



## **Children's Rights to child-friendly health and social services: upholding child protection and the wellbeing of children in times of crisis**

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Child protection encompasses a very broad range of issues, many of which have already been touched upon by previous speakers. As General Rapporteur on Children of the Parliamentary Assembly of the Council of Europe (PACE), I should like to focus my intervention on how to better alleviate the situation of children in jeopardy in times of crisis, that is, in times of economic hardship and limited resources.

Even in times of tight budgetary constraint, or should I say *especially* during these times, our primary aim should be to uphold and extend basic social and health services to children. Failing to deliver on what constitutes basic human rights to groups deserving special protection will only exacerbate the crisis. Children should be helped and not merely sustained by our welfare systems in times of crisis.

What significant progress has the PACE achieved in recent years in this area?

The Assembly has been particularly active in the field of children's rights. The Assembly's Committees have dealt with children's rights in a cross-sectoral approach and members of our Assembly from all different political groups have produced excellent reports, directly or indirectly related to children's well-being. Relevant resolutions and recommendations adopted by the Assembly have been unanimous in highlighting that tight austerity measures and budgetary cuts pose a serious threat to democracy and social rights, especially for the most vulnerable groups of society, such as children. It is an urgent necessity therefore, when formulating and implementing budgetary policies, to carefully assess the consequences these policies will entail in the welfare of children, in all measurable terms. My Committee is also promoting such child-focused assessments of public policies in its text on "Ending child poverty" that will be debated by the Assembly in about two weeks at its next part-session in Strasbourg. We must ensure that consistent quality education is provided, in addition to family-oriented, specialised and individualised social and health services, as well as access to training and employment opportunities for the young in particular.

The economic crisis has indeed affected the younger generation disproportionately. Some reports produced by my colleagues have even spoken of a 'young generation sacrificed' (Luca Volontè, 2012) as a result of the financial and economic crisis. The younger generation has become increasingly disillusioned with its prospects, in the short but also long term, as policies have failed to respond to their legitimate needs.

The implementation of children's rights is fundamental to the functioning of any democratic society. Children are not "small" adults; they need to be recognized as bearers of their own rights, they need to be protected against discrimination and they have a right to well-being NOW. These rights need to take into account children's age and degree of maturity.

Children do need special safeguards because they are a vulnerable group. Child-friendly health care services need to safeguard a child's rights and access to health care, and respond to his or her particular needs, with special focus on protecting children's physical and psychological integrity. Child-friendly health guidelines need to take into account children's free and informed consent, and they should be considered as active members of society, thus as subjects, and not simply as passive recipients to or objects of decisions taken by adults. The main principle of child-friendly health, needs to take into account participation, promotion, protection, prevention and provision. Child-friendly health guidelines ensure that the right thing happens to the right children at the right time so that they receive optimal care.

The Assembly has been particularly vocal in addressing the need to eliminate inequalities for children whose non-recourse or delayed recourse to care carry implications for their own health but also on the provision of public health in general. We have also striven to work against the different socio-economic barriers that prevent children of disempowered groups, especially migrant children, to fully enjoy their fundamental human and social rights because of, inter alia, poverty, poor education, lack of amenities, insecure environments, generalised unemployment and unsafe neighbourhoods. Child poverty has also been largely documented in the Council of Europe's Human Rights Commissioner Issue Paper on safeguarding human rights in times of economic crisis, where the term "child deprivation" refers to the many forms of scarcities children across Europe are exposed to.

In the 2011 Recommendations and Guidelines of the Council of Ministers on children's rights and social services friendly to families and children, emphasis has been placed on practical ways to remedy structural deficiencies in the provision of social services to children and ways to adapt existing legislation and practices so that these policies better respond to specific needs and circumstances, always taking into account the best interests of the child. At the same time, whilst attempting to fine tune these services so as to meet children's diverse needs and requirements, emphasis is also placed on measures to enhance personal empowerment and autonomy in order to achieve permanence and stability and build independent and responsible citizens. These Recommendations also reiterate the need to involve children and ensure their participation in the planning, delivery and evaluation of social services.

Child-friendly social services need to be addressed to specialized needs of children, they need to have programs geared to children and families and there must be legal structures to protect children. Child-friendly social services need to focus on prevention – we need to see as we build on services that we build the foundations of our future generation.

In the current financial crisis the value of guidelines is of paramount importance.

As stipulated in the Recommendations, but also in line with our own work in the Assembly, I should like to draw your attention to the highly sensitive subject of children in precarious situations of abuse and/or neglect. The consequences of this precariousness could last for their entire life. These children warrant special attention through preventive measures, but also through effective interventions. Wherever possible, parents should be involved in the process, if

this does not run counter to the best interests of the child. We must at all costs try to prevent the re-victimization of children due to shortcomings in our administrative and justice systems. We have come a long way in the Assembly with respect to raising awareness among all relevant stakeholders - including law makers, teachers, parents and educators and children themselves-on the sexual abuse and exploitation of children through the Campaign "ONE in FIVE" and have sought to explore these forms of abuse and ways in which to protect the child.

A lot has been achieved not least a robust legal framework in place in most Council of Europe member states and a strong international legal backup. However, there are many persisting challenges. It is very disappointing that, despite our consistent and concerted efforts to protect children, child poverty and exclusion, substance abuse, domestic violence, child trafficking, prostitution and labour are all on the rise. The dangers these phenomena entail for our democratic traditions and social cohesion are frightening. The heaviest cost will be borne by the child itself, albeit the significant costs shouldered by society as a whole. That is why continuing to safeguard children's rights must remain a legal imperative and be placed on the top of our political agendas.

Specifically, we need to:

- implement and monitor the existing standards of the Council of Europe to overcome lasting obstacles in order to accelerate positive developments – and I will myself contribute to this in my role as General Rapporteur of the Parliamentary Assembly in the upcoming year.

We also need to:

- conduct systematic human rights impact assessments of budgetary cuts in social and health services, as these are usually the first to be cut due to budget constraints ;
- exchange best practices, knowledge and information with all relevant stakeholders on child policies and interventions;
- reallocate part of unspent budgetary balances and supplementary resources generated through adjustments in taxation to child and youth-oriented projects, programmes and organisations;
- ensure that young people with special needs, notably those with disabilities, can access training and employment adapted to their capacities, be adequately remunerated and become fully integrated in society;
- propose targeted programmes and means of integration in order to help young people in precarious situations avoid the scourge of delinquency, prostitution, self-destruction or self-exclusion caused by addictions.

To conclude, I consider that social welfare and health services should help and not hinder children's access to these fundamental services. We need to become a voice for children, ensuring that especially in times of crisis guidelines are followed so as to provide an optimal level of care – care being prevention, protection and promotion. Children need to be seen within the family unit, so all services need to address family rights and best practice. But when decisions must be taken, children's needs must constitute our priority.

Thank you.