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## Council of Europe Strategy for the Rights of the Child (2012-2015)

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### Executive summary

The Council of Europe transversal programme “Building a Europe for and with children” was launched in 2006 in response to a mandate resulting from the Third Summit of the Heads of State and Government of the Council of Europe (Warsaw 2005).

The strategy on the rights of the child 2012-15 proposes a vision for the Council of Europe’s role and action in this field, taking into account the progress achieved during the two previous policy cycles (the latest one referred to as the Stockholm Strategy), the needs expressed by governments and the challenges identified by the international community. The strategy is the result of **extensive consultations with governments, parliamentarians, key international organisations and civil society representatives**. It is also based on an analysis of surveys and consultations with children.

In fulfilling its role as a catalyst for the implementation of the United Nations Convention on the Rights of the Child in Europe, the overarching goal in 2012-15 of the Programme “Building a Europe for and with children” will be to **achieve effective implementation of existing children’s rights standards**. To that end, the programme will provide policy guidance and support to the member states in implementing United Nations and Council of Europe standards, promote a holistic and an integrated approach to children’s rights, and identify measures that will tackle old and new challenges in this field.

The programme will focus on **four strategic objectives**:

1. promoting child-friendly services and systems;
2. eliminating all forms of violence against children;
3. guaranteeing the rights of children in vulnerable situations;
4. promoting child participation.

The programme will continue to mobilise and co-ordinate the contribution of all Council of Europe bodies and institutions, mainstreaming children’s rights into its monitoring bodies and human rights mechanisms, as well as into all of its policy areas and activities. Furthermore, the programme will co-ordinate and consolidate partnerships with other international organisations, professional networks and civil society at large.

## **"Building a Europe for and with children" Strategy for 2012-15**

### **1. 2006-2011 – Launching the process and assessing the progress**

#### **a. Background**

The Third Summit of Heads of State and Government of the Council of Europe (2005) mandated the Organisation to mainstream children's rights into all its policies, co-ordinate all child-related activities and eradicate all forms of violence against children. In response, the Council of Europe launched the programme "Building a Europe for and with children" in Monaco in April 2006. The programme completed two policy cycles (the latest one referred to as the Stockholm Strategy) that led to a number of achievements and it identified the challenges ahead.

#### **b. Achievements**

Under the first two policy cycles (2006-2009 and 2009-2011), the programme:

- developed new working methods and strengthened the Council of Europe's capacity to fulfil its mandate, notably by setting up a multi-stakeholder platform on the rights of the child,<sup>1</sup> and by training Council of Europe staff on children's rights and child participation;
- mainstreamed children's rights, among the main Council of Europe actors and partners in Europe, into virtually all policy areas and developed a holistic child rights-based approach that is complementary to the United Nations agenda;
- identified the need for and assisted in the drafting, adoption and promotion of new standards<sup>2</sup> and policy guidelines (including national child-violence prevention strategies, child-friendly justice, health and social services);
- brought about major legislative and policy changes regarding children's rights in member states, notably through its two campaigns (on eliminating corporal punishment of children and on stopping sexual violence against children);
- increased children's access to information and participation by producing child-friendly material, developing policy reviews on child participation and holding consultations with children;
- developed co-operation with key international partners, moving from exchange of information towards joint programming and implementation.

#### **c. Remaining challenges**

Challenges remain in the following four fields:

- **Prevention:** there are not enough actions at the national level targeting prevention policies, training professionals and raising public awareness of children as genuine rights holders. Decision makers have not accorded enough importance to collecting the comprehensive data needed to successfully manage and implement various policies and services at national and local level.

<sup>1</sup> Including governmental focal points, the Committee of Ministers' Thematic Co-ordinator, an Inter-Secretariat Task Force, representatives from Council of Europe bodies and institutions, international organisations and civil society.

<sup>2</sup> Including the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201), the European Convention on the Adoption of Children (Revised) (CETS No. 202), Recommendation Rec(2005)5 on the rights of children living in residential institutions, Recommendation Rec(2006)12 on empowering children in the new information and communications environment, Recommendation Rec(2006)19 on policy to support positive parenting, Recommendation CM/Rec(2008)4 on strengthening the integration of children of migrants and of immigrant background, Recommendation CM/Rec(2009)4 on the education of Roma and Travellers in Europe, Recommendation CM/Rec(2009)10 on integrated national strategies for the protection of children from violence, the two Guidelines of the Committee of Ministers of the Council of Europe: on child-friendly justice and on child-friendly health care, as well as Recommendation CM/Rec(2011)12 on children's rights and social services friendly to children and families.

- **Protection:** millions of children in Europe are still in need of protection: children continue to be victims of abuse, exploitation, neglect, exclusion and discrimination. Some forms of violence (such as corporal punishment) are still legally and socially tolerated and widespread. Although many countries deploy important means to protect children, national and local authorities need to undertake actions that are more thoroughly anchored in human rights, are sustainable and based on a clear vision.
- **Provision:** service provision to children and their families does not always match their needs. Certain categories of children have very limited access to education, health care, justice, social protection and to a nurturing and caring environment. Economic, social and technological developments have resulted in new challenges that children, their families and the professionals working with them are not sufficiently equipped or trained to handle. Integrated local, regional and national strategies are crucial to strengthen local, regional and national governments' ability to respond to existing and emerging challenges in a cost-efficient manner.
- **Participation:** children's participatory rights are not respected: children have little access to information and their views in public and private life are rarely sought or given due consideration.

## 2. Strategy for 2012-2015 – turning a vision into reality

### a. The process

On 19 March 2011, the Committee of Ministers took note<sup>3</sup> of the initial objectives proposed for the future Council of Europe Strategy on the rights of the child and of the proposed procedure for the elaboration of the strategy and invited the Secretariat to consult the national focal points on children's rights and other key stakeholders on the contents of the future strategy.<sup>4</sup> The present strategy is the result of extensive consultations conducted with:

- the Council of Europe Inter-Secretariat Task Force on the Rights of the Child (June-July 2011);
- the government-appointed Focal Points on the Rights of the Child (July-September 2011);
- the Parliamentary Assembly of the Council of Europe, through its Social, Health and Family Affairs Committee (October 2011);
- key partner international organisations, professional networks, civil society and the private sector (September-October 2011);
- participants at the Conference "Building a child friendly Europe: turning a vision into reality", Monaco, 20-21 November 2011.

The strategy also takes into account the children's views that were obtained through a wide range of surveys and youth consultations undertaken by national authorities, national human rights institutions (including Ombudspersons for children), NGOs, independent researchers and international organisations.<sup>5</sup>

The strategy was adopted by the Committee of Ministers on 15 January 2012.

### b. The new strategy in a nutshell

In the period 2012-15, the Council of Europe will aim at the **effective implementation of children's rights standards**. It is essential to bridge the gap between standards and practice - to move from de jure to de facto - by providing guidance, advice and support to member states on how to best implement these standards.<sup>6</sup>

<sup>3</sup> In its decision set out under item 10.6a. of CM/Del/Dec(2011)1112 dated 3 May 2011.

<sup>4</sup> Programme "Building a Europe for and with children", Progress report and new priorities CM(2011)35.

<sup>5</sup> Council of Europe report on "Children's and young people's perceptions of threats and challenges to the rights of the child in Europe", August 2011. This report may be obtained from the programme's Secretariat.

<sup>6</sup> The relevant standards may be consulted on the following website: [www.coe.int/children](http://www.coe.int/children).

This will be done through:

- **Promoting a holistic approach:** support member states in observing the four principles of the UN Convention on the Rights of the Child: non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child as well as the interdependence and indivisibility of children's rights;
- **Information, awareness-raising and capacity-building:** improve the access to information of all stakeholders – including authorities, professionals, children and young people – on standards, monitoring reports, campaign and training materials and any other relevant tools and provide professionals with training on the same;
- **Mainstreaming and monitoring:** sustain and develop a child-rights perspective in all Council of Europe activities, in particular those of its monitoring bodies, as well as maintain and develop spaces for exchanging information and good practices and debating on current and emerging issues.

The four strategic objectives below build on the achievements of the programme's previous cycles and respond to the needs identified by all the programme's partners. They take into account the child-rights dimension of four other transversal Council of Europe programmes, which deal with the information society; Roma<sup>7</sup> and Travellers; equality and diversity (including gender and children with disabilities); and migration, including unaccompanied minors.

<b>Strategic objective 1:</b>	<b>Promoting child-friendly services and systems</b>
<b>Strategic objective 2:</b>	<b>Eliminating all forms of violence against children</b>
<b>Strategic objective 3:</b>	<b>Guaranteeing the rights of children in vulnerable situations</b>
<b>Strategic objective 4:</b>	<b>Promoting child participation</b>

### Strategic objective 1 – Promoting child-friendly services and systems

#### ***What children and young people say***

*Children and young people report that they are wary of the public services and systems they come into contact with. They want to be treated as individuals, and that their contacts with professionals be based on mutual trust and respect.*

Children also report that they often do not know where to go for help. They complain that they are inadequately informed about procedures involving them and that they are neither heard nor taken seriously by professionals. Victims of abuse are often afraid that they won't be believed and report that professionals often undermine the importance of what they have said.

Children and young people have the legal right to equal access to and adequate treatment in healthcare, social, justice, family, education systems and services as well as sport, culture, youth work and other recreational activities aimed at young people under the age of 18. The Council of Europe will support the development of **child-friendly services and systems** that are respectful, responsive, reliable and responsible, with a particular focus on children in vulnerable situations. To ensure a holistic approach to the protection of children's rights, the Council of Europe will foster exchange of good practices as regards local, regional and national procedures and institutions dealing with children's rights.

#### **Child-friendly justice**

In line with the Council of Europe Guidelines on child-friendly justice, the programme will provide support to member states in reviewing their domestic legislation, policies and practice to improve children's access to and treatment in civil, criminal and administrative justice, irrespective of their capacity to understand and their status. In this context, member states need to help children, their parents and the professionals working with them, to understand better children's rights in the justice system.

<sup>7</sup> The term "Roma" used at the Council of Europe refers to Roma, Sinti, Kale and related groups in Europe, including Travellers and Eastern groups (Dom and Lom), and covers the wide diversity of groups concerned, including persons who identify themselves as "Gypsies".

### **Child-friendly healthcare**

In line with the Council of Europe Guidelines on child-friendly healthcare, promote measures to ensure that national policies take children's rights as a guiding principle in the planning, delivery and monitoring of healthcare services for children; provide equitable access to quality healthcare without discrimination; ensure appropriate integrated services for children with special needs; and in all decisions regarding children's health take into account their best interests and their views.<sup>8</sup>

### **Child-friendly social services**

Promote child-friendly social services as defined in the Recommendation on social services friendly to families and children, defined as services which take into account the child's age, level of maturity and understanding, an assessment of each child's unique circumstances, and which give due consideration to their views, in particular with respect to family ties.

### **Family law and family policies**

Promote the signature, ratification, implementation and monitoring of Council of Europe standards on family law. Promote the social, legal and economic protection of the family in the best interest of the child. Provide guidance and support to member states in promoting positive parenting, i.e. the upbringing of children in an environment that is respectful of the rights of the child and free from violence, while encouraging the equal involvement of both parents.

### **Education**

Promote citizenship and human rights education, including the development of training programmes for education professionals, with particular focus on children's rights, democratic culture, equality, new media environment, intercultural dialogue and a child- and learner-centred pedagogy, with a view to ensuring a non violent environment.

### **Sport, culture and other recreational and youth activities**

Promote ethical bases and the human dignity, integrity and safety of those involved in these activities, in particular by safeguarding children from exploitation for political, commercial and financial gain and from practices that are abusive or debasing, including the abuse of drugs and sexual harassment and abuse, in particular sexual abuse. Promote children's rights in sport by developing adequate sport pedagogy and coaching that respect their development.

## **Strategic objective 2 – Eliminating all forms of violence against children**

### ***What children and young people say***

*For children and young people, violence is a major concern that needs to be treated as a priority matter. They are alarmed about the impact of violence and crime on their lives and do not feel adequately protected, for example against bullying, gender and youth violence, corporal punishment, sexual exploitation and sexual abuse inside the family, in school, in alternative care, and media, including online social media.*

*Once they have disclosed abuse, children victims of violence are often exposed to secondary victimisation, as certain reporting procedures, investigation and judicial proceedings sometimes fail to respect their rights, needs and opinions.*

Children and young people are legally entitled to be protected from all forms of violence. But despite positive steps in this direction, children continue to suffer violence in all spheres of life – in their home, in school, while practising their activities, in residential institutions and detention, in the community, and in the media.

<sup>8</sup> Final Declaration adopted at the 9th Council of Europe Conference of Ministers of Health, Lisbon, 30 September 2011.

The Council of Europe will continue to act as a regional initiator and co-ordinator of initiatives to eliminate all violence against children in Europe. As the European forum for follow-up to the recommendations of the *UN Secretary General's Study on Violence against Children (2006)*, it will continue to support the mandate of the Special Representative of the UN Secretary General on Violence against Children as well as the United Nations Special Rapporteur on the sale of children, child prostitution and child pornography. To this end, the Organisation will adopt a two-pronged approach to:

- support the adoption and implementation of integrated national strategies to protect children from violence. These will include legislative, policy and institutional reforms and a focus on prevention;<sup>9</sup>
- promote zero tolerance for all forms of violence by raising awareness and taking action to address specific types of violence and focus on settings in which violence occurs.

### **Sexual violence**

Pursue, in co-operation with its international partners, the Parliamentary Assembly and the Congress of Local and Regional Authorities, the ONE in FIVE Campaign to stop sexual violence against children, to ensure implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201), the Convention on Cybercrime (ETS No. 185), the Convention on Action against Trafficking in Human Beings (CETS No. 197), the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210) and other Council of Europe conventions and instruments that contribute to eradicating all forms of sexual violence, including genital mutilation. In order to raise the awareness on sexual exploitation and sexual abuse of children, the Council of Europe will decide upon a European Day on the Fight against Sexual Abuse and Sexual Exploitation of Children by 2014.

### **Trafficking in children**

Guide and assist member states in fulfilling their obligations under the Convention on Action against Trafficking in Human beings (CETS No. 197) to reduce children's vulnerability to trafficking, including for the purpose of forced labour, notably by creating a protective environment for them. The Group of Experts on Action against Trafficking in Human Beings (GRETA) will be invited to pay particular attention to measures taken by states to prevent trafficking in children, and to ensure that the best interests of the child are taken into account during identification procedures, the provision of assistance and protection, when granting residence permits or considering the children's return.

### **Corporal punishment, gender-based violence and domestic violence**

Continue to facilitate a culture of zero tolerance of violence towards children, to promote the effective elimination of violent discipline and corporal punishment of children in all settings, including within the family/home, together with the development of positive parenting policies in member states.<sup>10</sup> Special attention will be paid to encourage the signature, ratification and implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210), with a view to protecting girls from gender-based violence and all children who have witnessed it, and to preventing and eliminating all domestic violence affecting children. Pay special attention also to the need to combat forced and early marriages. Assist member states in assessing and sharing good practices to prevent gender based violence among teenagers.

### **Violence in schools and pre-schools**

Assist member states in developing the legislation, policies and systems needed to assess, prevent and eliminate the various forms of violence in schools. Good practices using the whole-school approach and the tools provided by the Council of Europe programmes on human rights education and education for democratic citizenship will be promoted and shared with a view to providing for a healthy psychosocial and physical school environment which promotes children's well-being, as well as the elimination of practices such as bullying, discrimination, degrading punishment and harassment by promoting non-violent values and behaviour.

<sup>9</sup> In line with the Committee of Ministers' Recommendation CM/Rec(2009)10 on integrated national strategies for the protection of children from violence.

<sup>10</sup> Recommendation Rec(2006)19 on policy to support positive parenting.

### Strategic objective 3 – Guaranteeing the rights of children in vulnerable situations

#### What children and young people say

*Generally, children resent being labelled as members of a “vulnerable group”. They prefer to be treated with respect as individuals, despite any common experiences or situations.*

*Consultations with children and young people in alternative care show that they are not properly prepared to enter care and that there is a lack of continuity in the provision of care, a failure to monitor their personal situation and a lack of consideration with regard to family ties.*

*Children in detention are concerned by having to share space with adult offenders, their lack of adequate preparation to reintegrate into the community, slow judicial proceedings and a lack of alternative approaches to tackle crime.*

*Asylum-seeking and unaccompanied children describe the procedures they have to undergo, in particular detention, as stressful and traumatic. They also say they are victims of widespread prejudice and discrimination.*

Children are legally entitled to equal enjoyment of their rights, yet in practice, some children are particularly exposed to rights violations, and need special attention and measures to protect them as well as measures to empower them, in particular through access to citizenship and human rights education. The Council of Europe is committed to eliminating discrimination against children in vulnerable situations, through stepped up co-operation with UNICEF, the EU and civil society. Besides the groups of children mentioned below, the Council of Europe will continue to protect the rights of other children in vulnerable situations, such as those from national minorities; living in poverty; children raised in social isolation; child victims of discrimination based on race, ethnicity, colour, sex, language, religion, political or other opinion, national or social origin, property, disability, birth or other status such as sexual orientation or gender identity. While implementing this objective, the Council of Europe will take into account that children are often exposed to multiple forms of discrimination.

#### Children in alternative care

Promote and provide expertise to member states in implementing the UN Guidelines for the Alternative Care of Children and the Council of Europe recommendations on the rights of children living in residential institutions<sup>11</sup> and on children’s rights and social services friendly to children and families.<sup>12</sup> The Council of Europe will focus on de-institutionalisation, monitoring adherence to the rights of children living in residential institutions, and empowering children in care by informing them of their rights in a child-friendly manner.

#### Children with disabilities

Provide expertise and guidelines to member states with a view to protecting the rights of children with disabilities through the implementation of the UN Convention on the Rights of Persons with Disabilities and the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society (2006-15).<sup>13</sup>

#### Children in detention

Promote and evaluate the implementation of Recommendation CM/Rec(2008)11 on the European Rules for juvenile offenders subject to sanctions or measures, the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice and relevant standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The Council of Europe will pay particular attention to developing alternatives to detention, access to legal aid and legal representation, and protecting children in detention from violence. A specific focus will also be drawn to the rights of children with parents in prison.

<sup>11</sup> Recommendation Rec(2005)5 on the rights of children living in residential institutions.

<sup>12</sup> Recommendation CM/Rec(2011)12 on children’s rights and social services friendly to children and families.

<sup>13</sup> Recommendation Rec(2006)5 on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015.

**Migrant children and children “on the move”**

Support member states in improving the protection of migrant children and children “on the move”, including asylum-seeking, refugee, unaccompanied, separated, internally displaced and stateless children. In this context, promote the application of the guidelines on child-friendly justice to children in these situations and the implementation of recommendations CM/Rec(2007)9 on life projects for unaccompanied migrant minors, CM/Rec(2008)4 on strengthening the integration of children of migrants and of immigrant background, and CM/Rec(2009)13 on the nationality of children.

**Roma children<sup>14</sup>**

Protect the rights of Roma children, through the training of Roma mediators in education and combating discrimination and segregation of Roma children in education and health systems. The Council of Europe will pay particular attention to the rights of Roma girls.

### Strategic objective 4: Promoting child participation

**What children and young people say**

*Children and young people say that their right to participation is respected the least. They feel excluded from civil life and from decisions on important topics affecting their lives, notably placement outside the family, schooling, and medical treatment. They see the following as major obstacles to their meaningful participation: age limits on the right to be heard; a low level of information; adults' prejudice and lack of listening skills when it comes to children; intimidating formal settings and tight schedules. The situation is even worse for children in vulnerable situations.*

All children have the legal right to be heard and taken seriously in all matters affecting them, whether in the family or alternative care environments; day-care; schools; local communities; health care, justice and social services; sport, culture, youth work and other recreational activities aimed at young people under the age of 18; and policy-making at domestic, European and international levels. A major obstacle to effective child participation can be attributed to adult attitudes. The Council of Europe and its member states are responsible for reversing this situation and establishing a culture of respect for children's views.

Children's participation is a cross-cutting approach throughout the whole strategy. The Organisation will continue to mainstream child participation as a working method and an attitude into its own standard-setting, monitoring and co-operation activities. This objective will be mainstreamed in particular in the Council of Europe sectors working on youth, on education and on media and information society.

**The right to be heard and taken seriously**

Promote and evaluate the implementation of the children's right to be heard and taken seriously in line with Council of Europe standards, with a particular focus on participation of children in vulnerable situations.

**Democratic citizenship and human rights education**

Support member states in implementing the Charter on Education for Democratic Citizenship and Human Rights Education,<sup>15</sup> focusing on the active participation of children and human rights education for and with children from a broad spectrum of educational settings, including formal and non-formal education.

**Education on children's rights and information**

Produce and disseminate information on the rights of the child adapted to children as well as parents, teachers and other professionals working with children, both online and in print, and in non-official languages of the Council of Europe.

<sup>14</sup> See footnote 7.

<sup>15</sup> Recommendation CM/Rec(2010)7 on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education.

### **Protecting and empowering children in the media environment**

Empower children to exercise their participatory rights in the media environment, while securing their right to privacy by developing new tools that will help them better manage their privacy and personal data on the Internet and other media. Encourage self-regulation and governmental regulation of Internet providers, social networks and the media in compliance with the rights of the child, as well as the empowerment of children and parents towards enhanced on-line self-protection and prevention, taking into account the future Council of Europe Strategy on Internet Governance 2012-2015. Particular attention will be paid to the phenomenon of “hypersexualisation” of children in the media.

#### **c. Partners**

Since 2006, the programme “Building a Europe for and with Children” has established important partnerships with key stakeholders at global, European, national and local level. This has proven to be highly effective in bringing the Council of Europe standards and work closer to policy makers, as well as to the programme’s primary stakeholders and ultimate beneficiaries: children. The programme will thus pursue the establishment, co-ordination and consolidation of partnerships with authorities and institutions at all levels, international organisations and networks as well as civil society.

#### **Co-operation with the European Union**

The Council of Europe will continue co-operation with the EU, which is considered a major partner in achieving the strategy’s objectives and in building a pan-European space fit for children. The Council of Europe has high expectations that the EU will support its strategy by acceding to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 005) and to other core Council of Europe conventions relative to children’s rights. Work with the European Commission and its children’s rights co-ordinator will be reinforced. Due to potential synergies between the actions of the EU Agenda for the Rights of the Child<sup>16</sup> and the priority areas identified in the Council of Europe’s strategy – child-friendly justice, protecting children in vulnerable situations and fighting violence against children – co-operation between the EU and the Council of Europe will be particularly important, both inside the EU and externally. Data collection and the development of indicators conducted by the EU Agency for Fundamental Rights (FRA)<sup>17</sup> will be actively supported with a view to monitoring the implementation of children’s rights standards. The Council of Europe will also develop and consolidate partnerships with intergovernmental bodies such as l’Europe de l’Enfance and ChildONEurope.

The Council of Europe will continue coordination of action with that undertaken at EU level in the framework of the European Commission communication of 5 April 2011 and the conclusions of the EPSSCO Council of 19 May 2011.<sup>18</sup>

#### **Co-operation with the UN Committee on the Rights of the Child (CRC)**

The Council of Europe will give specific consideration to the CRC’s General Comments and concluding observations in all of its activities. Furthermore, in monitoring the effective implementation of European standards, the Council of Europe will build on the CRC’s country reports with a view to assisting its member states ensure effective and consistent follow-up to the CRC’s recommendations. Finally, the Council of Europe will promote, throughout its 47 members, the signature and ratification of the new Optional Protocol on a Communications Procedure for Children’s Rights Violations, enabling the CRC to examine communications from children and their representatives.

<sup>16</sup> Communication from the European Commission: An EU Agenda for the Rights of the Child, COM (2011) 60 final, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0060:FIN:EN:PDF>.

<sup>17</sup> Report by the EU Agency for Fundamental Rights, Developing indicators for the protection, respect and promotion of the rights of the child in the European Union, available at: [http://fra.europa.eu/fraWebsite/attachments/FRA-report-rights-child-conference2010\\_EN.pdf](http://fra.europa.eu/fraWebsite/attachments/FRA-report-rights-child-conference2010_EN.pdf).

<sup>18</sup> “An EU Framework for National Roma Integration Strategies up to 2020”.

### **Co-operation with the UN Children's Fund (UNICEF)**

The Council of Europe will step up its co-operation with UNICEF, in particular its Regional Office for Central and Eastern Europe and the Commonwealth of Independent states (CEE/CIS). It will seek UNICEF's expertise and programming experience in developing Council of Europe standards and guidelines and strengthen co-operation to promote equity, particularly in guaranteeing the rights of vulnerable children. In order to support implementation of standards, the Council of Europe will leverage UNICEF's field presence in the CEE/CIS region, while strengthening its own field presence in selected countries. In addition, the potential of common actions as foreseen by the 2007 Joint Declaration on the reinforcement of co-operation between the Council of Europe and UNICEF will be further explored.

### **Co-operation with non-governmental organisations**

The Council of Europe will intensify its relations with the non-governmental sector, facilitating their advisory role and their access to Council of Europe tools and consultation processes. Co-operating with research and academic institutions will be reinforced in order to promote data collection and analysis and to develop the impact assessment tools needed to guide action. The Council of Europe will also seek to strengthen co-operation with media and the private sector to promote awareness on and implementation of its standards. The Council of Europe will seek to build bridges between donors and NGOs as implementing partners.

#### **d. Working methods and institutional setting**

Existing standards constitute an excellent basis for the effective protection and promotion of children's rights. Yet, the lack of comprehensive data and thorough analysis of the situation in member states makes it difficult to remove the obstacles to implementation of laws and policies. It is therefore important to develop the Council of Europe capacity to identify shortcomings and good practices with a view to providing general guidance and tailor-made support to implementation in practice.

The programme's working methods will serve the following objectives:

- mainstreaming of children's rights in all Council of Europe actions and in particular in existing monitoring mechanisms;
- ensure transversality and co-ordination of actions;
- promote a holistic approach to the rights of the child;
- enhance communication with all stakeholders and the media;
- develop a culture of direct communication with children and families in a language they can understand;
- strengthen the Council of Europe capacity to provide comprehensive data on the implementation of children's rights standards in Europe.

### **Reinforcing the Council of Europe capacity to support the implementation of standards**

The Council of Europe, through the Programme "Building a Europe for and with Children" and this strategy, will continue to act as a regional forum for the promotion of the rights of the child and will focus on implementing the objectives of this strategy in co-operation with its key partners, whose role it shall strive to reinforce and support effectively in the implementation of the strategy objectives.

The key partners being:

- the Council of Europe Inter-Secretariat Task Force on the Rights of the Child which meets regularly to exchange on results and difficulties arising in their respective fields of activities, to co-ordinate the response and propose action;
- the Committee of Ministers Thematic Co-ordinator on children's rights (TC-ENF), who liaises with relevant rapporteur groups and ensures Committee of Ministers ownership and leadership of the programme;

- the Council of Europe Network of Focal Points on the Rights of the Child, which was created to promote co-ordination of the various actors and policies at national level, and to reinforce the link between such co-ordination mechanisms and the Council of Europe strategy and programme; the role of the Network of focal points will be redefined and reinforced;
- representatives of the Council of Europe Parliamentary Assembly, the Congress of Local and Regional Authorities, the Commissioner for Human Rights and other entities such as steering and expert committees, monitoring bodies and the relevant institutions and bodies;
- representatives from international organisations, civil society, ombudspersons, higher level education and research institutions, international experts, professional networks, youth organisations, parents associations and individual children.

The work is facilitated by the Secretariat of the Children's Rights Division (Directorate of Justice and Human Dignity, DG I).

In order to take into account the decision to focus on implementation of standards, the Council of Europe will have to strengthen its capacity to provide policy guidance and support to the member states. The Council of Europe also has to strengthen its capacity to provide expert's advice to guide and support the work of the Committee of Ministers, various steering committees, existing monitoring bodies and the member states. The possibility to address this need through the creation of a **children's rights commission** will be explored.

### **Reinforcing the role of Council of Europe monitoring bodies**

Given the number of Council of Europe treaties with implications for the rights of the child, as well as child-specific legal instruments, priority will be given to the implementation of existing Council of Europe standards through a more proactive mainstreaming of the rights of the child into the Council of Europe monitoring bodies and human rights mechanisms. Specific support will be provided to the European Court of Human Rights and other Council of Europe mechanisms and conventional committees.<sup>19</sup> Monitoring activities are also being pursued by the Committee of Ministers, the Parliamentary Assembly and the Commissioner for Human Rights. All these bodies will be encouraged to focus effectively on the rights of the child in their work and could benefit from the expertise available through a children's rights commission and an increased visibility thanks to the programmes' communication efforts.

The greater mainstreaming of children's rights in the monitoring bodies and human rights mechanisms will result in:

- the member states' full ownership of all Council of Europe children's rights standards and their more consistent and homogeneous interpretation and implementation at national level;
- a more efficient use of monitoring reports and of child-friendly feedback and advocacy mechanisms including those from UN treaty body monitoring<sup>20</sup> for the purpose of developing future Council of Europe activities in the children's rights field;
- the development of tailor-made co-operation packs for the member states focusing on the implementation of measures deriving from the judgments of the European Court of Human Rights, as well as recommendations and conclusions of other monitoring bodies; and

<sup>19</sup> This could include the European Committee of Social Rights (ECSR), the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Group of Experts on Action against Trafficking in Human Beings (GRETA), the European Commission against Racism and Intolerance (ECRI), the Enlarged Partial Agreement on Sport (EPAS), the Advisory Committee on the Framework Convention for the Protection of National Minorities, the Committee of Experts of the European Charter for Regional or Minority Languages, as well as a range of conventional committees, including the Convention Committee on the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children.

<sup>20</sup> Including concluding observations and General Comments of the CRC, NGO reports to the CRC and the UN Human Rights Council Universal Periodic Review.

- an improved access of children to international justice, including through children's input and direct contribution to the monitoring and human rights mechanisms' work,<sup>21</sup> the development of child participation activities, child-friendly versions of the standards as well as through training and support of professionals (including NGOs, national human rights institutions, legal professionals and civil society representatives).

The Council of Europe will also increase its support for national institutions and organisations responsible for monitoring compliance with the rights of the child at the national level, including specific independent complaint and inspection mechanisms, and encourage the development of cross-border co-operation and exchange of information in the member states. These include national human rights institutions, including most notably ombudspersons for children, as well as a broad range of children's rights NGOs.

### **Evaluation**

Implementation of the strategy will be subject to internal and external evaluation. At the end of 2013, the Committee of Ministers' Thematic Co-ordinator on Children will effectuate a mid-term review to assess the efficiency, effectiveness, impact, sustainability and relevance of actions in the context of the objectives stated. A progress report on the implementation of the strategy will be presented to the Committee of Ministers by mid 2015.

### **Action Plan**

An action plan setting out proposed projects and activities to be implemented under the strategy is contained in document CM(2011)171 add.

### **Budget**

The strategy will have duration of **four years** covering two budgetary cycles (2012-2013 and 2014-2015).

The strategy's budget will be composed of the Council of Europe's ordinary budget and member states' voluntary contributions, including secondments. The ordinary budget will include the budget of the Programme's Co-ordination Unit, as well as resources from Council of Europe sectors and services implementing specific projects and activities on the rights of the child.

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<sup>21</sup> Following a pilot project with one monitoring body, a road map could be developed to mainstream child participation into as many Council of Europe monitoring bodies as possible.