

International Missing Children's Day 2011

**Opening speech
Ambassador Torbjørn Frøysnes
SRSG of the Council of Europe to the EU**

Brussels, 26 May 2011

The Council of Europe is proud to participate in celebrating the 10 years of "Missing children Europe" and thanks the initiative of the European Commission, the Hungarian Presidency of the Council of the EU and the support of Missing Children Europe to mark this special thematic day with this timely and important conference.

The Council of Europe is an Organization comprising the whole of Europe, with 47 member States. It aims at promoting pluralist democracy, respect for human rights and the rule of law across the continent. In these areas it draws up treaties and has monitoring mechanisms to oversee implementation of the commitments taken by the member countries, including to monitor that the countries on our entire continent uphold the obligations under the European Convention of Human Rights.

Children and the enforcement and protection of their rights are of primary importance for the Council of Europe. Our work for children is organized through a Transversal programme entitled: "Building a Europe for and with children". *Two perspectives* which have particular importance for our Conference are addressed through that programme, namely protection of children's rights and developing tools to help Member States to ensure that these rights are known and enforced.

Firstly, let me focus on the protection of rights of missing children against sexual exploitation of abuse :

Missing children invariably encounter particularly dangerous situations. Children who go missing are frequently exposed to sexual violence and abuse, either because this has already taken place or because their vulnerable situation lends itself to exposure to abuse and

violence. This cannot be allowed to happen and it is our responsibility to ensure that this does not happen.

The so-called “**Lanzarote Convention**”, adopted by the **Council of Europe in 2007**, constitutes the highest international standard to date for protecting children, including missing children, against sexual abuse and exploitation. The convention is set to ensure that sexual offences against children are criminalised. These offences include child prostitution, pedopornography, grooming and corruption of children through exposure to sexual content; these offences are all well-known and frequently lie at the roots of children’s disappearance.

The Convention ensures that states in Europe and beyond establish specific legislation and multi-disciplinary measures to keep the interests of children at the forefront. Among the most important measures are awareness-raising and education measures addressed to children themselves. Such measures should be established in primary and secondary schools, to ensure that children are informed about the risks of sexual exploitation and sexual abuse. This also includes making sure that children using new information and communication technologies learn how to protect themselves and how to ask for help.

For this purpose, **help lines**, as mentioned in **Art 13 of the Convention**, are a central tool, and they naturally figure as an important part of our discussions during this Conference. Help lines should be available twenty-four hours a day, seven days a week, to ensure that victims as well as their families are never left alone. Most importantly is the need to ensure that children’s calls for help are acted upon through a link to a support mechanism: after all help lines are only useful insofar as an effective follow-up mechanism is in place to carry through tangible help for children.

In order for these crimes to become recognised in all European criminal legislation and for preventive measures to be adopted and enforced in all member states, the **Convention needs to be ratified** by the greatest numbers of States, both in Europe, and beyond (in particular if we aim at targeting crimes online or sexual tourism abroad). So far, the Convention has been **signed** by 30 member countries but **ratified** only by 12 European States, among which 7 –only- from the European Union. We are confident that more EU states will follow and we are confident that the participants to this conference, representing EU institutions, States and civil society, will support this process to the States concerned.

Secondly, as an example of tools for member states , the **Council of Europe’s** has adopted **Child-friendly Justice Guidelines**, in November 2010, to help ensure that any child receives a proper treatment, when coming in contact with the justice system.

In an attempt to bridge existing gaps between law and actual practice the guidelines give very practical examples concerning the protection of children’s rights in the justice system. It advocates involving children in decision-making and provides guidance based on good practices existing national and internationally, to everyone working with children. Decisions should be taken rapidly, respecting the child’s rights, and mindful of the child’s age and needs.

Our 47 member states and all stakeholders are encouraged to fully implement the guidelines and to strive towards improving the situation for children in justice.

The Child-friendly Justice Guidelines give a new dimension to the existing co-operation between the Council of Europe and the European Union with the prominent place they have been given in the recent **Commission's Communication "An EU Agenda for the Rights of the Child"** of 15 February 2011, where the European Commission called for the **promotion of the Council of Europe Child-friendly Justice Guidelines** and insisted that they be taken into account in future legal instruments in the field of civil and criminal justice.

Conclusion : Combined efforts by the Council of Europe and the European Union

The Council of Europe and the European Union are the two main European Organizations in charge of developing legal standards on children rights.

This co-operation develops through mutual consultations on the respective initiatives and participation in the respective for a of discussions on children rights. There are good contacts between the respective CoE and EU **Co-coordinators** on the Rights of the Child. The Council of Europe participates in the EU **Steering Group** on Children's Rights; it is involved in the consultation on the European **Commission's Communication on the Rights of the Child** (2011-2014); the Deputy Secretary General of the CoE takes part in the annual **EU Forum on the rights of the child**. And the Council of Europe has regularly contributed to activities of the Fundamental Rights Agency, notably to its 2010 annual conference on "Ensuring justice and protection for all children" here in Brussels.

The European Union has provided support for Council of Europe standards in the field of children's rights, as mentioned in its 2009 **Stockholm Programme**, which sets the programme of EU initiatives in the fields of justice and home affairs until 2014. In this programme, the 27 member states commit themselves and the EU to support in particular the CoE Convention on protecting children against sexual exploitation and abuse, the "Lanzarote Convention" that I referred to earlier.

It is important for all the NGOs working in this field, including the Federation of Missing and Sexually Exploited Children, and, indeed, for all our citizens, that the European Governments' institutions and organizations work together to build a safer Europe for our children.

The enormous work and the great care shown at grassroots level should be matched by an equally strong and dedicated commitment by European leaders.

Thank you for your attention.