



26 June 2012

Monitoring children's rights in Europe

3-4 July 2012

Council of Europe, Strasbourg

Agora building, Room G04

CONCEPT NOTE AND AGENDA

CONCEPT NOTE

Introduction:

As any other human being, children are subjects of human rights. This means that children should fully enjoy the guarantees and the protection offered by all international human rights treaties. Some of these treaties were drafted at a time when children received little attention in international law-making. This has resulted in an absence of guidance on the way their provisions should apply to children. Fortunately, children's specific needs and condition prompted the adoption in 1989 of the UN Convention on the Rights of the Child which now should be used as the reference for both national and international standards and action concerning children.

However, even if we have moved towards the legal recognition of children as rights holders, children still lack a real access to their rights and to remedies when their rights are violated. This is true both at national level and at international level.

Facilitating children's and their representatives' access to national and international justice and mainstreaming a children's rights perspective in all relevant human rights monitoring mechanisms has been an objective of the Programme "Building a Europe for and with children" since its launch in 2006. A first stock-taking took place at the conference "International justice for children" in Strasbourg in 2007¹. This conference also kicked off the process of developing the Council of Europe Guidelines on child-friendly justice adopted by the Committee of Ministers in 2010.²

Under its 2012-2015 Strategy for Children's Rights, the Council of Europe aims to reinforce the capacity of its monitoring bodies³ which are directly or indirectly entrusted with evaluating the implementation of children's rights within their respective mandates. A panel discussion on this topic at the Conference "Building a child-friendly Europe: Turning a vision into reality" took place in Monaco in November 2011⁴. The participants of this discussion concluded that more in-depth reflections within the Council of Europe and its monitoring bodies as well as with

¹ For speeches and conclusions of the conference "International justice for children", Strasbourg 17-18 September 2007, see: http://www.coe.int/t/dg3/children/justiceSpeeches/defaultConfernecejuvenile1_en.asp

² www.coe.int/childjustice

³ For the purpose of this work, the terms "Council of Europe monitoring bodies" and "Council of Europe monitoring mechanisms" refer to the organisation's conventional committees and mechanisms such as the European Court of Human Rights, the European Committee of Social Rights (ECSR), the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the European Commission against Racism and Intolerance (ECRI), the Committee of Experts of the European Charter for Regional or Minority Languages and the Committee of the Parties (ECRML), the Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM), the Group of Experts on Action against Trafficking in Human Beings (GRETA), the Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (T-ES) as well as the Council of Europe Commissioner for Human Rights.

⁴ For speeches and conclusions of the panel discussion in Monaco on 20 November 2011, see: http://www.coe.int/t/dg3/children/strategyconferencemonaco/speeches_EN.asp.

other stakeholders such as the UN Committee on the Rights of the Child, Ombudspersons for Children and NGOs are needed to reach tangible results.

Objectives of the meeting:

- I. Discuss how to strengthen the access of children and their representatives to and awareness of monitoring mechanisms, both individual and collective complaints procedures as well as those based on reporting and/or country visits;
- II. Explore ways to strengthen the impact of the findings, conclusions and decisions of monitoring bodies in bringing about greater respect for children's rights at national level, including the development of remedies for violations at national level, e.g. through information sharing, awareness raising and more systematic cross-referencing;
- III. Discuss in more detail the actors, procedures and results of monitoring the situation of children's rights in two specific areas: (1) children in detention and (2) children from minority groups and migrant children;
- IV. Exchange experiences of engaging children and their representatives in monitoring and explore opportunities for child participation in CoE monitoring processes;
- V. Devise a roadmap on how to make full use of existing CoE and UN monitoring mechanisms, including through collaboration between them, for the benefit of children's rights in Europe.

Participants:

- ❖ European Court of Human Rights
- ❖ Council of Europe monitoring bodies
- ❖ UN Committee on the Rights of the Child
- ❖ UNICEF
- ❖ UNHCR
- ❖ OHCHR
- ❖ European Commission
- ❖ EU Fundamental Rights Agency
- ❖ European Network of Ombudspersons for Children (ENOC)
- ❖ NGOs

Total number of participants: approx. 35

The meeting will have an informal character. The length of presentations shall be kept to 10 minutes maximum, in order to guarantee ample space for open discussion.

Working languages are English and French.

AGENDA

Tuesday 3 July 2012

Moderator of the day: *Ms Elda Moreno, Head of the Gender Equality and Human Dignity Department, Council of Europe*

9.30 Opening

- ❖ *Ms Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe*
- ❖ *Ms Marie-Pierre Poirier, UNICEF Regional Director for CEE/CIS*

10.00 Round table I: Access of children and their representatives to individual and collective complaints mechanisms

This round table addresses the progress made and remaining challenges in rendering the European Court of Human Rights as well as the collective complaints procedure of the European Social Charter as child-friendly as possible. Avenues for strengthening accessibility and impact of these mechanisms with regard to children's rights and the role of nongovernmental organisations will be explored

- ❖ *Ms Isabelle Berro-Lefèvre, judge at the European Court of Human Rights in respect of Monaco*
- ❖ *Mr Luis Jimena Quesada, President of the European Committee of Social Rights*
- ❖ *Mr Jean Zermatten, Chairperson of the UN Committee on the Rights of the Child*
- ❖ *Mr Peter Newell, Coordinator, Global Initiative to End All Corporal Punishment of Children*

12.30 Lunch break

14.30 **Round table II: Monitoring the situation of children deprived of their liberty**

Starting with a presentation of a recent report on children's rights and the European Committee for the Prevention of Torture, this round table will discuss how to fully make use of the existing European and international monitoring mechanisms to address the situation of children deprived of their liberty, including in the context of detention, residential institutions and trafficking in human beings.

- ❖ *Ms Ursula Kilkelly, author of the report "Children's rights and the European Committee for the Prevention of Torture"*
- ❖ *Ms Julia Kozma, member of the European Committee for the Prevention of Torture (CPT)*
- ❖ *Mr Luis Jimena Quesada, President of the European Committee of Social Rights*
- ❖ *Ms Petya Nestorova, Executive Secretary of GRETA and Head of the Trafficking in Human Beings Division*
- ❖ *Mr Olivier Beer, UNCHR representative to the European institutions in Strasbourg*
- ❖ *Ms Claire Achmad, Research and Advocacy Officer, UNICEF the Netherlands*

15.45 Coffee break

16.00 **Round table III: Monitoring the situation of children from minority groups and migrant children**

Children from minority groups and migrant children are at a high risk of experiencing violations of their rights, in particular their rights to identity and to non-discrimination. Participants of this round table are invited to explore how the relevant monitoring mechanisms, using their particular specificities, can become more accessible to and known by children and their representatives and how to fully exploit their potential of flagging violations of children's rights covered by their respective mandates.

- ❖ *Mr Jean-Charles Sacotte, European Commission against Racism and Intolerance (ECRI)*
- ❖ *Ms Aleksandra Oszmiańska-Pagett, European Charter for Regional or Minority Languages (ECRML)*
- ❖ *Mr Ioannis N. Dimitrakopoulos, Head of Equality and Citizens' Rights Department, European Union Agency for Fundamental Rights (FRA)*
- ❖ *Ms Allegra Franchetti, Secretariat of the UN Committee on the Rights of the Child*

17.30 Reception hosted by Ms Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe

Wednesday 4 July 2012

9.00 **Round table IV: Involving children in monitoring of their rights**

Children have the right to be heard and taken seriously on matters affecting them. The direct or indirect participation of children in monitoring processes can be an empowering experience both for the involved children and adults. It can also considerably improve the quality of results. This session will assess the experience and challenges encountered by the UN Committee on the Rights of the Child, the EU Fundamental Rights Agency and national ombudsman institutions in involving children in their work with a view to drawing conclusions for the use of such or other methods in the context of the Council of Europe.

Moderator: *Ms Veronica Yates, Child Rights International Network (CRIN)*

- ❖ *Ms Helen I'Anson, Country Director, Save the Children, Albania*
- ❖ *Ms Lisa Myers, NGO Group for the UNCRC*
- ❖ *Ms Leda Koursoumba, Commissioner for Children's Rights, Cyprus, Chair of the European Network of Ombudsperson's (ENOC) Working group on access to justice for children*
- ❖ *Mr Ioannis N. Dimitrakopoulos, Head of Equality and Citizens' Rights Department, European Union Agency for Fundamental Rights (FRA)*

10.30 Coffee break

11.15 **Conclusions**

- ❖ *Ms Elda Moreno, Council of Europe: Where do we go from here? Summary of discussions and elements for a roadmap*
- ❖ *Mr Philippe Boillat, Director General of Human Rights and Rule of Law: Closing of the meeting*

12.30 End of the meeting