



Strasbourg, 2 June 2015

DECS-ENF (2015) PV1

**Committee of Experts on the Council of Europe Strategy for the Rights of the Child (DECS-ENF)
2nd meeting**

DRAFT MEETING REPORT

**Opening of the meeting: Tuesday 12 May 2015 (9.30 am)
Close of the meeting: Wednesday 13 May 2015 (6.00 pm)**

Council of Europe, Agora, Room G01, Strasbourg

Prepared by the Children's Rights Division
Directorate of Human Dignity and Equality

1. The Committee of Experts on the Council of Europe Strategy for the Rights of the Child (DECS-ENF) held its 2nd meeting on 12 and 13 May 2015 in Strasbourg, chaired by Ms Ina VERZIVOLLI (Albania), Vice-Chair of the Committee. The agenda, as adopted, appears in Appendix I. The list of participants appears in Appendix II.

2. All documents and presentations of this meeting are available on the DECS-ENF website: www.coe.int/t/dg3/children/DECS-ENF.

3. On the occasion of the meeting, Mr Thorbjørn JAGLAND, Secretary General of the Council of Europe, and Mr Tam BAILLIE (United Kingdom), Scotland's Commissioner for Children and Young People and Chair of the European Network of Ombudspersons for Children (ENOC), opened the exhibition "Austerity Bites: Children's Voices". The DECS-ENF welcomed the exhibition, which features video clips by children from 8 member States on the effects of the economic crisis and austerity measures on their lives. The videos are available on www.coe.int/childrens-voices.

Item 1: Opening of the meeting

4. Ms Marja RUOTANEN, Director of Human Dignity and Equality, opened the meeting and expressed satisfaction about the good attendance of the meeting as well as the high turnout of 37 replies to the questionnaire on the Strategy for the Rights of the Child. In view of the forthcoming exchange of views on the draft Council of Europe Strategy for the Rights of the Child ("the Strategy"), Ms Ruotanen recalled the political objectives of the Secretary General and the Committee of Ministers for the years ahead, including the need to anchor all work firmly under human rights, rule of law and democracy; to continue to move from standard-setting to implementation; to make better use of existing monitoring mechanisms; to act mainly in areas where standards exist and the Council of Europe can add value; and to bear in mind the limited resources and choose activities that are relevant and cost-effective.

Item 2: Adoption of the agenda, order of business and report of the 1st meeting

5. The DECS-ENF adopted the agenda, order of business and report of the 1st meeting. A timetable for the further work of the Committee appears in Appendix III.

Item 3: Presentation of elements of the draft progress report on the implementation of the Council of Europe Strategy for the Rights of the Child 2012-2015

6. The DECS-ENF took note of the Secretariat's presentation of the data on progress achieved on the 2012-2015 Strategy for the Rights of the Child. In the exchange of views that followed, the DECS-ENF noted that the survey question "Have measures been undertaken to implement Council of Europe standards on [...]?" may have been understood in different ways and that the results should therefore be handled with some care. Nevertheless, the DECS-ENF welcomed that the evaluation of the current Strategy and the elaboration of the future Strategy is based on sound quantitative and qualitative data and invited the Secretariat to prepare a written draft report to be sent to the Committee prior to its 3rd meeting.

Item 4: Draft Strategy for the Rights of the Child

4.1. Discussion of the draft Strategy

4.1.1. Replies to the questionnaires by member States, NGOs and Ombudspersons for Children

7. The DECS-ENF took note of the Secretariat's presentation of the analysis of replies to the questionnaires by member States, NGOs and Ombudspersons for Children. It was agreed that the replies by NGOs and Ombudspersons for Children be made available to all DECS-ENF participants, while the replies by member States be sent only to the representatives of member States.

4.1.2. Presentation of the report "Challenges to children's rights today: what do children think?"

8. The DECS-ENF took note of the presentation by Ms Mieke SCHUURMAN (independent expert) on the report "Challenges to children's rights today: What do children think?", summarizing children's views on the most important child rights issues based on an analysis of over 130 consultations with children from the majority of Council of Europe member States. Ms Schuurman concluded that most areas of concern for children are included in the draft Strategy, though more focus could be put on children's safety online.

9. The DECS-ENF welcomed that the draft Strategy reflects to a great extent the priorities emerging both from the replies by stakeholders to the questionnaires and from the report "Challenges to children's rights today: What do children think?".

4.1.3. Conclusions of the European Conference on the "Best Interests of the Child", Brussels, 9-10 December 2014

10. The DECS-ENF took note of the conclusions of the European Conference on the "Best Interests of the Child", Brussels, 9-10 December 2014, presented by Mr Joost VAN HAELST (Belgium) and stated that the principle of the best interests of the child should be referred to in the introductory chapter of the Strategy as well as throughout the Strategy, where applicable.

4.1.4. Presentation of the draft Strategy and general discussion about the document

11. After an exchange of views, the DECS-ENF agreed to:

- add a 5th priority area on the opportunities and challenges for children's rights linked to new Information and Communication Technologies (ICT), bringing together and developing further the respective paragraphs under the priority areas on child participation and violence against children;
- replace the three cross-cutting priorities mentioned in the introductory chapter by a reference to the four general principles of the United Nations Convention on the Rights of the Child (UNCRC).

12. Ms Sevinj FATALIYEVA, Parliamentary Assembly General Rapporteur on children, expressed her appreciation of the broadness of the draft Strategy, covering the important areas of inequality and violence against children. In addition, she said that the best interests of the child should be given a more prominent place in the text, both as a guiding principle and as regards the question of how to avoid severing family ties completely as referred to in Parliamentary Assembly

[Resolution 2049 \(2015\)](#) on “Social services in Europe: legislation and practice of the removal of children from their families in Council of Europe member States”.

4.1.5. Current challenges to children’s rights in Europe: The case law of the European Court of Human Rights

13. As an introduction to the discussion of the chapters on priority areas that followed, the DECS-ENF took note of a presentation by Ms Ksenija TURKOVIC, Judge of the European Court of Human Rights, on “Current challenges to children’s rights in Europe: The case law of the European Court of Human Rights”.

4.1.6. Equal opportunities for all children

14. The DECS-ENF took note of presentations by Ms Maria HERCZOG, President of Eurochild, member of the UN Committee on the Rights of the Child, Ms Eliane CHEMLA, Member of the European Committee on Social Rights (ECSR), Ms Yekaterina CHZHEN, UNICEF Office of Research Innocenti Florence, and Ms Michaela BAUER, UNICEF CEE/CIS Brussels Office, which gave an overview of the current challenges to children’s social and economic rights, in particular as a consequence of the economic crisis.

15. Mr Martin MARTINEK, Rapporteur on Roma Children of the Ad Hoc Committee of Experts on Roma Issues (CAHROM), introduced the main areas of Council of Europe work in field of Roma children and proposed to broaden the proposed scope of activities in this area in the draft Strategy.

16. In the exchange of views that followed, the DECS-ENF made a number of suggestions for modifications to the chapter “Equal opportunities for all children”, including to address children’s social rights in a more comprehensive manner than just focussing on the economic crisis and to add, inter alia, child poverty, social exclusion, integrated child protection mechanisms, prevention and early intervention, reconciling work and family life and child impact assessment. Some delegations noted that the issue of positive parenting should be moved to the paragraph on corporal punishment.

17. While noting that there is no current intergovernmental activity of the Council of Europe focussing specifically on migration issues, the DECS-ENF stressed the importance of this issue for member States and asked for a reference to children affected by migration in the paragraph on “countering discrimination”.

4.1.7. Participation of children

18. The discussion on the chapter “Participation of all children” was introduced by presentations by Mr Tam BAILLIE on his work on child participation as Scotland’s Commissioner for Children and Young People, and Ms Anniki LAI (Estonia), member of the DECS-ENF, on the Estonian experience in piloting the Council of Europe [Child Participation Assessment Tool](#).

19. In the exchange of views that followed, the DECS-ENF made a number of suggestions for modifications to the chapter “Participation for all children”, including to strengthen the wording reflecting the requirement for member States to develop innovative methods for child participation (not only consultation) and for the Council of Europe to support them through

facilitating exchange of experiences. It was also agreed that references be introduced to participation of children as individuals, to quality requirements for child participation, including within the Council of Europe's work, and that the paragraph "Reaching out to children" be moved higher up within the chapter.

4.1.8. No violence against children

20. The DECS-ENF took note and welcomed the presentation by Ms Marta SANTOS PAIS, UN Special Representative of the Secretary General on Violence against Children, who stated that the new Council of Europe Strategy was a unique and timely opportunity to consolidate previous achievements, capitalize on the organisation's added value as regional interface for the follow-up to the Recommendations of the UN Secretary General's Study on Violence against Children and for the implementation of the global post-2015 sustainable development agenda. Ms Santos Pais also stressed that 2016 would be a landmark year, celebrating 10 years since the launching of the Programme "Building a Europe for and with children" and the UN Study on Violence against Children as well as 20 years since the first World Congress against the Commercial Sexual Exploitation of Children (Stockholm, Sweden).

21. The DECS-ENF took note of a presentation by Mr Peter NEWELL, representing the Global Initiative to End All Corporal Punishment of Children, who noted that, despite the progress made in Europe in achieving a full legal ban of corporal punishment of children, the Council of Europe's institutions should evaluate how to do more to accelerate progress in achieving a full ban in all member States.

22. Ms Ina VERZIVOLLI (Albania), Vice-Chair of the DECS-ENF and member of the Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee), gave an update of the work of the Lanzarote Committee, stressing in particular the need identified by the Committee to develop tools that are of concrete assistance to member States.

23. Finally, Mr Stan FROSSARD, Executive Secretary of the Enlarged Partial Agreement on Sport (EPAS), provided information about the Council of Europe Recommendation [CM/Rec\(2012\)10](#) on the protection of child and young athletes from dangers associated with migration and the project [Pro Safe Sports](#). He suggested that these activities be included in the Strategy.

24. In the exchange of views that followed, the DECS-ENF made a number of suggestions for modifications to the chapter "A life free from violence for all children", including to stress the need of contributing to the mandate of the Special Representative of the UN Secretary-General on Violence against Children, to strengthen the paragraph on corporal punishment in order to reflect more clearly the importance of achieving a full legal ban on corporal punishment of children in the home in all member States, and to add references on bullying and on the negative effects of violence on children and society.

4.1.9. Justice for children

25. The DECS-ENF took note of a presentation by Ms Ursula KILKELLY, professor of law, School of Law at University College Cork, on possible follow-up to the Council of Europe Guidelines on child-friendly justice, including through mainstreaming the child-friendly justice approach, creating a strategic alliance of national and international bodies, identifying focal points in member States,

embedding child participation in all phases of the judicial process, and developing a set of indicators for governments to assess progress in the implementation of the Guidelines.

26. The representative of the European Commission, Ms Margaret TUIITE, welcomed the co-operation between the Council of Europe and the European Commission, as well as with the EU Fundamental Rights Agency (FRA), in this field. She drew attention to the recently released report "[Child-friendly justice](#) – Perspectives and experiences of professionals on children’s participation in civil and criminal judicial proceedings in 10 EU Member States”, which confirms that training of professionals is essential to ensure children’s rights are respected in the justice system.

27. Ms Turid HEIBERG, representing the Council of Baltic Sea States (CBSS), mentioned the co-operation between the CBSS and the Council of Europe in the field of [handling child evidence](#), in the framework of which a comparative study was developed and presented at a conference in Tallinn on 19-20 February 2015.

28. In the exchange of views that followed, the DECS-ENF made a number of suggestions for modifications to the chapter “Access to justice for all children”, including that reference should be made to deprivation of liberty rather than detention, while noting that this can only be the last resort, and that references should be added to the 3rd Optional Protocol to the UNCRC and to complaint mechanisms.

29. Mr Benoît Van KEIRSBILCK, representing Defence for Children International, underlined the importance of the Global Study on Children Deprived of Liberty that the United Nations General Assembly has requested to be carried out and said the Council of Europe should consider taking the lead in supporting the study at European level.

4.1.10 Implementation of standards

30. Given a lack of time, the DECS-ENF agreed to postpone the discussion of the chapter “Making standards work for children”, which sets out objectives on co-operation activities and monitoring, to the next meeting.

4.1.11. Co-operation and working methods

31. The DECS-ENF accepted the Secretariat’s proposal to postpone the discussion of the co-operation methods with NGOs under the chapter “Involving all relevant stakeholders” to the 3rd meeting, owing to the fact that an internal evaluation on the Council of Europe’s working methods with NGOs was currently being conducted and preliminary results may be available by then.

32. The DECS-ENF held a brief exchange of views on the methods of co-operation with member States under the chapter “Involving all relevant stakeholders” and agreed to continue this discussion at its 3rd meeting.

4.2. Duration of the Strategy

33. The Secretariat informed that, according to the Terms of Reference of the DECS-ENF, the four-year period of 2016 – 2019 was foreseen as duration for the next Strategy and proposed that the DECS-ENF considers an extension of this duration to 6 years, i.e. to 2021. The Secretariat stated that the past months have shown that considerable resources are taken up both in member States

and in the Secretariat for the preparation of a new Strategy. At the same time, the objectives proposed by stakeholders for the new Strategy were rather ambitious and risked to be challenging to implement in only four years. The consultation also showed a great extent of continuity in the children's rights issues the Council of Europe is asked to address. As the Council of Europe works in two-year budgetary cycles, a possibility could be to extend the initially foreseen period by another budgetary cycle, i.e. to 2021. The Secretariat proposed that this period could be split up into 2 phases with a mid-term evaluation and possibility for re-adjustments after the initial three years period.

34. Having held an exchange of views on the question, the DECS-ENF agreed in principle to propose that the duration of the Strategy be extended to six years and invited the Secretariat to make a more detailed proposal on the modalities of evaluation and adjustment of the Strategy throughout this period.

Item 5: Third meeting of the DECS-ENF

35. The DECS-ENF took note that the 3rd meeting will be held on 20-21 October 2015 in Strasbourg. Following a proposal by the Secretariat to hold this meeting together with the Network of National Co-ordinators on Children's Rights, the Committee held an exchange of views on this issue, where some delegations raised questions about the purpose and effectiveness of a joint meeting. The DECS-ENF concluded by instructing its Bureau to determine the feasibility and necessity of holding this meeting together with the Network of National Co-ordinators or how otherwise to involve the Network in the finalisation of the Strategy.

Item 6: Adoption of the abridged meeting report

36. The DECS-ENF took note of the draft abridged report of the meeting, and postponed its adoption to the next meeting to enable the Secretariat to insert additional modifications.

Item 7: Other business:

37. The DECS-ENF invited the Secretariat to send a revised version of the draft Strategy to the participants by 26 May in English and 5 June in French and agreed that the DECS-ENF would be asked to provide comments to this revised version by 10 July, on the basis of which the Secretariat will prepare a 2nd revised version for consideration by the DECS-ENF at its 3rd meeting.

APPENDIX I

Committee of Experts on the Council of Europe Strategy for the Rights of the Child (DECS-ENF) 2nd meeting

AGENDA

Opening of the meeting: Tuesday 12 May 2015 (9.30 am)

Close of the meeting: Wednesday 13 May 2015 (6.00 pm)

Council of Europe, Agora, Room G01, Strasbourg

1. Opening of the meeting
2. Adoption of the agenda, order of business and report of the 1st meeting *DECS-ENF (2015) OJ1rev2
DECS-ENF (2015) OJA1rev3
DECS-ENF (2014) PV1*
3. Presentation of elements of the Draft progress report on the implementation of the Council of Europe Strategy for the Rights of the Child 2012-2015
4. Draft Strategy for the Rights of the Child 2016-2019 *DECS-ENF (2015) 2
DECS-ENF (2015) 3
DECS-ENF (2015) 4*
5. Third meeting of the DECS-ENF
6. Adoption of the abridged meeting report *DECS-ENF (2015) PVA1*
7. Other business
8. Closing of the meeting

APPENDIX II

Committee of Experts on the Council of Europe Strategy for the Rights of the Child (DECS-ENF) 2nd meeting

Opening of the meeting: Tuesday 12 May 2015 (9.30 am)

Close of the meeting: Wednesday 13 May 2015 (6.00 pm)

LIST OF PARTICIPANTS

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Tirana

ANDORRA/ANDORRE

ARMENIA/ARMÉNIE

Ms Lusine Sargsyan
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AUSTRIA/AUTRICHE

AZERBAIJAN/AZERBAÏDJAN

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State Committee on Family, Women and Children Affairs of Azerbaijan Republic (SCFWCA)

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M. Pierre-Yves Rosset
Juriste et formateur en droits de l'enfant
Observatoire de l'Enfance, de la Jeunesse et de l'Aide à la Jeunesse

BOSNIA AND HERZEGOVINA/ BOSNIE ET HERZÉGOVINE

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Mr Johan van den Hout
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Apologised / excusé

Committees or other bodies of the Council of Europe engaged in related work / Comités ou autres organes du Conseil de l'Europe engagés dans des travaux similaires

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European Committee on Social Rights (ECSR) / Comité européen sur les droits sociaux (ECSR)

Ms Eliane Chemla
Member of the European Committee on Social Rights

Governmental Committee of the European Social Charter and the European Code of Social Security / Comité gouvernemental de la Charte sociale européenne et du Code européen de sécurité sociale

Mme Jacqueline Maréchal
Chair / Présidente
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Ministère du travail, de l'emploi et de la santé et Ministère des solidarités et de la cohésion sociale
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Ms Elda Moreno
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Ms Turid Heiberg
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Canada

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APPENDIX III

Work timetable of the DECS-ENF

26 May	Revised draft Strategy sent to DECS-ENF members (5 June in French)
10 July	DECS-ENF members to submit comments on draft Strategy
16 September	Draft Strategy finalised for review by the DECS-ENF
20 – 21 October	3 rd meeting of the DECS-ENF in Strasbourg
7 November	Draft Strategy finalised for review by the Steering Committee on Social Cohesion, Human Dignity and Equality (CDDECS)
9-10 Dec	Meeting of the CDDECS
Early 2016	Draft Strategy submitted to the Committee of Ministers for adoption