



NGOs call for a new public-private partnership framework and better harmonized EU legislation for the protection of migrant children in Central and Eastern Europe.

The European Federation for Street Children (EFSC) together with a number of child rights NGOs from Central, Eastern and Western Europe, experts and practitioners from EFSC member organisations, representatives of Ministries, local governments and research institutes have renewed their call to the European Union to urgently react on the burning issue of street children and the migration of unaccompanied minors with focus on Central and Eastern Europe . The Participants of the European Forum on Street children 2009 held in Budapest on 24-25 of September 2009 on *Migration of unaccompanied children: The increasing challenge to a Social EU. The origin countries in Central and Eastern Europe after the first years of EU membership*, have adopted a joint declaration. They expressed the strong need to stop the criminalization of street children, to adopt a better coordinated legislation and policy on the EU level, to develop appropriate strategies on the national levels and to create a new public-private partnership framework for the protection of migrant children in Central and Eastern Europe.

The Forum was organised in Budapest by EFSC in close co-operation with its member organisations in Hungary (Megálló Group Foundation for Addicts), Bulgaria (Alliance for Children and Youth) and Romania (Romanian Foundation for Children, Community and Family). **Reinhold Müller, Director of EFSC**, highlighted that *“The increasing freedom of circulation of separated children within the EU following the removal of barriers as a consequence of the Schengen agreement, makes the phenomenon an increasingly European one with the recent access of Bulgaria and Romania to the European Union posing particular challenges”*, “and thus requires a EU-level action where the European Commission should play a key role. We currently assist to two parallel waves of migration of street children: one originating from Central and Eastern European Member States to Western European Member States, and one from non-EU countries in Eastern Europe and Asia to Central and Eastern European Member States. Children living in poverty and exclusion are extremely vulnerable to violence and are at high risk of becoming victims of forced begging and labour, sexual exploitation and trafficking. They experience different aspects of migration, such as forced, illegal or unaccompanied migration as well as abandonment by migrating families within EU and from outside the EU. These often invisible children have to be given a voice and “specific and targeted measures must be addressed to them, as it is clear that normal intervention strategies are not sufficient or can hardly reach them.”

These developments require that the issue must be comprehensively addressed by all EU Member States and cooperation between origin and destination countries must be strengthened. **Ms. Kristina Touzenis from the International Organization for Migration** stressed that one should not forget that all EU Member States are legally bound to the protection of childhood by the international conventions they have agreed to. She highlighted the centrality of the child's best interests and participation in the UNCRC, and the particularly complex issue of protecting the rights of migrant children from social and economic exploitation. She stressed that street children and migrant children who are alone are particularly vulnerable, but at the same time particularly resourceful. One of the key problems is the complete lack of data on these children, as stressed by Mrs. **Eva Kerpel, Vice President of Missing Children Europe**. The sudden impact of the socio-economic changes of the last decades on the situation of individuals and families, in the values and the process of adjustment of social care systems in Central and Eastern Europe are particular risk factors for children in this region to become a victim of child trafficking. Mr. **Niraj Nathwani, Fundamental Rights Agency** reported striking cases of criminalization of victims of trafficking for border offences or other offences such as illegal prostitution. He stated that in half of the Member States no formalised policy on non-criminalization is pursued, while punishment for child traffickers is limited: only in 4 Member States of the EU convictions have been detected; and in some Member States not a single case of trafficking was ever identified nor prosecuted, i.e. no one was ever found responsible of trafficking. He concluded that the principle of best interest of the child should be prioritised against his/her criminalization.

The importance of a joint action between origin and destination countries, but also the difficulties involved in the non-comparability of the definitions of unaccompanied minors in different countries, as well as in the collection of data were highlighted by **Serenella Pesarin, Director-General for the Implementation of Legal Provisions at the Italian Ministry of Justice**. Based on an agreement concluded between the governments of Italy and Romania for the protection of unaccompanied minors, she called for the establishment of a specific Committee for Juvenile Justice in Europe to harmonise Member States' policies in this field. At national level, the ten-year "National Children's Strategy 2008-2018" presented by Ms. **Nadejda Petkova, Chief Expert in Section "Social Services" Department of Social Protection and Social Inclusion of the Ministry of Labour in Bulgaria**, showed a successful example of an holistic approach combined with targeted measures which directly address street children, and which proved to significantly improve the social services provision for them.

The joint intervention of **Tommaso Diegoli, Save the Children Norway**, and **Mirsada Poturkovic, Director of the Centre for Social Work in Canton Sarajevo**, also highlighted the importance of inter-institutional co-operation as a means to ensure sustainability to the support children at risk and street children in particular while stressing the importance of cultural mediation through peer educators from the Roma communities as well as the need for basic standards for protecting children from child labour and a culture-sensitive approach and a much better data collection. A three-times higher than average infant mortality rate among Roma children in Eastern Slovakia was reported by **Denisa Pochová, Advisor of the RAMAD for the Health of Roma Children**, who presented the effects of adverse living conditions on the overall health status of Roma children in Eastern Slovakia. She underlined the need for a "systematic, well-managed attitude as well as co-ordinated co-operation of the state with the legislation, social sphere, insurance companies, health sector, communal sphere and the third sector, as well as the importance of a joint preventive action which is not performed solely by medical personnel, but rather in co-operation with the social workers. **Bernadett Gelsei, Director of the Megálló Group Foundation for Addicts (Hungary)** who presented the mental health problems related to drug abuse among migrant children in Hungary, admitting that the increasing migration of non-EU citizens seeking asylum in Hungary pose unprecedented challenges to the long-term experience of Megálló in providing individualised care.

Representatives from different international organisations, institutional levels and NGOs took part in a **panel discussion** on the topic of the inter-institutional co-operation in the protection of unaccompanied children, highlighting the role of the local authorities as key actors, in fostering the active participation of children and their families in the decision-making process. They highlighted the importance of capturing the attention of the media on the extreme marginalisation of children by avoiding sensationalism and by showing the real dimension of the problem. A fundamental condition of a successful intervention strategy is an active civil society, particularly the invaluable contribution of volunteers. The participants highlighted in this context the importance of respecting the culture of the beneficiaries and of a professionalisation of volunteers' support. Regarding the "new" Central and Eastern European Member States an often insufficient support from the governmental authorities to child rights NGOs in spite of the promises emerged during the enlargement, and of the problematic consequences of decentralised awarding of EU funding via national and local administrations was noted. The role of the European Commission was highlighted. It recently adopted amending proposals to the "asylum directives" aiming at ensuring that the special needs of children applying for international protection are identified and addressed, and at improvement of the conditions for accessing health care. These proposals specify that children shall not be detained unless it is in their best interests, while unaccompanied minors shall never be detained. The two Commission proposals on revising the Council Framework Decisions on combating trafficking in human beings and the sexual exploitation of children and child pornography are also aimed at better protecting the victims from criminalisation. Furthermore, as part of the EU strategy on the Rights of the Child, meetings of experts will be organised on the topic of on "invisible" children to identify protection gaps, gaps in information, figures, and providing knowledge. Those present agreed to the core requirement to achieve protection instead of criminalization of unaccompanied children.

A more exhaustive report is available. For further inquiries, please contact: Marta Bulik, Information, PR & Sponsorship Officer: marta.bulik@efsc-eu.org or +352 27 44 51 23