



Unresolved cases with children missing – Sep 9 2014 CBSS

Barnrättsbyrån – The Children's Rights Bureau



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What is the Children's Rights Bureau?

- Sweden's first independent child rights advocacy service for children
- Offer legal and social support to children and young people 0-21 yrs old



Are the children missing – or are we missing the children?

- Our general experience – missing children have once been known – what happens to them?

Our material:

- Seven cases failed asylum applications
- Survey sent to homes for UAM
- Asylum statistics



Their stories - Nadia, Abdul, Mohammed, Ali, Alex, Moses and Mehdi

- 14-17 years old when receiving their final asylum decision
- None of the children understood their asylum decisions
- None of the children had family networks to return to
- Despite comprehensive guidelines on safe return procedure for unaccompanied asylum seeking children in Sweden – none of them were give a realistic offer of safe return



...a return procedure?

- In four of the cases, the migration case worker have stated (in our presence) that the child will not be returned before the age of 18
- As of today, none of them have been returned before the age of 18
- In at least 3 cases, had they been offered a good enough offer of safe return, they would have cooperated.



The point of no return...

- In the remaining cases, safe returns, in our eyes, are impossible.

This should constitute impediments to the enforcement of the deportation (according to the guidelines). However, all their applications to the Migration board pointing this out, have been rejected.



The point of going missing

- When faced with the facts – the child is forced to make a hugely difficult decision. Often already stripped of the social and legal support offered by the system
- 5 out of the 7 young people today live as undocumented. One has returned (at 18), one is awaiting his 18th birthday.
- They all living under harsh conditions, with high risk of exploitation and with no means of seeking help



So why not return?

the fear is only in your head – Iran

“see it as a holiday, or like you’re going on an exchange program!” – DRC

everyone in Africa has extended family! – Guinea



The survey

- 31 cases of children with failed asylum applications in the last year
- A return procedure was started in 12 out of the 31 cases before the age of 18
- One child was safely returned before age of 18
- The rest, 30 out of 31, have gone missing



Our conclusion

- The children go missing because we don't offer them a realistic and safe alternative in time
- The child makes their own BID, and in most cases we agree with their assessment – going missing is safer than the alternative as it is presented to them
- So what are the children so fearful of? No follow up of what happens to children or young people who are returned – we are in no position to doubt their fear
- If the authorities would fully comply with the guidelines – not as many children would go missing



Our recommendations

- Adhere to the given guidelines – start return proceedings early, if not possible → protection through leave to remain
- Respect the child and his or hers feelings throughout the procedure
- Follow up each individual case after return

**Do the children go missing
– or are we missing the
children?**







The Children's Rights Bureau

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