

CHILD WELFARE MODELS – CASE FOR UPHOLDING INTERNATIONAL ORDER AND CULTURAL SENSITISATION

White paper on an Indian expat family's incident with Child Protection Agency in Norway

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The Barnevarnet (Child Protection Agency) in Stavanger, Norway has placed two minor Indian nationals under its protective custody after the lower court ruled in favour of The Barnevarnet's proposal. The main outlines of the decision were:

1. The two minor Indian children (boy born 12.10.08, girl born 04.12.10) shall stay in two separate Norwegian foster homes approved by the Barnevarnet until they reach 18 years of age; and
2. The Indian parents shall have 1 hour meeting for one time in a period of 6 months – six months – with their children

This article, in brief,

1. Explores the philosophical underpinnings of Child welfare (**Philosophy**);
2. Questions the legitimacy with which the Barnevarnet has usurped custody of minor Indians (**Legitimacy**);
3. Explores their rationale for deviating from the norm where Biological parents decide on the best course of action for their children (**Barnevarnet's Rationale**); and
4. Acknowledges the actions taken so far by various parties and further proposes more actions to the various Stakeholders (**Recent Developments and Call for Action**)

Philosophy

Barnevarnet's philosophy appears to be guided by the belief that human beings, for healthy development, need: proper food, security and shelter, pretty much like sheep. For humans they further believe that one should add education and a dollop of vacation in the Mediterranean. If a child is at risk of being deprived of any of these elements then the State should seize custody of the child, eliminate the risk factor and provide for the goods.

Human beings do require all the things that sheep require. However what sets apart humans from sheep is: human beings are planted in cultural soil of a lineage of ancestors.

Human beings thrive on risk taking otherwise there would be no progress. The kind of parents one is born to is totally a matter of chance. Usually parental culture and resources shape the parental vision for their progeny which basically sets the context of an individual's achievement. We value and support parental discretion and choice in preparing productive members of the society. We value the diversity that such parental choice brings.

It is mandatory to intervene if there is a threat of child's access to the sheep elements but the modus operandi of intervention should be strengthening of parental resources so that they can better exercise discretion and choice for their progeny. Social forces in India do not allow the State to intervene before Familial and Social mechanisms are exhausted.

Barnevarnet's decision seriously fails on our philosophy and values as it:

- uproots two minor children from their cultural soil, where they stand to completely lose their Bengali language, bonding among siblings, cousins, kith & kin, religion, traditions, Indian food, parent's professional and social network, and Indian Citizenship. The decision poisons the Indian minors' cultural soil even before they have started to draw from it.

- fails to promote parental discretion and choice and seeks to cast the children in a pre-meditated State's (a State where the Indian minors are Alien, where they are not eligible for Citizenship, where the minors' Parents do not enjoy franchise, where they would otherwise be illegal inhabitants after March 2012) conception of healthy individuals. The decision kills diversity that we greatly value.

Barnevarnet has fundamentally failed to first clearly appreciate and articulate the Best interest of these Indian minors alien to Barnevarnet's country and culture.

Instead, in the garb of some psycho-babble canned argumentation, the Barnevarnet has moved ahead with its standardized processes, inappropriate interventions, brute force, arrogance of State authority and disrespect to the minors' Citizenship and cultural milieu. We continue to explore the legitimacy of their action.

Legitimacy

Barnevarnet made the whole set of episodic observations by being present in the home of the parents. They gained entry in the pretext of providing 'help' to the parents with their minor boy, mother's pregnancy and their situation in general. The 'help' was not offered through a written letter nor were the terms of this 'help' disclosed. It would be a reasonable expectation that the 'help' would be confined to solving the challenges being faced by family and personal data collected during such visitation would not be used for any other purpose. Given that, as we explore later in this article, there was very little 'help' on the aspects that the family faced problem, it appears to be only an excuse to clandestinely collect personal data to build a case for seizing custody. It amounts to blatant invasion of individual privacy and a State sponsored mechanism to influence and collect children (as per the data from SSB, Norway, almost one fifth of children born in Norway receive some form of child care measures). Barnevarnet fails to live up to the requirements set forth in Article 12 of the United Nations Declaration of Human Rights (UNDHR) that "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation."

The minors have been resident in Norway because of their Indian biological Father's work. In normal circumstances they would be considered illegal immigrants if they were not to co-terminate their stay in Norway along with their Father's stay. These children do not enjoy all the State privileges that Norwegian minor citizens enjoy either directly or indirectly in the form of State support to parents. How could a State award itself the right to decide on a transient skilled worker's whole life based on a couple of years' of Work visa? It is just imbalanced. How could a State have a policy of not offering citizenship (Norwegian) to such minor children of immigrant workers and yet make decisions that impact their whole life? By sending the children of immigrant worker parent to a foster home for eighteen years is almost like tethering the immigrant to stay inside Norway for those eighteen years. It amounts to a gross violation of Article 13(2) of UNDHR which provides that "Everyone has the right to leave any country, including his own, and to return to his country".

The minors have not only been taken away and placed in foster homes but also the parents are allowed only to have two meetings a year of 1 hour each. Article 26 (3) of UNDHR asserts that "Parents have a prior right to choose the kind of education that shall be given to their children." Could Barnevarnet explain how do the parents get to exercise their right in two meetings a year? A great deal of education happens in the course of family spending time together, extended family meeting and children getting to know their parents' networks. The parents are well educated, by any global standards, themselves and fully capable of guiding their children.

In such a circumstance it appears a little dubious – why should the Norwegian State not first exhaust the possibilities of deporting the Minors if their alien temporarily resident (for work) parents fail to follow the law of the land of providing adequate support and care to the Minors? If the parents fail, the minors are responsibility of the country they are citizens of i.e. India in this case. Albeit population growth rate in

Norway is low and there is dearth of new trained work force specially hailing from minority communities, this does not seem to be an honourable way of meeting that end. Mind you, the minors are not asylum seekers or refugees from a war torn country.

Indeed some Norwegian State resources have been spent on the case in the form of various 'interventions' and preparing the court suite. Does that resource spend create a title on the minors in favour of the Norwegian State? The resources come from tax payers' money and the minors' father has already contributed towards it. Article 16 (3) of UNDHR states: "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State". It is therefore paramount that any State should do all that is within its means to preserve Families and not break them while they formulate child welfare mechanisms. The matter does not even seem to be in the radar of considerations with which Barnevarnet contrives its mechanisms.

Alien minors with incapable parents are almost similar to minors without parents. No body owns children in the sense of the property like real estate but they still are a property in the sense that they provide a responsibility to the responsibility holder, they provide joy and they are future contributors to the country and society. What does pocketing somebody's lost wallet amount to? If we find someone's abandoned property, pet or child then the usual legal and civic expectation would be that the finder makes some effort to contact the owner and return the property. If the owner is incapable then property is returned to the next in kith and kin. This is what we do and what we would teach our children. This is our value. What value does Barnevarnet espouse through its action?

Article 25 (2) of UNDHR states: "Motherhood and childhood are entitled to special care and assistance." As we explore later in this article by providing completely irrelevant and inadequate assistance Barnevarnet strips an innocent Mother of her motherhood and strips the children of their natural family.

Articles 5 and 8 of the Convention on the Rights of the Child (CRC) lay emphasis on the need for prospecting the child's roots, identity, nationality, and family relations. Precedents within Norwegian common law also provide for placing the children with the next of their kith & kin when parents fail in their parental duties. Barnevarnet has not commented on the measures it took to prospecting such rights as envisaged in the CRC.

Article 20(3) of the CRC further stipulates that when considering solutions (for alternative child care), due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

In our opinion Barnevarnet has been legitimate in its action in so far as identifying an impending child development crisis (in its opinion) and moving the court but it has transgressed the legitimacy by not keeping either of the following as an option:

- offering the parents to make suitable arrangements for the minors outside Norway;
- offering the parents to leave the country with their minors;
- offering custody of the children to the next of kith and kin;
- offering custody to an Indian government / non-government organization specializing in child welfare; or
- offering custody to Government of India.

Barnevarnet's zeal in adhering to its contrived solution of Norwegian foster homes for Indian children just does not smell right. It even appears counter-intuitive if the objective is children's best interest.

Barnevarnet's Rationale

Irrelevant criteria

Barnevarnet start with their exposition on the pretext of seeking custody of the children by discussing 'Family circumstances'. They make a note that the family does not speak Norwegian and have little network

outside the home. It is difficult to understand the relevance of speaking Norwegian to the case. Stavanger primarily thrives on the international community that is contributing to Norway's Oil & Gas industry. The place is full of expat professionals who do not speak Norwegian, are here to stay for a couple of years and then move on to their next destination wherever work takes them. If knowledge of Norwegian is key to bringing up foreigner children in Norway then that should be a condition of granting the Work visa. Further they make a note that the family has limited social network (implying local social network) Naturally a foreigner skilled worker's social network would be limited - this is true of these expat parents as much as it is true of thousands of other expats. They fail to recognize that we are today living in an internetworked world and the social network that the couple is in touch with over the Norwegian borders. Barnevarnet making a note of these aspects reveals that not only it is misguided about the variables it places importance on but its vision is also rather parochial.

Context

The context, within which the episodes unfolded, that finally lead Barnevarnet to mistakenly conclude that they should seize custody of the minors, has a special relevance to appreciating this case. The whole series of episodes transpired between Nov 2010 and May 2011. The mother delivered the minor girl in December 2010 and by the time the baby girl was 5 months old, still on mother's breast, she and her 2.5 years old brother had been taken away by the Barnevarnet. Pregnancy is a tough time for any woman. Even simple googling would reveal the complexities of pre-natal and post-natal depressions and their impact on a woman's ability to function and behave normally. It is understandable if a lay person who is witnessing pregnancy for the first time is ignorant about this but better knowledge is expected from an agency that has been appointed saviour almighty of all the children by State. We later see that the Barnevarnet seems absent-minded to this crucial pillar of the context.

One more aspect that has been key to the whole saga relates to the development needs of the minor boy. People (parents, medical community, Barnevarnet, kindergarten) agree that he has special needs but when one asks the question - why - the medical fraternity still leaves it unanswered. There is only speculation about the reasons that lead to his condition. For the sake of simplicity we could term it as Quasi-Autism. Whereas the Barnevarnet is cognizant of the minor boy's condition, they expect an unreasonable level of understanding from parents in their description of the condition and in their ability to meet the demands of the situation that boy creates as a result of his Quasi-Autism.

According to Barnevarnet parents have described the boy's behaviour as 'stubborn', 'naughty', 'disobedient' and 'arrogant'. It is expected that people who are not trained in the science of Autism or similar conditions would only describe what they experience. They would not say - 'our boy displays characteristics similar to a form of Asperger syndrome'. It is difficult to understand why Barnevarnet expected a Geophysicist and an Administration professional to not only to be able to understand, and explain what medical fraternity has not been able to explain but also to be able to react to in a professional manner.

Pretext

Barnevarnet in their pretext fundamentally paint mother as a person with low intelligence who has poor ability to 'mentalize'. This is an irresponsible portrayal of pregnancy related depression. The psychologists who have examined the mother do not think that the mother suffers from any debilitating mental condition. One expects more responsibility in use of clinical terms while describing people from an agency like Barnevarnet. It amounts to harassment and persona assassination apparently to fulfil one's own single-minded motivation. Barnevarnet do not provide a reference to what tool they used to measure her level of mentalization capability. They attribute this low ability to 'mentalize' as the cause of Mother's disorganized manner of meeting her children's needs.

Barnevarnet are a little more generous in ascribing intelligence to father, they say father has a greater capability of 'mentalization' than mother (and probably lower than the Barnevarnet's observer?). However they add a pinch of salt: they state that father neither has the time nor the tools with which he could

compensate for mother's incompetence. They agree that the father has a greater ability to relate with the boy that meets their expectations. It is true that the father has been stressed for time being the sole bread earner and being a foreigner skilled worker. Foreigners do not enjoy the State sanctioned privileges that Norwegian citizens enjoy to create more time to provide a helping hand at home.

'Help'?

It does not require an expert to decipher the aspects on which the family circumstances warranted help. A couple that is parents to two small children fundamentally needs more hands. They need someone who can cook for them, clean for them, baby sit for them, shop groceries for them etc. In the case of this family they also needed help with understanding their boy's special needs. When work load is manageable people have manageable stress and they perform with their optimal intelligence and skill, when work load is unmanageable people fumble and behave awkwardly. Barnevarnet did not provide help on any of the aspects identified above. Instead what they provided can at best be described as policing and turning the family into observation objects.

Barnevarnet's help – termed Initiatives by them – was i) Marte Meo measures for enhancing mother new born daughter engagement; ii) Morning routines; and iii) Evening routines. Of these three Evening routines were never implemented because the custody was seized before the time for envisaged Evening routines was reached.

Marte Meo is a jargon for video recording events and viewing them again. The methodology is used widely but its effectiveness has not been researched adequately. One could ask the question: How much analytical re-viewing a mother who has just come out of pregnancy can do?

The morning routines basically amounted to Barnevarnet advisor and observer directing depressed and pregnancy weakened mother to follow a military precision schedule. Get up at this time, feed at this time, reach kindergarten at this time etc. They have been totally blind to the resources that were at the disposal of mother at that time. When all she needed was a helping hand who could clean for her or dress up the boy for kindergarten while she breast fed the girl, she received advice, glares, and disapproval. A simple review of motivation and individual performance theory would tell us that it is no surprise that the object of observation – mother – fumbled and erred in the policing glare of Barnevarnet. The mother tried to avert the 'advice' but Barnevarnet either did not understand even the overt cues or were not equipped to provide the nature of help that the mother really needed. Instead in mother's words they took a personal disliking to her.

The evidence

Barnevarnet allege that mother has a disorganized demeanour. Their allegation relates to her feeding, her safety measures for her daughter while changing nappies and the manner of providing attention to her children. Given that none of the events were disastrous – her conduct could at worst only be termed as fumbling, further given that the mother was not in the best of her health and the fact that she had someone constantly breathing down her neck, the evidence Barnevarnet provide has no validity. Their assertion that the mother has failed to carry out their advice has no meaning given that they did not equip her with resources to carry out that advice.

Another ludicrous evidence that Barnevarnet provide mentions that the minor daughter looks at other people's faces in presence of mother. Norwegians are stereotyped to be cold in the way they receive other people. Eastern cultures on the other hand are stereotyped to be more gregarious – people from such cultures seek contact. Probably some of that is related to the minor girl's genetic constitution?

Barnevarnet express concern over 2.5 year old boy sleeping with his father and the fact that the parents had not bought a separate bed for him. This observation points to Barnevarnet's ignorance and closeness towards other cultures. 2.5 year old boy sleeping with his father is very very normal in many cultures outside Norway. In fact even in modern western parenting literature co-sleeping is advised as a form of

bonding. In countries like India children up to 7 – 8 years could continue to sleep with a parent, grand-parent, uncle or aunt. Buying a bed was never a problem for the parents, they just did not want to give up their cultural tradition. Even if they were not able to afford a bed, it does not become a cause for action because even resource poor parents have the right to bring up their own children. You could offer a bed to them but they may decline to accept your 'help'.

They also express concern that the family did not have enough space in the living room and enough toys for the boys and then they mention though the situation improved later. Whether they had enough space or toys is an irrelevant criterion for seeking custody of the children. Children grow up in the space and resources that their parents have and have the vision to provide to their children. Sometimes parents do have the resources but just do not have the foresight to make them available in the right format. If one is on friendly terms one could suggest how parents could change the format of their resources but no one likes to listen to such suggestions from a policing body.

Barnevarnet refer to some instances of shouting and loud discussions among parents and suspected violence on the boy by mother. Loudness is a relative idea. Scandinavia in general is quieter than the busy streets of Kolkata and it's difficult to be discreet when one is stressed. The suspicion of violence fails to account for need for temporary threat of restraining force while dealing with children. The mother admits to showing boy her slap but maintains that she has not hit him.

Barnevarnet provide another evidence where mother force feeds the minor boy and without explaining what food is all about to the boy. May be mother could have done it differently, we don't know but it's a general tendency among some parents to force feed their children and as we mentioned earlier not everyone is a stage artist who can provide a demonstration of ideal toddler feeding to observers.

Barnevarnet refer to interaction between the minor boy and her mother and state that she was rejected by the boy at several instances. They also state that their interaction was better at some instances. Given that mother had just given birth to a girl, one cannot ignore the possible contribution of sibling jealousy in causing boy's behaviour. It is natural that the mother cannot provide the same level of care with a new child in her lap to the older boy.

Information withheld

The Barnevarnet is totally oblivious to the stress its demands on and pestering of the parents for meetings and routines caused. They do not state how readily the couple went through the interventions with them. Infact the parents state that the Barnevarnet's team were arrogantly insistent and callous of parent's time commitments on any activity but meeting Barnevarnet when they wanted and where they wanted.

Barnevarnet talks about poor emotional connect between minor boy and mother but are silent about the various videos and photographs that show the family in a different light.

Barnevarnet is disturbingly silent about the fact that they interviewed the children's paternal and maternal grandparents, who had come down to Norway from India for taking over the responsibility of the minors. They do not disclose why they did not consider placing the children with the grandparents as an option. After all it is the same grandparents who have produced a Geophysicist that is contributing to Norwegian economy. Even within the confines of Norwegian Law there are precedents that allow for placing custody with Grand Parents in case Parents are unfit.

Barnevarnet's performance

May be Barnevarnet has done some good to Norwegian society by placing numerous children in foster homes. There is no concluded evidence that these children have as a result fared better generally in life. Befring (2004) reported that it may be estimated that almost one third of the children under care faced some form of sexual exploitation. Clausen and Kristofersen (2008) have found that young Norwegian adults

from care background (both foster homes and residential care) have severe problems after the transition to adult life.

What kind of questions and complexities these children, who get placed in the foster homes, could be facing internally within them is probably answered even by someone with Psychology 101 knowledge. Children of the German soldier fathers and Norwegian mothers born during the period of German occupation of Norway during 1940 – 45 are still general denigrated by some as *tyskerunger*.

Norway considered exporting about 8000 such children after the German occupation was over. A large number of *tyskerungers* suffered many years of abuse , sexual exploitation , compulsory psychiatric treatment and forced adoptions , which has driven many to suicide. This information is gratis from Wikipedia. Where was Barnevarnet?

NRK a leading channel in Norway reports about Barnevarnet's organization of a clandestine operation: smuggling back a Turkish child placed in a Norwegian foster home. The child had been sent to a vacation with his foster parents to Turkey. While in Turkey the Turkish court had issued an order placing a ban on exit of the child. Barnevarnet then sponsored a multi-million Kroner operation to smuggle the child back. Leave aside the legal and ethical aspects of the matter, the operation was apparently kept secret even from the Norwegian Ministry of External Affairs. The Barnevarnet appear to be first among equals.

How children fare in life is to a certain degree a matter of chance. Barnevarnet does not seem to enhance those chances at least for many of them. We could grant good intentions to Barnevarnet but something in their philosophy and structure seems to be defeating the purpose. Fact of the matter is any system is prone to errors of wrong inclusion and exclusion. Moreover it is also extremely difficult to simulate the organic bonding and love that families are able to create outside in an 'all expenses paid for' type of commercial environment. Therefore one needs extreme caution and a credible alternative before disturbing a family. If the odds that you create for the children are not going to be any better than what they currently have, leave them to their chance in life.

Bringing up children is a job of love; the Norwegian system is fuelling it on their riches. Every foster family is paid half a million Kroners for one foster child, child maintenance and vacations to the Mediterranean. The whole 'industry' is supported by child care workers, lawyers, judges, kindergarten workers, health station workers, and psychologists. Without the intention of discounting the good work done by majority of them it's not unwise to at least suspect a nexus of vested interests that such a system could foster.

It is no surprise that simple googling exposes strifes Barnevarnet has landed itself into with numerous countries – Poland, Russia, Turkey, Sri Lanka, etc. Why does a country that has otherwise strict immigration norms show such eagerness to take over custody of foreigner children? Why not just send them back? Should we understand that the actions are genuinely driven by an innate desire to be a good son of God? What message does one draw? To do a noble deed and help someone in need? What do we say to the hapless voyager who may get trapped in a snow storm near the North Pole? Leave the kids back home, dear? According to a 2011 report by the Norwegian Statistic Central Bureau, children from immigrant parents have a three-time greater likelihood of being removed from their homes than other children. How many immigrant families have been enrolled as foster families?

Barnevarnet suggests that the minor children appear content in their foster homes and are developing well. Who can test the veracity of their claim? Instead, we should also ask if externally perceived contentment of

infants and toddlers is a valid predictor of their life-long standing. Children everywhere are content without the bitter medicine. Are they developing because of Barnevarnet? Or with time, when things would have become easier for parents, they would have developed irrespective of Barnevarnet? They have already lost their language, their religion, their food, acquaintance of their loved ones, so whose metrics of development are they climbing?

Recent Developments and Call for Action

The case of hapless Minors has received overwhelming coverage in the Indian media. People are astonished; they are outraged that someone could even think of taking such an action. There have been street protests in Kolkata and almost all leading Indian newspapers and TV channels have covered the incident. The UN shares this astonishment. As reported in NDTV, a 2005 UN report criticised Norway for the number of children that the State placed in foster homes, disrupting organic family structures.

The case has also received coverage in Norwegian media, where Barnevarnet's insensitivity and whimsical interpretation of laws has been criticised. Understandably the coverage has not been as wide as in the Indian media. There was a Polish case, a Russian case, a Turkish case and now an Indian case. It's business as usual.

Government of India has woken up after a long time. The children were moved to foster care in May 2011. Understandably no one wants to cause a raucous in diplomatic circles over trifles. However earlier low-profile attempts by India were completely cold shouldered by Norwegian authorities. Then, the President sensitised the Government and the Indian Minister of External Affairs has had conversation with his counterpart.

As per latest reports in Media, press release, Barnevarnet Stavanger has called, foster-care ruling grounds explained by Indian parents to the media, as bluffs. Instead Barnevarnet assert a serious case of neglect. Our independent analyses, of Barnevarnet's allegation document as presented in this article earlier, offers a different conclusion. It is not true that there is no mention of feeding habits or sleeping arrangements in the allegation document. It is true that the variables that have been chosen to present in allegation document provide a means to infer possible prejudices. It is also true that some clinical terms and canned psychology has been used insincerely and in gross violation of human rights.

Finally, on 25th January 2012, Barnevarnet has given indications that they would be willing to offer custody to the children's Uncle. There are talks about a tripartite agreement between Norway, India and the Indian expat couple. It is hoped that this episode will come to an end soon. However, as we discuss next, the issue remains far from being solved.

UN

There is a clear deficit between the text and context of CRC. The CRC by itself has not resulted in protection of the rights of the Child in all situations. There is a need to recognize the complexities of rapidly globalizing world and enhancing appreciation, respect and tolerance of diversity that Earth houses. Actions well within the borders of countries have overseas implications. While it is natural that, law of any land should draw from the typicality of its socio-eco-cultural milieu, it should not be inflexible to accommodate variety.

CRC leaves the phrase 'Best interest of the child' rather loosely defined and vulnerable to finicky interpretation. It may be close to impossible to define best interest for the numerous typicalities that every

child-neglect case brings to fore but at least the case of ‘minors of immigrant workers’ does not sound to be that unique.

In fact, CRC in its 53rd session (11-29 January 2010) concludes for Norway “The Committee is nevertheless concerned that the principle of primary consideration of the best interests of the child is not yet applied in all areas affecting children, such as child custody cases and immigration cases...” Barnevarnet’s declared plan of possibly applying for the children’s residence permit on Humanitarian Grounds, seems to be a live reflection of the CRC’s concern. In fact such a move would be equivalent to declaring India as a country not fit to offer protection to its minor citizens.

Barnevarnet

Barnevarnet should first articulate the Best interest of minors of temporary immigrant skilled worker parents. This articulation should be sensitive to the fact that temporary immigrant children come from cultural milieus that are as far as India is from Norway. This articulation should provide references to UNDHR and UNCRC and show how they intend to uphold the provisions enshrined therein.

Once they have identified and made this articulation public, they should propose the steps that they would adopt in such cases for now and in future. Forcing alien minors, who are in country temporarily because of their guardian’s work, to Norwegian foster homes is opportunistic at its best and loot at its worst interpretation.

Eventually they should either seek contact with the children’s kith and kin, or Foreign government / non-government agencies to transfer custody of the children to people who can bring up children in their cultural milieu.

NGOs

NGOs that concern themselves with child welfare should write to Barnevarnet explaining what they think about their action and how they would have tackled the issue instead. They could seek cooperative relationship with the Barnevarnet and other such agencies and exchange information on philosophy, mechanisms and styles that they deploy in such scenarios.

Norway

State of Norway or an appropriate agency of the State should take suo moto cognizance of the present matter and contact India to make arrangements to deport her children from Norwegian soil.

Further they should really introspect the philosophy behind the whole program. Why is no other country surrounded in so many controversies around this issue? How powerful can a state agency be allowed to be, where does its accountabilities lie? Whose interests are they really serving? Is there a reason to smell a possible nexus?

India

India has taken initiative to contact Norway and seek a solution to this issue for this time. While in some earlier contacts with Norway in this case India used language such as ‘kindly look into the matter sympathetically’, for India the issue is not really that of asking for ‘sympathy’. For India the issue simply should have been to ask for return of her minor Citizens.

What out of court settlement is being reached remains to be seen. There are rumors that the Norway agency might have the rights to inspect welfare of children in India. India should not end up in any agreement that undermines her sovereignty to decide for and be responsible for her Citizens.

Once this episode is settled, they should go a step further and seek a cooperative exchange on administrative software on dealing with such issues. They should bilaterally establish a protocol for such cases in future. With the number of Indian human resources enriching foreign lands, it is time India protects its interests on this front too. Hopefully the work with Norway would not be needed in other jurisdictions but it would provide a ready blue print, if need be.

They should closely follow the case and expect a time-bound, in a month or two, resolution to the matter. They should forewarn Norway about any attempts by the Barnevernet to extend the stay of minors in Norway on 'humanitarian grounds'.