

THAT'S OUR OPINION



**THE VOICE OF UNACCOMPANIED AND SEPARATED CHILDREN ABOUT
THEIR RIGHTS IN BELGIUM**

For every child
Health, Education, Equality, Protection
ADVANCE HUMANITY

unicef 

DEFINITION

“Unaccompanied children” (also referred to as “unaccompanied minors”) are children under 18 years of age who have been separated from both parents and are not being cared for by an adult who, by law or custom, is responsible to do so. However, recent experience has highlighted that, especially in emergency situations, not all children are found to be unaccompanied as defined above, even though many have been separated from their previous legal or customary caregiver. Such children, although living with extended family members, may face risks similar to those encountered by unaccompanied refugee children.

Consequently, UNHCR encourages the usage of the term “separated children” to draw attention to the potential protection needs of this group. “Separated children” are thus defined as children under 18 years of age who are separated from both parents or from their previous legal or customary primary caregiver.

In practice, however, few states have adopted the expanded international definition of “separated children” and continue to refer to “unaccompanied minors” in their asylum legislation and statistics. Therefore, the term “unaccompanied and separated children” is applied throughout this note.

(Source : www.unhcr.ch)

This report is dedicated to all of those who one day arrived here hoping for a better life, and to all of those who fight for the respect of the rights of all children daily.

The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that 50 million people in the world had to flee from their homes because of war, persecutions, privations, exploitation, poverty, etc. Half of these people are children. This means that 25 million children in the world are displaced. This number equals the total population of Denmark, Norway, Finland and Sweden put together.

In industrialized countries, the children, who are accompanied or not by their parents, represent half of the asylum seekers. These children mainly come from Sub-Saharan and Northern Africa, the Middle East and Eastern Europe. In 1999, more than 20,000 children were asylum-seekers in Europe, in Northern America and in Australia. Every year, hundreds of unaccompanied and separated children seek asylum in the industrialized countries. Only a few of them are recognized as refugees.

It is wrong to think that all the refugees are in Europe. The majority of the displaced people in the world are in Africa and often in a neighboring country. UNICEF, in cooperation with other UN Agencies, as the UNHCR, helps children who have been displaced because of war or persecutions. In the refugee camps, UNICEF vaccinates the children and provides them with meals rich in proteins, health care and drinkable water. UNICEF also takes care of providing an education to the children. In Belgium, the displaced children are also faced with numerous difficulties. The State recognizes the problem and improvements are being made. However, an enormous amount of work is still to be done. Numerous children's rights organizations have thus united under the "Platform for unaccompanied and separated children" in order to help these children.

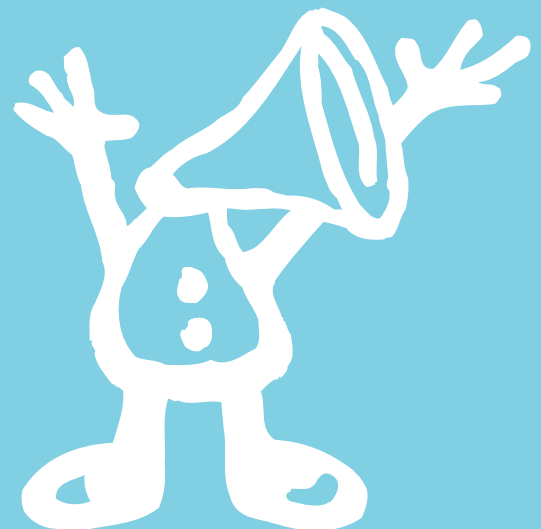
If we want to improve the situation of these children and of these young people in Belgium and in the world, it is of major importance to work all together with the children and the youngsters so that they will be able to benefit from a secure right of asylum as well as the same rights as other children. This is precisely the goal of this report, which has been produced by the "What Do You Think?" project coordinated by UNICEF Belgium.

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Message of the unaccompanied and separated



We, unaccompanied and separated children in Belgium, pass this report on to the policy-makers of Belgium. We hope that the Belgian politicians will read it and take action in order to make policies, that are really suitable for children and to foster the respect of the rights of all children in Belgium and the world at large. We hope that this report will be read both by children and adults, so that we will all be able to ensure the respect of the rights of all children.

The four major issues which are particularly significant to us comprised in this report. The matters are: procedure, reception, education and healthcare. We have also included a small part on custody and on our life after becoming 18 years old. There are other issues, which we consider to be important, such as the leisure activities, the aid services, our mother countries, our family, etc.; however, these themes will not be dealt with in this report.

[What are the main problems we have to face and what are our wishes? We briefly mention them here.](#)

There are some issues, which represent the “red lines” of our report. For example, we ask to be provided with more information at all levels and as early as possible on arrival in Belgium: we need information which is appropriate for our age and our experience and which focuses on the procedure, the file concerning our request for asylum, our life in the

centre, aid services, life in Belgium, studying opportunities, our health condition, etc. We also ask for wider information on our situation to be provided to the Belgian population as well as to our classmates. We ask for the possibility to express ourselves and to participate in the decision-making, which concerns us, in the same way as other children.

We also consider that being treated as children and not as adults is very important. We're first of all children in a difficult situation and then foreigners. The dialogue between children and adults also represents one of the main issues of this report. Adults must learn to get to know us better and we have to work hand in hand in order to solve the problems we're facing.

[What are the main problems we're facing? What are the issues to be considered?](#)

On our arrival in Belgium, we lack support by our families and we constantly feel misunderstood and humiliated. We were forced to leave our countries and our relatives. Very often we do not have any documents or certificates; we do not know the language - no Dutch and sometimes not even French - and our clothes are not appropriate for the Belgian climate. When we arrive in Belgium, we do not have any information on where to go and whom to contact. Just imagine a young African who arrives in Belgium and to whom is told the following: “Here you can find a map, a transport ticket, and a phone-number. You must go to this reception centre. Look after yourself.” Our suffering from the lack of information and insufficient assistance is sometimes worse than the fact that we already had to flee our country. We are very rarely recognized as young people facing a difficult situation.

The major problem that we face when going through the procedure for asylum-seekers is intimidation. On our arrival, we know nothing about the process, which we will have to go through. We are afraid and end up thinking that things will not change; we have escaped a dramatic situation and we dream of peace. Now we find ourselves faced with a very complicated asylum procedure and people who frighten us. We ask for respect, for trust in an assuring environment, for a proper reception and for a procedure suited for our age and experience. Discrimination should be eliminated; for legal problems, we ask the assistance of a specialized lawyer, while for psychological problems we ask the help of a psychologist or of a specialized person. We also ask to be better

accompanied and informed.

We would also like the reception centre to follow the same common policy as the one adopted by all the centres, which host minors, and we ask to put an end to the confinement in closed centres. There is a major difference between the open centres in Belgium. It is not normal that the reception should be different from one centre to another. We would like as well more material and human resources in the centres and for an increased dialogue between the staff of the centres and the young people.

We are also faced with enormous problems at school. The lack of reception, information and assistance is a fact. Different problems occur when speaking about our education. On the one hand, it is necessary to find a school that is willing to accept us. Another major problem arises from the fact that we have left our country without taking our certificates. On the other hand, the long asylum procedure that we have to follow is very difficult and this affects both our mood and our presence in school. Because of the general uncertainty of our situation, it is complicated to organize and plan our studies in the long term. We are also discriminated in school by teachers and students. We consider that this is due to the fact that the Belgian population is not sufficiently informed about the situation of unaccompanied and separated children.

Finally, we benefit from little or no means to pay for our education and, after we turn 18, it is not certain that we will be able to continue our studies.

We have often been traumatized in our countries of origin. All the children who arrive on the territory should be permitted psychological and medical assistance from a person whom they can confide in.

Discrimination is one of the big problems we are faced with. It is not fair, because we have the right to be treated equally. We want to live, study and grow up in the same way as other children do.

According to us, many problems could be solved, on the one hand, thanks to the implementation of the law on guardianship for the unaccompanied and separated children and, on the other hand, through a coordinated policy for them: the problems which we face concern many ministers and we ask them to consider jointly ways of improving our situation. Many problems could also be solved if the procedure and information were being made appropriate for children, by increasing solidarity and dialogue between children and adults and amongst children themselves.

A better world starts today. We thus hope that our ideas will be heard both by children and adults of Belgium, and that we will work together in order to improve the situation. In this way life for all children and adults in Belgium and beyond may improve.

We would like to conclude by recalling the following: it is difficult to say that we are badly welcomed compared to the conditions that we are used to in our country of origin. Still, some things cause us suffering. Sometimes, we have the feeling that there is not much change, but maybe we want to change things more quickly or sometimes we are not well informed about current developments? We would really like to be informed on what is changing in legislation concerning the unaccompanied and separated children. We would also like to have our say in the decisions concerning us and would like to keep on meeting politicians to explain our problems.

As for ourselves, we can only continue what we have started. We are ready to inform our teachers and our classmates. We are also willing to meet politicians in Belgium in order to illustrate our daily problems to them. Even if it won't help us personally, it will at least help those who will come after us. And in five years time, we hope that people will be asking themselves how it could have been possible to expel children and youngsters and how minors could have been sent to closed centres...

March 2004

Brief introduction



Before reading this report, you might want to know who has written it and how it has been put together?

The text which you are holding in your hands contains the ideas and the proposals of more than 150 unaccompanied and separated children, who have been directly or indirectly involved in the “What do You Think?” project.

Let us start with saying something about “What do You Think?”

“What do You Think?” is a project coordinated by UNICEF Belgium. It is addressing children and young people below 18 years old in Belgium, and wants to encourage the expression of children’s and young people’s opinions at all levels.

Concretely, we ask children and youth in Belgium directly or indirectly (via schools and organizations) questions about the respect for their rights and the problems that they see or experience. We collect their ideas, wishes and proposals and pass them on to the politicians in charge in Belgium but also to the Committee of the Rights on the Child in Geneva (the institution that monitors the implementation of children’s rights in the world). We also organize debates between young people and politicians. Throughout the year, we meet with young people and take action to improve the respect of children’s rights in Belgium and the wider world. Since August 2002 we’ve been thinking along with

unaccompanied and separated children how to improve their situation. There were several activities in order to let the message be heard at different levels.

It’s been two years now that we’ve been working on this issue, so we’ve been able to do a lot. Almost 150 unaccompanied and separated children have been able to express their views by various means: One unaccompanied minor attended the United Nations General Assembly Special Session on Children in May 2002. We organized monthly meetings with young people during 2002 and 2003, we visited several asylum centres in 2003 and we also organized three debates with unaccompanied and separated

children in the Senate (20.11.2002), the Chamber of Deputies (19.11.2003) and with Laurette Onkelinx, the Minister of Justice (19.11.2003). We also attended the plenary session of the “Minors in Exile” Platform (5.12.03) and met Maria Arena, Minister for Social Integration (21.1.04).

How did we begin this report?

As mentioned above, this is not our first report. In November 2002 we prepared the first report on children and young people in Belgium for the Committee on the Rights of the Child in Geneva. It contained the ideas and proposals of more than 12,000 children and young people in Belgium and spoke of the respect for their rights. Over the last two years we have also been preparing a report for the politicians in Belgium, based on the many debates we have organized between children, young people and politicians.

To draw up this report, we first sat down with other young people, who do not necessarily face the same problems as us. “What Do You Think?” brings together young people aged 12 to 18 in many different parts of Belgium who experience different sorts of problems. We also come from many different places: Cameroon, Rwanda, Guinea, Congo, Central African Republic, Togo, Sierra Leone, Tibet, Iran, Eastern Europe, etc.

Together we talked about the major problems we face. We met frequently. We learnt what “What Do

"What Do You Think?" is about, what Children's Rights are and why it is important to make our voice heard. We discussed everything that is important to us: HIV/Aids, child soldiers, disabled children, child trafficking, environment, international solidarity, aid services, ... and unaccompanied and separated children. We also learnt that you can not change the world in one day but that children and young people could be real actors of change.

Why did we choose the theme of unaccompanied and separated children?

In June 2002, the Committee on the Rights of the Child in Geneva recommended the Belgian government to do something to improve the situation of unaccompanied and separated children in Belgium.

We think that as unaccompanied and separated children we have a lot to say on this issue. That is why we began to talk to other young people about our problems and the action we can take to resolve our problems, involving as many young people as possible in the discussion. And, above all, the more different ideas there are, the more interesting the discussion becomes.

Taking as a starting point the issues raised during the discussions organized by "What Do You Think?" in the Senate on 20 November 2002, we defined four major problems experienced by separated children: procedure, reception, education and health. For each problem, we wanted to carry out concrete activities to get things moving and to gather as many ideas as possible from young people who were not part of our group.

We discussed the four major problems at length during our meetings. Then, we thought about the action to be taken to resolve these problems. We asked ourselves when we were going to carry out these actions and what means were needed to carry them out. The aim was not, obviously, for adults to take action on our behalf.

After discussing the problems of procedures at length, we decided to send a letter setting our recommendations to all the political parties, before the federal elections.

In order to find out whether we all experienced the same problems, we decided to carry out a comparative study in the open asylum centres in Belgium. We visited several asylum centres in Belgium and we met many young people and

discussed with them the importance of making our voice heard as well as the problems we face. We found out that we all faced more or less the same problems. We also found out that young people found it much easier to confide in us because our experience was similar to theirs. Some young people were very happy to know that they were not alone. Many of them have joined the "What Do You Think?" group of young people and attend our one-day or weekend meetings.

After discussing the health problems we have experienced at length, we decided to send a letter with our recommendations to all health ministers in Belgium. The Minister for Youth Aid, Nicole Maréchal replied, and we also had a meeting with the Minister for Social Integration, Maria Arena.

Despite the many problems we had with education, and despite the many good ideas we came up with (school visits, videos), we were not able to organize any concrete activities on this issue. However, a mini-guide on "Refugee children/ unaccompanied and separated children" was produced by the adults of "What Do You Think?" and sent to over 50 schools interested in working on this subject. The collected reports of the debates we organized in 2002 and 2003 were also sent to the Ministers of Education.

In the course of numerous meetings we also spoke of the lack of counseling and guidance for children who arrive on their own in Belgium. We therefore worked on the law concerning guardianship of unaccompanied and separated children and took part in a debate on this issue with the Minister of Justice, on 19 November 2003. We are pleased about the



implementation of the law on guardianship and we hope that many other people will apply to become guardians.

During all these meetings and activities we have collected a lot of ideas and wishes. We found out about the problems affecting everyone, because the idea was not, of course, to talk about things on an individual basis. We also want to say that even though some of the problems we face are the same as those faced by children who are accompanied by their families, we still have specific needs.

This report was therefore not drawn up in a day. We held many meetings. But this is not only the report of the young people who attended our meetings. It is also the report of everyone who took part in the project, either close at hand or from afar. And there are many of them...

Of course there is still a lot of work to be done and it's a pity that it wasn't possible to question every young person. Hence we will never speak on behalf of all young people.

Even though our report is not a scientific study, we hope this work will serve some purpose nonetheless and that together we can change things. We also hope that the political leaders will read this report and that they will take our recommendations into account. Naturally we hope that the staff in the asylum centres, the teachers, our school friends, etc. will read this report. Finally we hope that some of the proposals we make will be implemented. That way, we really will feel that this report has served a purpose.

We hope to continue the discussions in our group in the future. We also hope to involve as many young people as possible in our project and that children and young people will mobilize for change. And finally we hope to be able to check whether what we say in our report is taken into account, ensure that something is done. That will be the next step!

Before all that, we hope you will enjoy reading our report.

DO YOU WANT TO TAKE PART TOO?

If, after reading this report, you also want to make your opinion heard, let us know! Perhaps you would like to have some more information? Write to us at: Project "What Do You Think?", UNICEF Belgium, Route de Lennik, 451 boîte 4- 1070 Brussels. Tel.: 02/230.59.70. e-mail: info@whatdoyouthink.be

Who is this report about ?

ARTICLE 1 of the Child Rights Convention: Definition of a child (A child is every human being below the age of eighteen years unless the national law sets majority earlier).

ARTICLE 22 of the Child Rights Convention: Child refugees or asylum seekers (a child who is seeking refugee status or who is considered a refugee shall receive special protection. The state authorities shall cooperate with organisations providing this protection).

ARTICLE 10 of the Child Rights Convention: Child refugees or asylum seekers (a child who is seeking refugee status or who is considered a refugee shall receive special protection. The state authorities shall cooperate with organisations providing this protection). of the Child Rights Convention: Family reunion (the right of the child and his or her parents to leave any country in order to reunite the family or to maintain a relationship between the child and his or her parents).

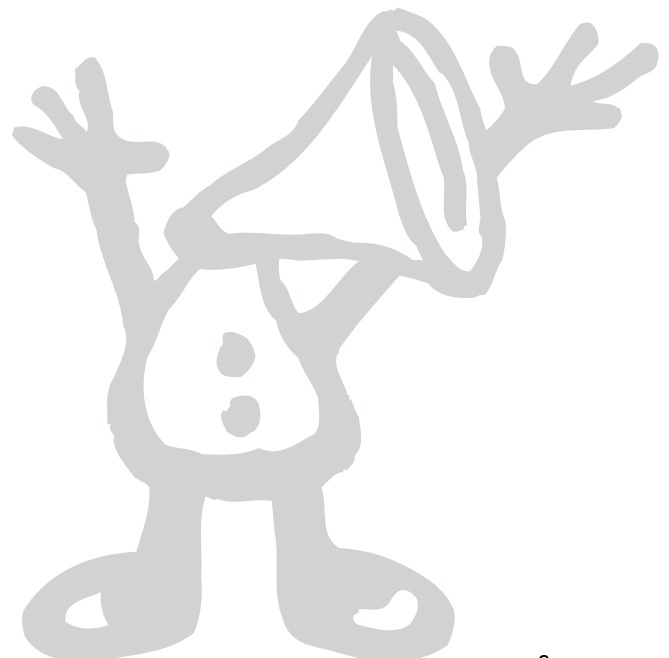
Unaccompanied and separated children are foreign children who arrive in Belgium without being accompanied by parents or a guardian.

It is difficult to say exactly how many of us there are, because we don't all apply for asylum. Some of us are here clandestinely, sometimes with the aim of going to another country. We think that between 1000 and 2000 unaccompanied and separated children arrive in Belgium every year.

Most of us come from Sub-Saharan Africa, North Africa, the Middle East and Eastern Europe. We have left our country for various reasons: fear of persecution because of our race, our religion, our nationality, the social or political group we belong to, or because of war, exploitation, hardship or poverty. Do not believe we are happy to leave our homes. We are not asking to come and live in Belgium, but we are asking Belgium to ask itself why we have left everything and to do something about it.

We are children first and foremost, and foreigners second. We should enjoy the same protection as other children. We do not believe that the day we turn 18 we become adults overnight. Many of the problems faced by a youth of 17 are the same as those faced by a youth of 18. We think, therefore, that the rights of the child are just as important for someone who is 18 or 19 years old. Particularly for certain things, such as being able to continue their education.

Our report does not give the full picture, the opinion of each single unaccompanied minor refugee in Belgium, because that would be impossible. Everyone has his or her own story. We, unaccompanied and separated children involved, either closely or remotely, in the "What Do You Think?" project, are trying to give a certain idea of how we experience the respect of our rights.



The asylum procedure

WE ASK FOR A PROCEDURE APPROPRIATE FOR OUR AGE AND THE EXPERIENCES WE HAVE HAD

To obtain access to the Belgian territory, an asylum request must be made at the Department of Foreigner's Affairs. The fact of being given access to the territory does not mean that one has been accepted as a refugee. It is rather the beginning of a long, difficult procedure that is not at all appropriate for our age and our experiences.

On our arrival we know what we have to do and why we have to go to the Department of Foreigner's Affairs. We receive either no or insufficient information on the development of the procedure. We don't know what is in store for us. We are afraid, we are stressed and intimidated by the people at the Department of Foreigner's Affairs. We often feel people are treating us like liars.

Many people at the Department of Foreigner's Affairs ask us the same questions, over and over again: "how did you get here," "why," "who did you come with?" But it is difficult for us to express ourselves, to say what we feel. We feel alone, we are afraid; we need help but can't trust anyone.

Voluntary return has become an obsession for the Department of Foreigner's Affairs.

The traumas that we have suffered in our native countries are a big problem that arises during the asylum procedure. Most of us have been traumatized in our native country. Sometimes we have lived through war, privation, the loss of our parents, Our arrival here is also traumatic: we were hoping for a better situation, but instead we have been caught into an incomprehensible and difficult situation.

From the very first interview on, we are completely on our own and we have to describe our lives, the painful situations we have experienced, the political situation of our country. We are uncomfortable with the person interviewing us, we have a hard time expressing ourselves, we don't always know the answers to the question, we are hurt and very often we feel like crying.

Psychologically, it is very difficult for us. Sometimes, when we are supposed to explain why we have come to Belgium, we are just given a scrap of paper to write our experiences on. Sometimes we aren't

ready to talk about what we have been through, and sometimes people don't believe what we say, thinking that all young people must have had the same experiences.

During our visits to the Department of Foreigner's Affairs or the CGRA (General Commissariat for Refugees and the Stateless), we never have the feeling of being taken seriously or of being heard. We are asked difficult questions about the political situation in our country of origin or details that we can't possibly know about. It's as if we are being treated like we are adults with a university education; it's not normal, we can't respond to questions that are too complex or complicated. They think we are lying, but what 16- or 17-year olds in Belgium could answer the same questions about their country? The constant suspicious attitude towards us blocks us and discourages us; we don't want to talk anymore.

The second time we are interviewed, it is very hard for us to remember exactly what we said the first time; so we don't always say exactly the same thing. The time lapse between the two interrogations is too long, which causes certain confusions. Given that our situation has changed, that we have become better prepared, that we are better able to express ourselves, our declarations can take another sense after a while. Because of this, some people become doubtful about our first declarations, and give us a negative report on our expulsion.

The language difficulties make the procedure even more incomprehensible. At the CGRA, for example, some of us have experienced translation problems. Another big problem is that our lawyers are not always trained in immigration law and don't understand our situation. Some of them hinder us much more than they help us. Some of the lawyers don't even speak our language. And it is very difficult for a minor to find a lawyer. Sometimes, we get the feeling that the lawyers have the same opinion as the Department of Foreigner's Affairs, or that they don't try out all the possibilities because it is easier for them. Their decisions often seem arbitrary. Some lawyers also have other priorities; it's as if, in their minds, our departure has already been decided before we even enter the office.

The age tests make the procedure even more

difficult. On the basis of these tests, some minors are considered adults and no one believes what the young person says or what is written on the birth certificate. Here, again, we receive no assistance from a lawyer, and we are often intimidated by this process that directly questions our own statements. Having to undergo a bone radiography to verify our age is an inhuman act for us. These tests are not 100% accurate and sometimes have an error of 2

years. We feel it is dishonest to use this type of scientific study as a reason to expel us from this country. Often, we don't feel that we are being treated as children, but rather as numbers, as adults or as anonymous individuals.

Our biggest wish is for a procedure that is appropriate for our age. Currently, the process is the same for all asylum seekers. We are treated as

"I had to go all by myself to the Department of Foreigner's Affairs in Brussels. There was a long queue in front of the counters. The asylum-seekers arrive at about 7h, when the doors are still locked. The doors don't open until 8h. Outside, there is no protection from the wind and rain."

"When I had to take the bone test, no one told me where I was going. I thought they were taking me home. When we got to the hospital, I said I wasn't sick, I didn't know why they had taken me there. It wasn't until after the bone test that the doctor told me why I was in the hospital."

"The differences between the country you come from and where you end up are enormous, and you have no time to grow accustomed to the changes. When I arrived, I was given a map, a metro ticket and the address of the centre, and I had to get there by myself. I had never even seen a metro before; I had no idea how it works and where to go."

"I felt very strange, because I arrived in a completely unfamiliar country, where I didn't know the language, and where everything was different. I went to the Department of Foreigner's Affairs, where the reception was very confrontational. They asked me a lot of questions, and I was very intimidated. No one believes when you tell your story. I had a hard time expressing myself, I had to manage on my own, I didn't know where to go. I didn't express myself as I should have, because I was so intimidated."

"I was scared the lawyer wouldn't do his job right, scared he wouldn't be taking care of my case, and scared that he wouldn't do everything to help me."

"My first lawyer asked all sorts of questions about weapons, about killing someone. But I never killed anyone! And I didn't have any weapons, either. Of course I had seen weapons before, but that was during the war. I didn't feel comfortable with him, he didn't act correctly. My second lawyer was better."

"They made me sign a paper without reading it. They wouldn't let me read what they had written about what I had said. But that isn't right to make someone sign something without reading it first!"

"I don't understand why there are positive and negative answers. If someone comes to Belgium, it is because they had problems before, that's why they ask for asylum."

"The length of the procedure keeps us in an uncertain living condition, and it seems that when you start to integrate in Belgium, when you begin to have a point of reference, when you begin to feel comfortable, you have to leave. That is very difficult for us."

"We don't ask to come to Belgium. We ask Belgium to stop selling weapons to countries at war, to our countries."

adults even though we aren't 18 years old. It is necessary to establish a procedure adapted to children, that takes into account what we have been through. Only a short, clear and appropriate procedure can help make our lives easier. We need this procedure in order to begin dreaming of our future, because for the moment, we don't even dare to dream.

The current process can take three years. That is a very long waiting period to live through. The uncertainty is terrible and has a serious impact on our health and morale. As we are in a state of permanent uncertainty and we don't know where we will be the following year, we don't dare to get involved in anything. Even schoolwork and searching for a place to live become problematic. We are always nervous. Even if we receive a positive response to entering the country, we are nervous about what follows in the procedure; and if the answer is negative, we don't know what to do. This feeling is made worse by the long wait. Every day, we wonder what is going to happen to us, if the

police will come and get us and if we will be sent back to our country. If our asylum request is rejected, we don't know where to turn for help.

The biggest problem is not knowing what is going on. We have an enormous uncertainty regarding our future and sometimes we feel we have been forgotten altogether. We would like to be aware, to be kept informed about our dossier and about how the procedure is going.

The uncertainty sometimes pushes us into a more clandestine or delinquent lifestyle, because we feel our lives have already been ruined.

The legislation is too rigid. The procedure leaves little space for young people. A fragile young person doesn't have the strength of character to remain law-abiding. The obsession of the Department of Foreigner's Affairs with voluntary return, the weight of the procedure and the lack of assistance cause the weakest of us to be attracted by life on the streets. We need courage to remain law-abiding.



The reception

PUT AN END TO KEEPING MINORS IN CLOSED CENTRES

After our arrival in Belgium, we were sent to centres. Some centres are open and others are closed. There have been cases where a new arrival settles into one place, and then is sent elsewhere, where they have to start again and get used to another new environment. That is not easy.

We would like to be able to choose for ourselves where we go: be it an open centre, a host family, with relatives in Belgium, a specialized centre for children etc. Another possibility might be set-ups for small groups of young people who want to live outside a centre.

We don't agree with being kept in closed centres. Why are we imprisoned? We pose no danger to Belgian society. It should be ensured that the interest of the child is always respected.

There are enormous differences between open centres in Belgium. It is not right that conditions should be different from one place to another. In some centres educational helpers and social workers do everything they can to make the young people comfortable but others don't bother. So we are asking for a common policy for all centres which host young people, for the same rules to apply in all centres.

"Closed centres are traumatic, they make you scared. I stayed in a centre for 12 days and I still have anxiety attacks four years later. Closed centres should be banned for minors."

"My friend came from Sierra Leone. As soon as she arrived at the airport she was arrested. Police surrounded her and she was taken to a closed centre. She stayed there for two weeks. Her identity was checked but she was given no access to the files on her. Afterwards she came to our centre, she told us her story. A young person shouldn't have to go through that."

"Most of us are here because we have to. Many young people are only staying here for a short while and leave as soon as they can."

"I had a very nice educational helper. All of them should have the same training and the same love for their job. When we talked about our problems with politicians, our helpers held it against us. They didn't understand that it wasn't their fault. They took our criticism as aimed at them, but our aim was to improve their situation. We even formed a group to talk about our problems. The young people from the centre came to us to describe their problems."

"Life in a centre is not a normal one. We feel like we are living a life which doesn't exist."

"It's also important to change the image which Belgian people have of us. We must contribute to building a positive image. We think the authorities don't do enough on this score. Local people are scared of anything that is new and foreign. We are also aware that this country is going through an economic crisis, and it's a shame that many people think that we have a direct impact on this crisis."



At the moment, each centre has its own rules. "In our centre, educational helpers and social workers help us. They help us with our schoolwork. Every Tuesday we organize a meeting to discuss problems faced inside our outside the centre, and we try to find solutions. We also have a system of godparents. A few have a male or female godparent outside the centre. In reality it's about families inviting a young person into their homes from time to time. When we have free time we join groups to do handicrafts, sports and so on. We have a relaxation area, a sports room and a library. During the summer holidays we go to Ostend. We also have somewhere where we can borrow clothes. Everyone in the centre helps to do the washing up. We also get a little pocket money."

"In our centre the situation is totally different: there's too little space, there are no proper facilities for us and we can't move around much. Children are kept with their whole family in one room for a whole day and as such there's no privacy. We would prefer to live in a normal house. There isn't much opportunity to relax: we rarely agree on what to watch on the television, who can play pool ... We have to make do with four showers for 200 residents."

"In our centre there are arguments all the time. There is a lot of tension. The educational helpers hardly ever intervene, or punish some but not others. We can see a doctor or do leisure activities but the atmosphere is not good, so we want to leave as soon as we can."

Another problem is the lack of equipment and staff. We have hardly any clothes. The centre's facilities are dirty or poorly maintained. There aren't enough specialist workers. Sometimes young people are put up with adults. The quality of the food is not certain. We eat to get through the day but without appetite.

There is a big lack of communication between young people and staff in the centres. This leads to a loss of trust. For example we are worried by the reports

being written about us. We don't know what they're for and it worries us knowing that they are writing things about us without having access to it. We want to know what they are saying about us and what these reports are for.

Some educational helpers also do the work of the Department of Foreigner's Affairs. They ask us questions and check on our situation. Some take the side of certain young people whose skin has a different colour. There is racism between the young people, but it feels worse when it comes from a teacher because they should do their work without prejudice.

We find it difficult to integrate fully into this society. We can't go to the cinema, go for a drink or go on a trip with friends. That prevents us from building a social life. We don't have a place to meet our own friends.

We also want to develop our own identities as young people. It would be very useful to have the resources to develop our talents. Some people are very good artists or writers, for example.

The centre's staff (educational helpers, social workers and group leaders) should also help young people become more independent. It is a problem being on our own, 18 years old, with no parents and expected to manage our lives alone, when one has always lived in a centre. It's not easy to find an apartment. No one wants to rent an apartment to an asylum seeker.

Once we leave the centre, it is very difficult to find accommodation for a variety of reasons: racism, lack of time, rent levels, finding a deposit, signing a lease. A minor can't sign a contract. As a minor with no official papers, it is very difficult to be accepted.

REAL LACK OF RECEPTION, OF INFORMATION AND OF SUPERVISION

The biggest problem we face is finding a school which will accept us. Children who are asylum seekers don't have access to all schools.

Language is a real barrier. Some teachers don't speak our language or don't make the effort to translate when we don't understand. The problem is even bigger in Flanders where there aren't enough courses of Dutch and sometimes not even a French-Dutch dictionary. Some teachers don't speak French or don't make any effort to translate when we don't understand. When we want to complain to the school authorities, we are told that it isn't worth it. So often we stop going to school while young people going to French-speaking schools do better than us.

If we started speaking some French, why don't they send us to French-speaking classes? It would be easier for us. Sometimes we learn French only to be

sent to a Dutch-speaking class, to start again from the beginning learning the language.

Some young people have suffered traumas in the countries of origin, such as war situations, and have had to flee their countries for a number of years. When they arrive here they have to go to school but some aren't able to resume studying. Some children haven't had any schooling at all in their home countries.

For those who have been to school, another major problem stems from the fact that they have left their country without bringing certificates. They test us to find out about our schooling level, but these tests are often in Dutch. And considering the short time we've been in Belgium we haven't been able to learn Dutch. We would like to be tested in a different way, a way, which tests what level of schooling we could cope with, and a way, which takes into account what

"At school I had problems with reading. It wasn't easy to follow the courses. The teachers tried to help me. This was before catch-up classes were introduced. "

"The problem is that nothing is organized for children who can't read, even in the catch-up classes. "

"If you don't have papers proving that you have already taken such a course or finished a given year in your home country, you have to start again from scratch. They don't believe you. They should help us get the most appropriate schooling."

"The problem for me is the length of the procedure, which means I am living with uncertainty. I never know if I'll have to leave Belgium soon or not. Making long-term plans becomes difficult, planning our studies too, and deciding if it's worth continuing our schooling here."

"I wanted to go to a French-speaking school and the centre told me it would be a positive thing for me. I was sent from one place to another. I waited and waited, and I wish they would stop sending me to and fro."

"What's going to happen to the young people who are well integrated in Belgian society? Will they be regularised? We are asked to integrate, and at the same time we know we can be expelled when we turn 18. So young people should be given the chance to continue their studies even after 18. All these contradictions only increase the uncertainty. We are different from other young people, we have specific needs."

we've been through.

We aren't well introduced to the class and have little contact with teachers or school authorities. Sometimes we are all grouped together in one class, which makes learning the language even more complicated. Communicating with other pupils and with teachers is often very difficult. Teachers, children and parents should be made aware of our problems, so that problems we face in class can be avoided.

There is often a good deal of racism in school. Children in schools are not always in favour of welcoming refugee children, they tease us, they aren't friendly and don't help. Some Belgian children don't want anything to do with us, they avoid us, they look at us as if we were dirty. They keep themselves at a distance and leave us on our own in the playground or the canteen. There is a table for the refugees and a table for the Belgians. We are sometimes seen as plague-stricken or criminals.

Sometimes teachers tease us by not punishing us the same way. Some children are really very racist, to the point that they don't even dare to touch us or call us "dirty blacks." We are called "black blacks". The parents must be re-educated, not children. Adults have to change in the first place.

We think it's because Belgian people aren't informed enough about the situation of unaccompanied and separated children. They don't know about our problems or our situation and they often have prejudices against refugees. We would like Belgian people to be better informed about unaccompanied and separated children and refugees. Our classmates are often badly informed about our situation. They know nothing or nearly nothing about our culture, which leaves a deep gap between them and us. Many problems could be avoided by learning more about each other's cultures.

Very often we are not allowed to choose what we study. We are often put in vocational or technical training. We don't agree with that. We want access to quality teaching and to be able to develop our abilities at school. At the moment that is rarely the case for us.

We don't have access to school allowances or grants. We think that is unfair. Because if we work hard at school, why shouldn't we have the right to get help for paying our school fees or a grant like other children? We can't always get the material for school we need in time.

It is often impossible for us to go on school trips or excursions because of the uncertainty surrounding the procedure and its restrictions.

Finally, we find it hard to get into a normal school routine because we are always expecting to be repatriated and we have no clear prospects of what will happen in the future. We are completely dependent on outside help. We have so many concerns that we can't concentrate on anything. Our heads and our hearts are overflowing with worries. We feel desolate, deceived, lonely, worthless and useless. These feelings make us desperate and lead to other problems.

We propose that there should be more help for social centres inside schools, so that we are better able to face the problems we face in school.

Our schooling after the age of 18 is another problem. We can't be certain of anything and most of us don't know if we will have the means to continue our studies after we are 18.

STOP GIVING US PARACETEMOL

There are a lot of doctors but they don't explain the illnesses well and don't really listen to their patients. Whenever we have a headache, stomachache or something else, we always get paracetamol, everytime paracetamol. We aren't sent through to specialists if the generalist isn't capable of helping us. We have the impression that the doctors of the centre do whatever they want.

We are not or very ill informed about the illnesses and our health condition. We can't look into our medical file. If we need further examination, we don't get the results immediately and sometimes it takes months before we get these results.

We don't get enough information about contraception and the risks of HIV/ Aids. Young girls don't get enough information about the possibilities of contraception, gynecological examinations, the possibilities of terminating pregnancy. Young mothers don't get enough help.

We have been traumatized in our countries of origin. This has an impact on us. All minors arriving on the territory should get psychological assistance and should be able to count on a person of confidence from outside the centre to cope with the traumas and fears that we suffer.

We barely have access to the services of dentists and opticians.

When we become sick at school, we aren't allowed to go back to the centre, they almost always send us back to school.

There's nothing organized for unaccompanied and separated children who don't seek asylum and arrive here and become sick.

"It can no longer be that they give us paracetamol in the centres for any trouble we have. If your eyes ache, your back, your feet, your stomach, if you have your period, ..., you always get paracetamol! Tell them to quit giving us paracetamol."

"The first time my girlfriend went to the gynaecologist, she fled because she thought he was going to hurt her."

" when I asked to go to the dentist I got the answer that as a refugee I don't have the right to beauty services. Why? Doesn't everyone have the right to get health services?"

" I had to visit the doctor everyday because I could hardly walk anymore due to the pain I had. Only then they decided to send me to hospital for photographs to be taken."

Guardianship

A SIGN OF HOPE

A guardian is someone who replaces our parents. When we arrived in Belgium, we were completely on our own, and had to manage on our own. We missed a guardian. We're happy that young people arriving in Belgium after us will get a guardian.

For us, the ideal guardian is someone in charge and someone who will give us advice. He's independent. He should understand the issues relating to unaccompanied and separated children, and the laws relating to immigrants. He should help to ensure that the unaccompanied minor refugee can both go to school and enjoy leisure time, can receive medical care and has access to a lawyer throughout the process.

They should inform the child of the decisions taken on his behalf. They don't need to be familiar with the country of origin or the culture of the child, nor have any special experience of working with children. The most important quality is a passion for their work and meeting the child regularly, that they are always ready to listen to the child and that they never lie to him.

We are so happy with this new law because we will be much more willing to speak to someone from outside the centre who is independent from the CGRA [Refugees and Stateless Persons Commission] and the immigration service. It is essential that the guardian is someone kind and loving, so that the child can benefit from the same love that they would give to their own child.

It is vital that both the guardian and the child be prepared for the guardianship, to avoid any problems such as misunderstandings, racism, neglect or mistreatment. It is equally important that the child can confide in someone in case of problems with his guardian: we suggest a free phone helpline accessible 24 hours a day and the ability to make an official complaint to some kind of guardianship judge.

There should also be a good coordination between the different care services so that the child in care does not live 200km away from his guardian (ideally, they should live in the same town).

« What will the social worker's role be once the guardianship law comes into force? »

« It's hard to find someone to confide in. We often feel like our opinion doesn't count, that we have to repeat the same things over and over again and we feel like puppets in a puppet theatre. This way there would be a person who believes us and in whom we can confide. »

After becoming 18 years old

THE UNCERTAINTY

It's an unsettling time that is not easy to deal with, we have to live on our own, pay for our studies, etc. It's hard to find somewhere to live when you still have to go to school and do your homework and eat at the centre at 6pm every evening - it's only afterwards that we have any time to go out to look for a place. If a child is over the age of 18, after his file is reviewed, he is not considered a legitimate claimant, he no longer has the right to social security. So he has to stay at the centre, in the adults' section.

Being an adult means more difficulties and trouble. Young people aren't prepared for this. They don't get any assistance or protection from one day to the next. So we're afraid and we suddenly have to live with the fear of being expelled at any time... Planning your future in these circumstances is very difficult. Sometimes young people are expelled during the school year.



Recommendations of the unaccompanied and separated children



MARCH 2004

An asylum process adapted to the lifestyle and the rights of the child, as laid down by the United Nation Convention on the rights of the child.

We ask for a special procedure, lasting a maximum of two years, both for children and adults who were children when they came to Belgium. A better organised reception on arrival to help us settle in. The assignment of a guardian from the start, before we have to deal with the immigration service. A better alignment between the immigration service and the centre that we will be assigned to. A breathing space between our arrival and our first interview with immigration. Interviews adapted to our age and background. No more age assessments. Someone to accompany us, from the very first interview. Lawyers who are better trained in the laws relating to immigrants and the particular issues surrounding unaccompanied and separated children. No more forced repatriation of children (instead, they should try to locate our families and to reunite the family unit).

A common policy for all centres

It's vital that each centre receives people in the same way. Give more information about living in the centre and life in Belgium to children on their arrival. More time and help in settling in new arrivals to the centres. Don't introduce large groups of children all at once. We need more dialogue with the children to solve disputes. More input from the staff when there are arguments. More discussions between the staff and the children, especially about the reports they have to make on the children. A limited number of children placed in each centre. Humane methods of supervision. Resources to allow us to develop our skills (e.g. painting). Respect for our privacy. We also demand that children are no longer locked up in closed centres: the rights of the child should be considered before ANYTHING else.

Improved supervision at school

We ask a school exam grading system adapted to our status as unaccompanied and separated children. An education of the Belgian people about our situation, so we aren't seen as criminals. Intensive French or Dutch courses once we arrive, and before we go to school.

Language catch-up lessons after school, and a better allocation of French speaking children to schools where they speak French. More help with school fees. More introductory classes and assistance for those children who never went to school in their home country. After the age of 18, the possibility of continuing our studies and access to grants so we can pay for enrolment and schoolbooks.

More medical facilities

We ask better information about illness and our wellbeing in a language adapted to our age and in a reasonable time. Good information for girls on gynecological check-ups, and pregnancy, including unwanted pregnancies. Assisting young mothers with looking after their babies. Dentist visits at least once a year, and optician's appointments including a free pair of glasses for those who need them. A network of protection and help for young unaccompanied and separated children who arrive in the country so they can benefit from psychological assistance of a person they can confide in and who can help them deal with their traumas and their fears.

More international solidarity

Dealing with, and fighting against, the underlying reasons for seeking refuge: war, deprivation, persecution, poverty and exploitation to name but a few.



ATTACHMENT I

THE PROJECT “WHAT DO YOU THINK ?”

“What Do You Think ?” is a project that is coordinated by UNICEF Belgium. It addresses children and young people in Belgium up to the age of 18 and wants to promote the right of expression and the right of participation of children and young people at all levels.

Concretely, we are directly or indirectly interviewing children and young people in Belgium on the respect of their rights and the problems they see or face, and we collect their ideas, wishes and proposals. We then transmit their demands to the Belgian authorities responsible and also to the Committee on the Rights of the Child in Geneva (body of the United Nations that assures the implementation of the Convention on the Rights of the Child worldwide).

Within this framework we organized a “March for children and young people” on November 19th 2000 through the streets of Brussels. Also, debates between children, young people and politicians were organized in Brussels on November 20th 2001 and 2002, as well as on November 19th 2003. A first report of children and young people in Belgium was sent to the Committee on the Rights of the Child in Geneva (entitled “That’s my opinion.”). And this is just the beginning!

This document is part of the actions carried out throughout 2002 and 2003 on separated children. The aim of the report was to make clear, that there is not only need for policies FOR but also WITH children.

This report was sent to all Belgian ministers in order to communicate as widely as possible the concerns of unaccompanied and separated children, the problems they see or face, and the solutions they proposed.

We hope that the ideas, wishes and proposals of young people have motivated you to want to find out more and have mobilised you to help create a world worthy of and fit for children.

Maud Dominicy, Child Rights Officer

Charlotte Van den Abeele, Child Rights Officer

Yves Willemot, Communication and Programme Director, UNICEF Belgium



ATTACHMENT II

ACTIONS CARRIED OUT IN 2002 AND 2003 THROUGH THE PROJECT "WHAT DO YOU THINK?" ON UNACCOMPANIED AND SEPARATED CHILDREN

- Debates between young people (unaccompanied and separated children) and the working group on the rights of the child of the senate on 20/11/2002
- A collection of the debates sent to all responsible in politics in Belgium
- An article in « Children worldwide » (publication of UNICEF Belgium)
- Numerous meetings of the group of young people on the question of separated children in 2002 and 2003
- Active participation of separated children in the group of young people: in-depth reflection on reception, health, education, procedure and guardianship.
- Unaccompanied and separated children: one of the main topics of the year 2003 for the questioning of children and young people in Belgium.
- Creation of a mini-guide on unaccompanied and separated children for working on the issue with young people and in order to prepare the debates.
- A letter from young people sent to the political parties before the elections: recommendations of young people on the question of unaccompanied and separated children in general
- Visits to open centres for unaccompanied and separated children with young people of the guidance group (Morlanwelz, Bevingen, Gembloux): exchanges between young people
- Letter from young people to the Minister of Health (August 2003): recommendations of young people on the health of unaccompanied and separated children
- Action guardianship: recommendations of young people on guardianship
- Debate between unaccompanied and separated children and the Minister of Justice, Laurette Onkelinx, 19/11/03
- Debate between unaccompanied and separated children at the Chamber 19/11/03
- Collection of debates sent to all people responsible in Belgian politics.
- Presentation of the recommendations of unaccompanied and separated children at the plenary session of the platform for minors in exile on the 5th of December 2003
- Meeting of unaccompanied and separated children with the Minister for Social Integration, Maria Arena on the 21st of January 2004
- Report of unaccompanied and separated children in March 2004

ATTACHMENT III

ORGANISATIONS AND SCHOOLS THAT CONTRIBUTED TO THE REPORT

Centre d'Accueil de Morlanwelz

Federal centre for fostering unaccompanied and separated children (new)

What ? Visit to the centre. Participation of the guidance group of adults of the What Do You Think? Project. Participation in meeting and weekends for young people. Participation in debates of 19/11/2003 (Chamber)

**Adres : Chaussée de Mariemont 92
7140 Morlanwelz
Tel: 064/23.96.40**

Centre d'Accueil de Bevingen

Federal centre for fostering unaccompanied and separated children

What ? Visit to the centre. Participation in meetings and weekends for young people. Participation in debates of 20/11/2002 (Senate) and 19/11/2003 (Chamber). Participation in meeting with the Minister of Social Integration (21/1/04)

**Adres : Montenakenweg 145
3800 BEVINGEN
Tel :011/69 75 52 (of 31)**

Centre d'Accueil d'Arendonk

Federal centre for unaccompanied and separated children

What ? Participation in meetings and weekends for young people. Participation in debates (Chamber)

**Adres : Grens 77
1370 ARENDONK
Tel : 014/40 52 50**

Centre d'accueil de Gembloux (Fondation Joseph Denamur)

Community centre for unaccompanied and separated children

What ? Visit of the centre. Participation in the guidance group of adults of the project What Do You Think? Participation in meetings and weekends for young people.

**Adres : Rue de Mazy 1
5030 Gembloux
Tel : 081/62.55.00**

CADE

Federal centre for unaccompanied and separated children

What ? Participation in meetings and weekends for young people. Participation in debates of 20/11/2002 (senate) and in debates of 19/11/03 (Minister of Justice)

**Adres : Boulevard du 9ème de ligne 27
1000 BRUXELLES
Tel :02/250 05 11**

Petit Château

Federal centre for asylum seekerrs

What ? Participation of older minors in meetings of the group of young people and young people's weekends. Participation in debates of 20/11/2002 (senate) and in debates of 19/11/03 (Minister of Justice)

**Adres : Boulevard du 9ème de ligne 27
1000 BRUXELLES
Tel : 02/250 05 11**

Mentor Escale

Association for unaccompanied and separated children

What ? Participation in meetings and weekends for young people. Participation in the preparation of the Special Session of the United Nations General Assembly on children. Participation in debates of 20/11/2002 (senate) and in debates of 19/11/03 (Minister of Justice)

**Adres : Rue Souveraine 19
1050 Bruxelles
Tel : 02/ 505.32 32**

Plate Forme Mineurs en Exil

Group of associations for unaccompanied and separated children

What ? Moderation of two debates with young with separated children in the senate (20/11/02) and with the Minister of Justice (19/11/03)

**Adres : Service droits des jeunes de Bruxelles,
Rue Marché aux Poulets 30
1000 Bruxelles
Tel : 02/209.61.61**

Institut technique de la Communauté française de Morlanwelz

School

What ? Participation in debates of 19/11/03 (Minister of Justice)

**Adres : Rue Raoul Warocqué
7140 Morlanwelz (Morlanwelz-Mariemont)
Tél: 064/43 21 80**

Koninklijk Atheneum Sint-Niklaas

School

What ? Participation in debates of 19/11/03 (Chamber)

**Adres: Koninklijk Atheneum
Joeri Facq
Parklaan 89
9100 Sint-Niklaas**

College heilig Kruis Sint-Ursula 1 Neeroeteren

UNICEF Maasland

What ? Participation in meetings and weekends of young people. Participation in debates of 19/11/03 (Chamber)

**Adres : Comité UNICEF Maasland
Frans Medaer
Mulheim 15
3650 Lanklaar**

What do you think?

This project seeks to promote the participation of children and young people.

Since its creation in 1999, the project has dealt with over 15,000 children and young people in Belgium. In 2002, the project carried out the first report of children and young people in Belgium for the UN Committee on the rights of the Child in Geneva. Since 2002, What do you think?, has lead a series of activities with young people on the theme of separated children: the preparation and selection of a young unaccompanied minor refugee who attended the Special Session of the United Nations on children. Continuous questioning of children and young people. The organization of three debates on this theme (Senate:20/11/02; Minister of Justice, Chamber 19/11/03); numerous meetings for young people in 2002 and 2003. A mini teaching guide for unaccompanied and separated children has been distributed in more than 50 schools.

Recommendations of young people have been sent to political parties. Recommendations of young people were sent to the Ministry for health. There were visits to open centres. Recommendations of young people under supervision. Participation at the plenary session of the unaccompanied and separated children's platform.

Meeting with Minister of Social Integration and the publication of the present report.

Address: UNICEF Belgium

**What do you think?- project
Route de Lennik 451, Boîte 4
1070 Bruxelles**

Tel: 02/230.59.70

info@whatdoyouthink.be

www.whatdoyouthink.be



AID ORGANISATIONS FOR UNACCOMPANIED AND SEPARATED CHILDREN

Those that are brought to assist or defend asylum seekers or non-nationals, in the framework of asylum procedures, of regulation or other aspects of their situation can be confronted with the practical difficulty of finding addresses of referees, centres of intelligence, decision making bodies,...

Below is a list of aid organizations for unaccompanied and separated children. This list is incomplete but allows everyone to find each other more easily and above all to have more time for research. A more complete list can be obtained by mail from the Platform "Mineurs en Exil" that is coordinated by the legal service for youths of Brussels, Rue Marché aux Poulets 30, 1000 Brussels. Telephone: 02/209.61.61 ; sdjbxl@skynet.be

THE VISITORS :

The 'transit' group is a group of associations, which, under the coordination of CIRE and the OCIV, organize visits for people who are detained in closed facilities. These people are interesting liaisons to get in touch with detained children. The agenda is organized between these associations so that one visit takes place on a weekly basis.

Jesuit Refugee Service (JRS) - Belgium

Rue Maurice Liétart, 31/9
B-1150 Bruxelles
Tél: 02/ 738 08 14
Tél: 02/ 738 08 18
Fax: 02/738 08 09

Aide aux Personnes Déplacées (APD)- Brabant

Rue du Marché 35
4500 Huy
apd.hvo.holsbeek@belgacom.net
Tél et Fax : 016/ 44 48 52

OCIV

Rue Gaucheret 164
1030 Bruxelles
Tél : 02/ 274 00 20
Fax : 02/201 03 76

CIRE

Rue du Vivier 80 / 82
1050 Bruxelles
Tél : 02/ 629 77 10
Fax : 02/ 629 77 33
service.juridique@cire.be

MRAX

Rue de la poste 37
1210 Bruxelles
Tél : 02/ 209.62.50
Fax: 02/ 209.62.58

OTHER ADDRESSES :

Plate forme Mineurs en Exil Service droit des jeunes de Bruxelles

Platform for Unaccompanied and Separated Children
Legal service for youth, Brussels
Rue Marché aux Poulets 30
1000 Bruxelles
Tel : 02/ 209.61.61
sdjbxl@skynet.be

LE FOYER

Mommaertstraat 22
1080 Bruxelles
Tel : 02/ 414.04.53
Tel : 02/ 414.24.23.
Fax. : 02/414 16 97

HCR (Haut commissariat pour les réfugiés)

High Commission for Refugees
Rue Van Eyck 11B
1050 Bruxelles
Tel : 02/ 649 01 53
Fax : 02/ 627.17.30

Mentor Escale asbl

Rue Souveraine, 19
1050 Bruxelles
Tel : 02/ 505.32.32
Fax : 02/ 505.32.39
mentorescale@brutele.be CONTACT

EXIL

Avenue Brugmann, 43
1060 Bruxelles
Tel : 02/ 534.53.30
Fax : 02/ 534.30.16
exil.asbl@skynet.be

CECLR (Centre pour l'Égalité des Chances et la Lutte contre le Racisme)

Centre for Equal Opportunities and Opposition to Racism
Rue Royale 138
1000 Bruxelles
Tel : 02/ 212.30.00
Fax : 02/ 212.30.30.

Medisch Steunpunt Mensen Zonder Papieren Brussel

Medical Support Centre for People without Papers,
Brussels
Gaucheretstraat 164
1030 Brussel
Tel : 02/ 274.14.33 (34)
Fax: 02/ 274.14.48
Med.Steunpunt.MZP@ping.be
www.medimmigrant.be

De Acht (for City of Antwerp)

Van Daelstraat 1
2140 Antwerpen
Tel: 03/ 270.33.32
Fax: 03/ 235.89.78
E-mail: havenvzw@pi.be
www.de8.be/HAVEN.htm

Centrum voor Welzijnzorg Laken

Centre for Welfare Care, Laken
E. Delvastraat 35
1020 Brussel
Tel : 02/ 428.99.00
Croix-Rouge de Belgique
Belgian Red Cross

PSYCHOLOGICAL SUPPORT :

Medisch Psychologisch Centrum

Medical Psychological Centre
Centrum Geestelijke Gezondheidszorg voor kinderen,
jongeren en gezinnen
Jacob Jacobstraat 2
2018 Antwerpen
Tel: 03/ 234.15.30
Fax: 03/ 231.81.50
cjmpc@centrale.be

Centre Exil

Avenue Brugmann 43
1060 Bruxelles
Tel : 02/ 534.53.30
Fax : 02/ 534.90.16
exil.asbl@skynet.be

Service TRACING

Rue Stallaert 1 - boîte 7
1050 Bruxelles
Tel : 02/ 349.55.33 (ou 34)
Fax : 02/ 349.56.41

CBAR Comité Belge d'Aide aux Réfugiés

Belgian Committee for Aid to Refugees
Rue Defacqz 1
1000 Bruxelles
Tel : 02/ 537 82 20
Fax : 02/ 537 89 82

Délégué général aux droits de l'enfant

Delegate-General for Children's Rights
Rue des Poissonniers 11-13 boîte 5
1000 Bruxelles
Tel : 02/ 223.36.99
Fax: 02/ 223.36.46
dgde@cfwb.be

Kinderrechtencommissaris

Commissioner for Children's Rights
Leuvenseweg 86
1000 Brussel
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ATTACHMENT IV

EXTRACTS FROM RECOMMENDATIONS BY THE “PLATFORM FOR UNACCOMPANIED AND SEPARATED CHILDREN” ON THE RECEPTION OF FOREIGN UNACCOMPANIED AND SEPARATED CHILDREN IN BELGIUM, February 2004

The Platform is a network of French-speaking and Dutch-speaking associations providing support to unaccompanied and separated children. It was created in 1999 to shed light on where the gaps and shortcomings are in the statute of unaccompanied and separated children (or the lack of such a statute). Its objectives were to create a forum for the exchange of information between the players involved (including the authorities), to improve the reception of unaccompanied and separated children, and to improve the legislation relating to unaccompanied and separated children by drawing up proposals for a genuine statute for unaccompanied and separated children.

Extract from the recommendations:

ARRIVAL AT THE RECEPTION CENTRE

- A person claiming to be a minor, the centre must welcome and treat him as such, even if a medical test later casts doubt over the fact that he is a minor.
- The reception of the minor in the centre is an extremely important moment for his future life within the centre. The centre must therefore have implemented a clear methodology, which applies to all unaccompanied and separated children.
- Both on arrival and during the stay at the centre, the staff will ensure that full and objective information is provided - if possible in the child's language - on accommodation conditions, the learning plan, and the internal discipline rules. Information should also include all elements specific to the young person's situation, in terms of the stay, procedures and outlook for the future. If and when necessary, the centre will ensure the young person is placed in contact with the people or services able to provide him with this information.
- Besides oral information, it is recommended that each centre produces a brochure containing this information in a form suitable for minors.
- The minor's basic and vital needs (food, a bed, rest, hygiene) must be provided.
- An interactive discussion should take place with the young person: Who are we? Who does what in the centre? What is our mission? How far can our help go? And you, who are you?.... The minor should be listened to: with his help a descriptive sheet is drawn up with on the basis of official documents and the identity that he has given. The need for drawing up this sheet is explained (an identity form for the centre, the centre's responsibility towards the minor, the fact that the sheet will be used in case of disappearance).
- The steps taken on behalf of the young person (for example registration with the local authorities) are explained to him.
- Reception and support for minors in the centre must be adapted to suit the age and the specific situation of the child. In line with the principle of non-discrimination, the basic needs must be met in the same manner for all the children, irrespective of their residency status; if necessary, specific help will have to be provided to deal with very young ages or with specific circumstances (for example, for children who are victims of trafficking of humans).
- The young person will also be informed of his right to education; he will also be questioned as to what he has learned, and what his wishes are.

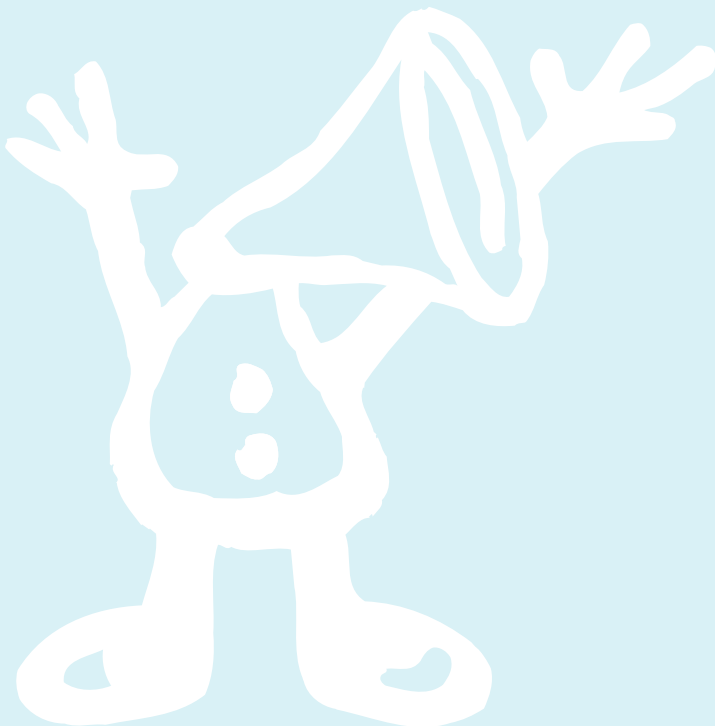
- The young people in the centre will take part in the welcome provided for the new arrival.
- The centre will in particular ensure that reception and psychological support for the minor are provided within the centre or outside it, if the young person wishes. Special attention will be paid to young people who have undergone trauma, or who have been involved in serious situations (child-soldiers, massacres, rebellions, etc). More generally, attention should be paid to the issue of separation from the parents.
- A centre should be independent in respect of the administrative structures responsible for dealing with entry, residence, removal and asylum procedure. The centre may not receive instructions from these authorities relating to the reception, support and educational context. Each member of staff must respect the principle of professional secrecy, also towards these instances, and must in all circumstances promote a relationship based on trust, and the

pursuit of a long-term solution that best suits the child. The child will be involved in the pursuit of these solutions, in line with his age, maturity and level of development, and will be consulted on every decision taken that relates to him.

- Each report dealing with a young person that is drawn up, to be provided to any authority (youth support, immigration services, tutor, education services, social services, justice of the peace, youth court, etc) is provided in copy to the young person. It is read to him and commented on; the child's remarks may be added to it.
- The only motive for any action by the centre is the interest of the child.

LIFE IN THE CENTRE

- A referee-educator is appointed for each young person, as well as a replacement referee-educator to stand in for the former when he is unavailable. His role is explained to the young person: Who is he? What is his role?



- Accommodation in rooms is preferable to allow for a certain level of privacy. The maximum number of young people per room is four. The minor must always have access to his own personal locked cupboard.
- An outside playground is available and accessible.
- It is recommended that minors received by the centre should be assigned to mixed-sex groups.
- Pocket money provided to minors should be uniform in all the centres.
- As far as is possible, life in the centre should take account of what the young person is used to, and of their customs, particularly as far as diet is concerned. The young person should be able to express his convictions and practise the religion of his choice.
- During his stay, a minor should receive instruction on how to be independent, tailored to his age and level of development (see details below).
- Each centre should have an educational program (along the lines of what is done in the youth support sector) and a set of internal

regulations. A resident's council should be elected and consulted on the drawing-up of internal regulations, and on managing problems encountered by the residents.

- Any disciplinary measure must take the interests of the minor into account. Expulsion from the centre, or transfer to another centre may only be decided - as a last resort - if it is

certain that new accommodation meeting the social and educational needs of the minor is available.

EDUCATIONAL SUPPORT

- In order to provide adequate support for unaccompanied and separated children, one educator is required for every three young people, one social worker for every 15 young people, one psychologist in each centre, one education director, one legal advisor, and one animator.
- It is recommended that there should be staff from both genders.
- The presence of a psychologist in each reception centre is necessary to improve the psychological support for the young people taken in.
- Besides this, psychological supervision of the educational team dealing with the minors is required to ensure good health for all.
- The large number of procedures that need to be followed justifies the presence of a legal advisor. Moreover, contacts with the legal authorities are sometimes necessary, and he can be an excellent point of contact for the tutor.
- In line with the provisions made for future guardians for minors, continuous training must be provided to members of staff within the centres. Access to this training is only possible if

the education team is large enough to allow for required absences without this harming the organisation of the work. The training will focus on the rights of foreigners, administrative law and inter-cultural issues, taking account of the large number of countries from which young people originate. Equally, awareness will be raised within the entire team as to the psychological aspects of asylum, separation, and the post-traumatic consequences that these children can undergo. It is also of fundamental importance that support should be organised in order to tackle the large range of languages spoken by the minors.

- Regular meetings between all parties are indispensable for a good framework. Teamwork should be a priority.
- Once a guardian has been designated for each minor, a collaborative taskforce should be put in place - within the limits of each staff member's responsibility - to focus on the young person's needs.
- A maximum of communication and dialogue with young people is necessary. Respect for their private lives is also crucial for success of the entire project.

HEALTH

- Quality general medical care and specialist medical care (particularly dental and eye care) should be guaranteed. To this end, a general practitioner should be on call to offer services to all the young people in the centre both in and out of school hours. The general caretaker should allow the young person see a doctor without delay if necessary.
- Doctors should inform their patients of the general state of their health and any illnesses

they have.

- Young girls should regularly receive comprehensive information on contraception, gynaecological check-ups, pregnancy and termination. In general, all young people should get information on emotional and sexual issues and have access to relevant services (family planning centres, counselling centres).
- A psychological framework is indispensable.

Minors have often suffered trauma in their native country.

- Guidelines on working with services outside of the welcome centre should be developed (for family planning centres or mental health centres).
- If a medical examination is required to

determine the age of the young person, he or she should be informed of all the necessary steps, why it is being carried out, what might happen if he or she refuses to be examined and that he or she will be told the results. The young person should have the option of asking for second medical opinion.

INTEGRATION INTO SOCIETY

- Allowing young people to move freely helps their integration into society. Welcome centres should ideally be located in towns where young people have good access to school as well as leisure and communal activities. The centre has to be close to public transport so young people can easily access nearby areas. The centre should pay for their public transport.
- The commune should organise integration activities in the area and allow young people to meet locals.
- Access to decent clothing and good educational material is essential for young people's integration into society.

SCHOOLING

- Young people have to go to school so the centre needs to make sure that each person gets the teaching and type of education that corresponds best to their needs. In particular, the centre should offer young people tailored educational programmes such as grounding or catch-up classes to integrate them into regular schooling. The minor should be involved in the choice of school and the type of education. The choice of teaching language must pay heed to what the child wants.
- After the age of 18, the young person can continue his or her education - which is essential for integration - and he or she will receive financial help to that end. Financial obstacles (such as fees) should be removed by a rule, which offers them the right to education under the same conditions as Belgian nationals.

INDEPENDENCE AND LEAVING THE CENTRE

- It should be possible for young people to ask if they can extend aid until the age of 20. This follows what has already been done in aid for young people and would allow a kinder transition towards adulthood.
- As the coming of age gets closer, the educational team should hold a short interview with the young person. What does independence mean to you? What are you able to do by yourself? What problems do you have? Where do you want to live? In general, it is enough to make sure that that there is some kind of follow-through during each stage to cover all bases.
- Research into a lasting solution that suits them should be implemented: sheltered accommodation, a family home for young children...
- Young people should get theoretical and practical education on health (information on sexual matters, particularly contraception),

schooling and work, administrative issues (for example, what is health insurance, banking), managing a household (how to look after the house, to cook something, stick to a budget etc) and guardianship.

- During this implementation period, the young person should be put in a real situation and supervised by the educational team
- This program should be offered to all minors of any age to prepare them for the future.
- Young people should try filling out forms in basic French or Dutch. If they cannot write properly in either language, the forms should be read out to them and explained. They may need basic information which explains the CPAS, the asylum procedure, health insurance, health, accommodation, banking, transport, housework, aid for young people, the commune, social services.
- As soon as a young person is ready (this can be evaluated by all of the educational team, the guardian and the young person himself) he or

she should get in contact with social services outside the centre who will help him or her with the process of setting up home outside of the centre, taking account of work already done by the welcome centre.

- When a young person moves out, he or she has to follow several bureaucratic procedures (CPAS, commune, foreigners' office, CGRA, health insurance). This is when he or she is vulnerable and needs support. And this is why it is important that young people receive help from social services outside the centre who can help them find the help they need to stand on their own two feet.
- Several weeks after a young person leaves, the welcome centre, the social services outside it and the guardian should assess how he or she is doing and what new priorities he or she has. Some procedures can be followed together, others will be nearly done. The emphasis should be on what resources he or she can call on if needed - social services, which can help if things go wrong.



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