

Marek Michalak, the Ombudsman for Children

Responsibility for the child – Korczak's appeal

Attention – either we agree now or part for ever. Each thought (...), each (...) feeling should be called to order and line up for discipline by the effort of will.

These words of Janusz Korczak have a specific meaning today. They are a call to act jointly, to express the common will of action to protect children – refugees that are surging against the shores of Europe. We, the adults, are induced to this action by the understanding of the modern world, sharing common values and standards set forth in documents, especially the Convention on the Rights of the Child.

It is our – the adults' – task to know the situation of children in our countries, the situation of children in Europe and all over the world. We know it and are grieving at it as experts, as Korczak's people. We frequently repeat this basic thesis: children are the most vulnerable, the poorest social group. Children are the first victims of conflicts and wars.

The balance of the World War II made us aware of it in a very painful way. It is estimated that more than 150 thousand Polish children were deported to Russia (about 20 thousand came back from this country), about 200 thousand Polish children were taken away from their parents and transported to Germany for germanisation (Lebensborn); 150 thousand Jewish children died in the Warsaw Ghetto, thousands of them went through concentration camps, many of them became familiar with prison camps, many of them were taken to Stalin's social rehabilitation camps.

Wars that have been on since many years on many continents have led to death or serious mutilation, emigration and exile of millions of children. The world, and Europe especially, has been trying to fight this problem since many years and has great experience in that field.

We, in Poland, signed the Geneva Convention of 1951 and the new York Protocol of 1967 regulating the procedure of granting the refugee status under Geneva Convention no sooner than in 1991. So, our experience in that matter is neither rich nor constructive.

As the Ombudsman for Children in Poland, I have the deep feeling of discordance in Europe between the great need to help children and the practice. It is painful for me to watch the fate of all children: Polish, Somali, Syrian, Palestinian, Afghan or Ukrainian. I claimed Syrian children, following the subsequent position statements of ENOC that condemned bad treatment and difficult situation of children in Syria – the one of 2012, developed upon the initiative of the Polish Ombudsman for Children, addressed to Jean Zermatten, the Chairman of the UN Committee on the Rights of the Child, and the one of 2013 to all countries of the world, I appealed to the Ministry of Foreign Affairs for help to Syrian children staying in refugee centres.

Today, the problem is growing every month. As the UN High Commissioner for refugees, in 2015 more than million refugees came to Europe by sea, 25% of whom were children and 17% - women. Foundation Save the Children states that more than 26 thousand unaccompanied minors came to Europe. In the same time, a press release says that at least 10 thousand children who came to Europe without a parent or guardian, disappeared.

Regardless of the way we interpret those numbers, it is an important, painful problem for us and a great task – a commitment. It is backed by the provisions of the Convention on the Rights of the Child, obliging the State-Parties to, pursuant to Article 22, undertake relevant measures with respect to a child who applies for refugee status, protect this child's identity (Article 8) and the right to connect with the family (Article 9). The situation is growing tense. *Either we agree now or part for ever* – also today Korczak would say. We are responsible for ourselves and for the future of our children – Simone Weil would add. After the chimneys of Auschwitz – the world is not the same anymore, Theodor Adorno would admonish.

The surge of war and conflict victims against the shores of Europe is an experience for us that verifies our respect for human dignity, to observe human or Christian values. It is a challenge to our conscience, the feeling of freedom, readiness to act and be held responsible for ourselves and for the world. These arguments may be perceived in humanistic and ethical perspective and be seen as individual and social merit. One may also see in them rationalism of action, I stress – ACTION in connection with responsibility.

The basic question is: to whom we assign this action and responsibility? The legal subject of the Convention on the Rights of the Child are State-Parties. One can say that in legal sense – it is the state who takes on the responsibility for young citizens, for children. For a pedagogue, psychologist, a teacher – this is not, however, so clear. The model of a state who takes care of a child – in post-communist countries – is not associated well. It brings experience of a totalitarian country, in which care was connected with control, supervision – with punishment. Today's democratic country has to – according to the rule of subsidiarity – create conditions to support children in every circumstance, especially the refugee children. It is about legal, financial, administrative conditions, subject to social negotiations and control.

In a democratic country, this responsibility has a social dimension. It reflects the mutually dependent system of the individual and the state, or even better – the society. These connections between the country and society, between authorities and citizens are growing more and more difficult – not only in the so called post-communist countries. In today's world – there is less citizenship and more authority in those relations.

The point is that a European country of today that embodies power does not really want to take responsibility for supporting the little and older refugees. That is the source of misunderstandings among European leaders, dodges, advances to various social powers, very often extreme, xenophobic or even fascist. We are more and more skeptical against agreements signed by governments, agreements of European agenda. Yet we do not release them from their special responsibility, as it is them who have first of all relevant legal, financial or administrative measures. We wish that this action would be subject to social discussion and verification.

What is more, the difficult, complex problem of refugees was reduced to a great extent to a one-party narration in the social message. Europe in this picture is not perceived as merciful, beneficent or endangered and forced to defend. The voice of the other party, the refugee child, is very weak. I deeply believe that Korczak would ask for this voice, having seen today's tragedy of Syrian, Somali, Afghan children breaking through to Europe.

Korczak saw up close what was migration and emigration. He described it in detail in "*Palestinian letters and considerations*". He himself did not want to agree to the role of an emigrants. In the letter of 27 January 1928 he wrote: *I have too little life before me to be able to devote ten years to physical and spiritual assimilation with new conditions of breathing, digesting, looking.* He very well

understood the situation of a child deprived of roots, thrown into a different, foreign world. Hence, as he wrote, he would not be misguided by platitude. A child that comes to a new place also feels bad, as *“the adults, strangers, do not understand him/her there...”*

I do not know, I cannot think what Korczak would say about little refugees from Syria, Afghanistan from the perspective of his tragic experience in the ghetto. Would he organize a children’s home in Lesbos? Would he be patient enough to stand constant political negotiations and trading, when the children are drowning in the Aegean Sea? Or would he shout with great determination: *Attention, either we agree, or part for ever.*

In this strong appeal of Korczak – there is no choice in fact. In today’s world we have nowhere to part and go away forever. We must agree! We have to agree!!

Korczak’s appeal are also interpreted as strong words addressed to adult teachers, educators, children advocates and representatives of non-governmental organizations and social movements. *Attention, we must agree, because there is no other way.*