

STATEMENT OF
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FOR THE JOINT VULNERABLE MINORS WORKING GROUP
AND
LUTHERAN IMMIGRATION AND REFUGEE SERVICES
AT THE
PUBLIC HEARING OF THE BUREAU OF POPULATION, REFUGEE, AND
MIGRATION,
DEPARTMENT OF STATE
ON THE
U.S.D. REFUGEE PROGRAM FOR THE FISCAL YEAR 2006
June 6, 2007

Statement of Olivia Faries on Vulnerable Refugee Children to PRM

I am Olivia Faries, Director for Children's Services at Lutheran Refugee and Immigration Services. I am pleased to speak today on behalf of LIRS and the Joint Vulnerable Refugee Minors Working Group. I would like to also thank the United States Conference of Catholic Bishops for their role in writing the Children's section of the RCUSA Admissions document and its contribution to my remarks.

According to UNHCR's "Refugee Children: Guidelines on Protection and Care", 2-5% of any refugee population are unaccompanied children. Given the current estimate of 8.4 million refugees in the world, there are likely 168,000 to 420,000 refugee children currently in serious danger of exploitation and abandonment.

The population of refugee children in fragile situations includes those who are:

- Completely alone
- Separated from parents or usual caregiver but attached to some adult care provider whether related or not
- Living in child-headed households
- Have tenuous ties to their caregivers

Without adults to advocate for them, refugee children in fragile situations are more likely to be overlooked in the overall efforts to provide refugee protection, ensure their safety and well-being as well as their access to durable solutions. These children are susceptible to various forms of coercion, including forced labor, prostitution, military conscription and trafficking. In some cases unaccompanied children have not been registered in the refugee camps due to inadequate identification and documentation procedures. As a result, they may suffer from insufficient access to food, medical treatment, and education.

We continue to observe that the needs of refugee children in fragile situations are not addressed sufficiently or promptly. Of the 168,000 to 420,000 estimated unaccompanied refugee children, less than 50 were resettled in fiscal year '06. This represents less than .02% of the total refugees (22,224) resettled by the US in fiscal year '06. As the only country that specializes in the resettlement of unaccompanied refugee minors, vast numbers of vulnerable children continue to languish in refugee camps with inadequate protection, care, advocacy, and without any durable solutions in sight. Children who are not even registered properly are not eligible for consideration for resettlement.

Recommendations

We appreciate PRM's support in the use of the Best Interest Determinations (BID) by UNHCR universally as a tool for assessing the complex care needs of unaccompanied and separated children and others in vulnerable situations as well as making decisions about durable solutions. This tool should be used during the earliest planning stages for vulnerable children. The effective implementation of the UNHCR guidelines will go

along way in ensuring that vulnerable children have access to the appropriate durable solution and the US can be assured that when such children are resettled to the United States it is in their best interest to do so.

We recommend that the US refugee program continue to support UNHCR in the establishment of trained teams of child welfare specialists who can be rapidly deployed to identify, register, assess, and determine outcomes for children in fragile situations.

We support continued efforts to improve overseas processing and commend PRM for its involvement in the ongoing work of the Vulnerable Minors Working Group. We are especially appreciative of the new leadership and configuration of this working group-- the inclusion of all federal agencies involved in immigration matters, an effort to identify current US best practices and its efforts to explore the extent to which the U.S. is in harmony with international principles and processes.

We recommend that the State Department adjust the priority categories to allow US-based family reunification for unaccompanied and separated children when a best interest determination recommends such reunification.

In order for the US refugee programs to enhance the capacity to ensure positive outcomes for these children once they are resettled in the US, we recommend that BIDs for all children resettling in the US be shared with the relevant voluntary agency.

Groups Requiring Special Attention

We also take this opportunity to note the refugee children mentioned in other regional reports that deserve special attention, including: Burmese refugee children in Malaysia, Thailand and India; the estimated 50% of the Iraqi refugee population that are children, Sudanese minors from the Darfur region that are currently in refugee camps in Chad and Haitian unaccompanied minors currently in Dominican Republic who are currently stateless.

Illustration:

Aye could have had a very different future.

After being separated from her mother and watching her father murdered before her eyes by the Burmese government, she has no life left in her home country. At age 15, Aye set off to Malaysia to find her mother, but gave up when her search yielded only minimal information. Alone with no one to care for her, she tried to work but was assaulted at her workplace. A kind stranger brought now 16 year-old Aye to a refugee camp in hopes of keeping her safe.

As an unaccompanied minor in the camps, Aye could have been immediately evaluated. Perhaps if such an evaluation had occurred, staff would have seen that the best solution for her would be resettlement. Further, had she been evaluated right away staff would have seen that she was quickly approaching the age limit for entry into unaccompanied

refugee minor (URM) foster care and could have expedited her processing. Then she could have been placed with a family in the US who could care for her and keep her safe. Most importantly to Aye, however, she would have the opportunity to go to school.

For a child like Aye, whose life has been mired by such adversity and sorrow, such a future would alter the course of her entire life.

Unfortunately, that is not the future that Aye faces.

Instead, Aye was identified as a minor and referred for resettlement less than two months before her 18th birthday. Though resettlement staff tried to get Aye through the process in time, she turned 18 in the refugee camp and could no longer be considered for URM status.

Aye will still be considered for resettlement as an adult refugee. Instead of going to school, she will have to work to support herself while trying to adjust to life in a new country. If she hopes to get an education, it will have to fit within her work schedule and other responsibilities.

On behalf of Aye, and the thousands of children who every day lose precious time in their development and future while they await their chance for a durable solution, we urge PRM to carefully consider these recommendations.