conference aims to highlight a range of issues particular to working with refugee children and help delegates develop

practical skills to meet the challenges of day-to-day work in this area.

This conference will be specifically aimed at those in the public sector and education professionals.
Email marketing@refugeecouncil.org.uk to register your interest and we will forward you further details as soon as they become available.

Useful web sites

‘Applying for asylum’ in the UK information sheets have been updated and are available in 18 languages at www.refugeecouncil.org.uk/publications/pub002.htm#asylum

EU charter on fundamental rights

All rights enshrined in the EU Charter on Fundamental rights which was made a part of the Constitutional Treaty, commentary and case law: www.eucharter.org/

Regional Consultation for the UN Study on Violence against Children – Europe and Central Asia

Materials now available on-line including country reports at www.violencestudy.org/europe-ca/

Reporting organisations

Bundesfachverband UMF (Germany)
Central Union for Child Welfare (Finland)
Centre for Social Policy Initiatives (Croatia)
Defence for Children International The Netherlands & Ecpat the Netherlands
France Terre D'Asile
International Social Service, Swiss Foundation
Irish Refugee Council
Portuguese Refugee Council
Refugee Council (UK)
Save the Children Brussels Office
Save the Children Denmark
Save the Children Spain
Save the Children UK
Slovak Humanitarian Council
Slovene Philanthropy
UNHCR Croatia
UNHCR Germany
UNHCR Greece
UNHCR Representation in Slovakia
UNHCR Spain
UNHCR UK

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