

# UNHCR NEWSLETTER

## Separated Children in Europe Programme

### December 2001- January 2002

### Issue N°8°

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## News on Separated Children

### **Belgium: DISAPPEARANCE OF SEPARATED CHILDREN**

RTBF, Belgian main TV channel Reportage had a program about two separated children who disappeared after their arrival in Belgium:

- Subartan, a young Sri Lankan boy, arrived at Zaventem airport in March 2001 with his (supposed) sister and an unknown man on a trip from Colombo via Moscow on the way to Denmark. The man (probably a smuggler or a trafficker) advised them to apply for asylum, as he would not take them to Denmark. The children were sent to an open centre for separated children in Wallonia, where Subartan received long phone calls from Denmark and elsewhere. One day he disappeared without a trace.

-Ludmilla, a Ukrainian girl of 13, arrived at a Brussels hospital in February 1999. She was 8 months pregnant. The hospital feared she may be victim of a prostitution ring. After giving birth, Ludmilla went with her baby daughter to a host family in the city. In July, the "Office des Étrangers" informed Ludmila her asylum claim had been rejected but that she could stay in Belgium. At the end of the year she disappeared with her child, leaving

behind a farewell note that seemed not to have been written by her. Two years later several witnesses saw her a few times in Brussels without her child.

Nadia De Vroede, public prosecutor, said that 2000 separated children arrived in Belgium in 2000, most of them coming from Central and West Africa and Eastern Europe, lately more from India and Iraq.

Heidi De Pauw of Child Focus sees three types of children: 1. some disappear immediately, 2. some disappear on the way to a centre or host family, 3. some may be victims of human trafficking. More work is needed to trace them.

Nadia De Vroede said that more co-operation is needed in Belgium between the "Office des Étrangers", Child Focus, reception centres, police and justice to prevent disappear and trace disappeared children.

Furthermore, co-operation with countries of origin and with other European countries with similar problems is essential, she said.

*RTBF tv, Appel à témoins, 12 December 2001  
UNHCR Brussels*

**France: GOVERNMENT  
AMENDEMENT OF ALIENS LAW  
AFFECTS SEPARATED CHILDREN IN  
DETENTION**

In December an amendment to the Aliens Law providing for the appointment of a guardian to separated children upon arrival was approved.

This amendment was aimed at addressing the problem of increasing numbers of separated children arriving in France and held in detention up to 20 days without a guardian or legal representative to advise and inform them.

The guardian( *administrator ad hoc*) is appointed from the moment they reach French territory. The *administrator ad hoc* will be responsible for representing the minor in every major decision made on his/her behalf such as e.g., placement in waiting zone; applying for asylum; long-term accommodation and care; and return to the country of origin.

Although the amendment is clearly aimed to improve the situation of separated children seeking asylum, NGOs are concerned that the guaranties given are not sufficient to protect children's' interests. CIMADE, says that the appointment of a guardian will allow the Government to legally return minors.

*Le Monde, 11 December 2001*

**Greece: MEETING ON SEPARATED  
CHILDREN**

The Greek authorities are getting increasingly interested in the issue of separated children and a meeting is planned to be held shortly with the participation of the Ministry of Public Order, the Ministry of Health and Welfare, the Public Prosecutor for children and UNHCR.

Plans for training on the protection concerns of separated children will be part of this discussion and follow-up.

Training will be done in co-operation with Save the Children Greece.

19 Afghan youth have been accommodated in a centre for separated children in Anogia, Crete, which was visited last November by UNHCR.

There are also plans to accommodate separated children in a second facility, a child centre in Thesaloniki, in northern Greece, as the centre in Crete is full.

**Greece: MINISTRY OF INTERIOR  
PROMISES TOUGH MEASURES TO  
COMBAT TRAFFICKING IN WOMEN  
AND CHILDREN FOR SEXUAL  
EXPLOITATION**

On 12 December 2001, only two days after a conference on "Trafficking in Women" was held in Athens, the Ministry for Public Order, Michalis CHRYSOHOIDIS, presented a tough Bill in keeping with Government's announced commitment to seriously combat the trafficking of women and children for sexual exploitation. At the conference organised by the Greek Ombudsman's office and the US Embassy in Athens, it was revealed that up to 20,000 women and girls had been lured into Greece by criminal gangs and pimps from the former Communist countries in Central and Eastern Europe.

Under the draft Bill, those caught trafficking in women and girls for sex will face very harsh penalties. Victims of forced prostitution will be entitled to "social support, shelter and rehabilitation" and they will be granted protection and the possibility of applying for a residence permit to remain in Greece.

*Migration News Sheet, January 2002*

**Ireland: SHARP INCREASE IN THE  
NUMBER OF ASYLUM-SEEKING  
CHILDREN**

There has been a very considerable increase in the number of separated children seeking asylum in Ireland the past few years; from 2 in 1998, 37 in 1999, 300 in 2000, and up to 603 in 2001. The Irish authorities are suspicious that a significant number of them could be victims of various forms of exploitation, including sexual. Such concerns are being given more attention since the "Today" programme of BBC Radio 4 revealed on 19 December 2001 that an investigation which it had carried out had found that hundreds of children from West African countries, such as the Ivory Coast and Nigeria, were being held in the UK by trafficking gangs to pay off debts incurred by their parents.

*Migration News Sheet, January 2002*

**Ireland: STUDY CLAIMS THAT NEW SYSTEM OF WELFARE ASSISTANCE TO AYLUM SEEKERS HAS NEGATIVE EFFECT ON CHILDREN**

The report, commissioned by the Irish Refugee Council and based on research in Cork, Limerik and Ennis, entitled "**Beyond the Pale; Asylum-seeking children and Social Exclusion in Ireland**", published on 15 November, claims that the new system of social welfare allowances for asylum-seekers is having a detrimental effect on the health of asylum-seekers, including separated children.

Under the terms of the system of "direct provision" introduced in April 2000, asylum-seekers are no longer entitled to the same level of social welfare assistance as Irish nationals. Babies and infants are apparently the worst affected by "direct provision", directly and indirectly.

On the same day the report was published, the Free Legal Advice Centres (FLAC) announced that they intended to seek a judicial review of the policy of "direct provision", claiming that there was "no statutory basis" for the policy.

Reacting to the report's findings, The Minister of State at the Ministry of Foreign Affairs, Liz O'DONNELL said any evidence of malnourishment and ill-health arising from the system of direct provisions must be investigated and found to be accurate.

Prime Minister Bertie AHERN, rejected the conclusions, pointing out that the sample used for the survey was very small and that regular inspections of the facilities were carried out. Moreover, there were "safety nets", where, for medical and social reasons asylum-seekers have been taken out of direct provision.

*Migration News Sheet, December 2001*

**Norway: IMPROVING THE SITUATION SEPARATED CHILDREN**

Eight out of every 10 separated children seeking asylum will spend more than six months in reception centres for asylum-seekers whereas more than 50% stay for more than a year before they are placed in more permanent accommodation. This is a situation that the Norwegian Directorate for Immigration (UDI) would like to improve by shortening the time in reception centres.

Erling KIELLAND, of the UDI, has acknowledged that his department is not able to meet the psychosocial needs of the children. He nevertheless reiterated the aim of placing separated asylum-seeking children with families within a three-month period, after being given permission to stay. In the last five years, Norway has received more than 1,700 asylum-seeking separated children, some as young as seven years old.

*Migration News Sheet, January 2002*

**Sweden: RIGHT TO FULL EDUCATION FOR ASYLUM SEEKING CHILDREN**

The Swedish Parliament has decided that children who seek asylum shall have the right to full schooling as from January 2002. The new rules allow children aged between 16 and 18 access to secondary education and pre-school children to attend pre-school activities on the same basis as children permanently resident in Sweden.

**Sweden: DISAPEARANCE OF SEPARATED CHILDREN: AN INCREASING PROBLEM**

Dozens of refugee children have gone missing from refugee facilities in Sweden and police suspect they have been lured away into prostitution rings, according to a report in the Swedish paper Aftonbladet on Sunday. A total of 87 children who had sought asylum in Sweden went missing last year from the Migration Board's children's facilities across the country, where minors who come to Sweden without family are placed while their applications are being processed, Aftonbladet said. According to refugee centre staff, there have also been reports of "strange people who loiter around outside the refugee facilities, speaking to the children. All of a sudden the children have a lot of money. A short time later, they've disappeared" Aftonbladet wrote. Staff members said they were frustrated by their powerlessness. Under the rules, children are free to come and go as they please at the facilities.

"In our preliminary investigation we found cases of minors who had been brought over to Sweden solely for the purpose of prostitution," Kajsa Wahlberg of the Swedish criminal police said.

A priest in Soedertaelje, a town Southwest of Stockholm, said he had met refugee children that had been lured into prostitution circles. "Children have come to me seeking help to break free. The children are first abused themselves, and then used to recruit other children from the Migration Board's children's facilities," Lars-Erik Bergkvist said.

*AFP, 20 January*

### **Sweden: PROTECTION OF SEPARATED CHILDREN UNDER CRITICISM**

Serious criticism has been voiced of the accommodation for refugees managed by the Swedish Migration Board, particularly regarding separated asylum-seeking children.

At Carlsund, a transit centre outside Stockholm, 66 children and adolescents stay without parents. The Migration Board is since the 1980s responsible for those children, who often are placed with remote relatives without a proper assessment of the relationship to these people by the Migration Board.

Save the Children, the Swedish Refugee Council, lawyers, guardians and the Migration Board are now working together to improve the children's procedural rights and to improve the accommodation situation. However, disagreement still prevails concerning the responsibilities for the protection of these children.

*DN, 23 January 2002*

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## **European Asylum Harmonisation**

During the Belgian Presidency progress on the asylum and immigration instruments were not significant and none of the draft proposals was adopted in the Council.

The disagreement over the minimum age of children to be granted the right of family reunion was one of the issues that impeded agreement on the draft directive on family reunification. As a consequence, the Laeken Summit has now called on the Commission to introduce a modified proposal by 30 April latest.

The European Commission is also redrafting the proposal on asylum procedures which is also planned to be finalised by April.

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## **Meetings/Events**

-The UNHCR office in Dublin, following attendance at Separated Children in Europe Programme training of trainers seminar on May 2001, designed a training seminar on refugee status determination of separated children for staff of the first instance decision-making body - the Office of the Refugee Applications Commissioner (ORAC), the appeals body - the Refugee Appeals Tribunal (RAT), and the free legal aid service to asylum seekers - the Refugee Legal Service (RLS).

In addition to designing and conducting the training, LO Dublin sought input from the Irish Refugee Council, the Social Work Team for Separated Children Seeking Asylum and the Psychology Service for Refugees and Asylum Seekers.

Two 2-day training sessions were provided to select staff of the ORAC in September and December, one to the RLS in November and one to RAT in December 2001. A total of 54 staff were trained. The training was generally well received and positively evaluated, and paved the way for commencement of eligibility interviews of separated children in October 2001. Initial feedback from various interlocutors on the quality of interviewing, decision-making, legal representation and inter-agency co-operation has been positive.

In addition, LO Dublin provided introductory training on separated children to members of the Social Work Team for Separated Children Seeking Asylum, vocational education teachers working with separated children and the child psychologist of the Psychology Service for Refugees and Asylum Seekers. This training was provided in the latter part of 2001.

Refresher and specialised training based on the needs of staff working in the area is planned for 2002.

-On 11 January a meeting was held at Harvard University to develop a proposal for a comparative research project on

“Judicial and Administrative Decisions on Separated Child Asylum Applicants”.

It gathered a number of academics, asylum lawyers, NGOs and UNHCR representatives.

The research project is planned to start as soon as funding has been secured within the next 6 months.

It will include US, Canada, Australia as well as a number of European countries.

-On 23 January Euronet (the European Children’s Network) organised a conference focussed on a report launched that same day under the title «Including children: Developing a coherent approach to child poverty and social exclusion across Europe»

-Central Union for Child Welfare and Save the Children Finland, Separated Children in Europe Programme ngo network partner, , organised in Helsinki a training programme for guardians of separated children.

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## **Publications and Websites**

- Electronic discussion board open to asylum lawyers from across Europe. ELENA, the European Legal Network on Asylum, in collaboration with Asylumlaw.org has launched an electronic discussion board open to asylum lawyers from across Europe. The purpose of the discussion board is to provide an electronic meeting place for practising lawyers and legal counsellors to exchange information, network and offer case support. The forum can be accessed directly from the ECRE website :

[www.ecre.org/links/discussions.shtml](http://www.ecre.org/links/discussions.shtml)

- Save the Children Norway published a report aimed to survey the existence and extent of trafficking of children to Norway. The report is especially focussing on the prostitution traffic between Russia and the North of Norway. The report can be ordered by contacting:

[rettightssenteret@redbarna.no](mailto:rettightssenteret@redbarna.no)

-Save the Children Sweden published the documentation of the European Conference “Build children’s Europe! – Make child rights in the enlargement process, which

was held on 3 and 4 May, in Nyköping. The documentation is to facilitate the continued work to influence negotiations at political level within the EU and the candidate countries, regarding the need of including the rights of the child into the interpretation of the Copenhagen Political Criteria.

-The Norwegian coalition for the Convention on the Rights of the Child (NCCRC) published the book “Hello – is anyone there?”, which describes experiences of 100 children from Oslo, Bergen and Kristiansand who have had experiences from child welfare and asylum centres, being separated asylum applicants, disabled or exposed to abuse.

The book was produced for the UN Special Session on Children taking place in New York, spring 2000.

The book can be ordered by contacting:

[rettightssenteret@redbarna.no](mailto:rettightssenteret@redbarna.no)

-Euronet (The European Children Network) published a research report “Including children: Developing a coherent approach to child poverty and social exclusion in Europe”

-In November 2001 the European Council on Refugees and Exiles (ECRE) issued a new publication: “The Promise of Protection: Progress towards a European Asylum Policy since the Tampere Summit 1999”.

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## **Programme Update**

- On 22, 23 January, the Senior Regional Policy Advisor travelled to Zurich and met UNHCR colleagues from LO Geneva as well as NGO partners of the Programme network. She also attended a general information meeting for separated children in the Zurich area and visited Zurich’s airport detention centre and a reception centre in the surroundings of the city.

## Calendar

- 5-7 March, a Training of Trainers will be organised in Budapest, Hungary, for Government, NGO and UNHCR staff members
  - A Steering Committee Meeting will be held on 15 March in Brussels
  - 11 April, a NGO network meeting and joint SCEP meeting is tentatively planned to be held in Madrid
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