

Submission for the study of the United Nations Office of the High Commissioner for Human Rights (OHCHR) on the protection of the rights of the child in the context of migration.

I. Introduction

Soroptimist International is a worldwide service organisation of women for women. SI is committed to a world where women and girls together achieve their individual and collective potential, realise aspirations and have an equal voice in creating strong, peaceful communities worldwide. Our mission is to inspire action and create opportunities to transform the lives of women and girls through a global network of members and international partnerships.

The name Soroptimist was coined from the Latin *soror* meaning sister, and *optima* meaning best. Soroptimist is perhaps best interpreted as 'the best for women'. From the founding of the first Soroptimist club in California, in 1921, through to the present day where over 3000 clubs are flourishing throughout the world, Soroptimists have continued to strive to achieve 'the best for women' in every sphere of their lives.

Currently, SI is approaching 90,000 members in more than 3,000 clubs in 124 countries/territories. SI is one of the world's largest service organisations for women and girls. Soroptimist International hears the voices of women and girls around the world and listens to their needs. We understand what works through our worldwide network of local and national projects and initiatives. As a global collective of women for women, we believe in and strive towards empowering women and girls, particularly the most vulnerable and disadvantaged, through actions under our skills and confidence framework. Alongside empowerment, we also work through advocacy and awareness-raising to create enabling environments whereby women and girls have equal opportunities and are able to meaningfully participate in decision-making.

Recalling primarily the obligations in the Convention on the Rights of the Child, in particular Article 11 (protecting children from illicit transfers and non-return from abroad), Article 19 (giving children the right to be free from violence), Article 32 (protecting children from economic exploitation), Article 34 (protecting children from sexual exploitation), and Article 35 (protecting children from human trafficking),

Recalling also other related human rights instruments in the international framework, such as the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime and other relevant conventions and treaties, and the Office of the High Commissioner for Human Rights' Recommended Principles and Guidelines on Human Rights and Human Trafficking.

Calling attention to the Human Rights Council Resolution 12/6 (2009), in particular point 2 (placing emphasis on the binding legal obligation of States of origin to take appropriate measures to protect vulnerable children) and point 3(a) (encouraging States to establish institutionalised services with age- and gender- sensitive support services),

Soroptimist International works to protect vulnerable girl children from all forms of trafficking and other forms of economic exploitation. In particular, we would like to highlight our work on the project 'Hopes and Dreams for Everyone' currently being rolled out in Moldova.

II. Background

Social and Economic factors

In the Republic of Moldova nearly 38% of the population consists of children and youth between the ages of 0 to 24 years old (Statistics Yearbook of Moldova, 2007). Over the past few years many important reforms have been launched in the public sector with the goal of accelerating economic growth, strengthening state services and promoting social rights. However, the children and youth situation has remained almost unchanged.

The opportunities and the potential to achieve a positive future for the considerable number of children and youth from Moldova is also compromised by conditions and behaviours that undermine their physical, intellectual, emotional and social welfare. The effects of this phenomenon can be noticed in the society through the existence of a vast group of children/youth excluded or limited due to poverty, unemployment, or health problems, leading to many poor outcomes including substance misuse, victimisation, and trafficking.

The children and youth in Moldova are struggling with difficulties of turning to opportunities for positive development potential (physical, socio-emotional, intellectual) and are facing limited opportunities to continue their studies. At the same time, the international changes taking place require young people to continuously improve themselves professionally in order to be competitive in the labour market, increase their knowledge of new informational and communication technology, comprehend new risks for one's health and development and to make well-informed decisions regarding the various aspects of life such protecting their personal independence that the youth in Moldova highly regard.

This extreme vulnerability of children and youth in Moldova is, at least in great part, caused by the low level of investment in the social sector and the limited access to services, including education and health care. In addition, as many children and young people do not have access to accurate and secure information, their opportunities to be involved in the decision making process at the personal, social and community level are very limited.

Migration and Trafficking

Migration for labour employment abroad has lead to the appearance of a new social category of children – "social orphans". 27.6% of children have one of the parents abroad and 9.3% of children are left while both parents are abroad ("The Situation of the Children Left Without Parental Care as Result of Migration", 2006, CRIC Moldova, with support of UNICEF, cl. V-XII). This study has shown that these children, left behind as a result of migration, are more vulnerable to such social ails as substance misuse, leaving education early, unhealthy sexual relations and deviating behaviours,

trafficking and exploitation through work, and possible psychological effects such as the development of an “inferiority complex.”

Trafficking in human beings remains a significant problem in Moldova. Available data shows that the majority of the victims of trafficking are under 18 and between 18 and 24 and approximately 10% of victims of trafficking had a background of residential institutions before trafficking. Poverty, limited opportunities, lack of a judicial culture among the youth, absence of informational strategies on the dangers of trafficking, insufficient access to information on the trafficking phenomenon, lack of skills and undeveloped behaviours to protect oneself against it, insufficiently developed prevention and recovery services and specialized personnel are among the factors that feed into human trafficking from Moldova.

Laws, policies, and state-run programmes for trafficking

IOM has provided assistance to more than 2400 victims of trafficking and 1600 potential victims of trafficking during 2000-2008 (www.iom.md) and successfully repatriated victims of trafficking from 36 countries. The assistance begins with the identification of victims and is additionally comprised of Repatriation, Rehabilitation (in IOM’s Centre since 2001) and Reintegration into a new life. The National Referral System (NRS) for (potential) victims of human trafficking has been developed and implemented beginning in 2006 and was approved through a Parliament Decision in December 2008 giving full ownership of the system to the Government. The NRS is an integrated system that provides comprehensive assistance to victims and vulnerable persons through referrals to local authorities and civil society service providers and all vulnerable and insecure citizens of Moldova are entitled to protection and assistance by the Government. The NRS is a critical part of the National development strategy and Action Plan for 2008–2011 as the leading partners for the NRS launching and implementation are IOM and the Ministry of Social Protection, Family and Child (MSPFC). To ensure implementation of the NRS, the National Legislation on prevention and combating THB is now harmonized with International Standards. The NRS brings together all major stakeholders in the field of counter trafficking in Moldova.

Children in need of protection

Children and youth in need of support and protection in Moldova include teenagers and young people who are not enrolled in the education process, those who are employed in low-paying jobs, disabled, teenagers from the residential institutions, those who live in the street or in prison; children and young people living with a single parent or with other relatives, young families etc.

In Moldova there are 67 state institutions for orphans, children with parents deprived of parental rights, or abandoned by their parents. 63 of the institutions are under the subordination of the Ministry of Education and Youth. All in all, there are 12,500 children in these institutions. Few of these children are orphans (only 6%). 304 children are under the age of 4; 1,506 – from 5 to 9; 5,984 – from 10 to 14 and 3,374 – 15 to 19.

The most common reasons for the institutionalization of children are the acquisition of various types of diseases, precarious living conditions, parents’ death and family problems. Moreover, parental disappearance, unemployment, the abandonment of a child, departure abroad, alcoholism, drug consumption and violence toward the child also contribute to child institutionalization. In most cases it is the parents who initiate child institutionalization. The present socio-economic crisis generates certain problems that affect the most vulnerable social category – the children, as official data shows an increase in the number of children that need social protection. New categories of vulnerability

have appeared; “the social orphans”, i.e. the children left without parental care and supervision in the community due to migration, children on the street, children not attending school, victims of violence, abuse, neglect or exploitation (including trafficking), children in conflict with the law, children infected and affected by HIV/AIDS, etc. Institutionalization is a mechanism that the Moldovan state prefers as an answer to the problems facing children and is often being used as the method of care mostly applied to abandoned children or those from poor and disabled families.

III. Project Design

The project activities provide opportunities for institutionalized and post-institutionalized children. Taking advantage of those opportunities, children will self-develop abilities and raise their level of knowledge, which will help them to easier integrate with their peers, and set and achieve their scopes.

The Project aims to achieve the following:

Developing the capacity of graduates from four boarding schools:

Students will be beneficiaries of a training program to raise their level of education in terms of further studies after graduating from boarding school. They will practice behaviours that will facilitate community integration.

The main topics on the training will be:

- Promoting self-esteem within community leisure time activities.
- Rights and responsibilities.
- Development of communication, active listening and assertive message formulation skills.
- Social inclusion and socialization activities.
- Development of tolerance and empathy.
- Cooperation - negotiation. Creative problem resolution.
- Prevention of trafficking in human beings, abuse and illegal migration.
- Responsible behaviors and healthy life style.
- HIV/AIDS prevention.
- School and professional orientation.

Assisting youth in continuing professional education:

30 teenagers (girls and boys), who are graduates of boarding schools will receive support in continuing education, in either vocational schools, high schools or colleges. This opportunity will motivate them to continue their education as currently they are without support and material possibilities to do so. Young people enrolled in vocational education will be provided with an allowance and will be involved in a life skills development program to facilitate their community/social integration. Students will be assisted by social workers trained within a training course program.

Support of selected beneficiaries during enrollment to educational institutions (lyceums, colleges, vocational schools, universities, etc.):

- Support for teenagers to prepare files and documents for enrollment.
- Moral and financial support during enrollment (accompanying the minors to enroll into the institution, expenses for travel, accommodation, food, etc.)

Support of beneficiaries to continue professional education:

- Providing for accommodation for the period of studies. Implementing team, social workers and beneficiaries will negotiate with administration of educational institutions to provide for the beneficiaries accommodation in the institutions' dormitories.
- Providing for the beneficiaries stipends, equipment and materials during studies.

Additional emergency support will be given to beneficiaries considering specific current needs (medical services, fee for additional courses, etc.)

Assisting (potential) victims of trafficking via NRS:

The project team will be involved in the identification and monitoring of the assisted cases. Considering that the project assists a limited number of beneficiaries (20) who continue their education, this will allow to support vulnerable young persons who are either in difficult situation and prone to accept hasty decisions to go abroad illegally, are subject to domestic violence or who already have had negative migration experience and are encountered by the project team and specialists involved in the project at local levels along its implementation. This joint initiative will help to reinforce relations of the project team and local authorities within the NRS.

IV. Partnership Model

This project is being carried out in partnership across three organisations: Soroptimist International, International Organisation for Migration in Moldova, and CRIC, the Child Rights Information Centre.

Soroptimist International is working on many projects designed to end human trafficking and all forms of violence against women and girls. There are many ambitious projects around the world which illustrate the importance members place on this objective. Moldovan Soroptimist clubs are located in the capital city, Chisinau (formed in 2002), the club of Edinet (2007) and the club in Causeni (chartered in 2008).

Since 2000, IOM Moldova has been assisting victims of trafficking through victim prevention and assistance activities. IOM office in Chisinau has implemented information and prevention campaigns, provided technical cooperation and capacity-building assistance and actively collaborates with governmental institutions, local government and civil society. IOM Moldova has been running a counter-trafficking programme in Moldova supported by many donors, and has successfully repatriated victims from 36 countries and provided assistance to over 4,000 beneficiaries.

CRIC Moldova has 10 years of experience in implementing projects for children and youth, taking into consideration their needs and interests and has been the main participant in planning, implementing and evaluating children and youth activities. Also, CRIC works in partnership with central, regional and local public authorities, developing their capacities and involving them in identifying resources and opportunities to help support children and youth at the local level.

V. Challenges and Successes

As this project is an extension of a previous, smaller scale project, we can draw upon the lessons learned from the pilot project.

The challenges:

- As one of many uncontrollable risk factors, a primary challenge in this project as reported in the pilot is parents coming back and removing children from the programme. The complexities of parental legal rights and the potentially “chaotic” nature of some of their lifestyles creates a barrier in keeping these children in the programme. Extending the work to include parents who have returned may be an option that would take some development work. This would certainly not be a solution for all. Every family is different and models developed for children must be flexible to as many differences as possible. At the very least- it is crucial to develop an outreach programme for the returning parents, that identifies their child’s progress, benefits of continuing in the programme and opportunities to be included.
- Some children’s cases are simply too complex for this kind of community based intervention. It is important to have links to clinical psychology services and strong referral networks with other support services to assess, identify and support the more complex and difficult cases compassionately and effectively. It is understood, that children with complicated situations and needs will likely need support which may not be easily accessible outside of the community programme.
- Currently, the project relies wholly on donor funding. The State does not have the financial resources nor the capacity to implement a project of this size and nature. This presents problems with local government ownership and development of long-term in country capacity to continue this project.
- The lack of job availability after the training and education provided by the program presents an additional risk. The discouragement and commensurate problems of joblessness is a reality facing many of the participants. The aim is to continue support for the transitional period, but the overall economic climate in Moldova is an unavoidable and uncontrollable risk factor.
- The project is very successful in the ‘empowerment’ aspect, but would need to scale upwards and outwards to address the ‘enabling environment’ aspect as well. Participants did mention that they still experienced discrimination in the community.

“Peers think about graduates of boarding schools as being stupid persons or nobody”

The successes:

- Our partnership model is essential for addressing issues of vulnerable children, migration, and the risk of trafficking. Having knowledge from local implementing organisations, national bodies involved in legislation and policy setting, international sources of funds, and a multidisciplinary approach via the partnership to project design are all central to the success and sustainability of this project.
- Participation by the children and adolescents in the programme allowed for a human rights based approach and an important aspect of ownership which contributed to its success. Participants noted specifically benefitting from the interactive character of the activities and their active involvement and participation in the trainings. Girls mentioned that during the

seminar CRIC and IOM organised interesting games and provided useful information in a manner that is very different from the traditional teaching methods from their school:

“They organised a very interesting activity– the documents required in order to get a profession. We had to prepare documents such as the identity card, photos. We had to obtain all those documents. That was a real game.”

- Conducting a needs assessment at the outset to determine gaps is of the utmost importance in designing a relevant project. The project is designed to compliment and add to the already existing network of initiatives and projects to combat human trafficking and protect vulnerable children. For example, this project includes an element of working with social assistants who, previously, had not been specifically trained in working with this target group. Identifying and filling that need is a core component of the success of this work.

“We have education in the field of social assistance and have working experience in the mayoralty and police. We worked with at-risk children but lacked the experience in dealing with girls from boarding schools. We worked with children at risk but addressed narrow subjects, such as HIV, TB, etc. The work with these beneficiaries is more complex. It is about psychology, psychiatry”

- Another success in the project design is the mechanism by which girls are transitioned out of the programme. Asked about the type of support received since their involvement in the project, the participants mentioned the stipend, bed and hygienic supplies, dishes, and advice received from the social assistants. Participants mentioned that the support was very important for them, taking into account that when they left the boarding schools they had neither financial resources nor a place to live. The monthly stipend is provided on the basis of a contract concluded quarterly with the project implementation team. The contractual clauses included specific tasks related to the academic success, established individually by the beneficiaries and confirmed via individualised reporting tools and certificates from the schools. The participants then also benefit from learning skills in financial management and tracking.

VI. Conclusion

This project is an excellent example of best practice in addressing the very real problems of vulnerable children and their risk of poor outcomes, particularly human trafficking. Though there are challenges in achieving all of the goals and objectives, this model could be adapted and tailored into a variety of settings to address similar concerns. Soroptimist International posits that the key elements of this particular project which can be translated into best practice guidance are:

- Understanding that projects which aim to protect children from social and economic vulnerabilities is one of the most powerful and successful forms of **prevention**.
- Designing interventions which **empower** vulnerable children through the **skills** and **confidence** framework, implemented alongside a complimentary campaign to **enable** opportunities in the wider community and environment is a proven successful model.
- Identifying and then filling **gaps** within the wider network of development work is absolutely crucial; too many players and too much overlapping work can do more harm than good.

- **Partnerships** which stretch across and within borders bring much added value to the work.
- A human-rights based approach, particularly in terms of **participation**, is also critical for success and sustainability.
- Reliable, long-term support for vulnerable children, for example through **transition** programmes, ensures that programmes will have a lasting, meaningful, and enduring impact.