



Separated Children in Europe Programme

Networking with Youth to
Combat Violence against
Separated Children



**Children's Participation within the
Separated Children in Europe Programme's
Network of
Non Governmental Organisation's -
Mapping and Identifying of Initiatives to Date**

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1. Introduction

1.1 About this project and this report

This project aims to strengthen youth participation in preventing violence against young migrants and asylum seekers by supporting a European forum of separated children and youth as well as raising awareness about the importance and value of youth participation through the exchange of good practice. In addition the project will support separated children and youth to make their voices heard so that the Separated Children in Europe Programme's (SCEP) network of NGO partners, the general public, policymakers and decisionmakers are better informed and aware of their perspective on preventing and addressing violence. The project will create a context where youth have more opportunities to exchange information and to support each other through a European forum of separated children and youth. An initial step was to get a sense of current practice throughout SCEP's network of NGO partners and to map any current initiatives involving the participation of separated children. To this end a questionnaire was forwarded to the 31 partners, of which 19 were returned (please see Appendix 1). The relatively low rate of return may be an indicator that youth participation is not practiced widely throughout parts of Europe; it may on the other merely reflect that partners are extremely busy or that some partners had little or nothing to contribute to this research. Indeed a small number of returned questionnaires merely outlined that there were no participatory projects taking place in the respondent country.

1.2 The Separated Children in Europe Programme (SCEP)

The Separated Children in Europe Programme is a joint initiative of some members of the International Save the Children Alliance and the United Nations High Commissioner for Refugees (UNHCR). The programme is based on the complementary mandates and areas of expertise of the two organisations; UNHCR's responsibility is to ensure the protection of refugee children and those seeking asylum; the International Save the Children Alliance promotes the full realisation of the rights of all children. The programme aims to realise the rights and best interests of separated children who have come to, or moved within Europe, by establishing a shared policy and commitment to best practice at national and European levels. As part of this process the programme has an ongoing commitment developing partnerships with organisations working with separated children in European countries.

1.3 Children's Participation

There are many definitions and interpretations of what 'children's participation' means for different people. In its broadest sense it involves children in saying what they want and how it should be done. Roger Hart has described (children's) participation as,

The process of sharing decisions which affect one's life and the life of the community in which one lives.¹

Hart goes on to outline that there are differing levels of participation, or as he calls it - the ladder of participation, which he ranks, in ascending order, as,

- Information sharing
- Consultation
- Making decisions
- Implementation
- Managing resources

Questions relating to Hart's ladder were referred to in the questionnaire and responses are noted later in this report.

1.4 Children's Participation and SCEP

Children's participation, and specifically that of separated children, is recognised by SCEP as an important element of the programmes work. The programme's vision refers explicitly to separated children participating in a meaningful way in the development of policies and practices that impact upon their lives. The programmes Statement of Good Practice, notes that,

The views and wishes of separated children should be sought and taken into account whenever decisions affecting them are being made. Measures should be put in place to facilitate their participation in line with their age and maturity. Separated children are entitled to be heard directly or via a legal representative or guardian/adviser in any legal procedures. Separated children should be enabled and encouraged to voice their views, concerns and complaints regarding their care and guardianship, education, health services and legal representation.²

A commitment to the full implementation of the *United Nations Convention on the Rights of the Child* (CRC) is fundamental to the work of SCEP. The programme believes that all the articles within the CRC (and other international human rights instruments) are applicable to all separated children and must be the framework for all decisions affecting them. The CRC states,

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative

¹ Roger Hart: *Children's Participation: The Theory and Practice of Involving Young People in Community Development and Environmental Care* (1997)

² *The Separated Children in Europe Programme, Statement of Good Practice, 3rd Edition, 2004.*

proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.³

The Committee on the Rights of the Child's *General Comment no 6 on the Treatment of Unaccompanied and Separated Children outside their Country of Origin* provides guidance on the protection, care and proper treatment of separated children based on the legal framework of the CRC and similarly the programme believes that this guidance should always be followed when decisions are being made concerning separated children. With respect to the child's right to freely express their views, *The General Comment* states,

Pursuant to article 12 of the Convention, in determining the measures to be adopted with regard to unaccompanied or separated children, the child's views and wishes should be elicited and taken into account (art. 12 (1)). To allow for a well-informed expression of such views and wishes, it is imperative that such children are provided with all relevant information concerning, for example, their entitlements, services available including means of communication, the asylum process, family tracing and the situation in their country of origin(arts. 13, 17 and 22 (2)). In guardianship, care and accommodation arrangements, and legal representation, children's views should also be taken into account. Such information must be provided in a manner that is appropriate to the maturity and level of understanding of each child. As participation is dependent on reliable communication, where necessary, interpreters should be made available at all stages of the procedure.⁴

SCEP fully recognises the child's right to be consulted and listened to as a key pillar in both the provision of services to them and in informing decision making processes that impact upon them. SCEP is committed to the implementation of Article 12 of the CRC. Acknowledging the child's right to participation is more than just a value or a principle. The Programme believes that listening and responding to children will enable the development of procedures and services that are more relevant, workable and effective in practice.

Therefore, SCEP strives to incorporate the views of separated children into its publications and lobbying materials and uses their views to inform the Programme's work. SCEP works to ensure that policy makers and service providers at both the national and European levels hear the voice of separated children and that the outcomes of the decision making processes and service provision are influenced by their views. In order to achieve this aim, measures should be put in place to assist in the creation of an environment where separated children are enabled to talk openly about their

³ The United Nations Convention on the Rights of the Child, 1989, Article 12

⁴ The Committee on the Rights of the Child, General Comment No 6, Treatment of unaccompanied and Separated Children Outside their Country of Origin, 2005, paragraph 25.

wishes and feelings. Measures to aid the participation of children need to take into account their age and maturity.

2. Collated responses to the questionnaire.

Rather than attach the questionnaire as an appendix to the report the questions are grouped and set out here in the text with the relevant responses.

Does the organisation that you work for hold a mandate to promote the participation of separated children or to consult with separated children regarding the delivery and planning of services or in informing your organisations advocacy position?

Does your own job hold any specific role or responsibilities relating to consultation with separated children?

What is your organisation's understanding or perspective of the term 'participation of children and/or young people'?

Do you know of any other working definitions of 'participation of children and/or young people' that have been used by projects within your country?

Is there any legislation, regulations or good practice guidelines in your country that refer to 'children and/or youth participation'?

Most responses indicated a willingness to encourage the participation of separated children but in general it was only the Save the Children Organisations, and a few other agencies, that felt that their work included a clear and direct mandate to promote the participation of all children including those who are separated and subject to migration control, for example, Save the Children Italy have a 'participation officer' who holds a remit to consult with all children as appropriate. It follows that few network partners hold a clear remit to consult with separated children though a number of partners indicated that they had some limited experiences of seeking the views of separated children and attempting to use these views to inform policy decisions.

A formal working definition of the term 'children's participation' did not emerge from the responses. It is clear that regarding both definition and practice there is a wide spectrum of what this term means. Where there was consensus it was recognition that in part at least, children's participation means allowing them to take part in the decision making process's that affect them. Much of the content of the responses in this section referred to the CRC and the child's right to express their views and opinions and to talk about their problems. In addition they should also be involved in the decisions that affect them. There were some references to enabling children to 'fight for their rights'.

There was a broad, though not complete, consensus that national child care legislation required consultation with children on the matters and decisions that affected them. This was often qualified by references to age, maturity and the child's ability to comprehend the issues being debated. It should be stressed that in every instance these provisions were found in mainstream childcare law and were not drafted specifically with separated children in mind. However separated children were not excluded from the legislation. Many countries lacked guidelines regarding the application of the legislation in practice though once again Save the Children have produced some practice guidelines for practitioners and there was also reference to a number of websites that provided guidance.

The Directives and Regulations that have emerged from the EU in recent years on the theme of asylum and migration have played scant regard to the participation of children in decision making and the provision of services. The Directive on Temporary Protection does outline that the views and wishes of children should be sought. This reference is very welcome but there are no suggestions or framework for how the views of children will be sought in practice. In truth there appears to be very little commitment to allowing children to input into either the decisions or the construction of policies that impact upon them at EU level and decisions seem to be made without any real attempt to consult with children.

It is perhaps worthwhile reminding ourselves that the Network of NGO partners began to consider how to integrate the perspectives of separated children into SCEP's work some time ago in 2004. At this time the network concluded that ultimately it is unlikely that participation will be effective without a genuine commitment by adults (and agencies) to respect children and to listen to them and to take their contributions seriously. In effect children's participation is a value that needs to underpin how agencies go about their business.

On a day-to-day basis are there mechanisms in your country for allowing children and young people to express their opinions or comment on services? How can separated children access these procedures if they exist?

There were regular references to the ombudsman and a reference to a children's commissioner. Also school councils or their equivalent were mentioned occasionally but in the main issues would have to be raised informally with the adults who were working with separated children e.g. social workers, teachers and care workers.

As a general observation it appears that children have some varied success in challenging bad decisions concerning their care through complaints processes, and in changing their day to day environment and informing their care plans. There was much less evidence of separated children being able to change strategic thinking and direction particularly regarding provision delivered by statutory services. For the record separated children have not had any success to date in changing the way that the asylum determination or other entry procedures are applied to them.

Do you have any direct, personal experience of facilitating the participation of separated children in projects or of consulting with them regarding the direction and delivery of your work?

Does your organisation have any experience of facilitating the participation of separated children in projects or of consulting with them regarding the direction and delivery of your organisations work?

As noted above most network partners attempt to consider the views of separated children in their work but there was limited direct experience of facilitating the participation of separated children. One network partner has coordinated a separated children's self advocacy group for approximately 3 years supporting the group to inform Save the Children's responses to government consultations; another partner has supported a group of separated children in the preparation and organisation of an international seminar on 'Freedom, Security and Justice for Separated Children'. In addition this partner also facilitated the production of a DVD by separated children outlining their experiences in the Netherlands. It was a similar situation regarding the agencies represented by the network partners – a genuine willingness to consult but little experience of direct facilitation. In Germany the Federal Association for Unaccompanied Minor Refugees - B-UMF had organised 2 workshops with separated and other refugee children to inform the policy and practice of their work. In the UK, Save the Children are including children in the implementation of their projects and are strengthening the involvement of children in setting the direction of their protection work. Save the Children Italy published a report - '*Child Researchers*', resulting from a participatory research involving 7 migrant children of varying ages, gender, origin and background and 2 peer educators as tutors. The child researchers interviewed 53 migrant children and adolescents and 6 children of Italian nationality. The report focused on children and their work in Rome, and in particular, sought to understand the characteristics of the jobs children are involved in and the perceptions children have of their work. Save the Children Italy also supported a group of separated migrant children to make a video reflecting the life of a separated child in Italy. In Austria, Asyl Koordination, arranged a national conference that brought young migrants together to discuss the issues they faced in gaining access to the labour market.

Could you list any initiatives or projects within your country where separated children have had the direct opportunity to inform policy and practice?

Network partners mentioned a number of projects in recent years where separated children have had opportunities to inform policy and practice,

- An NGO Shadow Report on the implementation of the CRC (Ireland)
- Irish Refugee Council Research (Ireland)
- Production of a film 'The New Home Country'. Separated children worked with 2 drama pedagogues to produce a film to be shared with schools, care providers and decision makers (Sweden)

- Facilitation of discussions between separated children and politicians (Sweden)
- Creation of a multicultural club where separated and citizen children worked together (Romania)
- Pre-study regarding the development of a helpline for undocumented separated children (Denmark)
- The project 'Establishing Home Country links for Separated Children in Denmark, Norway and Sweden' (Denmark)
- A study on separated children and their perspectives on integration (Denmark)
- Support in the 'What do you think?' debates (coordinated by UNICEF) This project sought to consult the most vulnerable children and to ensure that their voices were heard by politicians and the committee on the rights of the child (Belgium)
- Developing research into the situation of child workers in Rome (Italy)
- Involvement in the campaign to lobby for a 'long stayer' regulation (Germany)
- Two workshops to inform the policy and practice of B-UMF (Germany)
- SAMAH, Council of Separated Children (The Netherlands)
- Preparation of and representation at the 'Freedom, Security and Justice for Separated Children' seminar (The Netherlands)
- Brighter Futures, self advocacy project for separated children (UK)
- Befriending Unaccompanied Minors Project (UK)

Who were the target groups of the projects identified above?

Could you describe how separated children were involved in these projects?
For example,

- information sharing
- consultation
- planning
- decision making
- start up and implementation
- monitoring
- resource management
- evaluation

The target group of many of these projects were policy and decision makers, either politicians or their representatives. Separated children themselves were also targets, the aim being to empower them and to offer some form of recreational activity.

It is fair to report that most of the projects outlined above shared information and consulted with separated children but there were relatively few schemes that enabled participation at any of the 'higher' levels. There were some exceptions and both the 'New Home Country' and 'Establishing Home Country links for Separated Children' (see above) projects involved separated children in planning, decision making and start up, as did the 'Freedom, Security and Justice for Separated Children' seminar (also see above).

UNICEF's 'What do you think' initiative enabled participation at all levels of the ladder from information sharing and consultation through to resource management and monitoring and evaluation. The young people involved in Brighter Futures were involved in the start up and implementation of their project and contributed to its funding bid. In addition they develop their own advocacy campaigns and decide on the relevant issues and how they want to focus on these.

Where required do separated children have access to interpreters, and how do children/young people of different nationalities communicate with each other if they do not have a common language?

Perhaps surprisingly there was a heavy, though not exclusive, reliance on the young people to communicate in the language of their host country, and indeed this was a stated requirement in one of the projects. Some young people really embraced this idea and saw an opportunity to work in, and thus improve, their language skills. Otherwise young people tended to translate for each other and the use of professional interpreters was kept to a minimum. Unless all the participants, including any adults involved in facilitation, have a common language, skilled interpreters will be vital and the sessions will need to move slowly. Body language and other non-verbal forms of communication will also become important in such situations and there is a risk that children and young people may have limited experiences in picking up this type of communication. The use of drama, film and other visual materials often bridges some of the gaps arising from the lack of a common language. It is perhaps noteworthy that many respondents comment that interpreters are provided by the state as a matter of course in matters that relate directly to the asylum determination procedure.

Were any of the initiatives evaluated? If yes could you summarise the issues that the evaluations raised. In particular is it possible to assess whether the initiatives have had an impact, i.e. did they change or initiate anything?

Were any benefits of involving separated children in these projects identified?

Were any disadvantages of involving separated children identified?

Is it possible to identify whether the separated children involved found the project/consultation useful, and if so how was it useful?

Did the separated children enjoy the process?

Although there were very few systematic evaluations of the participation projects a number of areas were identified where the projects had benefited from the inclusion of separated children. Organisations felt that listening to and then acting on what they had heard from separated children made their work more relevant and outlined areas where capacity needed to be increased. Partner agencies also felt that there was added value in allowing separated children to participate and this boosted the reputation of the agencies facilitating the participation projects. In general young people

developed new skills e.g. in budgeting and liaising with the media and their confidence and self image was enhanced.

Disadvantages, or as one partner preferred to call it – difficulties, were few and far between. It was important to set realistic expectations as some young people wanted to ‘change the world’ and they found it hard to deal with ‘little results’. It was often difficult to get large numbers of separated children on board and quite often the participatory projects were steered by a relatively small core group of active young people. Often these were children at the higher end of the age spectrum and a dilemma was posed when they turned 18 – should they continue to be involved as young adults? The Feedback consistently identified that young people had enjoyed the process of participation, though as one partner commented, only those who found it fun were likely to turn up. In particular young people commented that it felt good to share experiences, to be allowed to express themselves and to be taken seriously. They were also pleased to make new friends.

Were any specific barriers identified that impacted on the consultation with/involvement of separated children, and what were they?

What attempts were made to address these barriers?

Some of the young people who were involved in the participatory projects sometimes found it hard to engage because they were dealing with high levels of stress associated with their living conditions or the asylum determination procedure or having to deal with previous traumatic experiences. This was particularly so for those without a residence permit or other form of leave to remain who felt that involvement may make them more visible to government officials. This can make it difficult for a child to concentrate, contribute and learn from the experience of participation and this will hardly be a priority for them if their basic needs are not being met. Costs and budgets was also an issue, particularly in relation to travelling. On a practical level attendance fluctuated and young people, as they do the world over, often turned up late for meetings etc. and contacting them either by post or by e-mail was sometimes difficult. Language was only raised by one respondent as a barrier and similarly there was a reference to the difficulties of being a ‘transit’ country. Young people rarely stayed long enough to engage properly in any projects.

A concern that network partners have raised outside of this questionnaire relates to the immigration status of the separated children with whom they work. Quite simply those who are still awaiting an initial decision on their claim to remain will have restrictions on their freedom to travel and in practice will not be allowed to leave the country where their application is being considered. Thus it is practically impossible to undertake participation projects that bring asylum seeking children living in different countries together. The granting of leave to remain is likely to change this though it should be noted that this may inform the perspectives of the young people that will emerge from any subsequent participatory work.

If they are to be effective participation projects need a huge investment in terms of time, resources and skilled staff. Relationships need to be built up gradually over time and much patience will be required Without this it is hard to satisfy the expectations of both the young people who are involved in the projects and the agencies that facilitate them.

Could you list any current projects or initiatives that bring separated children together that could possibly be used as a reference point for this particular piece of work?

There were only a limited number of suggestions concerning current projects or initiatives from which young people may wish to get involved in the development of a European wide self advocacy network;

- SAMAH (The Netherlands)
- UMA Council (The Netherlands)
- Brighter Futures self advocacy group (UK)
- Kumasi, social activities group (UK)
- The Refugee Council's evening drop-in project (UK)
- BUMP (UK)
- Dun Laoghaire Refugee Project (Ireland)
- Transitional Supports Project (Ireland)
- Participants from the young refugees workshop held in Reimlingen (Germany)

In addition there are some projects that are due to commence in the near future and potentially young people that get involved in these may also want to be involved with this network as appropriate;

- Foundation Môn dial Society who are to produce a report on the participation of children in refugee organisations (Switzerland)
- Swedish Save the Children are planning a project concerning the experiences and opinions of children in relation to reception arrangements (Sweden)
- Terre des Hommes in Lausanne are about to start a pilot project on the participation of separated children (Switzerland)
- Save the Children Denmark are hoping to develop a network for separated children (Denmark)

3. Concluding Remarks

Given that, when all is said and done, the rate of response to the questionnaire was pretty low it has been hard to draw any substantive conclusions from this initial mapping phase. There was no emergence of a clear definition of what is meant by the term 'participation of children' and there are differences about what this means in theory and in practice. On a positive note it is clear that network partners have a commitment to consultation with separated children and equally a commitment to listen carefully to their perceptions of their own situations. However consultation with children should not be seen as the same as the *full* participation of

children, indeed consultation is placed fairly low on Hart's the hierarchy of participation. If network partners are truly serious about the meaningful participation of separated children they will need to commit far greater resources than they currently do in their consultation initiatives.

The list of projects where separated children were given opportunities to input into policy and practice is relatively short and again most initiatives were not led by children and the agenda was clearly set by adults. That being said the experience of 'participation' appears to have been enjoyable and beneficial to the separated children involved in the projects. Little victories seem the norm and despite much hard work participation exercises have failed to date to make major strategic changes or to inform overall asylum determination procedures. However we should remind ourselves that participation is an end in its own right and regardless of the outcomes children can benefit from the process by developing skills, building self confidence and raising their self esteem.

There is some potential within the work that is currently taking place with separated children to identify some young people who would actively wish to engage in this particular project. This is despite the trauma and difficult circumstances that many of these young people are dealing with in their everyday lives. The numbers are not high, however, and there will be difficulties in convening seminars and face to face meetings between young people partly because of the travel restrictions associated with their immigration status and also because of the challenges involved in bringing together a group of young people who do not share a common language.

4. End Note

Following the sharing of this mapping exercise with its NGO network, SCEP delivered a capacity building workshop for its partners in November 2007. This established a common understanding of the context of 'children's participation' and raised awareness of Save the Children's standards that should be applied when consulting directly with children. It also provided a platform for partners to discuss their experiences around children's participation and to exchange ideas about future developments and approaches to their work. Although some scepticism remained amongst some partners that they could successfully identify separated children willing and able to develop a youth network throughout Europe a workshop took place in June 2008 at Aalsmeer in the Netherlands attended by separated children from 12 European countries. The young people developed their own ideas for an exhibition on the rights of separated children involving young people from 14 different European countries⁵ which was held in Brussels in early December 2008.

⁵ Austria, Denmark, Finland, Germany, Greece, Hungary, Ireland, Malta, The Netherlands, Norway, Poland, Slovenia, Sweden, United Kingdom,

Appendix 1 – Responses to the questionnaire

The report was based on information received from the following partners of SCEP's NGO network.

Austria - Asyl Koordination

www.asyl.at

Belgium - Defence for Children International

www.sdj.be

Czech Republic - Counselling Centre for Refugees

www.uprchlici.cz

Finland - Central Union for Child Welfare

www.lskl.fi

Germany - Federal Association for Unaccompanied Minor Refugees, B-UMF

www.b-umf.de

Greece - International Social Service

Hungary - Menedek Hungarian Association for Migrants

www.menedek.hu

Ireland - The Irish Refugee Council

www.irishrefugeecouncil.ie

The Netherlands - Defence for Children International

www.defenceforchildren.nl

Slovakia - Slovak Humanitarian Council

www.shr.sk

Slovenia - Slovene Philanthropy

www.filantropija.org

Switzerland - International Social Service

www.ssiss.ch

The Save the Children Organisations in;

Denmark

www.redbarnet.dk

Italy

www.savethechildren.it

Norway
www.reddbarna.no

Romania
www.salvatcopiii.ro

Spain
www.savethechildren.es

Sweden
www.rb.se

United Kingdom
www.savethechildren.org.uk