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Children on the move – protected?

Establishing and transferring jurisdiction over non-national children

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Case 1: Long staying refugee children and return

- Research project: **Hearing children in asylum cases:**
Evaluation of how the Norwegian Immigration Appeals Board (UNE) assess procedures and routines for hearing children and the examination of their circumstances according to the obligations pursuant to the UN Convention on the Rights of the Child Article 12
(Barn i asylsaker. Evaluering og kartlegging av hvordan barns situasjon blir belyst i Utlendingsnemndas saksbehandling, herunder høring av barn)
- Elisabeth Gording Stang, NOVA, Hilde Lidén ISF
- 2014

- How do the central authorities assess the jurisdiction, and then the legal position of children and their mother in court case conflicts and the assessment of the best interests of the child in return cases to a non-Haag convention state
- Which challenges do the immigration authorities face to identify child-specific forms of prosecution and inhumane treatment?

Letter from a girl 11 years old

- I have weak remembrance of my father from my early childhood. When I was 7 years old my older sister and I moved to him and his new wife. She was very angry at us and the first day she gave us pepper instead of dinner. She did not like me, and when I drank water, I used to do it very often, she called me nasty and my father took me into the dining room, I had to lay down on the floor and he hurt me very hard in the back with his shoes. I cried and cried and cried. Then they locked me into a dark room in the cellar. From now on you will be treated as an animal, because that is what you are. I was very scared and alone and cried the whole evening until my sister came and let me out.

Letter from her sister 14 years old

- My father, he was never there for us. It was always my mother, my younger sister and me. I cannot believe he is my father, because a father cannot just walk in and destroy all our life. Will a real father show up home only to beat his wife and children. Can I ever call him my father? I only remember the evenings being scared that he would come home, beating my mum, fighting. Whatever I did, he always beat me up. I did not have a life; I did not see the point of being born. Did I come to live only to see my mother be beaten; I had no hope however I lived only for the wish to end it, sometimes.

- Will the Norwegian authorities assess the case as abduction?
- Or an asylum case? Because the parent cannot protect the children from inhumane behaviors – and does not get help from the central authorities and legal system in the state they belongs to

Case 2 Children left behind

- Research project:
- Mobile childhoods – Transnational socialization strategies among immigrant parents in Norway. (Transnasjonal oppvekst. Om lengre utenlandsopphold blant barn og unge med innvandrerbakgrunn)
- Hilde Lidén, Anja Bredal og Liza Reisel

ISF rapport 5: 2014

www.socialresearch.no/publications

The research project

- Commissioned by the Directorate of Integration and Diversity (IMDi), Norway
- Prevalence study including children with an immigrant background - 15 main countries of origin
 - data from the national population register
- The qualitative study
 - interviews of children and parents
 - carried out both in Norway, Pakistan, Kenya and Somalia.
- Interviews with representatives for schools and school authorities
 - in Norway and the relevant countries
- A document study addresses the media debate
- The relevant legal regulations are examined.



Children left behind

- They used to beat me every day. They accused me for things that was not true and for not doing well in school. That was because I was crying all night, because I missed my mother, and because I was beaten. And then I was so tired in the day.
- My dad told me that we were going on a trip visiting my mom. But when we arrived at my moms place, he left and disappeared. A man at the hotel said he had gone back to Norway.
- And he took my passports and I cried so much. I could not talk at all.

(Girl, 14 years)

Children left behind

- What is the accountability of the Norwegian child welfare service: to what extent do they have responsibility for the care situation of a child staying temporary abroad when their formal care persons lives in Norway?
- Habitual recidence or temporary stay