



*Final Report from Conference on
Separated and Trafficked Children
in the Baltic Sea Region*

Vilnius Sep 14-16, 2003



This report is also available on Internet, at:
www.rb.se

Production: Save the Children Sweden
Production Manager: Karin Kronborg
Graphic Design: Ulla Ståhl

Code no: 3040
Print: Partner Print, Stockholm, Sweden

Caritas Sweden – www.caritas.se
The Council of the Baltic Sea States, CBSS – www.cbss.st
ECPAT Sweden – www.ecpatSweden.org
Kvinnoforum – www.kvinnoforum.se
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Foreword

An NGO conference on best practice and co-operation regarding Separated and Trafficked Children within the Baltic Sea Region took place in Vilnius, Lithuania 14-16 of September 2003.

The conference was a response from the NGO community to one of the commitments made at a governmental conference in Stockholm in February 2003, regarding the importance of involving NGOs in the struggle against trafficking in children and in finding appropriate solutions to the problem of separated children crossing borders in the Baltic Sea Region.

The aim of the conference was to strengthen the co-operation between different NGOs in the region regarding national as well as international co-operation for all Separated and Trafficked children.

The conference was attended by 90 participants from more than 50 NGOs representing nearly all the Council of the Baltic Sea States (CBSS) countries and also Moldova, Ukraine, Belarus, Albania, Bosnia-Herzegovina, Italy and Romania.

The conference was the fruit of co-operation between several NGOs in Sweden, Red Cross, Kvinnoforum, ECPAT-Sweden, and Caritas working for the rights of these vulnerable children.

The CBSSs Working Group for co-operation on Children at Risk has also participated in this work.

A number of significant conclusions and recommendations were formulated by the Conference addressing the issues and rights of Separated and Trafficked Children in the Baltic Sea Region. The conference was made possible through financial support from the Swedish Ministry for Foreign Affairs.

Save the Children Sweden

Stockholm 1 of December 2003

Eva Larsson Bellander
Programme officer

Conclusions And Recommendations From Cooperation Conference on Separated and Trafficked Children in the Baltic Sea Region: Best Practices Vilnius, Lithuania 14-16 September 2003

Context

This conference occurred in a climate of growing concern amongst governments, NGOs and other relevant bodies regarding the nature and scale of the issue of children from within the region of the Baltic Sea States and Belarus Moldova and Ukraine, who for whatever reason are in a country other than their own, and not accompanied by a legal guardian. The term used for these children is sometimes 'unaccompanied', 'separated' or 'trafficked'.

Definition

The definitions below of separated and trafficked children was adopted of the conference.

Separated Children and young people are children under 18 years of age who are outside their country of origin and separated from both parents, or their legal/customary primary caregiver. Some children are totally alone while others, who are also the concern of the SCE project, (Separated Children in Europe Programme) may be living with the extended family members. All such children are separated and entitled to internal protection under a broad range of international and regional instruments. Separated children may be seeking asylum because of fear of persecution or lack of protection due to human violations, armed conflict or disturbances in their own country. They may be victims of trafficking for sexual or other exploitation, or they may have travelled to Europe to escape conditions of serious deprivation.

a) **Trafficking** in persons shall mean the **recruitment, transportation, transfer, harbouring or receipt** of persons, by **MEANS** of the **threat or use of force** or other form of **coercion**, of **abduction**, of **fraud**, of **deception**, of the **abuse of power** or of **a position of vulnerability** or of the **giving or receiving of payment** or benefits to **achieve the consent** of a person having control over another person, for the **PURPOSE of exploitation**. Exploitation shall include, at a minimum, the **exploitation of the prostitution** of others or other forms of **sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude** or the **removal of organs**;

b) The **consent of a victim** in persons to the intended exploitation set forth in subparagraphs (a) of this article shall be **irrelevant where any of the means** set forth in subparagraph (a) have been used;

c) The recruitment transportation, transfer, harboring or receipt of a **child** for the purpose of exploitation shall be considered "trafficking in persons", **even if this does not involve any of the means** set forth in sub paragraph (a) of this article:

d) **Child** shall mean any person **under the age of eighteen**.

(Annex II Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children Supplementing the United Nations Convention against Trans National Organized Crime, Article 3, Use of terms.)

The conference noted that as a result of the growing concern regarding unaccompanied, separated and trafficked children, the Swedish Minister for Development Co-operation, Migration and Asylum, Jan O Karlsson, and the Working Group for Co-operation on Children at Risk within the Council of the Baltic Sea States invited member states of the CBSS, the European Commission as well as Belarus, Moldova and Ukraine to a meeting of senior officials in Stockholm in February 2003 in order for these representatives of governments to discuss improvements in the areas of assessment, care, reintegration as well as preventive measures.

The present conference welcomed the commitment of the Stockholm Meeting to developing a Plan of Action, which among other objectives would involve NGOs in the region in competence and capacity building work together with government departments/agencies and the private sector, and also address the issue of how governments and NGOs could cooperate. This commitment was, the conference also observed, reinforced by the Chairman of the Stockholm meeting's strong recommendation to continue multilateral cooperation amongst and between governments in the region in order to improve the situation for these children, including the need for cooperation with NGOs.

In response to this commitment, the Working Group for Cooperation on Children at Risk within the Council of the Baltic Sea States, together with Save the Children Sweden and other sponsors, organised the 'Separated and Trafficked Children' conference.

This conference represented the first time that relevant NGO actors in the region of the Baltic Sea States + Belarus, Moldova and Ukraine had been given the opportunity to meet together and share best practice working experiences and discuss further cooperation. As a result of financial support from the Swedish Foreign Ministry, a number of NGOs, which would otherwise not have the resources to attend such a conference, were enabled to participate. In total over 50 NGOs from the region came together in Vilnius for this two-day conference in mid September 2003.

The Conference had three main components. Firstly, plenary sessions with keynote presentations from NGO representatives sharing country and organisation-specific best practice experiences. Secondly, the conference divided into four specialist working groups to consider and propose responses to four distinct but nevertheless inter-related

aspects of the separated and trafficked children issue: root causes, reception, rehabilitation and social integration in host countries and reintegration in origin countries. Finally, a plenary session on the second day merged the findings of the working groups with the experiences which had been shared in the earlier plenary sessions, in order to provide a summary 'Conclusions and Recommendations' for sharing with governmental colleagues within the Working Group for Cooperation on Children at risk and other intergovernmental foras.

Conclusions and Recommendations

A number of specific conclusions and recommendations were made by the Conference, some addressing the issue of separated and trafficked children, and also some specific ones, which emanated from the specialised working group focal points.

Child Rights: Child Rights should be a priority for every CBSS+ governments, and the issue of separated and trafficked children should be addressed from a child rights perspective, using the UN Convention on the Rights of the Child as the benchmark. It is important to stress through a gender perspective the different needs of boys and girls in all stages of the separation.

Responses To Different Forms Of Trafficking: the Conference concluded that whilst the trafficking of girls for sexual exploitation justifiably received attention from governments, NGOs, funding institutions and the media, insufficient was being done to respond to the needs of trafficked boys, which are different to those of trafficked girls.

The Need For Accurate Statistics: the conference stressed the importance of keeping statistics by official authorities. Documented as well as undocumented statistics, often kept by NGOs, are important to consider.

The Need For A Separation Of Response To Trafficked Children And Trafficked Adults: the Conference concluded that very often statistics about the numbers of trafficked children do not exist because government departments and agencies do not recognise the existence of the problem and/or do not distinguish between children under 18 and adults over 18. The Conference recommended that the existence of the problem be accepted by all governments/agencies. Similarly, service provision by government departments and agencies has to become acutely sensitive to the needs of the child, rather than treating them with the same approach and range of services as they would to a trafficked adult.

Return To The Country Of Origin Against The Child's Will: the Conference wholeheartedly endorsed the commitment of the Stockholm Meeting never to return a child to his/her country of origin without having made certain that there is someone to care for the child. The Conference did however wish to emphasise the importance of ensuring that a proper assessment is undertaken of the child's situation, and that the child is involved in the decision making process. The Conference also recommended that relevant NGOs be involved in this process.

Defining Responsibility: the Conference was clear that responsibility for addressing trafficking lies firmly with governments in the region, in close cooperation with NGOs, who have particular strengths in working directly with children in dedicated reception centre/rehabilitation centres. It was therefore the responsibility of governments to introduce legislation where necessary, to always implement existing legislation, to establish necessary mechanisms to support this implementation, and to financially support the appointed legal guardians of children who have been separated or trafficked.

The Conference was also in agreement with a view expressed at the Stockholm Meeting, that the decision about the reintegration and rehabilitation of a child should be a matter for authorities in the host country, transit country(ies) and the country of origin – and not a matter for the host country alone.

On the point of *identifying* responsibility, the Conference also concluded that a CBSS-wide regional data base of governmental and NGO service providers needed to be developed as a resource base for practitioners and the public.

Accessing Of NGO Experience By Governments: the Conference concluded that NGOs have a great deal of experience in developing best practice projects in most stages of the necessary response to separated and trafficked children, which governments need to access in order to improve their response. Through accepting recommendations elsewhere in this Paper, mechanisms need to be put in place for accessing this experience.

Coordinating Responsibility At Government Level: From NGOs' experience the Conference concluded that most governments lack a coordinating function within their own bureaucratic structures in order to coordinate the response of individual departments and agencies (e.g. the police, border security) when dealing with the issue of separated and trafficked children. This problem is exacerbated when different regions or states within a country are allowed to develop different laws and mechanisms, which impact on the welfare of children. The Conference therefore recommended that a coordinating unit be set up within governments to ensure that a coordinated response to separated and trafficked children (eliminating duplication of responsibility and services) is developed and implemented, and to provide a governmental point for communication and coordination on separated/trafficking issues with NGOs in the country.

Bilateral Coordination Between Governments And NGOs At National Level: The Conference concluded that generally speaking there was poor coordination at national level between NGOs involved in separated and trafficked children and their counterparts in government; this was due sometimes to a reluctance on one or other side to engage with the other, and also a lack of clarity as to who was responsible for doing what. Aside from the issue of government departments and agencies needing to establish their own coordination, there needs to be a mechanism through which a government can communicate with the NGO sector concerned with separated and trafficked children in their own country – perhaps a national NGO contact point,

although this requires further thought on the part of the conference organisers as to what might be an achievable and effective framework for this.

Regional Coordination Between Governments and NGOs: the Conference notes that governments in the CBSS+ region have a coordinating structure to facilitate meaningful cooperation. Currently NGOs in the region do not, and in order for them to interact with the CBSS+ governments at a regional level in a coordinated, coherent way, the Conference concludes that there needs to be a functioning, operational means through which NGOs can communicate with each other and then be represented in CBSS+ governmental fora. Web-based operations offer the opportunity for internet based coordination if not representation, so more thought will need to be given to this by NGO stakeholders within the CBSS+ region.

The Need For Coordinated Awareness Raising and Training of Relevant Professionals: the Conference concluded that not enough coordinated awareness raising work is undertaken; it recommends a joint information campaign conceived and implemented by governments and NGOs in partnership, targeting the general public in origin, transit and destination countries. As part of this work professionals (e.g. police, border security, social workers, health workers) need to be trained.

The Need For Active “Supply-Push” Reduction Initiatives: the Conference concluded that poor education provision and poor or non-existent employment prospects within origin countries (particularly in rural areas) lead to family poverty and the breakdown of the family unit; these were key factors in increasing the vulnerability of children, leading to an increased risk in them leaving the family home of their own choice and/or of being trafficked. The Conference recommended that governments invest in programmes, which would provide education to children and employment to families in countries of origin.

The Need For Active “Demand-Pull” Reduction Initiatives: The Conference concluded that another of the main reasons why trafficking exists is because there is a “demand” for children amongst a minority sector of the population in certain countries. Therefore the Conference recommended that governments must take clear, official and public positions on their critical attitude to people who are abusers/“consumers” of trafficked children. NGOs have played and should continue to play a role of awareness raising and attitude-changing among the general public as well as targeted sectors of the population.

Existing And Future Funding Of NGO Projects and Activities: the Conference concluded that it was less difficult to secure funding for project and activities connected with trafficking for purposes of sexual exploitation purposes, and much harder to secure funding for children who are subject to non-sexual exploitation and for children with multiple problems who may have become involved in criminal activities as a result of their experiences. The Conference therefore recommended that governments of the CBSS+ countries address this issue by being more prepared to fund a wider range of

trafficking related projects, and also to understand that very often such projects were long-term initiatives, which did not yield immediate results.

The Conference also concluded that there was a tendency on the part of existing funders to believe that organisations in those CBSS+ countries, which are EU accession countries, are on the verge of receiving significant EU funds. The Conference concluded that this is not necessarily the case, and there is a very real impending funding gap about to open up as existing funders discontinue their funds and EU funds are not (yet) available. Whilst the NGO community has a responsibility to inform its funders of this situation, it is also necessary for governments to address this issue. The Conference also concluded that social welfare issues had for the most part been neglected by the EU in the pre-accession agreements it signed with the CBSS+ governments due to join the EU in 2004, and it recommended that the EU should increase support to children in all CBSS/EU countries, but particularly to countries of origin.

Reception and Reintegration Facilities: the Conference concluded that the totality of existing facilities provided were inadequate in both quantity and quality. There needed to be an investment in expanding the number of such facilities and an improvement in the quality of service provided through the development and dissemination of best practice working models.

Closing Comments

As can be seen above, a number of significant conclusions and recommendations were formulated by the Conference, but the overriding message that the Conference wished to communicate to the CBSS+ governments is that NGOs in the region have a considerable amount of experience which they wish to put to use in active collaboration both with each other and most definitely with governments in the CBSS+ region, both at a regional and a national level.

Indeed, it is only if governments and NGOs work together that society within the CBSS+ region can have a reasonable hope of adequately combating and addressing the issue of separated and trafficked children within the region. The NGOs of the Vilnius Conference therefore look forward to working with the governments of the region in the coming months and years.

*NGO- conference
Separated and Trafficked Children in the
Baltic Sea Region
Best practices and Co-operation
Vilnius 14th –16th of September 2003*

Invitation Letter

With financial support from the Swedish Ministry for Foreign Affairs an **NGO-conference will be held in Vilnius the 14th -16th of September 2003.**

The aim of the conference is to strengthen the co-operation between the different NGOs in the region regarding national as well as international co-operation for all separated and trafficked children and through this improve co-operation in all aspects of the assessment, care and re/integration of the children. The Conference will include exchange of experiences and best practices both on the practical support level and on the level of policy development and lobbying.

Good models of work will be presented and gaps in the co-operation between NGOs and between NGOs and governments will be identified.

Background: Boys and girls without parental care who come alone across the borders in the region of the Baltic Sea States are all in a highly vulnerable situation. Some of these children come from distant countries like Afghanistan, Iraq or Somalia, some are in transit, while others directly apply for asylum. Children from several states in the region are in a country not their own on tourist visas. Some of these children have been trafficked.

Separated children applying for asylum in some countries in the region disappear from reception centres without these centres knowing what have happened to them. Some children are used in criminal activities while waiting to get their asylum application processed and some are exploited sexually during this time.

Overall the exploitation that many separated boys and girls suffer, due to their extremely exposed situation is unacceptable and ending this must be of high priority for all co-operation: intergovernmental, interagency as well as NGO-co-operation

The 10th and 11th of February 2003 senior officials from member countries in the Council of the Baltic Sea States plus Belarus, Ukraine and Moldova, the EU, IOM, UNHCR and some representatives from the NGO sector met to discuss the issue of interministerial and interagency co-operation for improved assessment, care and reintegration of separated children within and from the region.

The Chairman's conclusion from this meeting gave a strong recommendation to continue the multilateral cooperation to improve the situation for these children. (The report from the meeting can be downloaded from <http://Childcentre.baltinfo.org>)

A Plan of action regarding unaccompanied children from the region of participating states will be elaborated by the Working Group on Children at Risk within the Council of the Baltic Sea States and this plan will include the role of the NGO sector.

Target group of the conference:

Some 80 professionals from NGOs in the region, both practitioners and policy makers. **NGOs from** Belarus, Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Moldova, Norway, Poland, Russian Federation Sweden and Ukraine will be invited

Tentative programme

During the conference the following themes and roles will be discussed:

- Awareness raising as well as practical support
- Root causes to the problems; preventive work
- Reception/integration in the host country
- Reintegration/rehabilitation in the country of origin

Four parallel working groups will be established to discuss different related topics. Background papers on the main conference themes will be sent out in August to the participants.

Financial support for participants

Accommodation at the conference venue in Vilnius will be paid for attending NGO representatives.

Limited contribution for travel costs is available. Some hotel rooms are booked from the 13th of September for those of you who want to arrive on Saturday the 13th in order to make use of cheaper flights. Some hotel rooms are also booked for the 16th of September.

Conference organisation

The conference is planned and organised by Save the Children Sweden in co-operation with Swedish Red Cross, ECPAT Sweden, Caritas, Kvinnoforum, and Gelbekeit Vaikus (Save the Children in Lithuania). The Working Group for Co-operation on Children at Risk within the Council of the Baltic Sea states has been contributing to the planning of the conference.

Host of the conference; Save the Children in Lithuania, (Gelbekeit Vaikus)

Accomodation: Hotel Artis , Vilnius,

Conference language; English and Russian with simultaneous translation .

Questions; Eva Larsson Bellander, Save the Children Sweden, ph. +4 68 698 9069.



Application Form:

I would like to attend the NGO Conference

Separated and Trafficked Children in the Baltic Sea Region - Best practices and Co- operation

on September 14-16, 2003 in Vilnius, Latvia

Name: -

Organisation:

Address: -

Profession/Position:

Tel. no: _____ Fax no:

E-mail: -

Arrival date: -

Departure date: -

Special kind of food:

Accommodation: Hotel Artis, Vilnius. Central booking will be done.

Mail the application form to: seminarium@rb.se or send by fax: +46 8 698 90 12.
Postal address: Save the Children Sweden, att: Laijla Sjölander, 107 88 Stockholm, Sweden.

Please note that last date for application is August 11, 2003.

For information: Eva Larsson Bellander, tel +46 8 698 90 69 (conference program)
Laijla Sjölander, tel +46 8 698 91 11 (application)

NGO Conference on Separated and Trafficked Children in the Baltic Sea Region – Best Practice and Cooperation

Sunday Sep 14

17:00–17:30 Welcoming address
Reception, Drinks at Hotel Artis
Information from *Gary Willis*, Facilitator

17:30– Dinner at Hotel Artis

Monday Sep 15

09:00–09:15 **Opening of the Conference**
Objective of the Conference
Save the Children Sweden General Secretary
Charlote Persi Gorniszka
Conference Management
Facilitator *Gary Willis*

09:15–09:45 THE CONTRIBUTION OF NGOs
Who Does What in Society?
**Cooperation between Civil Society, the Govern-
mental and Business Sector**
Bam Björling Chairperson Kvinnoforum

09:45–10:15 THE CONTRIBUTION OF NGOs IN
PREVENTIVE WORK – LOOKING AT
ROOT CAUSES
**Gender System as Trafficking Promotion
Device**
Margarita Janakutaitė, Vilnius University

10:15–10:45 Coffee

10:45–11:15 **Assessment of Child Trafficking in the Baltic
Region**
Inger Backer Neufeld, Save the Children Denmark

11:15–12:00 THE CONTRIBUTION OF NGOs IN THE
RECEPTION OF SEPARATED AND
TRAFFICKED CHILDREN
**Awareness Raising and Lobbying concerning
Separated Refugee Children in Sweden**
Karin Johansson, ECPAT Sweden

**Experiences of Building up a new Unit for
Reception of Separated Children in Sweden**
Monica Brendler, Save the Children Sweden

12:00–12:30 **The Situation of Trafficked Children in
Lithuania**
Ona Gustiene Missing Person's Families Centre,
Lithuania

12:30–13:45 Lunch at Hotel Ratonda

14:00–15:50 **Lilya 4-ever**
Movie about a trafficked girl
Screening through the courtesy of the Swedish
Institute and *Kino Premier*, Lithuania

16:00–16:30 Coffee

16:30–18:00 **Work groups**
Four parallel groups with appointed chairs and
designated rapporteurs

18:00–18:30 **Separated Children in Germany**
Overview of the Situation in General, and
Examples for Good Practice in Reception of these
Children
Thomas Gässlich, Federal Assoc. for Professional
Work with Separated Children, Germany

18:30–19:00 **Reception Program for Separated Minor
Refugees**
Gitte Nielsen, Red Cross Denmark Bornecenter

20:00– Dinner at Hotel Artis

Tuesday Sep 16

09:00–09:30 CONTRIBUTION OF NGOs IN THE FIELD
OF INTEGRATION IN HOST COUNTRIES
AND REINTEGRATION OF CHILDREN IN
THE COUNTRIES OF ORIGIN
**Best Practice – Reintegration or Remaining in
the Host Country**
Carlotta Sami, Save the Children Italy

09:30–10:45 Continuation of work groups from yesterday
(coffee during session)

10:45–10:50 Participants Re-assemble in Conference Hall

10:50–11:00 Speech by the Swedish Minister for Development
Cooperation, Migration and Asylum Policy
Jan O Karlsson

11:00–11:40 CONTRIBUTION OF NGOs
**Social Rehabilitation of Latvian Children Who
are Victims of Illegal Actions**
Kristine Bulda, Family Care Centre Buldini Latvia
Example of Best Practice – Trafficked Girls in Nepal
Karin Johansson, ECPAT Sweden

11:40–12:00 **Child Trafficking Interventions in Southeast
Europe**
Galis Wolfensohn, Trafficking Coordinator
Save the Children Albania

12:00–13:00 Lunch at Hotel Ratonda

13:00–14:15 Presentation of the outcome from the work groups

14:15–14:45 Coffee

14:45–15:40 Conclusions and Recommendations from the
Conference, *Gary Willis*, Facilitator

15:40–15:45 Closing Speech

15:45–15:50 Final Conference Announcements,
Gary Willis, Facilitator

Background Paper on Separated Children in Sweden and Europe

Save the children Sweden and other NGOs in Sweden have been working with unaccompanied or separated children for more than 10 years back. During this time more than 5 000 separated children have entered. Children from more than 50 countries have come to Sweden. Two thirds have been boys and the majority of them arriving at an age of 14 to 17. Last year more than 500 children (550) applied for asylum in Sweden. Most of these children came from Iraq, Somalia and former Yugoslavia. In the last years a new phenomena has taken place. Children are coming from more nearby countries around the Baltic Sea.

In 1992 the number was very high, around 1500, due to the conflict in Yugoslavia, but also due to many children arriving from Somalia.

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

Our contact with these children has taught us that many of them were traumatized, lonely and had difficulties in school in Sweden. Even after having been quite some time in Sweden.

One thing that has helped these children, with the assistance of Save the Children, is the organizing of home- country visits.

A group of children with residence permit were accompanied by adults to visit their home country (in this case Somalia) for some months, and to meet with family members. After such a visit they could cope much better with their lives.

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

In 1997 “The Separated children in Europe programme” (SCEP) was initiated in partnership with Save the Children organisations and UNHCR.

The greatest achievement of SCEP has been the creation of our network, comprising 28 countries, among them the Baltic States, Poland and Germany.

Why are some children able to travel?

A study by the Save the Children programme (2000) shows that there are certain conditions, which must exist to be able to travel.

- The existence of family resources such as money, property or valuables that can be sold
- The presence of links with a country
- The lack of immediate care givers for a child because separation has already taken place
- The initiative of children themselves in earning money
- The presence of traffickers and networks who bring children

The same study shows that most of the children who have arrived in Europe enter because they are moving away from a conflict situation, poverty and serious deprivation.

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

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

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

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

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

The report states that trafficking is considered as a very serious problem in Europe. However there is little information on the numbers of children separated/trafficked and few cases have been recorded. In almost all countries affected by this phenomenon the authorities have taken initiatives to tackle trafficking. These measures, however, have been introduced mainly in the context of crime control and prevention, rather than as specific measures for the protection of children.

Sometimes application are rejected and children have to return to their country of origin. There is also a problem of how to handle the separated children who have returned because:

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

We at Save the Children like, just as other NGOs with international network, have often been asked by the Government and the Board of Migration to take the role of assisting the children when cases have been rejected. Until now we have said no to this, with the motivation that we want to stay independent of the decision of the authorities.

The international Network of the Red Cross is accustomed to search for parents and relatives to these children.

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

In addition to this, Sweden and other host countries do not give these children sufficient protection and care. In Sweden last year 48 separated children seeking asylum disappeared from receiving centres before their asylum applications had been processed by the authorities.

We must find out why they disappear and to where.

It is known that some separated boys and girls have been engaged in criminal activities and others have been sexually exploited. And for some we are unaware of their fate.

What can we do as NGOs?

Our role is clear.

We are **not taking over the responsibility** from the authorities for these children, but we are advocating on their behalf. We are very interested to cooperate.

We are also representing other NGOs, working for the plight of these children with the same mission.

We are acting as civil society watchdogs, observing Government actions in this field.

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

With the generous grant from the EU, the programme will carry out an assessment of the situation for these children in **all EU** member states plus Norway and Switzerland.

Due to lack of funding this could not be done in the countries of Central and Eastern Europe.

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

Children will participate in the assessments. They will tell us what they need, and what was good and bad in the way they were treated.

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

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

The training of officials from the Government and NGOs has taken place with representatives from the Baltic States, Poland and Germany involved in the issue of separated children.

In Lithuania there has been an amendment to the current law on Refugee Status to include the right of separated children to submit an asylum application.

In March 2003, Save the Children organized a seminar in Romania on age assessment and identification.

We will train relevant authorities on specific child rights issues.

In Sweden we have updated our assessment of all separated children in Sweden,

WHAT SAVE THE CHILDREN DEMAND

When addressing the protection and rights of these children a number of international instruments have a role to play, but Save the Children places particular emphasis on the 1989 UN Convention on the Rights of the Child. Article 3 of the Convention requires that “ In all actions... the best interest of the child should be a primary condition.”

We believe that first and foremost separated children should be treated as CHILDREN. Numerous reports have shown that these children are most vulnerable because they are separated from their parents and outside their country of origin. **Parental support is very crucial for a child.**

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

Background Paper on Trafficking of Children in Europe

"Trafficking consists of all acts involved in the recruitment or transportation of persons within or across borders, involving deception, coercion or force, debt bondage or fraud, for the purpose of placing persons in situations of abuse or exploitation, such as forced prostitution, slavery-like practices, battering or extreme cruelty, sweatshop labour or exploitative domestic services."

Definition of trafficking by the Special Rapporteur on the sale of children, child prostitution and child pornography.

Trafficking in women and children has emerged as an issue of global concern: facilitated by porous borders and advanced communication technologies, it has become increasingly **transnational** in scope and highly **lucrative**. Unlike drugs or arms, women and children can be "sold" several times - they are commodities in a transnational business that generates billions of dollars and operates with impunity. According to ILO/IPEC appr. 1,2 milion children are being victims of trafficking each year. Appr. 500.000 women and children are being trafficked into Western Europe each year, most of them from Eastern Europe and for sexual purposes. According to UNICEF trafficking of human beings now generates \$7 to \$10 billion annually, being the third biggest criminal business worldwide, after drug trafficking and trafficking of weapons.

Trafficking victims may be sold, tricked, forced or otherwise coerced into situations from which they cannot escape. Many are forced to work in the sex industry, as prostitutes or in the pornography industry, others enter marriage contracts. Trafficking for forced labour, participation in criminal activities, begging and organ removal are also occurring.

Violence is not always used. Traffickers often take advantage of the vulnerability of those caught in a situation in which they have no choice or perceive they have no choice (e.g. persons living illegally in a country).

Others leave their countries willingly in the hopes of a better life, but end up in situations where their health and safety are in danger because of their vulnerability in a foreign country. In Eastern Europe traffickers use advertisements regarding work in Western European countries as waitresses, maids, nannies etc to get in contact with the victims.

Trafficking routes fluctuate according to local conditions or supply and demand factors. It is no longer adequate to say that victims are trafficked from poor countries to the wealthier ones. In many cases the 'direction' or 'flow' may appear illogical.

However, one must remember that it benefits the traffickers to keep their victims in a foreign environment where not only are they vulnerable for having entered a country illegally, but disadvantaged because of their ignorance of the law, culture and language of that country.

Children may be trafficked within a country or they may be trafficked across national or international borders.

Trafficking within a country is less common than cross border trafficking, yet the harm suffered by the children is no less than that suffered by the victims of cross border trafficking. It generally occurs from the rural to the urban areas; however, children may also be taken to tourist areas or areas dominated by workers away from home (oil fields, construction sites, truck stops, ports or military bases).

In addition, children who have been trafficked across borders may continue to be trafficked within the host country to avoid detection.

Cross border trafficking can involve several countries: countries of origin (i.e. children are taken illegally from them); host countries (those that receive the trafficked children); and transit countries (not the final destination, but rather an entry point into another country or region).

Some countries can fall under all three categories. Russia, for example, can be considered a country of origin, as children have been trafficked to Western European countries. It is a host countries for some children from Ukraine, Belarus and Moldova, since Moscow is getting more wealthy and the demand increases; and it is also a transit country for others from these countries and South East Asia being trafficked into Western Europe.

The **repatriation** process can also traumatise a child who has been trafficked. Children who have been trafficked across borders and 'rescued' are often treated as criminals. They are considered to be in breach of the law in those countries, which criminalize prostitution, and they are considered to be in breach of immigration laws for having entered a country illegally.

They may be subject to imprisonment or 'rehabilitation' before being sent back to their country of origin. There is also the possibility that once in their country of origin, they are again punished, this time according to the laws and policies of their own countries for emigrating illegally. Child victims of trafficking, especially girls, also risk being abandoned by their families, since they have "disgraced" their family by losing their virginity. There is also always a risk for returned victims of being re trafficked. Most Western European countries have no possibility to provide trafficking victims with temporary residencies, even if they are children and willing to be a witness in court when prosecuting the traffickers. Since the victim has entered the country illegal, they are being sent home. In some countries, i.e. Sweden, this is done even before the police has taken a statement from the child, regarding what the child has been involved in, how the child came to the host country and who the traffickers are. This leads to that most traffickers are not being arrested and prosecuted and can continue their business with new victims. The police and other authorities involved are though being more and more aware of the issue of trafficking, and more victims are aloud to stay for leaving their statements regarding the traffickers.

There is a need to apply immigration laws and policies more humanely in the case of trafficked children, as well as a need for international and regional agreements or cooperation. There is also a need for cooperation between countries when a trafficking victim is sent back to its country of origin. The destination country should not send a child back to its country of origin before a safe return with access to rehabilitation can be securely **provided**.

The work of NGO's on trafficking

It is only in recent years that governments within the EU and other countries have initiated discussions on trafficking of children. NGO's across the world have tried to raise awareness on this topic for several years. The ways NGO's work to influence the governments vary from nation to nation. Many factors are included, such as; is the nation a country of origin, host country or transit country? What are the needs in the country? What resources are there? What are the prevailing attitudes, level of knowledge, awareness on gender issues, etc.

As an example on how NGO's can work efficiently against trafficking and receive the attention of its government in a country of origin, we can look at Nepal.

Nepal has a huge problem of trafficking of young girls to brothels in India. In Nepal women have very low status and girls even more so. Therefore, parents sell their daughters to traffickers, in order to provide for their sons. Some parents believe that the daughter will work as a waitress or in a hotel, earning money to send back to the parents; some parents know that their daughter is going to become a slave in a brothel.

Some of the trafficked girls get rescued and return to Nepal, but are then being disowned from their families.

In 1993 the organisation Maiti Nepal (ECPAT Nepal) was established. Maiti Nepal opened a Rehabilitation and Crisis Centre in Kathmandu for girls returning from brothels in India. The rehabilitation and education of returned trafficking victims are the main objective in Maiti Nepal's work, but they also work against trafficking by lobbying the government, train authorities, information campaigns in the villages etc. In the beginning, Maiti Nepal was counteracted, mocked and the government refused to take notice to them. But Maiti Nepal kept on fighting and is now very well recognized in Nepal, the government takes them seriously and in the fall of 2002 the founder of Maiti Nepal, Ms. Anuradha Koirala, was appointed vice minister for child, women and social matters, being the first female minister in a Nepalese government.

In host countries, such as for example Sweden, the NGO work has not emphasized on assisting the victims, even if some do that in their work as well. The NGO focus has rather been on lobbying the parliament and authorities to legislate on the issue of trafficking and implement legislation in the best possible way. Examples of the latter are:

- Proposals to the Ministry of Justice, suggesting specific legislation
 - Against traffickers,
 - Temporary or permanent residences for the victims,
 - Victims should be able to give witness by video link from another geographical location (to avoid having to face the trafficker again) etc.
- Submitting written considerations on proposed governmental bills
- Drafting parliamentary bills on the topic.

Another important role of NGO's in host countries is to disseminate information to the general public regarding trafficking, making them aware of the existence in the country and to take a stand. This is done through organising seminars, lectures, information campaigns, debate articles etc.

As mentioned above, NGO's also provide shelter and rehabilitation for trafficking victims in host countries, if they are not being sent home to their country of origin.

Governments in host countries, but also in some countries of origin, have in recent years started to get more involved in the fight against trafficking. A UN Convention on Organized Crime has been completed together with a protocol on trafficking of women and children. Within the EU the governments are striving to harmonize their legislations to better combat trafficking. More and more financial resources are granted to authorities and organisations working against trafficking. Better legislation enter into force. Still NGO's are the main actors with regard to sheltering and rehabilitation of victims of trafficking. The financial and personnel resources from governments still need to be increased, and the legislation needs to be victim oriented and holistic.

Tentative issues to consider in the work group. Separated and trafficked children in the region. NGOs role in preventive work – looking at root causes

Questions for the group work sessions:

Please find below a number of questions and issues that have bearing on how NGOs in the region contribute to improving the situation for separated and trafficked boys and girls. The questions have been raised in the preparation of the meeting in discussions with politicians, senior advisors and experts on children from different countries in the region.

Please always take into account the specific situation for girls and boys (instead of using the word “children”) in relation to the topics discussed.

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

1. What are the experiences of NGO involvement in preventive work regarding separated and trafficked children?
 - a. Are there any co-ordinated efforts in your country?
 - b. Are there any bilateral or multilateral co-ordination on this?
2. Are preventive programmes where NGOs are involved on this issue, targeting groups at special risk? How and where can children at risk be reached?
3. Is there any multilateral or bilateral co-operation in place regarding preventive programmes where you as NGO can participate?
 - a. How are these organised and what are the obstacles for more cross-border co-operation on this?
If not, how can such initiatives be set up? Funded? Coordinated?
4. Do NGOs run any preventive programmes that focus on children that “choose” to leave their country on their own?
 - a. What achievements on this can you identify?
 - b. What makes such preventive programmes possible/impossible?
 - c. What are the difficulties as you see it?
5. Do NGOs in your country look into root causes regarding separated and trafficked children?

- a. If so, do you find ways of disseminating your findings?
 - b. Does your government ask for your expertise on this?
 - c. Is there room for regional co-operation regarding your findings and experiences regarding root causes?
6. What scope is there for co-operation between NGOs in the host countries and NGOs in the countries of origin to develop more exchange of experiences regarding preventive programmes?
7. How may the competence of the NGOs regarding preventive programmes best be put to use in your opinion?
8. Is there a need for competence and capacity building among the NGOs in the area of preventive programmes regarding separated and trafficked children?

Tentative issues to consider in the work group

The role of NGO's in the Reception of Separated and Trafficked Children

Questions for the group work sessions:

Please find below a number of questions and issues that have bearing on how NGOs in the region contribute to improving the situation for separated and trafficked boys and girls. The questions have been raised in the preparation of the meeting in discussions with politicians, senior advisors and experts on children from different countries in the region.

Please always take into account the specific situation for girls and boys (instead of using the word “children”) in relation to the topics discussed.

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

1. Consider your experiences as NGOs in advocating the rights of separated and trafficked children according to the UN Convention on the Rights of the Child
 - Have you seen any change in legislation?
 - What in the NGO's advocacy work do you think have made a difference regarding the implementation of the legislation?
2. Do you have any NGO experiences of training governmental authorities that come in contact with separated and trafficked children in the UN Convention on the Rights of the Child?
3. How do separated and trafficked children come to the attention of authorities in your country?
 - Do they present themselves as refugee children seeking asylum?
 - Do they present themselves as trafficked children?
 - Do they come to the attention of authorities in other ways?
4. Who has the main responsibility for the reception of separated and trafficked children?

- a. If an NGO has the main responsibility for the reception of separated and trafficked children, how does that work?
 - b. What is the best for the children, that the government or NGO's has the main responsibility?
5. If there is a system of guardianship for separated and trafficked children in your country, are NGOs involved in the training of these?
6. What is the role of NGO's in relation to the government's main responsibility of receiving separated and trafficked children?
7. What referral mechanisms/systems between NGO's and government are in place? What should such mechanisms contain to be effective?
8. In what way can the governments best use the special competence of NGO's in the reception of separated and trafficked children?
9. Do NGO's in host countries working with the reception of separated and trafficked children feel a need for co-operation and exchange with NGO's in countries of origin i.e. for better understanding of culture and life situations?

Tentative issues to consider in the work group NGOs Role in the Social Integration of Separated and Trafficked Children in the Host Countries and in the Reintegration of Children in the Countries of Origin

Questions for the group work sessions:

Please find below a number of questions and issues that have bearing on how NGOs in the region contribute to improving the situation for separated and trafficked boys and girls. The questions have been raised in the preparation of the meeting in discussions with politicians, senior advisors and experts on children from different countries in the region.

Please always take into account the specific situation for girls and boys (instead of using the word “children”) in relation to the topics discussed.

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

1. How are NGOs actively involved in direct work socially integrating separated and trafficked children in the host country? (School, family, friends and other social networks)
 - a. What are the difficult issues involved in this work?
2. Are NGOs in host countries and in countries of origin in contact regarding how best to promote the interests of separated and trafficked children? How can this be improved?
3. In what ways are NGOs influencing policies regarding the social integration of separated and trafficked children in the host countries?
4. What are the key elements of good practice conducted by NGOs working directly with the safe return of separated and trafficked children either in receiving them in their country of origin or assisting them in the host country?

5. Are NGOs successful in influencing policies regarding integration of unaccompanied and trafficked children in the host country?
6. Do you see possibilities for NGOs in countries of origin and host countries to co-operate bilaterally and multilaterally in order to make sure that separated and trafficked children are offered assisted and safe return? *How* can we bring about bilateral and multilateral cooperation between NGOs in countries of origin and host countries. What is needed?
7. Do the governmental agencies or authorities in the different host countries responsible for assisting in the social integration of separated and trafficked children have the capacity to do this or is this something that the NGO community need to do?
8. What scope is there for co-operation between NGOs in the host countries and NGOs in the countries of origin to develop systems and institutions improving the safe return and reintegration of separated and trafficked children in our countries? What info can be shared without harming personal integrity of the child/laws on secrecy? What institution is best suited to accompany children home? What follow up is needed?
9. How may the competence of the NGOs regarding social integration be best put to use in the region?
10. Is there a need for competence and capacity building using the NGO expertise in the area of social integration of separated and trafficked children?
11. What are the needs for competence and capacity building among NGOs, government agencies, municipal social workers, police etc around the issue of safe return of separated and trafficked children?

Tentative issues to consider in the work group NGOs Role in the Rehabilitation of Separated and Trafficked Children

Questions for the group work sessions:

Please find below a number of questions and issues that have bearing on how NGOs in the region contribute to improving the situation for separated and trafficked boys and girls. The questions have been raised in the preparation of the meeting in discussions with politicians, senior advisors and experts on children from different countries in the region.

Please always take into account the specific situation for girls and boys (instead of using the word “children”) in relation to the topics discussed.

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

The contribution of NGOs in the rehabilitation of separated and trafficked children:

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

1. Are NGOs in your country cooperating with public agencies or authorities that are responsible for assisting boys or girls in need of specific interventions?
2. Are there problems that face separated and trafficked boys and girls in your country that are specifically difficult to resolve? How have the NGO community discussed these? Examples of these may be criminality in children, vagrancy in children, child drug abuse, children with a violent behaviour, children that have been sexually exploited or abused, children that have been abandoned by their carers, children living in the street, child prostitutes. Which

of these groups have the NGOs recognised as least likely to receive the attention they need?

3. Do NGOs in your country recognise specific differences in the needs of boys and girls that are separated or trafficked?
4. Is there a place for NGOs in countries of origin and in host countries to co-operate in order to ascertain that separated and trafficked children are offered assisted and safe return in order for them to receive the best rehabilitation?

**Ms Charlotte Petri Gornitzka,
Secretary General Save the Children Sweden**

Introduction Speech

Ladies and Gentlemen,

On behalf of Save the Children Sweden I would like to wish you all very welcome to this two-day seminar –“Separated and Trafficked Children in the Baltic Sea Region –Best practices and Co-operation.” It is very gratifying to see so many participants, (we are more than 90 here today,) from so many different countries around the Baltic Sea. Particularly we also would like to welcome the participants from Belarus, Moldova and Ukraine who have travelled a long distance.

I am pleased to represent Save the Children at this conference, but I would like to take the opportunity to mention that this conference is the fruit of co-operation between several non- governmental organisations in Sweden, Red Cross, Kvinnoforum, ECPAT-Sweden and Caritas working for the rights of these vulnerable children. The Council of Baltic Sea States, Working Group on Children at Risk has also participated in this work.

Our sister organisation Save the Children in Lithuania, Gelbekit Vaikus has offered to host this conference in Vilnius and we are very thankful for this.

This conference is made possible through the generous financial support from the Swedish Ministry for Foreign Affairs.

Tomorrow our minister for Development Co-operation Migration and Asylum Policy, Mr Jan O Karlsson will visit us and give a speech. We are looking forward to this.

The aim of this conference is, as you know, to strengthen the co-operation between different NGOs in the region regarding national as well as international co-operation for all Separated and Trafficked Children.

To reach this objective we have for example invited Save the Children’s trafficking coordinator from Albania to give a speech about the experiences from Central and Eastern Europe.

Good models of work will be presented regarding Separated and Trafficked children and gaps in the co-operation between NGOs and between NGOs and governments will be identified. Maybe we also find gaps in competence and capacity how to handle these children in a competent way.

In this conference we have decided to use the terminology Separated children, rather than Unaccompanied children. This terminology defines the essential problem that such

children face. Children who are without care and protection of their parents suffer socially and psychologically as a consequence of the separation.

We rather also talk about Boys and Girls rather than Children or Youngsters The consequences for these children as a separated or trafficked child is different if you are a boy or a girl.

Boys and girls without parental care who come alone across the borders in the region of the Baltic Sea States are all in a highly vulnerable situation. Children from several states in the region are in a country not their own on tourist visas or even illegally. Some of these children have been trafficked.

For us in the Nordic countries this is a new phenomena that children are coming from nearby countries around the Baltic Sea and from countries in the Central and Eastern Europe.

The “Separated Children in Europe Programme”, which is a network of NGO:s in 28 countries, initiated in 1997, estimates that around 100.000 separated children under 18 year of age enter Europe every year. In the year 2002, more than 17.000 children were officially registered as asylum seeking children according to official statistics. However in some countries like Italy or Spain, the number of officially registered asylum seeking children is as low as under 10. We all know that in these countries the majority of the separated children do not claim asylum, but are living outside the asylum seeking process with no protection at all. Many children from for example Albania are living in Italy or Greece without any protection.

When we talk about Separated and Trafficked children we talk about ALL CHILDREN, BOYS and GIRLS who are separated from their parents or primary care givers.

This conference is a continuation of work, which has already started.

The 10th and 11th of February 2003 senior officials from member countries in the Council of the Baltic Sea States plus Belarus, Ukraine and Moldova, the EU, IOM, UNHCR and some representatives from the NGO sector met to discuss the issue of Separated and Trafficked children in the region.

The Chairman’s conclusion from this meeting gave a strong recommendation to continue the multilateral cooperation to improve the situation for these children.

A Plan of action regarding separated children from the region will be elaborated by the Working Group on Children at Risk within the Council of the Baltic Sea States and this plan will include the role of the NGO sector.

During this conference the Role and Contribution of non-governmental organisations will be discussed.

We will discuss:

- Contribution of NGO in the preventive work
- Contribution of NGO in the reception of children

- Contribution of NGO in integration in host country and reintegration in country of origin
- Contribution of NGO in the work of rehabilitation

Save the Children believes that, first and foremost, separated and trafficked children should be treated as CHILDREN (BOYS and GIRLS). They are separated from their parents and outside of their country of origin and they are in need of international protection. Separated and Trafficked children may be living in the streets, and may have entered Europe illegally but they should be treated as children who need protection. They should have the same rights as every other child living in the country! Everything else is discrimination.

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

When we end this conference tomorrow we will, I hope, have worked out together recommendations and conclusions to take forward to our government and for you to take forward to your respective government.

Some common demands may be lifted up to EU –level.

Overall the exploitation that many separated boys and girls suffer, due to their extremely exposed situation is unacceptable and ending this must be of high priority for all co-operation: intergovernmental, interagency as well as NGO-co-operation

As you see there is a lot to be done during these two days, but to state the obvious first and foremost Separated and Trafficked children are CHILDREN and should be treated as CHILDREN, BOYS and GIRLS!

Warmly welcome to this conference!

**Keynote Speaker Ms Bam Björling,
Chairperson Kvinnoforum Sweden**

The title I was given for my speech was “Co-operation between Civil Society, Government and Business Sector in the Fight Against Trafficking”. I want to give some reflection and also some background from the discussion that takes place around the world about the balance for NGO:s to stand neither in-define or out-defined from government our business sector but to stay as an independent and important partner in co-operation. I have been active in the global organization CIVICUS the last ten years. CIVICUS is an organization that was founded 1994 as a result of a series of discussions among civil society leaders from around the world to strengthen citizen organizations. The aim is to support and promote the development of effective and sustainable relations between government and civil society. As board member in CIVICUS-Europe I have been especially concerned about gender perspectives in the work for a strong and sustainable civil society.

Recent years have witnessed a considerable surge of interest throughout the world in the broad range of social institutions that operate outside the confines of the market and the state. Known variously as the “non-profit”, the “civil society”, the “third” or the “independent” sector, this set of institutions includes within it a sometimes bewildering array of entities; professional organizations, job training centers, human rights organizations, family counseling groups, therapeutic communities, sport clubs, environmental groups, hospitals etc etc. Despite their diversity, however, these entities also share some common features. In particular they are:

- organizations, have an institutional presence and structure
- private, institutionals separate from the state
- non profit distributing, they do not return profits to a set of owners or high salaries but to the organization
- self-governing, they are fundamentally in control of their own affairs
- voluntary, membership in them is not legally required and they attract some level of voluntary contribution of time or money.

These criteria are used at Johns Hopkins Institute, Baltimore that is working together with CIVICUS with studies comparing NGO:s situation in all different regions of the world.

Today when discussing the relation civil society and government it has become more common to use the term CSO (civil societal organization) instead of NGO (non governmental organization). It is more adequate to use a definition that pronounce independence instead of dependence of the state. The expression NGO comes originally from United Nation vocabulary to designate a special category of participants in the UN system. This original context explains the relation that is expressed in the world. Government comes first and the civil society body is not governmental.

To understand the relation between civil society, government and business sector and its possibilities and obstacles in our every-day work in our organizations it is necessary to

analyze the context our organizations are working in. We have to be aware of the context on micro-, meso- and macro-level. Otherwise we will certainly risk to lose focus and therefore risk to choose inadequate strategies in our efforts to develop co-operation.

The very first question to raise is: Who can and shall do what in a democratic society? What is the role of governmental bodies? Is it e.g. good for a democracy when the government decide which CSO:s that are allowed in or going to represent a country? Is it good when government organize and manage civil mobilization or is it better for a country when CSO:s are taking care of civil movements?

To make it more concrete I will give an example from a Swedish point of view concerning trafficking. In the late 80th Kvinnoforum met young women in our harbors in Stockholm that obviously had come to Sweden illegally. Kvinnoforum met these girls because Swedish women in prostitution complained about new competition on the market. Many of these young girls had been tricked into coming or even kidnapped. Kvinnoforum recognized the patterns from our work with the trafficking situation in the Andes and in Asia and began to try to handle the situation that was new in Sweden at that point. All authorities, other CSO:s and politicians denied that trafficking took place in Sweden. At that time we did not use the term trafficking – Kvinnoforum were talking about buying and selling girls and women. During several years the main stream denied the phenomena and Kvinnoforum was very alone working with the issue. Then the police and the Ministry of Foreign Affairs began to be aware about the problem in Sweden and in the region. A good co-operation grew between these actors but still other parts e.g the social sector did not want to be aware. Not until some years ago the issue became an integrated issue in the main stream in Sweden. It is important to stress the importance of the role of for-runners that some CSO.s have and need to have in society. Many of now existing issues or sectors in government would not be there if CSO.s had not made them visible and fought for them outside the system. Remember Thomas Kuhn's theory of paradigms, that learns us how new way of thinking takes place, how new phenomena most often grew outside the main system that for a while defends it self to avoid these anomalies. After a while the main system adopts the anomalies and it becomes a part of it and the CSO:s on the edge have already began to fight for the next new idea to be integrated into the system.

A concrete example that most of us Swedes might not be aware of today is that our insurance-system that affects all of us was originally created by blue-color workers that wanted to support unemployed colleagues during the depression 1930.

The process in the mainstream normally takes place in different phases:

- a) the main system do not actually see the new phenomena
- b) do not want to see
- c) try to stop others to make it visible

- d) when the new phenomena is obvious the main system normally take over the responsibility and the right to understand and describe the phenomena.
- e) if there exist a good co-operation between the CSO and government the government includes the for-runner as well as other CSO:s in the work.

So one important role for CSO:s is complement the government and act as for-runners recognizing new phenomena's, groups, methods etc in society and to implement these new issues in the mainstream; lobbying, information, initiating concrete examples, best-case, knowledge-production etc etc.

On the other hand CSO also very often have to be actors in the opposite corner. To take care of issues and groups that have been left behind by the mainstream. It differs from time to time and country to country but there are always matters that have become invisible or forgotten by the mainstream. E g in Sweden for the moment there is very little interest and resources for men, women, boys and girls in drug addiction. Today it is mostly CSO.s that care about them and for their care and treatment.

Governments are today showing greater openness to co-operating with citizen organizations. The matter of social responsibility has gained space on the agenda of private enterprises. These changes are paving the way for broader innovative forms of interaction between civil society, state and market.

For these partnerships to materialize, it is also necessary for CSO:s to overcome some ingrained prejudices and misconceptions. We must be cautious not to idealize and therefore falsify the reality about what the third sector is and what it can achieve.

Private initiatives for public good are evidently not incompatible with responsible and efficient public policies. In fact for CSO: s to function properly it is essential that the governmental sector also fulfil it's irreplaceable role in the provision of the most basic social services.

The same rethinking of basic assumptions is valid for the relationship of the non-profit sector to profit making cooperation. In the Human Development Report 93 it is put: "the ideological battle-lines of the past are being replaced by a more pragmatic association between the efficiency of the market and social solidarity."

Partnership between CSO.s and market has been on the agenda for some few years now. There are stories of success but however, few have succeed in making these partnership work. Why are they generally unsuccessful? What will it take to make them work? Maybe we are on the eve of a break-through because there are patterns that indicate that more and more companies are aware of the importance of being a good company when competing to win market and people to employ. In many parts of the world both men and women prefer to buy from as well as be employed by companies that have good humanistic, environmental and gender values.

CIVICUS have learned that knowledge is the key for CSO:s when it comes to success in co-operation with market and government. Capacity is not a gift to be given. It grows when we are challenged, when we learn from each other, and when there is access to

knowledge. Every part of civil society has indigenous knowledge to share, best- and worst practice to document and stories to tell.

One of the most important knowledges to share concerning co-operation CSO:s, market and government is to continuously discuss how to co-operate on equal terms with the partners and avoid to be dependent of the partner. Kvinnoforum has developed a method that we call “not to be out-defined or in-defined”. It means that as a CSO you have to understand the terms, the regulations, the values, the code, the goal etc in the governmental body (or the company) and have one foot in their context but at the same time have the other foot very steady in your own context. To have one foot inside the system and one foot outside makes it easier not to be either in-defined or out-defined. Especially it is important not to co-operate with too few other actors and become dependent on their funding. The civil society do not need dependent actor – CSO:s has to keep their free soul and autonomy.

When looking at CSO.s role in this region concerning confronting problems like trafficking I want to raise some issues for all of you to carry on to develop during the conference:

1. How are CSO.s actively involved in direct work socially integrating separated and trafficked boys and girls and how are the co-operation with responsible authorities in your country or on a regional level?
2. In what ways are CSO:s influencing policies regarding the social integration of trafficked girls and boys in your country and in host countries?
3. Are CSO:s successful in influencing policies regarding integration of unaccompanied and trafficked boys and girls in the host country?
4. How may the competence of the CSO:s regarding trafficking be best put to use in your country and in the region?
5. In this region what can CSO:s contribute with and what are the necessary contribution from governments and what would be of interest for the market to join in with?

It is important to raise questions about how to support and promote development of effective and sustainable relations between governments, civil society and market on basic levels in each country as well as here on a regional level, but still more important is to improve the discussion and the cooperation on a global level eg throughout CIVICUS, to learn from a wide range of existing initiatives:

- To identify the factors that promote and constrain effective relations.
- To develop appropriate learning resources for policy makers and practitioners – from both civil society and official institutions.
- To communicate this learning to a wider audience of policy makers and practitioners.

For the girls, boys and women that today are the victims for trafficking it is urgent that we can co-operate; CSO:s in each country and in the region, CSO:s and governmental

authorities, CSO:s and companies in the region. Then there might be no more victims in trafficking for tomorrow.

Margarita Jankauskaite's presentation

Главная цель нашего пребывания здесь, на международной конференции в Вильнюсе – поиск путей помощи детям, ставшим жертвами сексуальной эксплуатации. Однако ужасающие цифры торговли людьми обязывают нас предпринимать не только неотложные меры по решению уже существующих проблем, но параллельно продумывать, моделировать и внедрять стратегии превенции. Важно не только бороться с последствиями, но и устранять причины.

По этому в своем докладе: я хотела бы, во-первых, коснуться некоторых теоретических предпосылок, исходя из которых, как мне кажется, можно было бы формировать стратегии превенции торговли детьми; во-вторых, напомнить о том, как в наших, постсоветских обществах (и не только) функционирует гендерная система. Я постараюсь доказать, что как раз она и является скрытой, неосознаваемой и по этому очень опасной, трудно устраняемой предпосылкой для торговли детьми и женщинами; в третьих, выскажу свои соображения по поводу формирования стратегий превенции.

Вопросы о структуре гендерной системы и ее функционирования в теориях гендера или феминизма не являются чем-то новым. Но, к сожалению, в жизни часто случается так, что теоретические наработки или открытия не достаточно активно используются при поиске путей решения практических задач. По этому мне казалось важным вспомнить главные характеристики гендерной системы и обсудить, какое место ей отводится в проблеме торговли людьми.

Как известно, гендерная система проявляет себя не просто как механизм, разделяющий людей на мужчин и женщин, ссылаясь на свойства их биологического пола. Благодаря действию этой системы разделения, люди становятся членами разных социальных групп, которые обладают не одинаковым статусом, возможностями и привилегиями. Гендер не является единственной матрицей для “сортировки”. Для формирования идентичности и статуса человека в обществе важными являются так же раса, сексуальная ориентация, этничность, возраст, состояние здоровья и другие аспекты его/ее личности. Но особенность гендера состоит в том, что человек никогда, ни в одном из этапов своей жизни не может избежать последствий, связанных с его/ее существованием в гендерной системе (в то время, как статус из за возраста или здоровья может меняться).

Мужчины, как социальная группа, в нашем обществе все еще пользуются привилегией быть что называется субъектами. И хотя мужчины не являются гомогенной группой (обнаруживается много маргинальных маскулинностей, которые терпят дискриминацию не менее чем женщины и дети), гетеросексуальный мужчина при деньгах и власти становится субъектом

категории А, на фоне которого женщине отводится лишь роль объекта, служащего для поддержания его гегемонной макулинности. Здесь уместно было бы вспомнить слова Gayle Rubin, которая еще в 1975 г. писала, что “обмен женщинами происходил всегда и не только в первобытных обществах. Их выдавали замуж, крали во время войн, обменивали на милость, отдавали как подать. Продавали (продают), конечно и мужчин, но как рабов, рабочую силу, спортсменов. Женщин тоже продавали (продают) как рабынь, проституток, но также и просто как женщин”.

Однако суть действия гендерной системы состоит не только в том, что она создает предпосылки для субординации и подчинения индивидов по признакам пола. Не менее важным является и то, что эта система действует незаметно для нас, ее участников. Гендерный статус мы воспринимаем как что-то врожденное. А на существование самой системы в том виде в каком она есть мы реагируем как на в полнее нормальное и не вызывающее протеста явление.

Что бы лучше пояснить, я хотела бы напомнить высказывания французского философа постмодернизма Jean Baudrillard, который использовал понятие симуляции для анализа взаимосвязи реальности и воображаемого нами представления о ней. Baudrillard обратил внимание на то, что явления или вещи, которые мы осознаем как выпадающие из контекста реальности (которые мы противопоставляем ей) на самом деле являются самой репрезентацией этой реальности. На пример, Дисней Лэнд мы воспринимаем как искусственный мир, который якобы противостоит реальному. Однако на самом деле он как раз и выражает искусственность мира, в котором мы живем. Другим примером, по мнению философа, может быть тюрьма, которая как система насилия противопоставляется свободному, за ее стенами оставшемуся миру, но на самом деле лишь скрывает от нашего сознания тот факт, что все современное общество существует как некий механизм принуждения.

Гендерную систему тоже можно понимать как некий симулякр, который помогает завуалировать негативны процессы, одни явления противопоставляя другим, хотя на самом деле они являются лишь логическим дополнением друг друга, разными сторонами одной и той же монеты. Здесь я возвращаюсь к вопросам сексуальной эксплуатации и торговли детьми, которые мы по праву оцениваем как страшное, негативное явление. Мы о нем рассуждаем как о том, что якобы выпадает из контекста “нормальной” жизни. Однако редко задумываемся над тем, что эти экстремальные проявления являются лишь логическим завершением в нашей культуре все еще действующих патриархальных гендерных норм. Не требуются специальных углубленных исследований для того, чтобы заметить, что все средства массовой информации (СМИ), по крайней мере в Литве – телевидение, печать, рекламы – перенасыщены картинками женщин (и даже не женщин, а часто девочек-подростков), которые напоминают, скорее, роскошные вещи, а не репрезентацию человека, личности. Этими видами СМИ нас “фаршируют” уже

более чем десять лет. Они стали обыденной повседневностью. На этой визуальной информации уже выросло новое поколение, которое активно использовало там полученную информацию для формирования своей гендерной идентичности. Мы так привыкли к овеществленным репрезентациям женщин, которых у нас в Литве становится все больше и больше, что даже не задумываемся о том, что эти визуальные тексты формируют как сознание тех, кто приписывает себя к субъектам категории А и являются потенциальными потребителями и женского, и детского тела, так и сознание потенциальных жертв торговли и насилия.

Эти образы учат воспринимать тело женщины как дешевый товар (у нас в рекламе газеты тело молодой девушки было предложено за 50 ct и это ни кого не возмутило, реклама считалась успешной). Но вместе с тем они являются очень действенным средством идентификации и формирования женского самосознания. Большинство из нас на своем опыте познали силу рекламы и знает, какое магическое воздействие имеет она, призывая нас, на пример, к сбрасыванию веса (в Литве все увеличиваются случаи булимии и анорексии, а исследование 2002 г. Показало, что). По этому не надо соблазняться надеждой о том, что ежедневное употребление овеществленных женских образов, которые подаются средствами массовой информации на завтрак, обед и ужин, не будут иметь своих, более тяжелых последствий.

Но в нашем обществе эта проблема не осознается, не поднимается и не решается. Или те попытки, которые делаются, делаются, как мне кажется, в бесплодном направлении.

Массовая культура Литвы за последние десять лет стала на много более сексуализированной чем это имело место в советские времена (тогда, как мы знаем, секса не было вообще). Это по праву связывается с влиянием Западной и в особенности голливудской культуры. Тенденции сексуальной раскрепощенности активно поддерживаются средствами массовой информации, которые ориентированны на молодежь, не желающей следовать по следам своих дедушек, бабушек и родителей, которые жили “без секса”.

Как альтернатива этой сравнительно новой, сексуальность подчеркивающей волне, проявляются “нео-викторианские” тенденции, в которых странным образом соединяются пост-советские и про-католические веяния. Под предлогом укрепления морали молодежи сторонники этой позиции, высказываются практически за устранение дискурса сексуальности. Опасность такого подхода к решению проблемы, на мой взгляд, заключается в том, что отрицая сексуальность игнорируется и тот факт, что сексуальность в современной культуре становится чрезвычайно важным элементом структуры идентичности человека. А это значит, что если такая информация будет заблокирована на сознательном уровне, где ее можно как-то направлять, усилится ее воздействие на подсознание. Родители и учителя уже давно не являются первоисточниками гендерной идентификации для подрастающих детей – они

просто не выдерживают конкуренции с СМИ. По этому избегать постановки вопросов касающихся сексуальности и всеми с этим связанными вопросами, как это предлагают нео-викторианцы, равнозначно сидению на часовой бомбе. Можно игнорировать все увеличивающуюся роль сексуальности в нашей культуре и убеждать себя, что таким обзозом проблема решится сама собой. Но более вероятно, что если мы будем увертываться от ее, то проблема, в данном случае проблема сексуальной эксплуатации детей, найдет нас сама.

Какие могут быть предложены альтернативы в таком случае? Я бы хотела обратить внимание на то, что ускользает из поля зрения представителей обоих противоборствующих тенденций и, как бы объединяет их. Я имею в виду нечувствительность к гендерной специфике всего того, что происходит вокруг осмысления вопросов, связанных с сексуальностью, властью и подчинением. Очевидно, что оба этих дискурса конструируются с позиций доминирующего субъекта, где женской сексуальности, женщине и всем тем (например, детям), кто приравнивается ей по статусу, отводится лишь подчиненная роль, по этому ни один из мною упомянутых дискурсов не в состоянии предложить конструктивное решение проблемы.

Но выход из создавшегося положения все же может быть найден, если со всей серьезностью отнестись к вопросам гендерного просвещения общества на всех уровнях (начиная с детских садов, кончая теми, кто делает политические решения) и заняться формированием своего рода “гендерной экологии”. Нужны специальные программы для обучения и воспитания как девочек так и мальчиков. Программы, которые были бы направлены на разрушение патриархальных стереотипов и укрепляли принципы равноправия. Ведь важно выработать не только механизмы защиты потенциальных жертв. Эффект был бы на много сильнее, если бы удалось в корне поменять менталитет субъекта категории А, который не очень то беспокоится о тех, кого считает второсортными вещами.

К сожалению в Литве изменения в этом направлении делаются ОЧЕНЬ маленькими шажками. На много медленнее чем на нас наваливаются проблемы. Гендерные вопросы практически не включены в программы для подготовки специалистов в высших школах. А это значит, что не заметно для нас самих патриархальный, торговлю детьми допускающий менталитет беспрепятственно репродуцирует себя, ставя нас перед фактом последствий. Но не стоит забывать о том, что индивид ведем себя соответственно представлению о том кто и что он/она есть. По этому стоит тратить усилия на преобразование мировосприятие человека, хотя это долгий и тернистый путь.

**Keynote Speaker Ms Inger Backer Neufeld,
Save the Children Denmark**

Assessment of child trafficking in the Baltic Region

What is the background for our assessment?

Save the Children Denmark has - in co-operation with our Nordic sister organisations - made a decision to increase efforts to combat the trafficking of children in the Baltic Region. These efforts include conducting a report that should serve as the foundation for concrete and practical initiatives in the area.

On the national level, we have gained insight into the trafficking situation in Denmark, both in terms of estimates of the problem and the support available for trafficked children in Denmark.

We also went on an assessment mission to the Baltic states in June 2003 to meet and sustain communication with resource persons, organisations and institutions dealing with trafficked children in the region.

The findings presented here are based on assessments on the national level in Denmark and from the Baltic countries.

First, I will proceed to our assessments concerning the dimensions of the problem of trafficking of children in the Baltic Region mainly from the Baltic States. Second, I will present some of the major problem areas as we see them and the challenges facing the NGOs in our region.

About Estimates:

Determining the extent to which trafficking is occurring globally – as well as on a regional level – inevitably builds on estimates. This is due to several factors.

One reason has been that until recently, there has been very little agreement on how to define trafficking. The signing of “The UN Protocol to Prevent, Suppress and Punish trafficking in People”, has reduced this problem somewhat.

Another general problem has been that the individual countries – including Denmark – have not registered trafficking cases consistently

Even if these barriers can be overcome, it would never be possible for authorities to become aware of all of the victims of trafficking. The illegal nature of trafficking means

that it will always occur in a clandestine manner. The victims are usually too frightened to seek help from an organisation, for not to mention a public authority - either they are scared of revenge from traffickers or they are in the country illegally, often without a passport, as it will usually have been taken away from them by the traffickers. Similarly, the victims will often not have confidence concerning the existence of other opportunities for their future on account of their past experiences.

On the one hand, most statistics on the size of the trafficking problem rely on estimates, which in turn may build on various factors; the sources of the estimates are also often difficult to find. However, some Western European countries have attempted to register trafficking more consistently. While it might sound like a cliché, the registered incidents of trafficking only represent the tip of the iceberg, as explained above.

Extent/size of problem in Western Europe and the Baltic Region

At the regional level, 120,000 women and children are trafficked into Western Europe each year according to estimates from the European Commission¹.

In England, UNICEF UK reports that there have been at least 250 children that have been trafficked into the UK over the last five years, a figure that is only based on reports from a small number of social services and other organisations that come in contact with the victims of trafficking in their work. According to UNICEF, the true figure is likely much higher. On the background of various factors, UNICEF therefore concludes in a report from July 2003: "There are likely hundreds, if not thousands, of children in the UK who have been brought here for exploitation"².

Germany and the Netherlands have registered and published statistics in recent years. These statistics indicate that there has been a substantial increase in the number of trafficking victims over the last 10 years. For instance according to The German Federal Criminal Office, the numbers of trafficking cases have increased by 25% from 1999 to 2001³.

In 2001, the German police reported 30 victims were minors and 247 were younger than 20 years of age (out of a total of 987 victims of trafficking).

In the Netherlands, the Bureau of the Dutch National Rapporteur on Trafficking in Human Beings⁴ registered a total of 608 victims with whom Dutch victim support

¹ IN Dr. Thomas Lothar Weiss, IOM, *Overview of trafficking in Persons with special reference to trafficking in children – Context, Data, Solutions, Regional Office for the Baltic and Nordic States, Presentation at Stop Child Trafficking: Modern Day Slavery, Helsinki Conference, 1 - 3 June 2003.*

² UNICEF UK, *End Child Exploitation – Stop the traffic, 2003:17.*

³ *There were 801 identified cases in 1999 and 987 in 2001 (Weiss 2003).*

⁴ "Bureau Nationaal Rapporteur Mensenhandel"

organisations came into contact in 2000. Of these, 129 were minors (Bureau NRM 2002: 57)⁵.

In both the Netherlands and Germany, the majority of the registered trafficked victims are from Central and Eastern European countries, for example in Germany 81.5% of the registered victims of trafficking in humans in 2000 were from Central and Eastern European countries. Many of the victims from Lithuania and Latvia (69% in 2001)⁶.

The number of foreign women that are traded for prostitution in Denmark is estimated as being between 2000-2500 per year⁷. Moreover, the number of foreign women in prostitution in Denmark is far greater than in either Norway or Sweden⁸. It is not clear how many of these individuals have been trafficked⁹, but according to the Danish Procenter they are likely to represent the majority (2002). Of these foreign women in prostitution, women from Eastern Europe constitute the greatest single group in Denmark¹⁰. The most high-profile court cases dealing with the prostitution of foreign women has involved women from the Baltic States – one case from the city of Århus involved approximately 80 Baltic victims working as prostitutes in brothels. Another case from a Copenhagen strip-bar involved at least 28 women, predominantly from the Baltic States.

There is no exact knowledge of the number of children who are trafficked to Denmark. When it comes to exploitation of child-labour and economic crime, the Danish Red Cross has suspected that children have been sent via the asylum system to Denmark to commit criminal activities, such as stealing.

When it comes to the commercial sexual exploitation of foreign children, it is uncertain to which extent it takes place. Danish police began focusing on trafficking problems

⁵ *The likelihood that these figures are actually much higher is made apparent in e.g. Bureau NRM, Trafficking in Human Beings – First report of the Dutch National Rapporteur, 2002:57, 51.*

⁶ *Dr. Igoris Bazylevas and Renaldas Zekonis: Prevention and Control of Trafficking in Human Beings in Lithuania, Nordic-Baltic campaign Against trafficking in Women, 2003:19.*

⁷ *Hanne Helth, Danmark – country report, Stop Trafficking, 2003; Henrik Brun & Ulrikke Moustgaard, Kroppe over grænser-når kvinder handles til Danmark, Informations Forlag, 2001:31; Flemming Pedersen, Denmark, IN: "A Resource Book for Working against Trafficking in Women and Girls – Baltic Region", Kvinnoforum, Stockholm 2002:23.*

The number of foreign prostitutes corresponds to approximately 30% of all persons involved in prostitution in Denmark. The number of foreign women in prostitution has been multiplied by ten since 1989 (Annalise Kongstad, Trafficking in Women and Prostitution, Procenteret 2001) It is estimated that between 70-90% of the women in Copenhagen strip-bars come from foreign countries (Flemming Pedersen and Jette Heindorf: Bar Prostitution? – a mapping of 13 strip bars in Copenhagen, Pro-Centret 2001).

⁸ *Moustgaard & Brun 2001:31.*

⁹ *as defined in The UN-protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime from 2000.*

¹⁰ *This is the case when one considers the women from Eastern Europe as a single group. Considered nationally, women from Thailand constitute the largest single group.*

only recently. The increased monitoring has not yet resulted in more concrete data in relation to minors that have been trafficked to Denmark. In a recent mapping of massage clinics/brothels in the entire country, the police have not experienced any instances of minors in these environments.

However, the experience of Save the Children, the local police, and Danish NGOs doing outreach work among women in prostitution indicates that minors are indeed being trafficked to Denmark.

Danish NGOs observe very young foreign girls working in prostitution on the streets (mostly from the Eastern European countries), which they look as though they are younger than 18 years of age.

The very young foreign women are very difficult for the social workers to come in contact with. For one thing, their foreign pimps/mafia hold a sharp eye on them. For another thing, they are forced to work constantly - the demand for them is high and they are therefore quickly picked up by 'customers'.

The local police in Copenhagen also see foreign girls who appear to be minors in the streets prostitution environment. However, they are usually equipped with a tourist visa and money, as well as identification papers indicating that they are over 18 years of age.

In 2000, there were reports of two teenage girls who were found in a brothel in the Danish town of Vejle in a police raid. The two girls were from an orphanage in Latvia (Henrik Brun & Ulrikke Moustgaard 2000 and Ulrikke Moustgaard 2003. Interviews conducted by Save the Children together with NGOs in the Baltic countries indicate that some of the methods used by traffickers to lure girls to Denmark for the purpose of exploitation include promises of jobs that typically appeal to young people, such as au-pair jobs or summer jobs picking strawberries.

There is only reason to assume that trafficked children come from the same areas as adults, as the transit routes that make Denmark a destination country already exist.

According to estimates from the Baltic States, nearly 3000 women annually leave the Baltic states to become involved in prostitution abroad. From Latvia NGO estimates indicate that more than 2000 Latvian women and children are being trafficked outside the country each year, while estimates from an NGO in Lithuania indicate that 1000-1500 are recruited from Lithuania. We know that Estonian women are also trafficked out of Estonia, but we have not heard any estimates of the size of the problem¹¹.

The unofficial estimates are always much higher than the official data in the Baltic countries, but even on the basis of comparing the registered cases, it becomes clear that the number of cases is higher than appears to be the case when looking at the registered

cases. In Lithuania for instance where there has been 42 cases for the court on article 131 “Trafficking in Human Beings” of the Criminal Code 3 in the period from 1999 until September 2002. In these cases, 53 women were assumed to be victims¹². Statistics from The Federal Criminal Police of Germany indicate that in 2000, the German authorities knew about 162 trafficked persons from Lithuania in Germany, while in 2001 the number was 119¹³. The number of officially registered cases over a four year period in Lithuania does not correspond to the number of Lithuanian victims in Germany in a one-year period alone.

The unofficial estimates from the Baltic States also seem to correspond quite well to the number of Baltic/Eastern European women in prostitution or trafficked to Denmark.

When it comes to an indicator of the degree to which minors fall victim to trafficking, the official statistics from Lithuania show that 80% of the 53 women assumed to be victims of trafficking in the period from 1999 to 2002 were between 16-24 years old (Dr. Igoris Bazylevas and Renaldas Zekonis 2003: 35; Ona Gustiené: 2003b).

In Germany in one year, 5% of the officially known cases of trafficking from Lithuania were under 18 years of age, while 37.8 % were 18-20 years old.¹⁴

According to the one NGO we met, roughly 25% of the victims of trafficking approaching their Shelter are minors.

Main findings – concrete challenges to NGOs

1. Necessary dual strategy

The problem of the trafficking of children is not limited to the trafficking process itself. Efforts to combat the trafficking of children in the Baltic Region must be guided by a dual strategy. There is first and foremost a need to focus on prevention in the socially marginalised groups and environments that have proven to be fertile ground for traffickers. These groups include children from impoverished families (often with a minority background), children from orphanages, and children already involved in prostitution in their homeland. Secondly, for children who have already been victimised by trafficking, improved possibilities for long-term rehabilitation and permanent housing is acutely necessary in order to remove these children from the environment that produced the preconditions for the eventual abuse and trafficking.

2. Lack of factual knowledge

As part of the strategy of prevention, there is a huge need to document the size of the problem. One of the consequences of the present lack of factual knowledge is that the

¹² Dr. Igoris Bazylevas and Renaldas Zekonis 2003: 35.

¹³ Report on Trafficking in Human Beings, year 2001 IN: Dr. Igoris Bazylevas and Renaldas Zekonis 2003: 19.

¹⁴ The Federal Criminal Police of Germany (Report on Trafficking in Human Beings, year 2001 IN: Dr. Igoris Bazylevas and Renaldas Zekonis 2003: 19)..

problem is not prioritised in the political agenda as highly as it ought to be. Subsequently, the police do not devote a sufficient amount of investigative work to the problem.

NGOs have an important role to play in this context.

As already mentioned, some countries – like Denmark – have not consistently registered cases of trafficking. With their substantial knowledge in this area, NGOs are in a position to provide assistance to the relevant authorities so as to develop better registration procedures that eventually will help document the dimensions of the problem as is the case in the Netherlands, where part of the official registration relies on the experience of the NGOs

NGOs must also get better at documenting cases – according to ethical considerations in order to protect the victims – we have encountered problems getting sufficient documentation on existing cases with relations to Denmark, which is required in our advocacy work.

Only 10% of prostitution occurs outdoors - in the streets. The escort business requires closer attention, as they are very difficult for the police to monitor - because they are managed via mobile phones, where the pimps serve as the link between the customer and the prostituted child.

To produce documentation and information from this closed environment, it is necessary to use as many tools as possible. The existing Hotlines might be used for this purpose. The NGO's hotlines already receive reports about child pornography on the Internet. The Hotline could also begin to receive reports about commercially sexually exploited children –children in prostitution or sex-tourism. These reports might even come from customers who have witnessed children in the environment. While this might merely lead to the reporting of a few cases, it would nevertheless represent an improvement in terms of the possibilities to document the problem. As far as we know, similar Hotlines do not exist in the Baltic countries; however, based on Danish experience, future co-operation with partners in the countries of origin ought to be considered.

3. Sex tourism

Other preventive measures include combating demand. Baltic NGOs should co-operate in areas such as sex tourism. Several organisations interviewed pointed to the problem of sex-tourism, where Scandinavians are among those travelling to the Baltic countries to purchase sex from children. To combat this trade, it is necessary to look at demand reduction, e.g. via information campaigns primarily on the ferry lines that connect Scandinavia and the Baltic countries. Some NGOs have already worked in this field and it would only be natural to expand these efforts further.

4. Educating police

Several NGOs in the countries of origin have extensive experience in educating officials in police and customs about anti-trafficking measures. This expertise is necessary in the case of Denmark, where the police are not sufficiently aware of aspects of trafficking, the national anti-trafficking action plan and children's special rights. Police sources themselves say that if a trafficked child was discovered in Denmark, only a few police constituencies would have the sufficient knowledge about the action plan and the rights of the child. There is therefore a continued risk that a child would be returned to the country of origin without proper investigation and without securing a safe and monitored return - as in the case of the two young girls from Latvia. Another reason for reinforcing capacity-building within the police and border police is the fact that the admission to the EU in 2004 of the present candidate countries will further complicate the control and monitoring of trafficking at the borders - travel within the EU will be possible virtually without showing identification.

5. National action plans on combating trafficking

In 2002, the Danish Government published, "The Government's Action Plan for combating the trafficking in women," which also includes initiatives for the protection of victims and prevention (e.g. the victims of trafficking can be allowed to remain in Denmark for up to 15 days, while their repatriation is prepared and possible witness testimony is processed!). The Action Plan exclusively focuses on women – children trafficked to Denmark are not mentioned at all.

In comparison, the Norwegian Action Plan grants consideration to the unique vulnerability of children and their right to protection. Children's unique needs are assessed in relation to each initiative (Justits- og Politidepartementet 2003-2005).

To the best of our knowledge, other countries – such as Finland, Estonia and Latvia - do not have a national action plan, while NGOs in countries such as Lithuania feel there is a lack of funding to realise the intentions in the action plans.

From our point of view, it could be tremendously fruitful if the NGOs worked together across borders in terms of advocacy in relation to their national action plans. For example, we could possibly use one another's political connections and learn from one other's experiences in relation to advocacy, both in relation to the rights of the child in prevention, protection, integration and rehabilitation.

6. Rehabilitation of victims

A substantial challenge for the NGOs is to work for better conditions for children who fall victim to trafficking. While shelters exist, children are often only allowed to stay for a limited period due to financial reasons before being returned to their municipality - and possibly to the abusive environment from which they came. In other shelters, children with different problems such as crime or drug abuse are placed together with non-abusing but sexually abused children. For instance, one NGO told us that the police

forced them to accept children with problems related to drug abuse in a shelter for sexually abused children because police had no other places to turn to.

Many of the organisations interviewed pointed to the fact that there is no structured reception of the children and there is a need to develop measures to ensure that their schooling is continued, for instance. On this background, it is not surprising that in all the three Baltic countries, the need for a shelter specifically for children victimised by trafficking was voiced.

7. Ensuring that victims reach shelters

Another problem regarding the already existing shelters and other facilities for help is that they are often not contacted by the victims themselves. This is due to several reasons. Apart from the shame that many victims feel and the stigmatisation from society, we were told that the victims do not have faith in the fact that someone genuinely wants to help them. Second, victims know that the actual help available is only for a limited time and after a while they will be back in their own environment, so why bother? According to NGOs and police in Denmark, none of the 88 Baltic women returned in the high-profile case in Denmark mentioned earlier wanted to be returned to a shelter. The reasons could be as mentioned above, but all initiatives should always consider the 'the prostitution trap'.

A more concrete problem is that the NGOs in the countries of origin and destination are not always aware that victims are returning home. A Latvian NGO told us of a case in which they had heard that 14 women were returned from Denmark, but they were never contacted by officials about rehabilitation.

**Keynote Speaker Ms Karin Johansson,
ECPAT Sweden**

Awareness Raising and Lobbying Concerning Separated Refugee Children in Sweden

Dear seminar participants!

I am very pleased to address you at this important NGO event, co-organised by Save the Children, CBSS, Red Cross Sweden, Caritas Sweden, Kvinnoforum and ECPAT Sweden. Let me first of all give you some introductory words on ECPAT.

ECPAT is an international organisation working against commercial sexual exploitation of children. It was established in 1990 as a campaign against child sex tourism in Asia.

ECPAT took the initiative to and coorganised in 1996 the First World Congress against Commercial Sexual Exploitation of Children in Stockholm, Sweden. 122 governments attended as well as a number of NGO's, Intergovernmental Organisations and representatives from the private sector. After the World Congress ECPAT became a regular NGO and broadened its mandate to include not only child prostitution in Asia, but in the whole world and also included work against child pornography and trafficking of children for sexual purposes.

ECPAT is working against CSEC in a preventive way, through lobbying governments, raising public awareness, conducting special training for authorities etc.

ECPAT is now represented in more than 50 countries with the International secretariat situated in Bangkok, Thailand. ECPAT Sweden was established in 1996, right after the world congress. In 2001 a Second World Congress against CSEC in Yokohama, Japan, was held, also as a result of an ECPAT initiative.

Background

ECPAT Sweden began to work on unaccompanied refugee children's situation on special units in Sweden after media reports in the beginning of 2002.

The reports that came were horrifying and it was hard to believe that this could happen in Sweden in the 21st century.

The reports made us aware that most unaccompanied refugee children in Swedish special units were not in good psychological health. Some had tried to commit suicide, some were engaged in prostitution and others vanished from the special units without a trace. During 2001 69 children disappeared, 48 of them were still missing in May 2002. Most children that disappear do so after their application for asylum has been turned down. Many of them go back to their home country or to a third country. Some hide in Sweden, hoping for a better result next time. Some disappear when they are visiting relatives. But there are also reports of children disappearing even after their application for asylum has been approved. Reports also came on how easy it is for a stranger to pick

up a child from the special units. The staff working at the special units, looking out for the children, are employed by the Swedish Board of Migration, and are to follow the aliens act. They have no right to stop a child from leaving the premises. If a relative to a child wants to take the child from the special unit, for a visit, he or she has to identify themselves and then leave an address where they are going. There is no control if the person claiming to be a relative of the child really is so. This system gives strangers a chance to pick up children from the special units and then disappear with them.

The authorities involved, The Swedish Board of Migration and the social services, both put the blame on each other. The Board sees it as their task to make the decision if the children had reasons to stay in Sweden or not, and that it should be the social services who should have the guardian power of the children. The social services considered these children to stand under the guardianship of The Board. Since the authorities could not agree, the children “fell between chairs”.

After all the attention in the media, the government instructed The Board of Migration, the National Board on Health and Services, the Board of Integration and the Children’s Ombudsman to develop a proposition on how the reception of unaccompanied children could improve, including their situation on the special units. The report from these authorities came in the beginning of June 2002, and has several good suggestions.

- Every child should have a specially trained guardian appointed to him/her
- Instead of the Board of Migration, 15 municipalities should have the main responsibility for the children. The Social services in each of these 15 municipalities should receive extra financial fundings from the Swedish government.
- The personnel working with the children should receive special training and there should only be a few children on each staff member.

The problem with the suggestions is that they are going to take very long to carry out. There are no immediate suggestions to change the situation while the main suggestions are carried out.

After the report was published, the government ordered the Board of Migration to investigate the extent of the extra financial contribution from the government to the municipalities. The Board’s proposition was presented to the government in November 2002, but the government has yet not presented an official response to this proposal.

ECPAT Sweden’s work

ECPAT Sweden could act in this matter because of the risk these children run of being commercially sexually exploited. There were reports that some of the children living on the special units were used in prostitution. The children that disappear are in the risk zone of falling in the hands of pimps or traffickers and being sold as sex slaves.

ECPAT Sweden started its work on improving the situation for unaccompanied refugee children with writing debate articles in several newspapers around the country.

In May 2002 we had a large scale information campaign with advertisements on billboards around the country and in a major newspaper. In connection with the

campaign we arranged a manifestation in the center of Stockholm, trying to influence the government to take a decision that would improve these children's situation even before the committee presented its report. In the end of the manifestation an appeal aimed to the Swedish Prime Minister, mr Göran Persson, was delivered to the Swedish Ministry for Foreign Affairs. A discussion with a representative for the Ministry was held directly after the manifestation.

After the manifestation and discussions at the Ministry for Foreign Affairs, ECPAT Sweden initiated discussions with staff from a special unit outside of Stockholm, called Carlslund, to see how the situation was at a special unit. Carlslund was chosen by ECPAT Sweden, not because the problem is worst there, but because it is geographically close to Stockholm, where ECPAT Sweden is situated. The staff at a special unit for unaccompanied refugee children are supposed to report to the police and the social services when a child disappears. This does not happen every time, but most importantly, it can take up to two weeks between the child disappears and a report is made to the police. Reports to the social services are never made. The staff at Carlslund pointed out that they did not have a satisfactory collaboration with the police and were not satisfied with the way the police handled the reports on missing children from the unit. A second meeting was therefore planned, this time involving the police.

At the second meeting the police claimed that, since they receive the report on a missing child so late, they have no leads and can not do anything to find the child. They write off these cases on a regular basis because "crime can not be proved". The police assume that every child that is reported missing has gone to its home country or another country. The police also have a discriminating way on looking at these cases. First of all, "Swedish" children and refugee children that vanish are handled in different administrative divisions at the police. Secondly, the police have different procedures if there is a "Swedish" child or a refugee child that is missing. If there is a "Swedish" child, the police put up a notice on missing children and immediately contacts the social services. When it is a refugee child that is missing, the notice is being put up, but the police do not contact the social services. The police considers that the staff of Carlslund should do that. The staff of Carlslund believes that the police ought to do it, since they handle it when a "Swedish" child is missing. The result is that no one reports it to the social services and the children "fall between chairs". At this meeting it was obvious that the social services needed to be included in these discussions. A third meeting was arranged, with representatives from ECPAT Sweden, Carlslund, the police and the social services. At this meeting the social services were agitated over the fact that missing children in their municipality were not reported to them. The social services pointed out that they can not do anything to protect these children, if they are not made aware of the fact that they disappear. These meetings were the first ones since the beginning of the 1990's that these three authorities met to discuss unaccompanied refugee children's situation in the municipality. Even though all three are involved with the children's well-being, there has been no collaboration what so ever. After these meetings, the staff at Carlslund and the social services has begun to work out a strategy on how to act when a child disappears and whose responsibility the child is at every given moment.

All the information from these meetings was sent to a contact person at the Ministry of Foreign Affairs. ECPAT Sweden has also learnt that the procedure at other special units

for unaccompanied refugee children are the same as at Carlslund. There is, or at least was a year ago, no collaboration between authorities regarding these children.

In the end of October 2002, the Swedish government published its third report to the Committee on the Rights of the Child. For the first time, the government brings up the situation for unaccompanied children. Unfortunately the government has only looked at how the authorities are supposed to act, not how they act in reality. The government claims that when a child disappears from the special unit, the police and the social services are contacted immediately. As mentioned above, this is not correct. The social services is not contacted at all and the police is contacted days after the child disappears. As a reaction to this, ECPAT Sweden wrote an article about the facts we have collected from the authorities and also participated in a TV debate on the subject. We also decided to write an alternative NGO report, which was sent to the UN Committee on the Rights of the Child in June 2003.

In Sweden, reports have also been published, that paedophiles and other sex offenders, tend to seek victims that have another nationality than Swedish. During the fall of 2002, there was a criminal case in Sweden, where six men exploited at least four refugee children for several years. One of the men charged with the exploitation had come in contact with the boys when he worked at a special unit for refugees. He then procured the boys to the other men. After the head of this group was arrested, ECPAT Sweden got information on the other men and made a report to the police. As a result, the head of the group was sentenced to five years imprisonment, the other five men were convicted and sentenced to between four months and four years imprisonment.

This is the way ECPAT Sweden worked to raise awareness on the unaccompanied refugee children's situation and to influence the government and other authorities to give priority to these children. I hope that our work can influence and inspire some of you.

Thank you!

**Keynote Speaker Ms Karin Johansson,
ECPAT Sweden**

Best practice – Trafficked girls in Nepal

Dear seminar participants!

I have the great pleasure of present to you a very successful and unique rehabilitation work including the introduction of meaningful tasks for child survivors of trafficking.

In Nepal there is a huge problem of trafficking of young girls to brothels in India. Since women, and girls, have such a low status, daughters are being sold by their parents to provide for the education of the sons. Some parents believe that their daughter is going to work in a hotel or as a waitress, earning money to send back home. Some parents are aware of the fact that their daughter is going to be a sexslave in a brothel.

Every year, 5000 to 7000 Nepali girls are trafficked to India. More than 20 % of the victims are under 16 years of age and some are as young as 7 or 8 years old. If the girls are rescued from the brothels and return to Nepal, they usually don't have anywhere to go, their parents deny them and the risk of re-trafficking is very high.

To help the girls return from India, Maiti Nepal was established as an NGO in 1993. Maiti Nepal is representing ECPAT in Nepal.

Maiti Nepal's main object is to provide a shelter home for the victims, where they can reside when returning from India. At the shelter home, the girls receive rehabilitation, both physical and psychological. Maiti Nepal also provides informal education, medical checkups, skill training and awareness raising for the girls. 100 survivors reside at the shelter at the same time. Maiti Nepal now provides the survivors with legal counseling and assistance.

Maiti Nepal started at an early age with public awareness campaigns. They organize awareness rallies, workshops and awareness-training programs in districts affected by the problem and in the border cities and towns.

Maiti Nepal regularly meets with leaders of different political parties and Members of Parliament, and have been organizing interaction workshops with them in order to create awareness among them on the issue of trafficking of girls and to motivate them to present the victims of trafficking as a national issue. Maiti Nepal also organizes cross-border workshops with representatives from governments, NGO's and institutions from Nepal and India.

The most remarkable initiative from Maiti Nepal is without a doubt their border surveillance campaign.

Transit homes are situated at the main exit points for trafficked girls at the border to India. These transit homes intercept girls who are being trafficked at the border and return them home with the assistance of the local police administration. They also apprehend pimps involved in girls trafficking and hand them over to the police. This border surveillance program has helped Maiti Nepal to successfully prevent girls from being trafficked and in returning them to their homes. The local police authorities have also provided assistance in this campaign. Maiti Nepal has posted its female staff at the border to patrol the area and identify girls who are being trafficked as well as pimps. Returned trafficked girls, who have been rehabilitated at the shelter home of Maiti Nepal, are also posted at the border as they understand the modus operandi of the pimps. Maiti Nepal has intercepted about 1000 girls at the border before they crossed over to India, and has returned them to their homes. Once the girls are stopped at the border, the Transit Homes help to locate their guardians and to search for the pimps. The Transit Homes also help to initiate necessary legal proceedings against the pimps who are arrested. The Transit Homes provide these returned girls with free voluntary health check ups, counseling, and other assistance. Once these girls are out of danger, and if Maiti Nepal is assured that they will not be trafficked again, they are handed over to their parents or guardians.

Except from rescuing girls from being trafficked at the border to India, Maiti Nepal also repatriates to Nepal trafficked girls from Indian brothels and rehabilitate them. Maiti Nepal takes full responsibility for these girls, and does not free themselves from responsibility by sending the girls back to their parents. Before doing so, the girls receive rehabilitation at one of Maiti Nepal's shelters and sends the girls back to their families first after making sure there is absolutely no risk of re-trafficking. If this can not be guaranteed, Maiti Nepal provides shelter and rehabilitation for the girls in its own offices. Such a home is established in Kathmandu and has the capacity to rehabilitate 250 girls. In the rehabilitation, the girls are given income-generating skill training, resulting in increased self esteem and self support possibilities.

In the beginning of their work, Maiti Nepal was counteracted and mocked, the government and authorities did not work with them at all. But through hard work and headstrongness Maiti Nepal now receives considerable respect from the people of Nepal, including authorities and the government. As a token for their amazing work, Maiti Nepal received the World's Children's Prize in 2002. And in the fall of 2002, the founder of Maiti Nepal, ms Ms. Anuradha Koirala, was appointed vice minister for child, women and social mathers, being the first female minister in a Nepalese government.

I sincerely hope that the work of Maiti Nepal – turning victims into strong counter-trafficking workers - can be an inspiration for some of you in the preventive work against trafficking and in the rehabilitation of the victims.

Thank you for your attention!

**Keynote Speaker Ms Monica Brendler-Lindqvist,
Psychotherapist, Save the Children Sweden**

Experiences of building up a new Unit for Reception of Separated Children in Sweden

“We are laughing and talking, but here inside (pointing at his heart) I feel like I want to die.”
Boy, 16, from Guinea.

Presentation

Today I would like to share with you my experiences from building up a new reception centre for separated children applying for asylum in Sweden. Save the Children have been engaged for several years trying to change the responsibility for taking care of the children from the Swedish Migration Board to the municipal Social Service. The reason for this is that the children have been badly treated of the circumstances that the member of the staff has had dual roles; as investigators for the asylum application and as the ones who is responsible for taking care of the children. (I will talk more about this dilemma later.)

Background

Since the end of 1980th about 8000 asylum-seeking separated children have come to Sweden. About 4000 of them have arrived to Sweden to live together with their relatives. It could be an older sister, an aunt or a cousin. The rest has been placed in reception centres arranged by the Swedish Migration Board. The children are supposed to stay in these centres during the asylum process, which often takes between 1-2 years. If they get permission to stay in Sweden they will be placed in another accommodation, which the Social Services has the responsibility of. If they are over 18 years old they have the possibility to find a place of their own.

I have been working before as a supervisor at one of the Migration Board reception centre and I will give you an example how the children were treated there. This is about a boy from Iran, 15 years old, who had a lot of psychological symptoms; nightmares, poor appetite, concentration difficulties, and psychosomatic symptoms as constipation. One night, when he could not go to sleep, one member of the staff heard him crying in the bed. She went into his room and sitting at his bedside, he starts telling her his story. After a while he told her that he had been raped several times when he lived in Germany.

The day after the member of the staff who had received his story, was forced by the regulations to go to the investigator of the asylum application and tell him that the boy had been living in Germany. According to the Dublin Convention he should be deported to Germany.

This example gives a picture of the dilemma of being both the one who should take care of the child and as employed at the Migration Board having the duty to report everything to the investigator also employed at the Migration Board. Because of this it will be nearly impossible to get the confidence of the children and to be supportive to them. The consequences we have seen from this are that children with experiences of sexual abuse, violence, separations and other traumas could get no help and start to develop serious psychiatric symptoms as suicide attempts and psychosis. Other children disappear from the reception centres and the members of the staff have no idea why they run away or what has happened.

With this in our minds, we can easily understand that Save the Children amongst others very much welcomed the instructions from the Swedish government one and a half year ago to the National Board of Health and Welfare and the Migration Board to find solutions for improve the reception of separated children. One of the proposals was the suggestion that the function of the Migration Board should be limited to investigating the application of the child for a residence permit and the reception centres should be in charge of the municipal authority, the social service. The crucial point is that the staff employed by the Social Service have professional secrecy which the staff employed at the Migration Board do not have. However, in April this year, the Minister for Migration explained that the proposal would not be implemented because their estimated cost was too high.

So the actual situation still is that the Migration Board has the responsibility for the reception centres, except for one centre. This unit was started in the meantime between the proposal and the rejection of the proposal, and now we have a good possibility to follow this unit and see if it will be the good model of work as we are expecting. Our main questions are:

- Will it be possible to diminish the psychological illness, showed in serious symptoms as suicide attempts?
- Will it be possible to avoid that children disappear from the Centre without nobody knows where they are?

I have had the advantage to be requested as a teacher and supervisor for the new leadership and the staff for this unit. They have had the possibility to prepare themselves before the children arrived. They have learned about reactions of separated children, how to create a handsome climate in a group, how to build up social networks for the children and they have taken contact with the professionals they need to have a co-operation with. Now Save the Children has started a documentation including depth-

interviews with the children, a research-project which will be finished within 2 years. I am responsible for this project.

The Reception Centre Origo

The Reception Centre is situated in Skellefteå, a town in north of Sweden. The name of the Centre, Origo, was decided after a competition in the neighbourhood. To present the Centre to neighbours, shopkeepers, churches, athletic clubs and so on, the staff invited everybody to an open-house party to give information about the work at the Centre. This was to prevent suspiciousness and other negative attitudes towards the children at the Centre and to open up for a dialogue between the people living or working in the neighbourhood and the Centre. At this party you could suggest a name at the Centre, and the winning name was Origo, a word with various meanings.

This unit is in charge of the municipal authority and the members of the staff are employed by the Social Service. That means that they all have professional secrecy, which create opportunities for a trustful relationship to the children. 12 children are living at the Centre, until now 15 children have been living there. Two of them moved when passing 18 years old, one of them disappeared. (I will return to this boy later.)

The 15 children living there until now are all boys, although the Centre is both for girls and boys. The countries of origin are Afghanistan, Guinea, Eritrea, Iraq, Belarus, Kosovo, Somalia, Turkey and Jordan. The average age is 16 years old. Most of the children come from war areas.

The Centre is situated in an ordinary housing area and consists of five apartments being rebuilt to one apartment. Every child has a room of his own, except for siblings, who can share a room. In the apartment there are also one kitchen, dining-room, living-room, computer room, the office for the staff and one room for the staff working at night. 12 persons including the leader and a social worker are working at the Centre. The members of the staff consist of both men and women, both Swedes and people from other countries as Lebanon, Eritrea, Iran and Finland. The selection of the staff is done with consciousness about the strength of differences in competence, gender and cultural background to be a complement to each other.

The first goal is to bring the children a feeling of safety and homeliness. The staff should be supportive in all sense. The children have a room of their own and they have the right to lock the door. They are responsible over their clothes and other things. They share responsibility with the staff in the kitchen and they are jointly responsible for tidying up the dining-room, living-room and computer room. There are rules that every child is informed about from the first day. For example, everybody must be at home at 10 o'clock pm, everybody must go to their room and be quiet at 11 o'clock pm, nobody is allowed to smoke inside the house and so on.

The second goal is to bring every child to school as soon as possible after arriving to the Centre. All children belongs to a preparatory class in an ordinary school.

The third goal is to introduce the child to his/her advocate/guardian. According to Swedish law the child has an advocate who is legally responsible for the child and also help the child in the asylum process and take important decisions about the child.

The fourth goal is to arrange a medical examination, a health check-up. This will be done at the ordinary health centre.

The fifth goal is to support the child to create a meaningful spare-time with recreational activities, as playing football or other sports.

The sixth goal is to refer those children who need to see a psychologist to a Child Guidance Clinic. **The Centre has a special agreement with the Clinic. According to this agreement the separated children has the possibility to see a psychologist without waiting time.**

Now I would like to present for you one of the boy, living at the Centre.

Interview with P.

P is a tall and slim, nice-looking boy, 16 years old. He is often smiling. He speaks some words of Swedish, his English is good, but his mother tongue is pashtu. He is from Afghanistan.

P draws a map according to my instructions over his social network and he starts telling me about his family. P's father disappeared in Afghanistan 2 years ago and nobody knows if he is alive or not. He was an officer in the army. P's oldest brother died 2 years ago in the war in Afghanistan. Now P is the oldest son, he has five younger brothers and sisters. They are living together with his mother in a smaller town in Afghanistan. Also P lived there during the last 3 years, but before that he lived in Kabul, the capital of Afghanistan, with his uncle and his family. The reason for that was that P went to a better school in Kabul.

P tells me about his friends in Afghanistan. He had a lot of friends and a lot of cousins. He also talks about his teachers, especially his English-teacher, who was like an elder brother to P.

P came to Sweden in April 2003. He has been living at Origo since then. He tells me that he tries to have a positive attitude to life, and that he wants to be surrounded with people who are happy. He goes to school and learning Swedish, but he is not so motivated to learn the language because he does not know whether he will be allowed to stay in Sweden or not. He has some new friends in Sweden, he mentioned eight boys, five from the Centre and three from school.

P tells me about an event at the Centre that has had a lot of importance to him. P, who is a Muslim, has never before smoked cigarettes, but in Sweden he has started to smoke together with one of his friends. After some weeks one member of the staff had had a

conversation with P and encouraged P to quit smoking because it is not good for his health. P very much appreciates this advice. This was the first time in Sweden that he had felt that somebody really cared for him. He experienced the man in the staff as an elder brother to him, and he felt that he wanted to quit smoking immediately. He says: *"He showed me another way. He was just like an elder brother to me. I listened to him because I like him. And I quit smoking."*

P does not want to talk about his father and elder brother, but he says that he really needs to talk about his thoughts and feelings, *"otherwise maybe my heart will explode"*.

(I will show some pictures from the Centre.)

Finally I will return to the boy who disappeared from the Centre two weeks after he arrived. When he did not come home in the evening the staff reported to the police, the social emergency service and the Migration Board that he had run away. They tried to call him on his mobile, but it was another man answering and this made them very worried. Three days later they got a letter on Serbo-Croatian. The letter came from the boy with the message, *"don't worry, I'm on my way home"*. Some weeks later he called them directly from Kosova. He wanted to tell them that he is now working as a painter in Kosova. He wanted to thank them for the time he had spent at the Centre and he asked them to give his kindest regards to his advocate.

Finally this boy left the country with dignity.

The first goal is to bring the children a feeling of safety and homeliness.

The second goal is to bring every child to school as soon as possible after arriving to the Centre.

The third goal is to introduce the child to his/her advocate/guardian.

The fourth goal is to arrange a medical examination, a health check-up

The fifth goal is to support the child to create a meaningful spare-time

The sixth goal is to refer those children who need to see a psychologist to a Child Guidance Clinic.

Our main questions are:

- Will it be possible to diminish the psychological illness, showed in serious symptoms as suicide attempts?
- Will it be possible to avoid that children disappear from the Centre without nobody knows where they are?

**Keynote Speaker Mr Thomas Gittrich,
Federal Association For Professionals Working With
Unaccompanied Minor Refugees Bundesfachverband UMF**

Overview on the Situation of Unaccompanied Minors in Germany – Examples of Good Practice in Reception

Statistical uncertainties

It is not known how many unaccompanied minor refugees are living in the Federal Republic of Germany. So far, there are hardly any federal, regional or local statistics accessible to the public that give precise nation-wide information on the number of refugees and other significant aspects such as age structure, regions of origin, the duration of their stay and their social situation. According to the authorities in charge there are various reasons for that dissatisfactory situation: On one hand it is resulting from the fact that jurisdiction in asylum-related matters is divided between different federal ministries and federal agencies. Als there are conceptual and technical difficulties in the data collection. On the other hand it is resulting from the federal structure of Germany where many of the tasks and functions related to asylum policies are assigned to the 16 *Federal States* , the counties and the municipalities. On different administrative levels decisions are made if at all and how data should be collected.

Nevertheless, the poor data situation is suprising, since data on refugees and migrants are collected on a large scale by numerous administrative bodies. The *Federal Office for the Recognition of Foreign Refugees*, for instance, does collect very detailed data on asylum seekers, but it does not prepare any statistics on the age structure of refugees. *The Central Register of Aliens (Ausländerzentralregister)* which is part of *the Federal Office of Administration (Bundesverwaltungsamt)* based in Cologne, an authority reporting to the Federal Ministry of the Interior, receives manifold information on aliens from the local aliens authorities. But, according to a statement made by the authority, the data collected does not help to draw a comprehensive picture of the situation of young refugees, comprising information on their status, the question whether they have been accompanied by someone or not, etc.. Similar statements are made by the authorities in charge of data collection at the level of the *Federal States*.

It is evident that there is a lack of political will to overcome the problems that exist regarding the exchange and evaluation of individual data, problems such as technical issues and issues relating to the protection of data privacy. This is a serious issue, since a

solid data basis covering a topic as controversial as the policy on separated young refugees would be an important prerequisite for the planning and execution of a realistic and problem-appropriate policy. One cannot help suspecting that those responsible in politics so far have not had any major interest in providing the general public with more precise information on the number and living conditions of these children and young persons – maybe since they expect undesirable effects on the political debate.

Concerning unaccompanied young refugees the situation in terms of data is equally poor. There is no comparability of data either: Some Federal States do not collect the corresponding data, others do only indicate entry figures or current numbers. Some only register young persons under the age of 16, others only document persons under the age of 18.

There are statistics published by the Federal Asylum Office that only mention asylum seeking unaccompanied minors younger than 16 (see file).

Based on statistical data provided by the *Federal States* and complementary information supplied by the municipalities we estimate that a total of approximately 5,000 to 10,000 separated young refugees live in Germany. Despite their lack of precision, the statistics of the Federal States and the municipalities indicate two trends in recent years. One concerns the number of entries: Since the early nineties the number of separated young refugees entering Germany have decreased until the end of the last decade. This decline was probably due to the more stringent rules and regulations of the *Aliens Act* and the *Asylum Law*, and above all due to the introduction of compulsory visas for minors from Morocco, Turkey, Tunisia and the States of former Yugoslavia, where in the past migrant workers were recruited, as well as due to harsher sanctions against airlines that carry minors without a valid visa. Since 2000 in some federal states the numbers continued to decrease whereas in Bavaria a significant increase can be seen (see file). This led to the opening of a second clearing-house in Munich this summer.

The second trend is referring to the current numbers of refugees, that is the number of separated young refugees who currently live in Germany. This number has slightly increased over the past ten years. This makes us presume that at least part of the children and young persons stay in Germany for a longer period of time, even though the majority of them was rejected as asylum seekers and has only received a *toleration* that is being extended for a few months each time.

Unaccompanied young refugees – like refugees in general – are unequally distributed among the Federal States. Within the States there is major differences between cities and rural areas: Refugees mainly live in large cities and areas of urban agglomeration. Berlin, Frankfurt, Hamburg, Cologne and Munich are the cities with the highest numbers of young refugees. This unbalanced geographical distribution has a considerable influence on their living conditions. Due to the relatively large scope of action that the *Federal States* and municipalities have in the treatment of refugees, there is substantial differences regarding reception, accommodation, care and provision, education and vocational training as well as concerning their access to the employment market. Last but not least,

there is also considerable differences in terms of promotion of return and deportation of young refugees whose *residence permit* or *toleration* has expired. For instance, there are some *States* and municipalities who - in addition to the federal support programmes for the return of refugees seeking protection from the civil war in former Yugoslavia – provide assistance in the form of counselling or in the form of granting financial, material or organizational aid aimed at furthering integration in their regions of origin; other *States* do not see any need for action in this respect. There are some *States* who in terms of deportations have strict rules and regulations regarding the reception in the home country; specifying, for instance, that a deportation is only admissible if the reception by family members or representatives of reception centers is guaranteed; other *States* do not see any necessity of looking into the matter of reception in the home country once a certain age limit – mostly the age of 16, that is the obtaining of legal capacity in terms of asylum procedures – has been reached.

Due to the lack of proper data it is not possible to forecast whether these trends regarding the development of the number of young refugees will continue in the future. It can, however, be presumed that the number of new entries of children and young persons will continue to decline slowly, since immigration controls in Germany and in the overall territory covered by the Schengen Agreement will be even more efficient. Nevertheless, it will not be possible to completely avoid this kind of immigration, regardless of how stringent border controls will be, since there will always be new ways how to evade these controls. It cannot be forecast whether the number of young refugees living in Germany will continue to grow, since there might be less children and young persons returning or being deported than children entering legally or illegally.

File on statistics shows the development of entries in the last 10 years

Arrivals of asylum seeking children in the Federal State of Bavaria in comparison to the total number of asylum seekers in the Federal Republic of Germany

Year	Children 0 –15 Years *	Children 16-17 Years *	Total *	Asylum seekers in Germany **
1993	235	916	1151	322.599
1994	178	378	556	127.210
1995	166	554	720	127.937
1996	166	545	711	116.367
1997	141	490	631	104.367
1998	139	686	825	98.644
1999	200	499	699	95.113
2000	127	484	611	78.564
2001	172	947	1119	88.287
2002	168	571	739	71.127
2003				Jan-Aug 03 34.607

Source: * Ministry of Social Affairs, Munich

** Federal Office for the Recognition of Foreign Refugees, Nuremberg

Legal aspects

In Germany in discussions among professionals the term „unaccompanied minor refugees“ is most widely used; in colloquial German these persons are referred to as „refugee children“ or „child refugees“, and none of these terms is being precisely

defined. That is to say that in all the terms used the children's being refugees is explicitly indicated.

„minor“

Pursuant to the Civil Code (*Bürgerliches Gesetzbuch, BGB*) all persons under the age of 18 are defined as minors. The law valid until this point of time is called *Rights and Obligations of Parents and/or Guardians (Eternrecht and/or Vormundschaftsrecht)*, that is the person(s) entitled to bring up a child safeguard(s) the minor's interests. However, the date of reaching majority is not an absolute date, but according to the *BGB* becoming an adult is a process which formally starts with a person's birth and ends upon completion of the 18th year.

- legal capacity

Until completion of the 7th year a child is legally incapable. After attaining the age of 7 until having reached the age of 18 years juveniles have limited legal capacity. The juvenile can conclude a contract if she/he fulfills the contract with her/his own means. However, the young person is only legally capable if she/he receives a benefit/advantage (e. g. gift and/or inheritance).

- responsibility for torts

Persons who are responsible for torts can be held responsible for civil wrongs (tortious acts). A child under the age of seven is not responsible for torts. A condition defining the responsibility for torts of young persons aged 7 to 18 is their having the level of understanding that is required in order to be aware of one's responsibility regarding the action causing the damage.

- limited criminal responsibility, that is the possible responsibility under criminal law

Until completion of the 14th year, a young person lacks criminal capacity (criminal responsibility). A condition defining the criminal responsibility of a juvenile aged 14 to 18 is the fact that the young person at the time of committing the offense/crime – according to her/his moral and intellectual state of development - was mature enough in order to understand the wrongfulness of her/his deed and to act according to this understanding. For the purpose of education of the juvenile who does not have the required maturity and who therefore is not responsible under criminal law, the criminal judge has the possibility to decree measures of public education.

Overview of legally defined developmental stages:

completion of birth	commencement of legal capacity (capacity to be a subject of legal rights and duties)
	commencement of capacity to be a party to legal proceedings
	right to contact the <i>Youth Welfare Office</i> regarding issues of education and development
completion of the 6 th year	commencement of compulsory education as of the following school year
completion of the 7 th year	limited legal capacity (capacity to enter into legal transactions)
	commencement of limited liability for damage resulting from tortious acts (limited responsibility for torts)
completion of the 10 th year	right to be heard when it comes to a change of religion
completion of the 12 th year	limited capacity to decide on one's religious affiliation
completion of the 14 th year	capacity to decide on one's religious affiliation
	limited criminal responsibility
	right to seek redress of grievances in jurisdiction over noncontentious matters.
	differentiation between children and juveniles regarding the protection of young workers
	right to vote and to stand for election regarding the representation of young employees in works councils
	right to be heard by the administrative court in proceedings concerning the care for the person of the child
completion of the 16 th year	limited testamentary capacity
	commencement of eligibility for taking an oath before the court
	possibility of declaring capacity to marry (as regards age)
	compulsory possession of a personal identity card
	limited capacity to conduct proceedings in one's own name before social courts
	entitlement to independently receive poste restante items
completion of the 18 th year	reaching majority; attaining of unlimited legal capacity
	right to vote and to stand for election
	unlimited criminal responsibility
	unlimited testamentary capacity
	unlimited capacity to conduct proceedings in one's own name before courts
	capacity to marry
	right to vote and to stand for election regarding the representation of employees in works councils
completion of the 21 year	end of the prohibition of gambling in gambling casinos

“unaccompanied”

In colloquial speech minor refugees are called “unaccompanied” once they come to Germany without their parents or any other persons entitled to bring up the child. In German law a minor is considered to be separated if there is no person in charge of caring for the person of the child (*Personensorge-berechtigter*). A *person entitled to care for the person of the child* is the person who „alone or jointly with another person is entitled to care for the person of the child pursuant to the regulations of the Civil Code“, that is the child’s parents or any other person who was assigned the personal custody by the guardianship court. *Personal custody* (*Personensorge*) is the caring for the person and it comprises the rights and obligations regarding care, education, supervision and determination of place of abode (§1631 BGB).

Care for someone’s property (*Vermögenssorge*) is the care for the property of a person. A *person entitled to bring up a child* (*Erziehungsberechtigter*) is „the person entitled to care for the person of the child and any other person over 18 years of age who – based on an agreement with the person having the care and custody of the child – exercises tasks related to the caring for the child and in doing so does not only act on a temporary and restricted basis.“ (§ 7 of the *Code of Social Law – Sozialgesetzbuch*; SGB VIII, Child and Youth Welfare).

A minor who does not enjoy parental custody – following a decree by the guardianship court in charge – is assigned a guardian (§ 1773 (1) BGB). This is also true for cases in which the civil status of the minor cannot be identified. Pursuant to § 1774, the guardianship court must of its own motion make an order appointing a guardian. This guardianship can be an individual guardianship, a guardianship assumed by an association or a guardianship by the *Youth Welfare Office* (*Jugendamt*).

„refugee“

In this respect one has to differentiate between the use of the term in legal contexts and in colloquial speech.

In German law there is a differentiation between two groups of refugees depending on whether they are referred to as refugees as per the Geneva Convention relating to the Status of Refugees or as per any other legal instrument. Those persons who have been able to prove before the *Federal Office for the Recognition of Foreign Refugees* (*Bundesamt für die Anerkennung ausländischer Flüchtlinge*) or before the courts that they are persons persecuted on political grounds pursuant to article 16 a para. 1 of the *Basic Law* (*Grundgesetz*) are part of the first category. These asylum seekers are called *persons recognized as entitled to asylum* (*Asylberechtigte*).

The so-called *convention refugees* (*Konventionsflüchtlinge*) are also included in this category. They are granted the so-called *small asylum* (*kleines Asyl*) under § 51 of the *Aliens Act* which is based on the principle of *Non-Refoulement*, that is the principle of non-refusal of entry as per the Geneva Convention relating to the Status of Refugees according to which a refugee must not be deported to a country in which her/his life and/or freedom

is endangered due to her/his race, religion, nationality, her/his belonging to a specific social group or due to her/his political conviction/opinion.

Refugees falling into the second category provided for by the German *Asylum Law* are the so-called *quota refugees* (*Kontingentsflüchtlinge*). These refugees can be admitted into a country on humanitarian grounds in the framework of international relief measures, if there is no other possibility of protecting their life and health. They do not have to pass through any asylum procedure. In the past there were quotas for „boat people“ and Jewish immigrants from the former Soviet Union.

The amendment of the article governing the fundamental right to the granting of asylum – dated 1993 - which lead to the formulation of § 32 a of the *Aliens Act* has established a protection limited in time for refugees seeking protection from war and civil war which consists in the granting of a temporary *residence permit* (*Aufenthaltsbefugnis*) in combination with a *work permit*.

But no sooner than in April 1999 – in view of the refugee disaster in Kosovo have the Ministers of the Interior decided to admit – in a first phase - 10,000 refugees into Germany. They received a *residence permit* with a time limit of three months under the condition of their renouncing to file an application for asylum. Due to their being granted the status of refugees seeking protection from civil war, they were granted the right to be gainfully employed. The allotment of these refugees to the *Länder* took place on the basis of a distribution code (*Königstein key to distribution*) that had been used on earlier occasions and which takes into account the economic strength and demographic situation of the *Länder*.

We have to differentiate between these definitions according to international and German law and the term „refugee“ the way it is commonly used in our political debates. Whether someone is called a „refugee“ usually depends on the reasons for which a person claims to have fled. In addition, what plays a role is the political approach of the person using the term and the context and the line of reasoning in which it is being used. In order to quote an example: There is a widely held consensus that people who suffered individual or collective persecution should be called refugees. It is, however, a controversial issue whether this is also true for persons who left their home country for economic reasons (misery) and who as a result frequently are called „migrants“ by the international community of nations.

The differentiation between refugees and migrants under international law is based on the consideration that migrants leave their home countries, since they have chosen this option, in comparison, refugees leave their home country, since they were forced to. Nevertheless, on many occasions it is very difficult to make such a clear-cut differentiation. There is an increasing number of situations in which it is very difficult or impossible to apply this rule. Frequently, individual political persecution goes hand in hand with a destruction of the economic basis of the lives of the persons affected, and in situations of war and civil war, the reasons making someone flee from her/his country

frequently are a mix of political persecution, economic plight and a disintegration of the social fabric; and these factors might be made even worse by ecological disasters.

It is exactly this difficult differentiation between refugees and migrants that is reflected in the German debate on minor refugees. Charity organizations and groups supporting refugees frequently use the term refugee also for children and juveniles who have left their countries or were forced to leave their countries for economic reasons. This usage of the term can also be a political statement if it is to express a general rejection of the German *Asylum Law* and *Aliens Act* that is once these are considered to be too restrictive. Basically, the German *Asylum Law* and *Aliens Act* only recognize political persecution by government authorities as a ground justifying a flight from one's country.

However, German authorities exclusively apply the narrow legal definition as per German *Asylum Law*. Accordingly, only those persons who have been able to obtain a *right to remain (Bleiberecht)* are called refugees, that is *asylum seekers recognized as entitled to asylum, quota refugees and convention refugees*. Otherwise, authorities refer to *refugees seeking protection from civil war, asylum seekers* (as long as the asylum procedure has not been completed), and *asylum seekers who have not been granted asylum* (in those cases in which the asylum procedure had a negative outcome).

Access to the territory

If at the check-point (or - following an illegal entry - vis-à-vis a German authority) political asylum is requested, the authorities will verify whether the person has entered via a *safe third country* (to which she/he will be returned if applicable). If this is not the case, the person must be granted entry for the purpose of carrying out the asylum procedure. Due to the fact that in Germany there are no other special rights of protection for separated children, it happens on a regular basis that minors who have requested asylum, but who come from a *safe third country* and minors who have not made an asylum claim, but who nevertheless might require protection, are being refused entry.

At German borders minors are always subjected to interviews since the border authorities have to decide whether the person in question wants to apply for asylum and whether she/he has come from a safe third country. Only in the *airport procedure* (see below) in the course of which minors are detained at the port of entry a detailed interview is conducted.

The legal situation regarding entry and refusal of entry and return is the following:

Pursuant to the *Aliens Act* all foreigners – apart from very few exceptions – who want to enter Germany need to have a *residence permit* in the form of a visa. This is true regardless of their age. A foreigner who does not have a visa is refused entry and returned either to the country from which she/he tried to enter, to the country where she/he started her/his journey, to the country where she/he has her/his habitual abode, to the country whose national she/he is or which issued her/his passport or to any country into which she/he is entitled to enter.

The exceptions to this rule are laid down in § 60 para. 5 of the *Aliens Act*. A recognized refugee or an asylum seeker must not be returned to a country where her/his life and/or freedom is endangered due to her/his race, religion, nationality, belonging to a social group or due to her/his political conviction/opinion, unless she/he – for serious reasons - is considered to be a threat to the security of the Federal Republic of Germany or to the general public. In addition, a foreigner must not be refused entry or returned if in the country to which she/he is to be returned she/he runs the risk of being subject to torture, death penalty or unhuman, humiliating and degrading treatment respectively punishment.

In connection with these exceptions it is important to know that the obstacles to deportation that are specified in § 53 para. 6 of the *Aliens Act* are not stated as obstacles to return. Therefore, they do not need to be verified by the border authorities when it comes to the decision-making regarding a return. Therefore, in principle it is possible to return a minor foreigner who is not a recognized refugee or an asylum seeker to a country where she/he is exposed to a significant concrete threat to health, life and freedom.

These regulations on return are detrimental to the situation of separated minors in a threefold way:

First of all, it is to be doubted whether the *Federal Border Guard (Bundesgrenzschutz)* always recognize whether a minor refugee wants to apply for protection from political persecution. This is definitely true for children and juveniles who come to Germany with the help of professional traffickers. Hints regarding the statements refugees are to make in interviews with border control officers or with other authorities where they go and present their application following their (illegal) entry are usually part of the „trafficking package“. Refugees coming to Germany without this help might not know how important it is to request/seek protection or they might have linguistic problems formulating their intentions.

The *Federal Border Protection Authorities (Bundesgrenzschutz)* claim that their officers are in a position to recognize a request for protection even though a refugee does not explicitly use the term asylum. Nevertheless, it is doubtful whether in reality this is always true, above all when it comes to separated children. This is above all true for the so-called *advance checks (Vorfeldkontrolle)* conducted at large airports in the framework of which *Border Protection Officers view/inspect* the passengers on the plane or when disembarking from the plane and persons without a visa or a passport won't even get through to the regular immigration control, but Border Protection Officers will order their immediate return flight.

A second problem consists in the fact that certain refugees do not have the possibility to seek asylum. This is due to the so-called *third-country regulation*. They are supposed to file an application for asylum in the *safe third country*. This also applies to separated young refugees.

Minor refugees are affected by this regulation in a particularly disastrous way: As has been described above, refugees under the age of 16 do not possess the capacity to act in terms of the *Asylum Procedure Act* and therefore they are not entitled to submit an application for asylum without a legal representative, e. g. a guardian. However, under the *Aliens Act* it is possible to refuse entry to, to return and to deport persons under the age of 16 without requiring the consent on the part of a legal representative. According to the opinion of many critics this violates Article 22 of the UN Convention on the Rights of the Child.

A third obstacle that makes it very difficult for separated minor refugees to file an application for asylum is the *airport regulation* which means that refugees that want to enter Germany via an airport but without a valid passport or a substitute passport or who come from a *safe country of origin*, will be detained at the airport and will have to go through an expedited procedure of a maximum duration of 19 days. In a decree dated 1994, the Federal Minister of the Interior has again made it clear that this regulation is also to be applied to refugees under the age of 16; the maximum duration of the procedure for these children and young people is prolonged by the period required by the border authorities for the application for the appointment of a guardian (since frequently the *Youth Welfare Office* of the district to which the airport belongs is not informed immediately upon the arrival of the refugee child). This procedure features three problematic aspects: the fact that the child is detained, the duration of the procedure and the insufficient psychological and social care. Frequently separated children had to stay at the airport for three months and more.

Trafficking of children

Trafficking of children is element of a criminal offence according to §236 of the penal code, where children are defined as persons under 14 years. The paragraph includes the unauthorised arrangement of adoption and abandonment of own children to a third party for money or the purpose of enrichment, both within Germany and abroad (§236.1 and 2). Severe child trafficking is defined as professional and organised, and if "the child i.e. the trafficked person is in danger of being severely damaged in his or her mental or physical development" (§236 4.2). However, section §236 of the penal code is rarely used in the prosecution of child trafficking. Presumably, this linked to the fact that the majority of trafficked children are older than 14 years and thus do not meet the age definition of §236. Therefore trafficking is mostly prosecuted under section §180b (Menschenhandel/ Human Trafficking) and §181 (schwerer Menschenhandel/ severe human trafficking) StGB. Since human trafficking is difficult to prove, the police often investigate crimes connected to human trafficking, under section §92a (Schleusen/ human smuggling) and 92b AuslG (Gewerbsmäßige Schleusung/ professional human smuggling) as well as § 180a (Förderung der Prostitution/ promotion of prostitution) and §181a (procuration/ Zuhälterei) StGB, §234 (kidnapping) StGB, §235 (deprivation of personal freedom) StGB, §239 (divestment of minors) StGB, which can be prosecuted more easily. Likewise no laws refer explicitly to children, who are affected by child trade. Legally,

these children are not considered at all, neither by the relevant legislation concerning residence, and asylum procedures nor in questions of care (see point 12 a and the following).

International conventions signed by the Federal Republic of Germany

The UN-convention on the Rights of the Child (CRC) that was signed by Germany, contains different articles, which refer to child trade. Above all, according to article 35 of the CRC the signatory states commit themselves to take suitable domestic measures to combat child trade as well as the kidnapping of children. However, the convention does not specify which concrete domestic measures have to be taken. In January 2002 an amendment of the CRC article 35 concerning child prostitution and child pornography and child trafficking came into effect precisely, in order to specify concrete measures in the article. The implementation of article 35 in Germany is found wanting. One of the reasons for the insufficient implementation is a reservation, by Germany regarding the application of the CRC to children living in Germany, who do not have German citizenship.

One more signed convention is the Council framework decision on combating trafficking in human beings of 19th of July 2002 (Council Framework Decision 2002/629/JHA)

This resolution which day of entry into force was 1st 2002, contains a maximum penalty for trafficking in human beings in the countries which signed, and, in order that the crime does not go unpunished because of a conflict of jurisdiction, the decision introduces criteria on jurisdiction. The Deadline for implementation in the Member States is the 1st of August 2004.

The United Nations Convention against Transnational Organised Crime and the appending Protocol against Trafficking in Persons was signed by Germany in 2001 but is still not ratified

The members of the OSCE plan to establish an Action Plan to Combat Trafficking in Human Beings soon.

Background information on children being trafficked into Germany

First of all it is necessary to define the term "child trafficking". Official definitions subsume child trafficking into the broader term of human trafficking. According to the definition of Europol human trafficking is the "actual and illegal subjugation of a person under the will of another person by means of force, threat or deception or by exploiting a relationship of dependence in particular with the following aim: Exploitation for reasons of prostitution, exploitation of underage persons, sexual violence against underage persons or trafficking in connection with abandonment. These forms of exploitation cover also the production, sale and distribution of child pornography." (Pollmann 2002: 4)

The validity and usefulness of such definitions for the practice of social workers and activists of refugee initiatives is open to question. Although the majority of separated children fulfill the criteria mentioned above, they are still not be regarded as trafficked. For instance, a 13 year old who was sent by his family to Germany in order to work and send money home, is exploited – by his family as well as by his employer. Another example is the case of a 15 year old, who had to work after his arrival in order to pay

back his smuggler. He can be regarded as exploited as a result of his dependent relationship. **In both cases, the predicament of the children is not due to child trade but the lack of prospects in their countries of origin and the rigid migration policy of Germany that does not provide any other gate of entry.**

In Frankfurt for example, according to police data, under aged girls were picked up by the police in brothels. The girls were – by their own account – not kidnapped, but had agreed to be smuggled to Germany by traffickers for the purpose of prostitution to help their families who live in often extremely precarious economic situations. In all of these cases, one can neither speak of voluntary decisions, nor of trafficking. The term "voluntary" as opposed to "forced" seems inadequate in the context of economic predicaments, migration policies and the subordinate social position of children (in almost all societies).

An employee of the *Youth Welfare Office* in Frankfurt points out that child trafficking must also be regarded as a form of migration in the context of increasingly rigid German migration policies. Most of the trafficked children come from countries which have visa obligation for Europe and which are among the poorest regions of the world. To pay for means of transport to Germany is beyond the reach of the great majority of the population. In this situation there is no "safe" way to Europe anyway and therefore parents trust (knowingly or unknowingly) traffickers, hoping that their children will have a better future in Europe.

It is very difficult to make statements about the development, extent and organisation of child

trafficking into Germany. There are only few investigations into this topic and therefore central statistics or general insights do not exist. Even Europol – responsible for human trafficking as a result of an extension of its mandate for cases of transnational crime since 1998 – has only incomplete or sketchy information about this phenomenon.

In the criminal statistics child trafficking is not documented separately but subsumed under "human trafficking". However, "human trafficking" is understood mostly as trafficking of women for the purpose of prostitution. Thus, child trafficking becomes invisible in a double sense. One example is the report of the Federal Criminal Investigation Office "*Lagebild Menschenhandel*" (2002), which deals exclusively with trafficking for the purpose of prostitution. In this report even 14year old girls are defined as "women".¹⁵

Criminal offenses like theft, prostitution and others are frequently committed by trafficked children, but are not investigated under the aspect of child trafficking. **These minors enter criminal statistics as delinquents, not as victims.** The example cited above of the treatment of underaged girls who were picked up in brothels by the Frankfurt police shows the lack of sensitivity when dealing with trafficked children: They were arrested, because 1. they lack a residence permit and 2. they work without work permit. Although they are usually not held in custody for more than one night, this example shows that foreign minors are barely regarded as victims of criminal activities.

¹⁵ According to §236 of the German penal code, where trafficking of children is proscribed, children are defined as younger than 14 years. This contradicts to the definition of the CRC, which defines as child a person who is younger than 18.

Concerning the number of trafficked children, only vague estimates exist. Only a very small number of children can be proven to having been trafficked. There are several reasons for that. On the one hand the children concerned are afraid of their traffickers and are therefore neither prepared nor willing to talk about their situation. On the other hand they distrust unknown authorities and/or social workers, when they meet them for the first time (see below). This is why it often takes a long period of time until it turns out that a foreign minor was actually trafficked. Furthermore, just a few children are aware of having been trafficked. The number of undocumented children, living in Germany can not even be roughly estimated.

In the year 2001 273 preliminary proceedings on human trafficking were reported. The number of preliminary proceedings sank in comparison to 2000 by 15 %. According to police statements the reason for the declining number of proceedings is predominantly due to the lack of staff, so that appropriate prosecution of human trafficking is impeded.

There are only speculations about the age structure of trafficked children, but there does not seem to be a minimum age. According to reports of the Federal Police Office the girls picked up in brothels by the police are not younger than 14 years. However, this is a very vague piece of information, since many girls either do not know their exact age, or are instructed not to tell their real age (Federal Criminal Investigation Office 2002: 24). Pollmann (2001: 27ff) reports that advice centres for sexually abused children have knowledge of 1 year old infants being sold and abused for the production of child pornography. Apparently there are child prostitutes at the Czech and Slovak border, whose clients are mostly men from Germany. The men cross the border together with the children, in order to sexually abuse them in Germany. In addition, cases of adoption abuse are reported, where paedophile men look for women with children from foreign countries with the help of marriage agencies (above all Latin Americans). After the wedding the children are sexually exploited in Germany. The network of paedophiles in Europe has a huge demand for child pornography or sexually exploitable children. Victims are children who are highly vulnerable. The interests of paedophiles seem to have no minimum age limit, so that children of every age are being trafficked.

It is hard to determine the countries of origin and routes of migration of these children. The police and the *Youth Welfare Offices* know of the following countries: Nigeria, Ghana, Sudan, Liberia, Sierra Leone, Romania, Turkey, Thailand, Russia, Latvia, Poland and the Czech Republic. This list is by no means complete but these are countries, which are known to be sources of organised child trafficking. Since child trafficking is not always connected to organised crime, one can presume that there are much more countries from which children are trafficked to Germany. Nothing is known about the routes of migration. Sometimes the minors cross the border with false passports as children of the traffickers or sometimes alone by foot. According to the experience of the Frankfurt police the children mostly do not know how they have entered Germany. This is due to the fear that the children are suffering from during the journey, and also to the often insufficient geographical knowledge which would allow the minors to reconstruct the routes. In the majority of cases the children only remember the means of transportation.

The minors are forced to do several kinds of services. Known are organised theft (breaking into houses and pick pocketing), prostitution, child pornography, diamond smuggling, drug smuggling, drug trafficking and in a few cases domestic work.

Prostitution: There are child prostitutes from all countries from which child trafficking is known. In principle girls and just in a few cases boys are forced to prostitute themselves. The reasons are that almost exclusively men demand sexual services and that most of them are heterosexuals. Furthermore, the heterosexual market for sexual services is much better organised and provides higher profits than the homosexual one. In most cases parents give their children over to the traffickers and receive a (usually small) sum of money. Some know what their children are expecting in Germany, some actually do hope for a better future for their children. Children from West-African refugee camps are easily recruited by the traffickers, because of the bad living conditions in the camps. There are cases known of homeless children from Romania, who were kidnapped or picked up from the streets. The minors are accommodated in apartments in Germany and then sold to brothels in bigger cities, where they have to work under high mental and physical pressure.

Diamond Smuggling: In Hamburg cases are known, where children from African countries were exploited for diamond smuggling. Often the minors do not know that they have smuggled goods in their luggage. The traffickers promise them a better future in Germany. They are brought to Germany with the diamonds in their luggage. Frequently coercion takes place after the delivery of the diamonds. Either the minors are being put under pressure because of their illegal status in Germany or they are being offered for example expensive clothing or a large amount of money, if they agree to continue working for these criminals (see below).

Drug trafficking: The situation is similar in the field of drug trafficking. Children are abused for the distribution of drugs or as lookouts. Sometimes these children only attracted the attention of the police because they were picked up frequently close to arrested drug traffickers during police raids. Once involved in the structures of drug trafficking, a combination of fear and various incentives lead them to stay there. Such incentives are for example good income, promotion in the hierarchy and that their vulnerability, due to their illegal status, seems to be reduced within the criminal structures (see below).

Domestic work: In Berlin cases are known, where children were sold as domestic workers to families of the same origin as the minors such as Turkey and some African countries. In these cases the parents negotiated directly with the "employers" of their children. An organised and professional market for children as domestic labourers is not known. Frequently these children are sold at the age of 10 or 11 to their employers.

Theft: (the following data is taken from Pollmann 2001: 19ff) Since the middle of the nineties cases of Romanian minors, who were brought to German cities for the purpose of stealing have attracted attention. These children were mostly not of the age of criminal responsibility (younger than 14). They were trained by their traffickers as pickpockets and burglars. Frequently large groups of children are accommodated in flats, with individual girls who were locked in there permanently being made responsible for the domestic work in the flat. These girls report of rapes by several persons and some were forced to prostitute themselves. The children often come from the poor north-eastern part of Romania or from Bucharest, where they lived on the streets. The daily

income is estimated as between 250-1000 €. The children are guarded tightly by their traffickers, who sometimes even accompany the minors on their raids to make sure, they do not run away. Punishment for those children who dare to run away is severe: Both girls and boys are threatened, beaten up, raped, tortured and locked up. According to the agreement on repatriation that the federal government of Germany has signed with Romania, all separated children from Romania can be deported to Romania within 36 hours. Since then the number of "theft children" has declined. As a result of to the agreement, the situation for the children who are still brought to Germany has become worse. After the deportation they return to their families, who had sold them or they return to a life in the streets, where they are again exposed to child traffickers. Often the children try to bring back presents for their families, when they are deported. Thus, their parents think that their children stay in Germany has been successful and are willing to send them again. There is no control that the deported children are in good hands with their families or that another suitable form of care can be achieved. Therefore they are in danger of being trafficked again. The agreement on repatriation with the Romanian government supports thus the activities of the child traffickers.

Not only trafficked children are exploited but also other separated children are coerced. This happens in three different ways

1. Debts: Nearly every child must engage a smuggler to cross the border because of the lack of legal gates of entry and the well equipped border controls. Just in a few cases minors manage to cross the border without the help of professionals. Because these services are very expensive, minors run into debt and have to work to pay them back. The minors are threatened that if they do not pay their debts, their families would be in danger. Frequently they work in kitchens of restaurants, on construction sites or in the above mentioned businesses such as drug trafficking or prostitution. These children are not trafficked in the sense of being traded, but their obligations vis-à-vis the traffickers make them vulnerable and easy to exploit.

2. Children being picked up by adults at arrival: Separated children aged over 16 years have to get in touch with the Alien Authorities before they can contact the *Youth Welfare Office*. As long as they have not been to the *Youth Welfare Office* they are not protected: They do not have a guardian and nobody is responsible for their well-being. After they report to the alien authorities they are often sent to asylum seeker-homes, that are sometimes far away or even in other *Länder*, where they have to go to on their own. The minors are treated as adults and left alone so that there is a high risk that criminals can abuse them.

Adults, who speak the same language as the minors or who can gain the trust of the minors in the difficult situation of the arrival, often abuse the helplessness of the minors through other means for criminal purposes. The influence of these adults on the minors is being reinforced by the fact that the officials at the Alien Authorities are reported to often mistreat, disrespect, insult, and talk to the minors without translator etc.

Criminals know about the difficult situation and try to exploit the minors. In Hamburg for instance a 15year old girl, who was declared to be 16 years old by the alien authorities, was sent to the *Zentrale Aufnahmestelle für Asylbewerber* (central reception center for asylum seekers) in Bremen. On her way a woman tried to force her into prostitution. The admission procedures of the Alien Authorities do not provide sufficient protection

for these minors. The inadequate treatment by the officials strengthens the distrust of the minors and makes them vulnerable to the offers of criminals.

3. mutual recruitment of children by other children: A third way of how separated children get into exploitation is recruitment through other separated children. Underage persons, who are already involved in criminal activities try to recruit other minors through incentives like expensive sneakers and clothing or large sums of pocket money and drag them into criminal structures. This form of recruitment into exploitation is also reinforced by the insufficient accommodation and care as well as by the lack of prospects in terms of legal residence in Germany. In fear of not getting a secure legal resident status, many minors accept good but illegal opportunities to earn money, so that they can effort to move on, if they need to.

Child trafficking is not always part of organised crime. Often the children and their families are promised a better future under false pretences. The girls are promised a German husband, a job as domestic worker or a career as a model. Frequently, parents receive a small amount of money for giving away their children. In Germany the minors are accommodated in flats. In some cases the traffickers seem to try to accommodate the children in *Youth Welfare Accommodation Facilities*, so that they do not have to care about the everyday needs of the children. There are reports from some cities that adults pick up children at these facilities in the morning and return them in the evening (see below). In Frankfurt it turned out that traffickers who were arrested had addresses of *Youth Welfare Accommodation Facilities*. The minors are often put under severe pressure by the traffickers. Many cases are reported from Nigeria, where girls have been threatened by voodoo rituals. Before the girls leave their country they take part in a ceremony, where their soul is trapped in a small package. The package is left behind in a shrine. The soul, so they are told, can only be released if the girls work hard enough. Minors from other countries are threatened that their families will be financially ruined or even killed, if they do not obey. In other cases the minors are beaten up and abused. Many of them are molested by their traffickers during the journey. For example they have to perform certain services like prostitution, theft or have to scout routes across the borders.

Identification of trafficked children by relevant authorities like police, social services, immigration authorities

Relevant authorities are: The police, the *Youth Welfare Offices* and social workers of the *Youth Welfare Accommodation Facilities*. All three institutions have different interests to find out, whether a minor is a trafficked child or not.

The Youth Welfare Office: In some cities it is common practice to ask the minors, if they were trafficked during the first interview. But the officials rarely receive an answer to their question, because – as mentioned above – the children are afraid of talking about their situation, distrust the authorities or are not aware of being trafficked. In all Federal States, the *Youth Welfare Offices* and the police co-operate closely.

Youth Welfare Accommodation Facilities and Initial Accommodation Facilities: These institutions do not ask the children, whether they were trafficked or not. They are afraid to put the children under pressure through these questions. These institutions are predominantly a shelter, where minors can relax and take a rest. The aim of the social workers is to gain the trust of the minors and to develop a personal relation. The social workers know that

children often are in danger when they talk about their dependency on the traffickers. Often, social workers are aware of these dependencies because of the behaviour of the children, e.g. when they do not stay at the facility over night, because they work in restaurant kitchens or when young girls leave the facility in "full feather" in the evening to prostitute themselves or when children do not stay in the facility the whole day, because they have to pickpocket. It is impossible for social workers to forbid these activities, because the children put themselves and their families in danger, if they do not fulfil their duties. Social workers are in a dilemma, when they have to tolerate the activities of the minors through which they suffer. Partly the social workers try to establish better conditions for the minors. In Dortmund social workers negotiated with a shopkeeper that the minors who worked for him, would not have to work after 10 o'clock in the evening. In Hamburg social workers tried to teach Romanian "theft children" before opening hours, because the minors did not have time to go to school during daytime. Sometimes social workers put themselves in danger, when they intervene in the businesses of the traffickers. In most Federal States there is no co-operation between social workers and the police. That is because the main interest of the police is the prosecution of crime, but not the well-being of the child.

The police: There is little interest in finding out, whether a child is trafficked or not. The police focuses rather on combating organised crime. Besides, the task of the police is to prevent the illegal migration of minors to Germany. The children are not treated as victims, but as criminals. The example of the treatment given to underaged girls who were picked up in brothels by the Frankfurt police document the unsensitivity towards trafficked children: First they get arrested, because 1. they lack a residence permit and 2. they work without work permit. Although they are usually not held in custody for more than one night, it shows that foreign minors are barely regarded as victims of criminal activities. After they have been arrested, they are interviewed with the help of a translator. The number of children who eventually give evidence is small, because of the fear of punishment by the traffickers. The police appears to have little interest to investigate child trafficking, since they lack relevant data on the issue. Given the fact that scientific research on this topic and its representation in the public debate (except in the yellow press) is negligible, one can assume that the lack of interest in the subject is related to the potential consequences of such a debate. If there would be a serious engagement with the subject of child trafficking and the dramatic situation of these children, no excuses could be made for leaving the children to their fate. The likely consequences of further research into this topic would be to demand that a general residence permit is being issued to trafficked children as the only reasonable solution. However, such a demand is unlikely to receive the necessary political support of the government.

Trafficked children under immigration and asylum law and procedures

No distinction is made between separated children refugees and trafficked children. All minors, who are picked up are treated the same way. Trafficked children pass through the same above mentioned procedures and are not considered in any particular way in German asylum law. Victims of child-trafficking are not granted asylum. Thus, all applications for asylum of these children are refused automatically. There is one exception: in the case of Romanian children, all children who are picked up as separated children are deported to Romania within 36 hours, according to the agreement on repatriation signed by the Federal Government of Germany and Romania. These children can not even apply for asylum or obtain the toleration status.

However, as in the cases of separated children, it is also possible for trafficked children to obtain a *toleration status* on humanitarian grounds or based on international law. To obtain such a toleration status is possible with the help of a guardian, who has sufficient legal knowledge to help the minors. However, because many minors aged over 16 do not have a guardian, press reports document that trafficked children are taken in 'preventive detention' and are later deported. Yet none of the interviewed officials had knowledge about such a case.

The asylum proceeding is not appropriate for trafficked children:

1. To submit a valid application, the asylum application must be filed immediately after a minor has become known to the authorities. At that time trafficked children are usually traumatised and anxious. Furthermore, the children have no reason to talk to adults about their situation. The children are not granted enough time to develop confidence to give evidence.

2. During the asylum proceeding the children have the *duty to co-operate* (Mitwirkungspflicht), which is neither appropriate for separated children nor for trafficked children. It is very unlikely that the children are able to present their cases without inconsistencies before a court. The more complicated the circumstances of the children-trafficking are, the less reliable will appear the account of the ordeal to judges.

3. *Programs for Witness Protection* (Zeugenschutzprogramm) according to §72 GG civil code only provide codes of conduct appropriate for the situation of German witnesses. According to the code, potential witnesses have to make a decision whether they want to give evidence or not within a time limit of four weeks (§42.3.2, Alien Law (AuslG-VwV)). If they co-operate, they obtain accommodation at a secret location and a new identity for the duration of the investigations. However, a new identity can not be provided in the case of trafficked children, since the German state can not issue German passports for 'Foreigners' and is neither able to issue foreign documents. Another problem is the great anxiety of the children that may induce the children to revoke their testimonies. When they revoke their testimonies, the protection program stops and the children are again in danger, because traffickers know that they gave evidence. Another weakness of the procedure is the fact that during the investigations the children do not have the possibility to go to school, to attend a training course or a therapy. Furthermore, they are threatened by repatriation in case the court action is abandoned.

One reason for the spreading of child trafficking in Germany is the treatment of minors in asylum proceedings. It does not seem likely, that in the short time limits within which the proceedings have to be accomplished the circumstances under which the children came to Germany are revealed, nor that the perpetrators are brought to justice.

The full-length speech submitted by Mr Thomas Gittrich has been shortened with his approval, due to limited space in this final report/The organisers Nov 2003

**Keynote speaker Ms Gitte Nielsen,
Red Cross Asylum Department Denmark
Centre for Unaccompanied Minor Refugees**

Reception Program for Unaccompanied Minor Refugee

Ladies and Gentlemen

On behalf of the Danish Red Cross Asylum Department it is my pleasure to contribute to this conference by introducing to you the Reception Program for minor refugees entering Denmark.

This Program has been developed to its present stage over a number of years. It is based on our experience from almost 20 years of working with unaccompanied minor refugees and on the long tradition and skill in Denmark for residential care for children and teenagers. It is designed to enable the unaccompanied minor refugee to cope with the kind of problems practically all of them encounter when arriving at the Red Cross Child Centre.

In Denmark the reception and accommodation of refugees entering the country has been assigned to the Danish Red Cross Asylum Department since 1984. This include unaccompanied minor refugees who are all received in the Child Centre and who stay in the Child Centre while their application for asylum is being considered.

Immediately after their reception a standard program applying for all refugees coming to Denmark takes place. This standard program includes a reception interview, health examination and also an offer to have parents or relatives trace through the international Red Cross. Within a few days, primarily on a Monday, the newcomer will enter the Reception Program.

One of the things we had to consider in developing the Reception Program, was the question of those unaccompanied minor refugees who disappears from the system. Over the years the Asylum Department has undertaken a number of studies of this matter, the latest being made in 2001. The latest major study of the matter goes back to 2001. The findings in this study were as follows:

Period	Total intake	Disappeared	%
1999	370	135	37
2000	368	172	47
1.1. – 30.6.01	135	39	29
TOTAL	873	346	40
1.1. – 1.8.2003	66	36	54

In preparation for this conference, I have added the figures for 2003. Time unfortunately prevents me from going into details so let me just point out that there is nothing in our findings that indicate trafficking, exploitation or abuse in Denmark. As far as we know in The Asylum Department the disappeared children falls in to 3 major groups.

The largest group are minors who disappear shortly after arriving at the reception centre. In 2003 45 % of those disappearing did so within a week after their arrival. These are children, who obviously did not have Denmark as their final destination.

Then there is a group who disappear shortly after their application for asylum has been denied. We have little knowledge about what happens to these minors, but from what they tell the staff at the Child Centre, we assume that they move on to the next country.

Finally there is a group who has disappeared from the asylum system, but where we actually know there whereabouts. These are minors who have moved to relatives or friends and thus by definition they have 'disappeared'.

So far so good. The real problem is that once the procedure of reporting these children as missing they become so to speak non-existing. Nobody assumes any responsibility for these children and nobody assumes any responsibility for taking any action. And even though the Red Cross feels a responsibility there is very little we can do since all the information you need to trace these disappearing children are classified information that cannot be given to others.

In regard to developing the Reception Program we have chosen to neglect the fact that only about half of those starting the program will also complete it. We do not want to lower the standard of quality of our work just because half the target group will fully benefit from it.

As mentioned earlier the reception and accommodation of all unaccompanied minor fugitives has been undertaken by The Danish Red Cross Asylum Department since 1984. Drawing on our experience from all these years and adding to it the know-how and qualification of professional residential care we have developed and implemented The Reception Program for all newcomers in the Child Centre.

The program runs for 3 weeks, Monday through Friday during school hours. Every 3-week the program starts over again and a newcomer can join the program at any given time during this period and leave it after 3 weeks.

The program is based on 3 themes each running for a week.

Theme 1: Mind – Body – Health

Theme 2: Introducing your new neighbourhood

Theme 3: Household

Theme 1: Mind – Body – Health

The purpose of this theme is to enable the participants to cope with physical and mental reactions, which the vast majority of habitants in the Child Centre in our experience will have.

The reactions most frequently seen are:

- Insomnia
- Headache
- Stomach-ache
- Depression

Hypersensitivity

- Fear and anxiety
- Hyper-activity

You might with some justification call this 'PTSD Light', but we prefer not to so as not to confuse it with genuine PTSD. We consider these reactions as normal reactions to a non-normal situation, but to the individual child they are both painful and frightening.

Our way of addressing these reactions is based on the therapeutic method known as '*psycho-education*'. Very briefly psycho-education sets a scene allowing the participants to talk about mutual reactions and grieves. It is a great relief to these children to learn that they are not alone or in any way non-normal. The part of sharing with each other the problems is followed by encouragement to share individual solutions to the problem with each other. Most of the time the entire group is held together, but obviously on matters such as sexuality we separate in girls and boys.

Our nurses, psychologist and teachers conduct this part of the Reception Program. For part of this theme interpreters are being used.

Theme 2: Introducing your new neighbourhood

This theme simply aims at enabling the newcomers to find their way around and to introduce to them a basic knowledge of social rules. The Child Centre is literally located in the middle of nowhere and it is quite difficult for the young people to get to the places of interest to them. Once getting there you will as a foreigner learn that every nation has a way of doing things that are obvious to the natives. You have ways of shopping, ways of standing in line at a bus-station, ways of saying hello, ways of asking for help and so on. Social rules that you cannot find anywhere in writing, yet rules that immediately stigmatises anyone who does not comply with the rule.

Obviously it is impossible within a week to teach these newcomers everything that a naturally born Dane is socialised to during childhood and adolescence, but over the years we have gathered an experience about the most frequent mistakes a foreigner runs into when trying to socially interact with the Danes.

This part of the Reception Program is conducted by teachers and residential care workers and includes a good deal of moving around trying out the various situations under close supervision.

Theme 3: Household

This theme has a dual purpose: The first purpose is that the Child Centre has an obligation to prepare the unaccompanied minor refugees for at future life whether this be in Denmark or elsewhere. The second purpose is to facilitate a setting where the child or teenager has an opportunity to show skills that are often not appreciated: cooking, shopping, cleaning, washing - all the things that Mother would normally do. But these children are separated from Mother and most likely nobody will replace Mother – not even on a practical level – for considerable time if ever. The unaccompanied minor refugees over the age of 15 are expected to more ore less run their own household including administrating a weekly allowance for food, clothes, personal needs etc. Very few of them are able to do so upon arrival and if they do not learn it at the Child Centre they are pretty bad of when they leave. This part of the Reception Program is conducted by teachers and residential care workers and includes a lot of teaching and instruction.

Unifying perspectives

The thing that unifies all 3 themes is the approach and the view on the unaccompanied minor refugees. The basic approach is that of empowerment. We believe that an unaccompanied minor refugee who has managed to get to Denmark must by necessity have a lot of resources and skills. They may not be able to exercise them due to the stressful situation they are in, but we believe that they have them.

Our view on unaccompanied minor refugees is that they may be refugees, they may come from different cultures, they may come from different countries. But first of all: they are children. They have needs, demands and expectations that are no different from those of our own children, and in the Red Cross Child Centre we feel an obligation to meet those need and expectations as best we can.

Thank you for your attention.

Total number of unaccompanied minor refugees received by the Danish Red Cross Asylum Department and total number of unaccompanied minor refugees reported as missing.

Period	Total intake	Disappeared	%
1999	370	135	37
2000	368	172	47
1.1. – 30.6.01	135	39	29
TOTAL	873	346	40
1.1. – 1.8.2003	66	36	54

**Keynote speaker Ms Carlotta Sami,
Save the Children Italy**

RECEPTION PROGRAM FOR UNACOMPANIED MINOR REFUGEES

1st WEEK

THEMES: BODY, MIND AND HEALTH

Normal body-functions, normal body-signal. How to take care of your body.

Normal psychological reactions and how to deal with them.

2nd WEEK

THEME: INTRODUCING YOUR NEW NEIGHBORHOOD.

Transportation, geography, nature, weather.

Population and social behaviour.

3rd WEEK

THEME: HOUSEHOLD

Shopping, cooking, nutrition, cleaning, washing.

Best practices: Return or Remaining in the Host Country

How should be decided if a separated child should be returned to his country of origin or remain in the host country, in order to respect children's rights as provided by the CRC?

I'll tell you how the Italian system works, its positive and negative aspects, to draw from an actual experience what can be considered "best practices".

Best interests of the child instead of control of illegal immigration

1) Italian law on asylum and immigration provides that separated children could not be expelled, with the exception of public order and state security reasons.

They can, however, be returned to their country of origin by means of "assisted repatriation".

2) Assisted repatriation is founded on completely different grounds to those of expulsion:

- Expulsion is a procedure executed to punish foreigners who have entered Italy illegally;
- Repatriation is a procedure adopted only in the child's best interests, following an evaluation case by case and a thorough assessment of the situation the child will find in his home country, and it is aimed at guaranteeing the child's right to family unity (this refers to what the law provides, although in practice – as we'll see – this is not always respected).

3) Moreover, while the Police adopts expulsion, assisted repatriation is decided by the Committee for foreign minors, which is a body part of the Ministry of Welfare and whose mandate by law is that of protecting the rights of separated children, according to the CRC.

This policy increases respect for the principle of the child's best interests, because decisions are not made merely with the aim of combating illegal immigration, as they would be if the Police decided repatriations.

However, as the Committee is mostly formed by ministerial officers, it is strongly influenced by the Government: therefore there are risks that decisions are taken also to fight illegal immigration. The best would be that decisions on repatriations are taken by a body independent from the Government.

Family tracing in the country of origin

1) Now let's see how this system works.

Every separated child must be notified to the Committee for foreign minors.

Within 60 days, the Committee has to start investigations to identify the child's family or to verify the disposition on behalf of authorities of the country of origin to accept custody of the minor after repatriation.

Since 1998, the Committee have signed conventions concerning family tracing and repatriations with 7 NGOs, covering a number of the main countries of origin (Albania, Morocco, Rumania, Moldavia, former Yugoslavia etc.). With the exception of the International Social Service, all the other organisations are NGOs working on international development projects in these countries.

The NGO must trace the family, meet and interview them, possibly at their home, to assess their situation, the reasons why the child emigrated, the chances for a repatriation etc.

This policy is quite good, as NGOs working in these countries are able to do quite good quality investigations.

2) However, some problems have emerged.

In fact, collecting information to trace the family is difficult, especially if children fear repatriation and therefore give false information. Moreover, in most cases families do not want the child to be repatriated, and therefore they often don't collaborate, they try

to avoid interviews and in some cases they even go as far as to threaten the NGO worker.

This means of course that family investigations can work well only if repatriations are in fact implemented only in the best interests of the child, and with the child's and his family's consensus.

As a consequence also of these problems, very often family investigations are quite lengthy (some months or more) and there are cases where they are impossible to be carried out: therefore, most of the separated children in Italy have to wait for years to get a decision by the Committee for foreign minors and most of them come of age without having received any.

This is a very serious problem, because a period of severe insecurity on his future, even if only of a few months, can jeopardise the child's psychological development and even lead him to live on the margins of society.

It is extremely important decisions concerning the child's future be taken as soon as possible.

The child's participation

According to Italian law, during this procedure care workers at a local level have to verify child's views on return and the reasons for such views must hear the child.

The children are in fact heard and this can be considered a "best practice", although it would be better if the Committee interviews directly the child.

But the main problem is, as we'll see shortly, that the child's views on repatriation are usually not taken into account in deciding.

Decision-making criteria

1) Once the Committee has received the outcomes of family investigations and information about the child's views, it decides whether the child has to be returned or whether he should stay in Italy.

But what criteria does the Committee apply? Legislation does not clearly define decision-making criteria and there are no clear guidelines.

In general, the Committee does not order repatriations if there are no family members or authorities in the country of origin willing to take on responsibility for the child, or if repatriation may endanger the child (for example, if the child is at risk of persecution or if there is war in the country of origin).

However, the Committee has ordered repatriation for separated children in the following cases:

- Children coming from families with extremely precarious financial situations, and from very poor areas, where they have no education, training, employment or assistance opportunities;

- Children that were very well integrated in Italy (they were attending school, they had received job offers, they had built affective relationships, etc.) and that had been in Italy for a quite long time, even years;
- Children that had clearly refused repatriation;
- Children whose parents and/or whose guardian were against repatriation.

Some of these minors have escaped to avoid return; others that had been coercively returned by the police have come back to Italy or to other EU countries.

We think that it's highly questionable that these repatriations were in the best interests of the child.

Moreover, the Committee and some Councils in Italy have started making agreements with Consulates and authorities in countries of origin to repatriate also children whose family has not been traced, placing them in reception centres. It's something like "readmission agreements" for children: it's self-evident that the aim is not the best interests of the child but fighting against illegal immigration.

We are afraid that this will open the way to increase significantly the number of repatriations and that will cause serious violations of children's rights: it's likely that many children will escape from these centres and there is a serious risk that they will be trafficked.

2) We think that, to fully respect the Convention on the Rights of the Child, the decision-making criteria should be partly different, as it is also stated in the Separated Children in Europe Programme's "Statement of good practice".

In particular, the following criteria should be considered:

1. the child must not be repatriated if return to the country of origin is not safe: a careful assessment should be made of the risks of persecution, of being involved in armed conflicts, of violence and abuse, of being exploited and/or (re)trafficked: this is crucial for trafficked children, because in these cases the risks of being refused by their family and community and of being re - trafficked is very high;
2. the child must not be repatriated if his parents have not been traced or are not willing to receive the minor: in these cases, the child should not be returned placing him in a reception centre, because the aim of repatriation should be family unity. In fact, it's questionable that it's in the child's best interests to be removed from the host country, cutting affective relations and integration, and to be placed in a reception centre in his country of origin, where usually child-care services are much poorer than in EU countries;
3. in addition to these "minimal conditions", the following should be considered:
 - the child's views on return: to respect fully the right to participation provided by the CRC, the child's views must be taken into consideration, in accordance with his age and maturity;
 - the views of his family and of the guardian about return;

- the access to food, housing, health care, education, vocational training and employment opportunities both in the country of origin and in the host country: the CRC provides children's rights to a standard of living adequate for his development, the rights to health, to education, to social security, to leisure, to protection from economic exploitation, etc., and therefore these economic and social rights must be considered;
- the length of time a child has been absent from the country of origin and the child's actual integration in the host country (schooling, employment, social relations, etc.);
- the child's age and maturity: it's self-evident that for a 7 years old child, living with his parents is more crucial than for a 17 years old boy.

This does not mean that repatriation for children coming from very poor families or refusing to return should never be authorised. Undoubtedly, there are situations in which return for children with these characteristics is in their best interest: for example, for a 10 years old child whose family is not very poor and that could go to school in his country of origin, return could be better than living without his parents in an accommodation centre in Italy.

Economic and social conditions and the wishes of the child and his family are not unconditional criteria, but they should be considered when deciding on which option is in the child's best interest.

Reintegration programmes and follow-up

1) We are now at the last stage: if the Committee decides that the child should be repatriated, he is accompanied to his country of origin and can be placed in a "reintegration programme".

NGOs that makes family investigations are also responsible for the technical logistics of the journey, the child's placing in care upon arrival and escorting to the family; the inclusion of the child in a reintegration programme.

Depending on the options available and the child's wishes, the reintegration programme provides for different measures, such as vocational training or traineeships, employment, education, financial support for setting up a business, financial support to the child's family. A maximum of approximately 3.500 euro could be spent on every minor's reintegration programme.

This can be considered as a quite good policy.

But what are the results?

2) There isn't a systematic database on follow-ups of repatriations, but we can draw some interesting information from a research made by Italian International Social Service in 2001.

The research is focused on the conditions after return of a sample of 256 Albanian minors returned between 1998 and 2000 by the International Social Service.

Only 54 children (21% of the sample) agreed to attend vocational training.

At the beginning of 2001, only 98 of the 256 returned minors were still in Albania and only 6 (that is 2%) had found a job.

The most significant data is that 155 children (60% of the total) had emigrated once again, most of them to Italy.

Some of the children have been repatriated two or three times.

According to care workers, minors that come back to Italy no longer trust reception and care authorities and, therefore, often choose to live illegally and end up getting in criminal activities.

3) This data indicates that, at present, children do not consider assisted repatriation as a valuable alternative to emigration.

This is mainly due to structural factors that cannot be addressed by reintegration programmes: most of the separated children come to Italy to find better living conditions and most of all to find a job, also to help their family back home: therefore the possibility of attending vocational training or a traineeship is not enough if there are no real employment opportunities in their home countries, and the very higher wages, living conditions etc. in Italy are very strong “pull factors” that the programmes cannot change.

Although this implies that probably repatriation could be a valuable alternative only for a limited number of children, it's important to say that almost all these children were returned against their will and without any involvement of the child and his family. To make repatriations more “sustainable”, it's necessary to repatriate children with their consensus and the consensus of their family and to involve children and their families in the planning of the reintegration programme.

Conclusions:

We can summarize this way the “best practices” in deciding if a separated child should be returned or remain in the host country:

- 1) law should provide that
 - separated children cannot be expelled and that they can only be repatriated if this is in the best interests of the child;
 - decisions on repatriations are taken not by the Police or other bodies that are part of the Ministry of Interior, but by an independent body aimed at promoting children's rights.
- 2) family investigations should be undertaken for every separated child as soon as possible, tracing the family and making a thorough assessment of the family and the context of origin;
- 3) the child should be fully informed and consulted at all stages and his views on return should be taken into consideration, in accordance with his age and maturity;

- 4) decision-making criteria should include the following:
 - a. the child must not be returned if return implies risks or the family has not been traced;due weight should be given to:
 - the child, family and guardian's views on return;
 - the access to food, housing, health care, education, vocational training and employment opportunities in the country of origin and in the host country
 - the length of time a child has been absent from the country of origin and the child's actual integration in the host country
 - the child's age and maturity
- 5) reintegration programmes should be proposed to all repatriated children, providing education, vocational training and employment opportunities, and they should be planned involving the child and his family
- 6) a follow up should be carried out, after a certain period, on the situation of repatriated children, to evaluate if repatriation was in fact "in the best interests of the child".

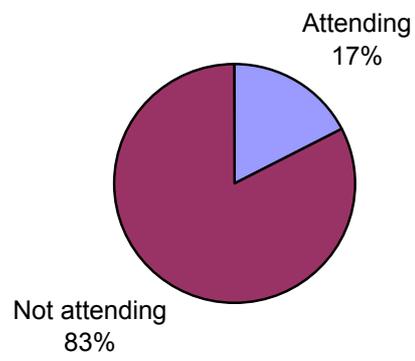
If these "best practices" are not adopted, returns are likely to be both ineffective (because most of them will come back) and to imply serious violations of children's rights.

Reintegration programmes and follow-up

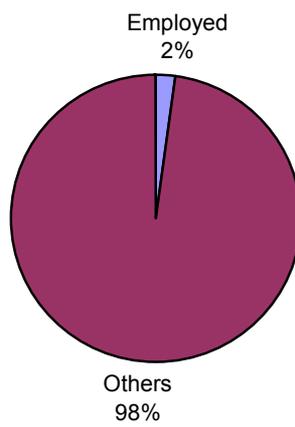
- Reintegration programmes:
 - NGOs
 - vocational training, employment, education, financial support etc.

2) Follow-up:

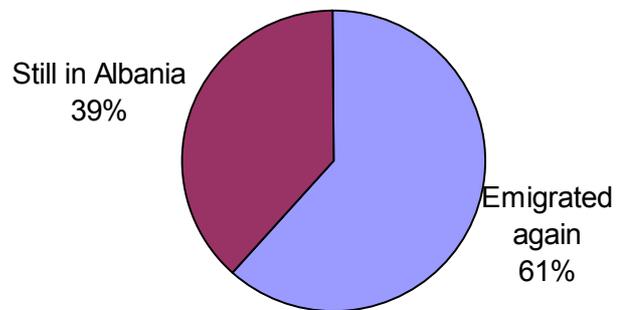
Children attending vocational training



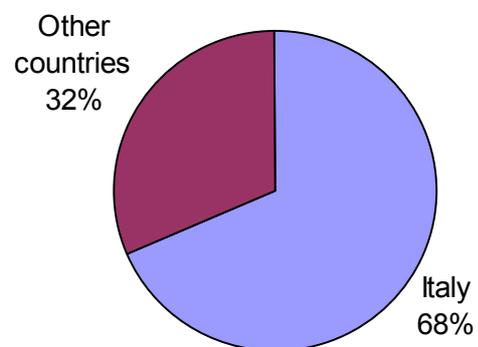
Children employed in Albania



Second emigration after return



Destinations for second emigration



3) Why?

- structural factors not changeable

- forced returns
- > to improve reintegration programmes:
 - voluntary returns
 - involving child and family in programme

Recommendations for “best practices”:

- best interests of the child:
 - no expulsion > repatriation in the best interests of the child
 - decision-making body: no Police > body aimed at children’s rights
- 2) family investigations:
 - thorough assessment of family and context
 - timely
- 3) child’s participation:
 - child is heard
 - child’s views are considered
- 4) decision-making criteria:
 - no repatriation if:
 - risks
 - family not traced > no reception centres
- 2. consideration to:
 - child, family and guardian’s views
 - access to food, housing, health care, education, vocational training and employment opportunities in country of origin and host country
 - length of time of departure and integration in host country
 - child’s age
- 5) reintegration programmes:
 - education, vocational training, employment
 - involving child and family
 - follow up

**Keynote speaker Ms Galit Wolfensohn,
Save the Children Albania**

Reintegration of Trafficked Boys and Girls: Examples from Albania

Good Morning Ladies and Gentlemen,

Save the Children is currently implementing a Regional Child-Trafficking Response Programme in Southeast Europe, which is piloting six anti-trafficking projects in Albania, Croatia, Kosovo, Montenegro, Serbia and Romania. Today, I would like to draw from this experience to discuss the context of child trafficking and reintegration in the region, to share some good practices from two reintegration initiatives in Albania, and to outline some of the ongoing challenges in this field.

I would like to begin by sharing Ardi's story. Ardi is from one of the poorest neighborhoods in Albania's capital city, Tirana. At age nine, Ardi's parents sold him to a cousin who trafficked him to Greece. Once there, he was forced to beg on the streets, giving all the money to his cousin. If he didn't earn the expected 50 Euros a day he was beaten severely. On days when he and his friends didn't make enough money begging, they would resort to petty theft, and some would sell sexual favours in order to make up the difference and avoid punishment. Ardi lived in terrible conditions and never went to school. At age eleven Ardi gathered his courage and ran away from his exploitative cousin. He was caught by the Greek police and placed in an orphanage, where he stayed for one year.

Ardi's parents found out his whereabouts and wanted him back, and although he didn't want to go, at the age of twelve, he returned to Albania. Things at home were very difficult - after six years away, his family members were virtual strangers and he'd forgotten Albanian and couldn't communicate well. Living conditions with his family in Tirana were much worse than those in Greece, and his parents had many problems and could not provide him with appropriate support. Having missed years of schooling and having limited opportunities to do anything else, Ardi's future looked grim.

Child Trafficking Trends

While Ardi's story is unique in many respects, it reflects some of the broader trends of trafficking in the Balkans. In southeast Europe, trafficking of human beings has grown dramatically over the past decade against the context of multiple political, social and economic upheavals brought about by post-communist transitions and compounded by armed conflict in the mid and late 1990s. The impact of these shifts have included increased poverty, disintegration of social structures and support networks, institutional

weakness, increased migration flows (and attempts by Western governments to stem them), a rise of gender-based discrimination and violence, weakened rule of law, rampant corruption and increases in organized crime, all of which have proved fertile ground for traffickers. Trafficking takes on different dimensions in different countries. For example, Albania and Romania are high source countries, while Kosovo and Bosnia and Herzegovina are high destination countries, although these categories are not absolute and the dynamics of trafficking routes change in relation to new visa requirements, border regulations and policing activities, among other variables.

How many Ardi's are there? An estimated thousands of young boys and girls, under the age of thirteen are trafficked each year from the Balkans for purposes of forced labour, begging, petty crime and illegal adoption. In addition, an estimated tens of thousands of girls and women are trafficked for commercial sexual exploitation— of whom ten to thirty percent are estimated to be minors. Children may be trafficked by family members, as in Ardi's case, or by acquaintances or strangers. They may be taken by force, lured through marriage, false job offers, or go knowingly but unaware of what horrific conditions await them.

Are some children more vulnerable to being trafficked than others? As in Ardi's case, trafficked children tend to come from socially and economically marginalized communities. Ardi's parents lacked formal education and did not encourage him to go to school. Children at increased risk include those who suffer abuse in the home, those without adequate family support and those with uncertain legal status.

Challenges for reintegration

What happens to trafficked children who return home? As illustrated by Ardi's case, prospects for reintegration are limited. Oftentimes, children return to the same home environment where they were trafficked from in first place – yet conditions there remain unchanged. Abusive home environments, endemic poverty, lack of job opportunities, limited access to education, little or no social welfare support mechanisms, and traffickers at large present many challenges for children who return home. These challenges are made worse by the impact of the trafficking experience on an individual child, which may include trauma, lack of self-esteem and loss of trust. Family and community attitudes may also hinder reintegration. Oftentimes, families of children who were trafficked for the purposes of sexual exploitation have difficulties accepting them, and many such children face stigma in their community. Those who choose to testify against their traffickers often face threats to their security and live in constant fear for themselves and their families. Studies have found that, alarmingly, up to 50% of trafficked women and girls who return to their families disappear after a short period, presumably to be re-trafficked. Despite these dangers, little protection mechanisms exist at national and international levels. Lack of witness protection schemes, low rates of convictions, and minimal penalties for traffickers mean that returnees are at risk from traffickers who remain at large

There are few if any reintegration services tailored specifically for trafficked children, and what services do exist operate under limited resources and are short term in nature.

Weaknesses in family law and national child protection systems in many countries, furthermore, mean that children who cannot safely return to their families have few alternatives in their home country. Lack of referral procedures in most countries leaves the majority of children and their families unaware of what limited support services do exist.

Promising Local Initiatives

Despite these challenges, there are some promising initiatives. Local NGOs throughout the region are pioneering small-scale reintegration initiatives that attempt to provide positive alternatives for trafficked children who return home.

School-Reintegration Programme, Children of the World

There is a continuation to Ardi's story. Soon after his return to Albania, Ardi was put in touch with an NGO called *Children of the World*, which runs a socio-educative centre for at-risk and trafficked children in the middle of Kinostudio, one of Tirana's most impoverished neighbourhoods. The main objective of the programme is to reduce the vulnerability of at-risk out-of-school boys and girls by reintegrating them into the regular school system and by providing socio-economic support to their families.

Children of the World's team of social workers and educators provide a combination of centre-based and outreach activities. These include a school reintegration programme which involves three streams: basic education for children who have never been to school, preparatory education, to help more advanced students qualify to enter regular classrooms, and an integration program, which monitors and supports children who attend regular classrooms. Older children may take vocational training courses and are supported to find jobs afterwards. Ardi is enrolled in the preparatory course and hopes to qualify to enter the regular school system next year.

In order to keep children like Ardi in the programme, staff must ensure the cooperation of the parents, who often don't see school as priority and who prefer to have their child contribute to the household income. *Children of the World* addresses this in three ways. First, it offers families support in form of monthly food items (flour/oil/bread), in exchange for parental commitment to continue sending their children to class. Second, it conducts regular home visits, which helps social workers identify problems that may arise in the family context and provide (or refer them to other sources of) relevant support. Thirdly, it invites parents to the centre, and organizes regular discussion groups for them on issues such as domestic violence and health and hygiene.

Children of the World also organizes recreational activities for children including sports and music events, a summer camp and community celebrations to which families are also invited. It also runs an outreach programme for street children in Tirana.

Children in the programme are encouraged to take on new responsibilities such as monitoring class attendance, which helps build their self-esteem and encourages them to take ownership of the activities. Staff have seen a tremendous change in Ardi since his arrival at the centre last year. He is more confident and self-assured, more open and

communicative with staff and other children, and is taking on a leadership role with other children. Ardi is the first child to show up at the centre in the morning, and the last one to leave - an indication of the important role that the centre plays in his life, as well as of the difficulties Ardi continues to face at home.

Rehabilitation and Reintegration Programme – Vatra Shelter

Reintegration challenges of distinct kind lay ahead of children who are trafficked for the purposes of sexual exploitation. In 2001, local NGO Vatra Women's Hearth established a temporary shelter for trafficked women and girls in the seaside Albanian town of Vlora, a notorious trafficking 'hot-spot'. Originally designed to provide temporary protection and rehabilitation support to trafficked women and girls, the shelter's services include accommodation, food, psychosocial counseling, medical care, and legal accompaniment. Shelter staff help mediate between girls and their parents for those who choose to return to their families and refers those who don't want to go home to the medium-term shelter managed by the International Organization of Migration (IOM) in Tirana.

In February 2003, Vatra found that 30-40% of women and girls who returned home had disappeared, presumably to be re-trafficked. Those who remained had little opportunities for employment and faced many difficulties at home. In response, Vatra introduced a reintegration component to its existing shelter programme, which provides vocational training, temporary accommodation in the shelter and job placements. Girls benefit from the regular activities of the shelter including counselling and support. Upon completion of the course, those girls who choose to seek employment outside their home village, receive support in finding long-term accommodation. The reintegration programme is relatively new, but so far the results are promising, with several graduates working in Vlora including one at the shelter. Staff note an increase in confidence and an ability to imagine a positive future.

One of the key strengths of the shelter is its good cooperation with key stakeholders which it has formalized through Memorandums of Understanding (MOU). For example, its MOU with police directorates in several municipalities helps ensure that police refer trafficked women and girls to the shelter and helps increase the security of the girls and staff in the shelter. Women and girls at the shelter get legal support from the citizens advocacy office and OSCE, and staff benefit from joint training with IOM. Those in the vocational training programme have access to complimentary support services in the community, such as material support from the local church, or counselling support from an NGO in the neighbouring city of Durres. The ongoing collaboration of different actors in providing long term support to women and girls who return is crucial to seeing them through the many challenges that they face and will continue to face over the course of time.

Good Practices & Recommendations

As these examples illustrate, reintegration programmes can be more effective if they: address the needs of the child in the context of his/her family and community; actively involve children in programming and build on their strengths and resilience; provide a

long-term holistic response that includes activities that address socio-cultural, economic and psycho-social variables; and, adopt a multi-sectoral response and strengthen collaboration and coordination with key stakeholders.

In order to do this effectively there is a need for governments, donors, international organizations and NGOs to work together to: identify and implement clear referral mechanisms to ensure returned children have access to services; adapt legal and policy frameworks to increase protection for trafficked children during the process of reintegration; devote greater resources to long-term reintegration support and programming in rural as well as urban areas; develop state social welfare infrastructure to support at risk families and find long-term solutions for children who can't live with their families in best interest of child; train front line workers to increase their capacity to support children; involve children and their communities in programme planning and activities; and, establish mechanisms that foster greater cooperation among relevant agencies to develop multi-sectoral response.

As Ardi's experience illustrates, trafficked children who return to their home country face many challenges to their reintegration. Yet, with effective and sustained support, they have the possibility to build on their strengths and move towards a positive future.

Thank you.



REGERINGSKANSLIET

Delivered by State Secretary Charlotte Svensson

Speech delivered on behalf of Minister for Development Co-operation, Migration and Asylum Policy Jan O. Karlsson

Distinguished participants, Ladies and Gentlemen:

I address you at a very difficult moment for the Swedish government and the people of my country.

A brutal attack took the life of Foreign Minister Anna Lindh in Stockholm last week.

Due to this tragic event, Mr Jan O Karlsson is not able to be here today.

Deeply regretting that he cannot be present, he has asked me to deliver his speech, and convey to you a greeting of support and encouragement.

I read:

Dear friends,

Foreign Minister Anna Lindh fell prey to senseless, meaningless violence.

In the midst of our grief, we must grow stronger.
Stronger in our defence of democracy, stronger in our struggle for an open society,
where the rights of every human being are respected.

Violence must not prevail, must not defeat us.

Many acts of violence never reach the headlines, never make the way into public debate.
Countless victims have no face, their voices are not heard.

This invisible, hidden violence is the fate of many of the children that are the focus of our gathering here today.

This conference is a reminder that the pain we experience now, must strengthen our determination to take steps forward, against abuse and exploitation, against all kinds of violence.

* * *

Anna Lindh was committed to the values of democracy and human rights, to international co-operation.

Her relentless defence of human rights meant a focus on the most vulnerable members of our societies. It was a struggle for their rights, for their dignity.

This is also the objective of this conference.

Young girls and boys that cross borders in our region separated from their parents are often victims of the most horrible crimes and human rights abuses.

They fall prey to ruthless adults, who are profiteering on their vulnerability by trafficking or smuggling them from one country to another.

They may be exploited for labour or forced to commit petty crimes.

Worse, they maybe traded into prostitution or trafficked for other forms of sexual exploitation, or to have their internal organs removed.

These children are also often deprived of their identity documents, and thereby the child's absolute right to his or her identity.

* * *

Children cross borders for several reasons – some run away from unbearable living conditions or different kinds of exploitation. Some do it voluntarily and on their own, some pay adults to assist them.

Others again are forced or deceived with promises of a brighter future in another county.

In some of our countries the government shoulder the main responsibility for the protection of these children. In other countries, the NGO-community do most of the work.

I am convinced that it would be highly beneficial for all of us to have a much closer co-operation. We need each others devotion and commitment. No government can be successful alone, nor can any authority or organisation on its own.

A regional co-operation on separated and trafficked children must involve many sectors of our society –national and local governments, NGOs and the civil society at large.

It concerns migration management, law enforcement, border control, welfare authorities and the legislative system. All these different bodies need to be actively involved if we are to be successful. Building networks between different actors is vital.

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

* * *

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

But the duty to shape a child friendly environment is ultimately a responsibility for national governments, in co-operation with other actors.

We need many informal networks, as well as formalised partnerships between and in between a variety of different actors.

The fight against trafficking in human beings, particularly women and children, and the fate of unaccompanied children are priorities for the Swedish Government. We have recently adopted a strategy on combating trafficking in human beings within the framework of our international development co-operation. The main focus of the strategy is trafficking in women and children and the worst and most common forms of trafficking, such as trafficking for sexual purposes, forced labour and hazardous child labour.

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

The fight against trafficking in human beings and the measures needed to counteract other reasons for unaccompanied children crossing borders must be broad. Let me mention some of the most important components:

- We must reduce the demand for services involving the exploitation of people, one of the root causes of trafficking. All countries, both countries of origin and of destination, have a responsibility in this respect. Where there is no demand, there will be no supply.

In Sweden we have tried to address part of this by criminalizing the purchase of sexual services. Prostitution is one of the most common forms of exploitation of victims of trafficking. We are trying to influence buyers and potential buyers. The law has been in effect since 1999, and we have already seen some effects. Legislation like this is an important instrument in the fight against trafficking in human beings for sexual purposes as well as against prostitution.

- We need to develop preventive measures and effective legislation that criminalises all stages of trafficking. There also has to be effective legal assistance, protection and rehabilitation of victims.
- The preconditions of trafficking and other reasons behind unaccompanied children crossing borders must be addressed – for example poverty, unemployment, low-paid jobs, and not least the low status of girls and boys and how to strengthen their human rights.
- We have to raise awareness. This can be done in many ways. A film like *Lilja 4-ever* by the Swedish director Lukas Moodysson – which most of you saw last night – constitutes one example, media campaigns another, to say nothing of the importance of education.
- We have to strengthen international and regional co-operation to fight trafficking in human beings and to counteract other reasons behind unaccompanied children crossing borders. Such co-operation is partly already in place in our region through the co-operation on children at risk in the Baltic Sea Region.

* * *

Dear friends,

This conference is another step forward in a long process.

In February, I was proud to host a conference in Frösundavik outside Stockholm, that was organised in co-operation with the Council of the Baltic Sea States. In Frösundavik, I felt it was imperative to highlight the work carried out by non-governmental organisations, and Save the Children was invited to address the governmental conference.

Sweden did not hesitate to sponsor and contribute to this important initiative in Vilnius. This event is one of the outcomes of the conference in Frösundavik. I am committed to make sure it is followed by many more.

We are only at the beginning.

The spotlights have been turned on,

we have established a network of people, organisations and states that are willing to take action,

we have begun to identify methods and best practices.

Most importantly, we are gathering knowledge and gaining experience.

Our focus are the children.

We need to put the fate of unaccompanied and separated children at the centre of attention in our communities, in our societies and in our region.

It must be the subject of discussions and decisions at the national level. It must be placed at the top of the international agenda.

Thank you.

Closing speech Mr Aloyzas Sakalas, Chairperson Save the Children Lithuania

Dear Ladies and Gentlemen,

First of all, I would like to say that I feel very privileged to congratulate you on taking part in this NGO conference on *Separated and Trafficked Children in the Baltic Sea Region* here in Vilnius. Participants from the Baltic Sea Region such as Sweden, Albania, Belarus, Bosnia-Herzegovina, Denmark, Estonia, Finland, Germany, Italy, Latvia, Moldova, Norway, Poland, Romania, Russia, Ukraine as well as Lithuania are here today.

The aim of the is to strengthen the co-operation between the different NGOs in the regional as well as international co-operation for all separated and trafficked children and trough this improve co-operation an all aspects of the assessment, care and re/integration of the children. The Conference will include exchange of experiences and best practices both on the practical support level and on the level of policy development and lobby.

Good models of work will be presented and gaps in the co-operation between NGOs and between NGOs and governments will be identified.

Sweden has a long tradition of active commitment regarding the rights of the child. The guiding principle for the engagement of the Swedish Government has been the UN Convention on the Rights of the Child. The convention has played a key role in high lightening the situation of children, and especially separated and trafficked children.

The best models of work with separated and trafficked children will be presented and gaps in the cooperation between NGOs and governments will be identified. A plan of actions regarding unaccompanied children from the region of participating states will be elaborated by the Working Group on Children at Risk within the Council of the Baltic Sea States and this plan will include the role of the NGO sector.

Today's discussions are hoped to bring us one step forward in the work of articulating pressing child rights in the region. It is aspired that after the discussions we can produce some recommendations in the field of child right.

Thank you for your attention and let me conclude with a quote from the UN Convention on the Rights of the Child, article 3: *In all actions concerning children ... the best interests of the child shall be a primary consideration*".

NB

Unfortunately the presentations held
by

Ms Ona Gustiene
from Missing Person's Families Centre
in Lithuania

and

Ms Kristine Bulka
from Family Care Centre Bulduri
in Latvia

could not be included in this report as
they are not available in writing

Screening of the film *Lilja 4-ever* was made possible through the courtesy of the Swedish Institute for which the organisers of this conference are very grateful.

LILJA 4-EVER – A FILM BY LUKAS MOODYSSON

**THE 59 MOSTRA INTERNAZIONALE D'ARTE
CINEMATOGRAFICA DI VENEZIA**

SYNOPSIS

16 year-old Lilya lives in a poor and dreary suburb somewhere in the former Soviet Union. She dreams of a better life. Her mother has moved to the States with a new man and Lilya is waiting to be sent for. When no letters or money arrive from her mother, it becomes obvious that Lilya has been abandoned. She's forced to move into a tiny, run-down flat with no electricity or heating. Heartbroken and without money, Lilya's situation becomes desperate. Her only friend is the 11 year-old boy Volodya, who sometimes is allowed to sleep on her sofa. They hang around together and fantasize to make life a little easier. One day, hope arrives when Lilya falls in love with Andrei. He asks her to follow him to Sweden to start a new life. Little Volodya is jealous and suspicious – but Lilya packs her things. Suddenly she's sitting on a plane bound for Sweden not knowing what will happen next.

DIRECTOR'S COMMENT

It was meant to be a film about God's benevolence, but reality reared its head and it became something else. It turned into a film about two children, Lilya and Volodya, who live in a country that was once part of the mighty Soviet empire and which now lies in ruins. It turned into a film about the longing to be elsewhere, about leaving everything behind, about being left behind alone, about rich people who think everything can be bought, about poor people who are forced to sell everything they have (beside their heart), about things that happen far away and things that happen on the street where I live, about cough syrup and glue, about basketball, about Britney Spears, about carving your name into a bench so that everyone can see you exist, about being spat at, about giving up, about death, about a friendship that never ends, about a candle that never burns out. And perhaps it's a little bit about God's benevolence as well – despite the fact that he never answers when Lilya prays to Him.

Lukas Moodysson

PRODUCTION DETAILS

Produced by Memphis Film in co-production with Zentropa Entertainments ApS, Film i Väst, Sveriges Television Göteborg, Nordic Film- & TV Fund/Svend Abrahamsen and with support from

Swedish Film Institute/Lena Hansson-Varhegyi, Danish Film Institute/Vinca Wiedemann

Screenplay & Director Lukas Moodysson
Producer Lars Jönsson
Casting Jesper Kurlandsky
Director of photography Ulf Brantås
Art director Josefin Åsberg
Costume designer Denise Östholm
Make-up Jessica Cederholm
Film editor Michal Leszczyłowski,
sfk
Original score Nathan Larson
Production sound Niclas Merits
Sound editing Hans Möller
. Peter Schultz
. Per Streit
Co-producers Peter Aalbaek Jensen
. Gunnar Carlsson
. Tomas Eskilsson
Associate producer Peeter Urbla, Exit Film
Line producer Malte Forssell

MAIN CAST

Lilya Oksana Akinshina
Volodya Artiom Bogucharskij
Natasha Elina Beninson
Aunt Anna Lilia Shinkareva
Andrei Pavel Ponomarev
Witek Tomas Neumann
Lilya's mom Ljubov Agapova
Sergci Tõnu Kark
Neighbour lady Anastasia Bedredinova
Natasha's boyfriend Nikolai Bentsler

TECHNICAL INFORMATION

Running time 109 min
Format 35 mm (color) 1:1,85
Sound Dolby Digital & DTS
Original title Lilja 4-ever

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LUKAS MOODYSSON BIOGRAPHY

Lukas Moodysson was born in 1969 in the south of Sweden. Long before trying his hand at filmmaking he published a collection of poetry when he was just 17, which was followed by several books of poetry and a novel. He graduated from Dramatiska Institutet, where he made a number of short films, before he started working with Memfis Film. The short film *Talk* was followed in 1998 by his feature debut *Fucking Åmål* (also known as *Show me love*). A major hit with audiences and critics alike and

praised by filmmaking legend Ingmar Bergman – Moodysson was soon considered the great new hope of the Swedish film industry. *Fucking Åmål* went on to worldwide distribution and picked up several awards and nominations, including four Swedish Film Awards and a nomination as Best European Film of the Year by the European Film Academy. Lukas Moodysson's next film, *Together (Tillsammans)*, more than lived up to his debut and became an even bigger hit. It premiered at the Venice Film Festival in 2000, and was a bona-fide box-office hit across the world. It established Moodysson on the international filmmaking scene, both commercially and artistically. *Together* was featured on several major US and UK newspapers' "film-of-the-year" lists in 2001.

In 2000 Lukas Moodysson was also co-writer of the award-winning Swedish Tvseries *The New Country*, (directed by Geir Hansteen-Jørgensen). Lukas Moodysson lives in Malmö with his wife and two sons. *Lilya 4-ever* is his third feature film.

FILMOGRAPHY

Showdown in the Underworld (short) 1995
Talk (short) 1997
Fucking Åmål (aka *Show me love*) 1998
The New Country (co-writer) 2000
Together 2000
Lilya 4-ever 2002

INTERVIEW: LUKAS MOODYSSON

Sweden's highly respected and influential young filmmaker, Lukas Moodysson, has in his two films, *Fucking Åmål* and *Together*, breached the difficult gap between art and commerce. He has been embraced by audiences and critics across the world, and Sweden's filmmaking legend Ingmar Bergman labelled his debut "A young master's first masterpiece". This has, however, not kept Moodysson from pushing himself ever since. He takes his audience on a completely different voyage in *Lilya 4-ever* – away from the political and personal problems of 70s Sweden to the harsh reality of the former Soviet Union in the present.

"It is very hard to say exactly when or how the idea came to me," he says. "After *Together* I just knew I wanted to go deeper in my next film. The moments in your life, when you get these absolutely clear ideas, are very hard to describe. I know when it happened, I know what kind of music I was listening to, but I'll keep that to myself. However, I don't know if it had been stored in my mind for a long time before then."

Lilya is a 16 year-old girl living in an unnamed city in the former Soviet Union, and like many of her peers (and the girls in *Fucking Åmål*), her greatest dream is to get away from there. Her mother finds a man, who promises to take them to the US, but once there the mother never sends for her daughter and Lilya is left to take care of herself and her only friend, the younger boy Volodya.

"Once I had the idea for the story, I knew the whole universe in it. It encompassed the personal tragedy – Lilya's – and a bigger political reality. Then it felt like the film was already there. I did some research, but the story really came to me quite finished."

While producer Lars Jönsson began to finance the \$3m drama, Moodysson went through extensive casting, and saw close to 1000 children for the two main parts in the film. Over a period of 4 months, the crew visited Moscow, St. Petersburg and Tallinn, before finally deciding on Russians Oksana Akinshina (Lilya) and Artiom Bogucharskij (Volodya).

"I had travelled very little in those countries before, and initially I hadn't decided that the place would be unnamed, but I knew it had to be a raped society – a collapsed empire."

A run-down housing complex, where the main characters Lilya and Volodya lives, was found outside Tallinn (Estonia) in the Russian-speaking district Paldiski, close to an abandoned ex-Soviet submarine base. "That place used to be a centre of power, but today it is empty," says Moodysson.

"However, I didn't want anyone to say that one specific country was to blame for that situation. Though the story centres on the characters, the society around them is very important too. It could have taken place in Mexico, because it is

about the major gap between the rich and the poor people as well as countries and how simple it is for wealthy nations to exploit poor ones”.

”We live in a culture, where you can buy anything. You can buy people, their labour or their intestines – a kidney from India or Turkey – TV-shows like Ricki Lake is also a trade of lives. My film is about that world. I’m not blaming the poor countries, but the rich ones who exploit them. In today’s globalized world Swedish companies can move their factories to poorer countries, and pay close to nothing for the labour. This causes even further desperation for those, who don’t have anything”.

”It is not surprising that so many (like Lilya) dream of getting away from there. In Moldavia for example, the poorest country in Europe, I believe some 99% of the young people there don’t believe in a future in their own country. They all want to leave. They also have a catastrophic high percentage of women who have sold sex. That is the terrible reality, and not the fault of Moldavia. Both a communistic and a capitalistic rape. What you make film about is a political choice, so in that sense my film is a political statement.”

Plot, characters and dialogue are the key in Lukas Moodysson’s films. He is a writer directing his own stories, and in *Fucking Åmål* and *Together* his realistic and sharp dialogue has been a standout. But in *Lilya 4-ever*, all the dialogue is in Russian!

”You have to challenge yourself – it is like football. You play better if your opponent is the champion.” But how does he handle working with actors, he doesn’t share a language with? ”You are very careful in your casting and choose very good actors. Once

I have them, I must have great faith in them, and they in me. From then on it is very basic. You build a relaxed and comfortable atmosphere for the whole shoot, not just for the kids. It means they dare to make mistakes and try things, without the restrain of nerves. It is essential. From then on I guess it is intuition, and I think I direct less than people might think. Of course I control everything, but I don’t go changing small details all the time. When you listen, you know if it is right or not. I had interpreters as well, and one of them was Alexandra Dahlstrom (the young actress playing Elin in *Fucking Åmål*). It is very important to me, that I have people I know around me, and that is why I use the same cinematographer and assistant director, as well as editor and producer.”

Producer Lars Jönsson has produced all of Moodysson’s films, and has become so important to him, that he can’t envision making a film without him. ”There are people you are lucky enough to meet, who you then allow to have very big influence on your life. Once you do that, it can be really hard, because then you have to trust their opinion even if they are contrary to your own. Lars is one of the few I trust to that extent. We spar well together. He gives me total control, which means he can be that much harder in criticism. That is fantastic, it gives me absolute freedom, but at the same time I have his honesty, which is also very important to me. He gives me a lot of creative input.”

It is no secret that Moodysson after the success of *Together* has been offered a

number of projects in the US, but so far he hasn't accepted. "I never had an ambition of moving there, but that doesn't mean I wouldn't at one point make a film in the US. There're plenty of very interesting topics to deal with there. I would like to make a film in English, but the offers haven't been interesting. Since I love film, it is tragic the biggest filmmaking country in the world doesn't deal in film anymore, but only money. They see themselves as the centre of the world, but that isn't so. They have this misconception that all filmmakers have a dream of coming to Hollywood, as if that was a goal in itself. It is very arrogant. However, if I did go there, I would need to keep my key people around me. I'm all for unions, but if working in the US meant I can't use them, as a European filmmaker I might be unwilling to work there."

Looking back at Moodysson's now three feature films, it becomes obvious, that certain elements are repeated throughout. Teenagers are always the focal point, as the director seems to prefer to see the world through their eyes. "I believe that you are who you used to be. Everyone has been a child and had a child's view of the world. They are the least powerful, the lowest in the hierarchy, and I can identify with them and their perspective. There are elements from my previous films, which are repeated or continued in this one. I don't really see the films as separate, but part of a process since I write them and develop along with them. One film blends into the next, as there are issues you can't finish in just one film." Places and situations are recurring, like a bridge over a freeway in *Lilya 4-ever* which was also in a key scene in *Fucking Åmål*. "Yes, the bridge has a certain meaning to me, but it is hard to explain why. I know, however, it will come back in my next film. There are several aspects to it, but one is no doubt that I grew up close to one. At night we would sneak out and meet on it."

Music is another element, which has always played a central part in Lukas Moodysson's films. "It is hard to say why something works. My editor and I listen to a lot of music, and some things just work. It is almost metaphysical, you can experience that a scene turns out to be exactly the length of the track that you later find fits it perfectly. All the music I choose tells us something about our time. Also the physical space these people live in – even the classical music, which carries the feelings and the humanity in the scenes. It fascinates me how music can lift everything to a higher level - a universal level. Though I am so extremely fond of music, it is dangerous to have a clear-cut idea of which music you want in a particular scene, because everything else then will seem like a compromise. For this film I was inspired by the music that was popular in the places, where we shot it. Rammstein were one of those. You would see graffiti with their name and bands like Prodigy. It says something about the kind of energy, power and destructiveness you might find there – for both good and bad."

A picture of an angel and a child also plays a central part in *Lilya 4-ever*. "Yes, it is hard to talk about, but it is really one of the key issues in the film. If there was one thing that got me started on this film that would be it. I have this recurring thought that haunts me, when I can't sleep. It is about all the people in the world, who are being tortured. So I can't help asking the concrete question, whether

there is any hope for people living in hell. It isn't a theoretical question to me, but an existential one. That is what I try to explain in the film. I believe it is so. There is someone watching over us. That might not help us, but the hope is all we have. To survive in this world, we need it." Though highly eloquent in both writing, reality and on celluloid, Moodysson, who also published several collections of poetry and a novel, strongly believes that his films as art speak for themselves. "When I have made a film it expresses exactly what I think and believe, there's nothing else. There are no slogans, posters or interviews which can express that better. Everything else is a compromise as opposed to the film – the work of art – so it is really frustrating to have journalists asking me: 'what is your film about?'"

Jacob Neiiendam, Screen International

ACTORS' BIOGRAPHIES

OKSANA AKINSHINA as Lilya

Oksana was born in St Petersburg in 1987. She is studying at high school. Oksana played the lead role in *Sisters* (directed by Sergei Bodrov Jr), which was a great success in Russian cinemas in 2001. The film was selected for the Venice Film Festival and was distributed in a number of countries. In 2001 she also worked on the film *In Movement* as well as the TV series, *Happy New Year*. Oksana enjoyed working with Lukas even if she felt that Lilya's character was sometimes hard to play. "Lukas helped and gave advice and together we found solutions to the problems".

ARTIOM BOGUCHARSKIJ as Volodya

Artiom was born in Moscow in 1989. He is currently at music school and besides being a chorister he plays several instruments such as the clarinet and the piano. For the past few years he has also been studying with the Russian Theatre Academy's school. Together with his sister he dances in the folk dance group, "The Red Star". *Lilya 4-ever* is Artiom's first film role, but the work has given him a taste for more. Artiom is currently playing a larger role in a Russian TV series. Artiom says he really liked the studio at Trollhättan, Lukas Moodysson as a director, and everyone in the crew. On the other hand, he didn't appreciate the cold, dirt, damp and the freezing clothes. He says about Lukas, "He has the same humour as a Russian".

PAVEL PONOMAREV as Andrei

Pavel was born in St Petersburg in 1980. A year later the family moved to Estonia. He's studying pop and jazz singing since 1998 at Georg Ot's Music School in Tallinn. He has participated in *Les Misérables* and *Miss Saigon*. Pavel is also the singer and guitarist with the rockabilly group, "Wild Cut".

ELINA BENENSON as Natasha

Elina was born in Tallinn in 1986. She is currently at high school in Tallinn and holds drawing/painting and languages among her

interests. Elina is with the school theatre.

LJUBOV AGAPOVA as Lilya's mother

Ljubov was born in Russia in 1956. She finished her studies at the Far-East Institute of Art in 1977. She has been working with the Russian Theatre in Tallinn since 1987.

LILIA SHINKAREVA as Aunt Anna

Born in 1948. Liliya graduated from the Art Institute in Vladivostok. She has been working with the Russian Theatre in Tallinn since 1971.

TOMAS NEUMANN as Witek

Born in 1951. Graduated from the State Acting Academy in Warsaw in 1974. He worked as an actor at the Rozmaitosci Theatre in Warsaw from 1974 – 1975 as well as appearing in a number of film productions. Tomas emigrated to Sweden in 1975 where he primarily works as a drama teacher. He currently runs his own school – Stockholm's Elementary Theatre School. Tomas has also worked as an actor at Juri Lederman's Theatre Studio.

MEMFIS FILM

PRODUCTION COMPANY

Like Lukas Moodysson's previous films, *Lilya 4-ever* is produced by Lars Jönsson for Memphis Film. Memphis Film has been behind some of last decade's biggest box-office successes in Scandinavia – and at the same time demonstrating a knack for finding and developing new talents.

Memfis' first feature production was UK born Colin Nutley's *House of Angels* (*Änglagård*), which was a huge hit across the Nordic region, was sold all over the world including the US, and was Sweden's official Oscar entry.

Memfis' first collaboration with Lukas Moodysson was the short film *Talk* – followed by Moodysson's feature debut *Fucking Åmål* (aka *Show me love*). *Fucking Åmål* sold 1,5 million tickets in Scandinavia, had distribution in most territories and picked up several awards and nominations. The success continued with *Together* (*Tillsammans*), which had its premiere at the Venice Film Festival – and went on to become a bona-fide box-office hit across the world thereby establishing Lukas Moodysson on the international scene.

Memfis also produced 23 year-old Josef Fares' feature debut *Jalla! Jalla!*. The film sold 1,2 million tickets in Scandinavia, was nominated for the European Film Academy's Fassbinder Award and has been successfully distributed in many countries.

Memfis is currently producing Josef Fares next feature, which will premiere in February 2003.

Lars Jönsson also executive produced Lars von Trier's award-winning film *Breaking the waves* and co-executive produced on Trier's Cannes 2000 Palme d'Or winner *Dancer in the Dark*.