Session 3B: Role of Interested Adults, Advocates, and Guardians

Anne Sweeney, Heshima Kenya

Gave an overview of her organization:
- An NGO out of Nairobi, Kenya that focuses exclusively on the protection of UAM in Kenya
- Focuses particularly on adolescent girls
- Objectives: healthy development, long-term self sufficiency, identification and protection, strengthen capacity of refugee community
- Programs: Children’s Empowerment Project, Hesima Safe House, Foster Care Program
- Clients: 85% of the clients are already registered refugees; only 5% have initiated Red Cross Tracing; approx 50% had already been in a failed foster care situation; and most had been moved an average of 3 times
- Challenges: short and long term care
  - age: actual age as a child vs. social age as an adult
  - temporary residence
  - financial hardship and security
  - anticipated attachment and distress issues
  - disingenuous interest
  - sustaining communication with identified temporary care givers
  - connecting to community projects
  - youth as a decision maker
- Conflicts of interest: cultural practices, insecure host environment, education
- Recommendations
  - Policy: work with a host of agencies and government in the country on legislative efforts
  - Economic: connect with pre-existing and new caregivers and income generating projects and micro enterprise loans
  - Education: community outreach and training

Sarah Finke, Comunicare (former USCCB in Tanzania)

Discussed experience of the BID process in a voluntary repatriation effort in Tanzania:
- Why BID? Children were being abandoned at high rates in arrival centers by their foster families
- Response to BID pros:
  - it did decrease abandonment
  - it led to information discovery (i.e. what were the carrots/sticks involved, relevant cultural practices like marriage, practical concerns like school or rations)
  - better communication with UNHCR COO
  - increased skill set for community care
  - documentation of a child’s history
  - identification of DS for UAMs prior to age out and prior to camp closure
  - created SOP for BIDs
  - tracking system for BID reporting and outcomes
• Responses to BID cons:
  o extra burden for already burdened staff (already in ongoing repatriation system under threat from Tanzania that they would forcibly repatriate)
  o system was not prepared to respond (no pre-existing case histories, limited skill sets, family tracking not usually possible, time involved)
  o fact checking/altered stories: conflict between what was in file and what was presented
  o there were both negative and positive responses from stakeholders

Noted that the BID process overall was almost seen as an additional paperwork burden to get the kid to the predetermined goal of voluntary repatriation; and the challenge was to get the perception changed to be truly what would be in the child’s best interest and using it as a way to identify options and then filter them to determine durable solution

Yasmine Malebranche, USCCB

Provided an overview of her work making placement determinations of Haitian minors in federal custody in Miami.
  • Child slaves/Restavek
  Restavek is the Creole/French for to stay with or live with and is the term used to refer to child slaves in Haiti who are trafficked from their homes at a young age and made to work in the home of someone else
    o ¾ are girls
    o 1 in 10 children in Haiti are enslaved
  • Her clients are those that have come into contact with DHS/USICE and are transferred to ORR/DUCS
  • She plays a role in the suitability assessment as a prescreening to determination of foster care arrangement by making recommendation
  • DUCS ultimately decides
  • Provides follow up services to check on foster care arrangements which are limited to 3 months: home visits are conducted
  • Limits:
    o Outcome measures
    o Follow up time frame is too short
    o Need for monitoring

Recommendations and Conclusions

• The speakers discussed the wide range of various systems that a child has to navigate
  o Children in camps where the host country has predetermined an option like voluntary repatriation
  o Urban refugees no longer in a camp situation who need care
  o Child slaves trafficked/smuggled to the US and in federal custody
• Everyone involved in the decision making for a child has a different motivation.
  o There is a real need to determine who the players are and what motivates them
  o Need to assess their motivations and discover who really speaks to the best interests of the child
• We watchful that sometimes players will use the child rights or best interests consideration as a sword to have their own motivations secured
  • Important open question: who should be assessing those involved?
  • It should be a non-involved actor

• Must always ask how is the BID implemented and who is doing the assessing
  • Need to address conflicting viewpoints but be aware of motivations
  • The background/perspective of those taking the BID is key

• Dual role of caregivers: both to provide for child’s needs and to be an advocate for systematic change
  • Background/perspective of those taking the BID

• Timeliness of decision making is key
  • Needs to be done when the child arrives or is identified to ensure the full range of options are considered
  • Waiting until the option is predetermined is not in the best interests of the child
  • Must always fit the circumstances

• There is a real lack of long term decision making that must be addressed
  • Often must confront the short term circumstances and develop a solution
  • But there is a lack of follow up on the outcome of the short term solution
  • Not many are thinking of permanency or long term solution
  • Need to feed the long term results or outcomes into the short term decision making

• There is a need for ongoing follow up not artificially limited to some time frame; it should continue as long as there is a need

Moderator: Nathalie Lummert, USCCB

Notetaker: Rosemary Hartmann: 267-975-4885 cell

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