

# UNHCR NEWSLETTER

## Separated Children in Europe Programme

### August - September 2001

### Issue N°6

#### Inside this issue:

- News on Separated Children
- European Asylum Harmonisation
- Meetings
- Publications and Web-sites
- Programme Update
- Calendar

\*\*\*This summary has been prepared from publicly available sources. It does not necessarily reflect UNHCR's views, nor can UNHCR vouch for its accuracy.

#### **News on Separated Children**

**Spain: INCREASING NUMBER OF ALGERIAN CHILDREN ARRIVING IN CEUTA, SPAIN.** On 15 August, the local councillor for social welfare of the enclave city of Ceuta, Mohammed Chaib, expressed his concern at the arrival of an increasing number of children of Algerian origin. The city is also having to deal with the arrival of many Moroccan children. Mr Chaib said that there were already 14 Algerian children in the reception centre for minors and estimated that there were probably just as many living on the streets. The councillor is puzzled at how Algerian children manage to enter the city clandestinely since the border with Algeria is some 600 kilometres away. According to Mr Chaib, Moroccan and Algerian children traditionally do not get along well together and he expects the presence of Algerian children to be problematic. The reception centre is to be enlarged to enable the appropriate accommodation of almost 80 children living there at present. These children are protected under Spanish law and cannot be repatriated unless their family members have been found. According to the law, once

they reach the age of 18, they must leave the centre to be repatriated. *Migration News Sheet, September 2001.*

**Spain: REPATRIATION OF MOROCCAN CHILDREN FROM MELILLA, SPAIN.** On 3 August, 21 Moroccan children accommodated in various centres in Melilla, Spain urged the authorities to suspend their repatriation because they no longer had any parents in their home country or their parents did not treat them properly. The number of Moroccan children who succeed in entering into Spanish territory clandestinely, most to the two enclave cities in North Africa, Ceuta and Melilla, has increased substantially in the last few years and the authorities are anxious to have them repatriated whenever possible. Since 27 July, they have stepped up efforts to repatriate Moroccan children. However, not one of the 16 who were sent back in the first week was met by a family member or a representative of a Moroccan social service at the border. *Migration News Sheet, September 2001.*

**United Kingdom: SEPARATED CHILDREN IN THE UK.** A report commissioned by the British Refugee

Council and Save the Children claims that access to facilities reception for separated children seeking asylum in the UK is like a "lottery". The report, made public on 21<sup>st</sup> August stated that there are separated children being left on their own in bed-and-breakfast accommodation and treated like adults. The authors pointed to "a general lack of co-ordination" in the provision of necessary services for separated children. Although there are some areas of UK practice and policy that are much better than in most other European countries, there are nevertheless others of "significant concern", such as expecting children as young as 15 years to look after themselves. There have also been cases of children being held in detention. The Home Office reaffirmed its policy of not detaining separated children, except "in the most exceptional circumstances and when it is in their best interests and then only overnight with appropriate care". Last year, 2,735 separated children applied for asylum in the UK, a significant drop from the record of 3,349 in 1999, but generally a very sharp rise from the figure of 190 in 1992. *Migration News Sheet, September 2001.*

The report is available in PDF format at [www.sce.gla.ac.uk](http://www.sce.gla.ac.uk)

**United Kingdom : INCREASING NUMBER OF SEPARATED CHILDREN IN KENT.** In an article published on 8 August, *The Independent* describes the increasing number of separated children transported to Kent to seek asylum. According to the article, more than 1,200 separated children have had to be taken into care in the past two years in Kent only and at least 100 new child asylum-seekers are arriving every month (...). The responsible authorities in Kent has protested to the Home Office about delays in the asylum system which mean many children are left in care for several years before their cases are heard. The cost, pounds 15m a year, is paid by the central government. However, Kent's social services, education and health service would not be able to cope with the influx of separated children indefinitely. [...]. *The Independent, 08 August 2001, www.independent.co.uk/story.jsp?story=87646*

**Belgium : CLOSED CENTRES FOR SEPARATED CHILDREN.** Belgian Minister of Interior, Antoine Duquesne wants to build 7 reception centres for separated children this year. One closed centre is planned to be built at the frontier. It will have a capacity of 12 places. Special psychological assistance will be available. Three additional centres with special protection will accommodate children victims of trafficking. The three last will be open centre, where children will be placed pending a decision on their asylum case. Children's placement in these centres will not be of a long period says the Minister. *De Morgen, 22 June 01.*

A debate was held at the Chamber on 4 July between Minister Duquesne and Green Deputy, Vincent Decroly on this issue. For more details, please visit [www.lachambre.be](http://www.lachambre.be)

**Belgium : PRESS CONFERENCE.** The Platform « Mineurs en exil », which includes 80 associations working with children in Belgium held a press conference on 22 August in Brussels to denounce the placement of separated children in closed centres. The Platform highlighted that Belgian civil society and politicians are today fully aware of the plight of separated children. Although several positions, reports, studies, articles have been written on the subject, according to the Platform no improvement is registered. To date, no specific reception system exists, a new asylum policy is in the process of being elaborated, but it does not make any reference to special needs and rights of separated children. The 5 working groups established by the Ministry of Interior on guardianship, disappearance, education, reception, and return gave their recommendations conclusions in June 2000, but there are no concrete results yet. To conclude, the Platform denounces the lack of importance given by the Government to the issue of separated children and its reluctance to implement the 1997 EU Council Resolution, an objective which should have been reached before 1<sup>st</sup> January 1999. For more information, please contact Benoît Van Keirbilck, DCI Belgium, Tel+32 2 209 61 61, email: [bvk.sdjbxl@skynet.be](mailto:bvk.sdjbxl@skynet.be)

**USA: SEPARATED CHILDREN IN DETENTION.** According to the New York Times' Sunday edition (24 June), the number of children seeking asylum detained in the USA has increased to 4600 from 2400 in 1997. The newspaper tells the story of Fega, an 8 year old Nigerian girl, who was detained because her parents could not be traced. The immigration authorities thought that Fega's parents were faking her abandonment to secure her permanent residency in a better life in America and did not want to place her in foster care. Fega was released after more than 13 months. *For more please visit* : NY Times web site , <http://www.nytimes.com>).

**Denmark: DISAPPEARANCE.** Close to half of the refugee children who arrive separated in Denmark disappear. According to statistics given by the Ministry of the Interior. Red Barnet (Danish Save the Children) worries about the fate of the children and the organisation claims that the authorities do not do enough to find them. "We can only guess what happens to the children who disappear in Denmark. Nobody investigates, and too little is done to find them," says Birgit Jensen, who works with separated children at Red Barnet. Last year, 368 separated children asylum seekers were staying with the Danish Red Cross. Out of these, 172 had disappeared as of 12 July this year. This means that 47% had vanished. *Kristeligt Dagblad*, 1 August 2001.  
<http://www.kristeligt-dagblad.dk/nytomkirke/artikel:aid=4589>,

## European Asylum Harmonisation

**COMMISSION PROPOSAL FOR A DIRECTIVE ON THE REFUGEE DEFINITION AND SUBSIDIARY PROTECTION.** On 12 September, the Commission adopted its proposal for a Directive on the harmonised application of the refugee definition and subsidiary forms of protection. Particular attention on separated children is given, such as:

- Art 25, 26 and 27 on access to appropriate education, health and social services on a non-discriminatory basis;
- Art 28 on specific rights and benefits of separated children who have been determined to be refugees or enjoy subsidiary protection.

For more information : [http://europa.eu.int/comm/justice\\_home/ind\\_ex\\_fr.htm](http://europa.eu.int/comm/justice_home/ind_ex_fr.htm)

### **SAVE THE CHILDREN COMMENTS ON DRAFT DIRECTIVE ON MINIMUM STANDARDS ON PROCEDURES IN MEMBER STATES FOR GRANTING AND WITHDRAWING REFUGEE STATUS.**

Save the Children has sent comments related to children in the draft Directive on asylum procedures :

- that applications from separated children are treated as a priority;
- that children should be communicated with in a language she/he understands;
- that all children under 18 years be appointed guardian or advisor;
- that children should never be detained for reasons of their immigration status;
- that the principle of confidentiality of the information given by applicants should be seen as crucial.

The document can be found on the Europa web site at :

[www.europa.eu.int/comm/dgs/justice\\_home/index\\_en.htm](http://www.europa.eu.int/comm/dgs/justice_home/index_en.htm)

*Information from Save the Children Brussels office Newsletter, issue 48.*

**FAMILY REUNIFICATION :** Save the Children in co-operation with the Separated Children in Europe Programme has produced a comment on the Family Reunification Directive and a letter for lobbying purposes for national organisations. Copies are available from Save the Children Brussels office, Place du Luxembourg 1, B- 1050 Brussels, Tel : +32 2 512 7851, Fax :+32 2 512 66 73

*Information from Save the Children Brussels office Newsletter, issue 48.*

**European Parliament: FEMALE GENITAL MUTILATION.** MEPs voted in favour of a resolution tabled by María Elena VALENCIANO MARTÍNEZ-OROZCO

(PES, E) on behalf of the Women's Rights Committee which condemns all forms of female genital mutilation (FGM), describing it as a violation of human rights. Parliament is calling on the Member States to classify any form of FGM as a crime and to prosecute and punish any EU resident who has taken part in it, even if the offence was committed abroad. It wants the Member States' authorities to have the right to intervene, where there is a risk of FGM, to take girls into care or, for example, to suspend social benefits. The Member States are asked to devise programmes to educate communities at risk and to assist the victims. The Commission, Council and Member States are asked to take measures to issue residence permits and ensure the protection of victims of FGM, and to recognise that people at risk of being subjected to FGM have a right to asylum. Combating FGM should be made an integral part of the Union's development policy. The EU is also urged to provide foreign aid to countries which have adopted measures to punish FGM and to promote programmes to prevent and combat it. Lastly, the EU is called upon to make its voice heard within the United Nations to ensure that the reservations expressed by many countries regarding the Convention on the Elimination of Violence Against Women are withdrawn. Several countries have invoked 'tradition' as a reason for limiting their commitment to comply with the convention. *María Elena VALENCIANO MARTÍNEZ-OROZCO (PES, E) Report on female genital mutilation (2001/2035(INI)) Debate : 19.09.2001*  
*Vote: 20.09.2001 Press enquiries: Eva Bacelar (Strasbourg) tel.(33) 3 881 73799 (Brussels) tel.(32-2) 28 43535*  
*e-mail : femm-press@europarl.eu.int*  
*The report can be downloaded from: www.europarl.eu.int*

---

## Meetings

- 17 Oct., SCEP Steering Committee Meeting, Bratislava.
- 18 Oct. UNHCR meeting on separated children, Bratislava.
- 19-20 Oct. Programme Seminar in Bratislava
- 15-16 Oct. UNHCR Ottawa, the Child Welfare League of Canada and International

Social Service Canada are co-sponsoring a National Roundtable on the issue of separated asylum-seeking children in Canada. The Roundtable will bring together immigration officials, child welfare professionals and refugee advocates.

- The United Nation Special Session on Children planned for 19-21 September was postponed after the terrorist attacks in New York and Washington DC on 11 September.

---

## Publications and Web-sites

**-Children First Project.** The Children First Project's net page has now included the material from its last seminar. It is called Seminar III and includes the following themes : voluntary return/ family reunification, networking when dealing with separated children, DNA-testing for family reunification, international legal framework for separated children, administrative structures and procedures for meeting the needs and rights of unaccompanied asylum seeking minors in Finland, presentation on the system in the Netherlands, in Finland and in Ireland, findings of research project on psychological need, social support and estimates of psychological distress among unaccompanied minors and IOM assisted return programs. It can be downloaded from :

<http://www.uvi.fi/cfproj/semithree.html>

**-Separated Children Seeking Asylum in Canada,** a discussion paper adapted from an original report researched and written by Wendy Ayotte, UNHCR Canada, July 2001. To order a copy, please contact UNHCR Canada, Tel :+613 232 09 09, Email :canot@unhcr.ch

**-Children's Rights: A Second Chance,** Save the Children Alliance, 2001. This publication looks at the impact of local, national and international policies and practices on children since the adoption of the CRC. It shows that the situation has deteriorated for many children. It argues that the keys to progress are the best interests of the child, non- discrimination, participation and survival and development. For more information, contact: International Save the Children Alliance, 275 - 281 King Street, London W6 9LZ, UK. Tel: 00 44 (0)20

8237 8008; Fax: 00 44 (0)20 8237 8000;  
Email: [info@save-children-alliance.org](mailto:info@save-children-alliance.org)

**-Trafficking in Unaccompanied Minors for Sexual Exploitation in the European Union.** International Organisation for Migration, 2001. The report analyses the situation of separated children trafficked for the purpose of sexual exploitation in Belgium, Germany, Italy and the Netherlands. For more information, please contact Mrs Anelise Araujo-Forlot [araujo-forlot@iom.int](mailto:araujo-forlot@iom.int)

**-Crimmail.** It is an electronic mailing list of the Child Rights Information Network (CRIN). To subscribe to this list send an email to [crinmail\\_english-subscribe@domeus.co.uk](mailto:crinmail_english-subscribe@domeus.co.uk). Archives of all these services can be viewed on CRIN's website at <http://www.crin.org/email/index.asp>

---

## Programme Update

-6 August, the Senior Policy Officer, the Programme Assistant and the Protection Officer met with Catherine Hensmans, Head of the Belgian Alien Office Children's Unit to share information on mutual activities.

-17 August, the Senior Policy Officer and the Programme Assistant met with Heidi De Pauw, Case Manager for the Belgian NGO *Child Focus* to discuss the issue of disappearance of separated children in Belgium. Ms. De Pauw is currently conducting a study on the latter, which is planned to be published in October 2001. For more, please visit : <http://www.childfocus.org/>

-2-4 September, the Senior Regional Policy Officer made a presentation and participated in the closing conference of the Children First Project in Vilnius. (For more information on this Project, please read SCEP Newsletter, issue N°4 and 5.

-14-16 September, the Programme Assistant attended a meeting organised by the Belgian Human Rights League. A session was dedicated to the issue of separated children, during which a presentation of the SCEP was made by Save the Children Denmark programme co-ordinator.

---

## Calendar

-The CEBS country report has been finalised. For copies please contact Catherine Joppart or Kate Halvorsen, UNHCR Brussels, +32 2 627 17 58/59, Email; [Joppart@unhcr.ch](mailto:Joppart@unhcr.ch), [Halvorse@unhcr.ch](mailto:Halvorse@unhcr.ch)

---

This Newsletter has been produced by Kate Halvorsen and Catherine Joppart for the Separated Children in Europe Programme. For more information please contact:

Kate Halvorsen, Senior Policy Officer  
[Halvorse@unhcr.ch](mailto:Halvorse@unhcr.ch); tel:+ 32 2 627 17 59

Catherine Joppart, Programme Assistant  
[Joppart@unhcr.ch](mailto:Joppart@unhcr.ch); tel: +32 2 627 17 58

UNHCR RO Brussels  
Rue Van Eyck 11b  
1050 Brussels, Belgium