

**A COMMUNICATION FROM THE SECOND REGIONAL MEETING OF PARLIAMENTARY WORKING BODIES RESPONSIBLE FOR HUMAN RIGHTS AND THE RIGHTS OF THE CHILD WITH THE OMBUDSMEN FOR CHILDREN OF COUNTRIES IN THE REGION ON “THE RIGHTS OF THE CHILD – IMPROVEMENT OF THE STATUS OF THE CHILDREN IN ORDER TO PROTECT THEM FROM ALL FORMS OF EXPLOITATION”, WHICH WAS HELD ON 21 AND 22 JANUARY 2014 IN DANILOVGRAD.**

On 21 and 22 January 2014, the Second Regional Meeting on the topic of “The rights of the child – improvement of the status of the children in order to protect them from all forms of exploitation“ was held in Danilovgrad.

The objective of the Meeting was to exchange views and best practices in the protection of children’s rights, with a view to determine the goals and directions of future inter-parliamentary cooperation and the cooperation with national institutions for the protection of human rights and the rights of the child. The Joint Statement adopted after the meeting emphasized that one of the priority areas in the future should be the protection of children’s rights, especially the protection from child pornography and cyber crime.

The Second Regional Meeting was attended by representatives of parliamentary working bodies responsible for human rights and the rights of the child from Croatia, Serbia, and Montenegro, as well as the representatives of the Ombudsmen for Children offices from Croatia, Serbia, Slovenia, Republic of Srpska, and Montenegro, and the representatives of Save the Children and international organizations based in Montenegro that are dealing with these issues (UNICEF, OSCE and the Delegation of the European Union to Montenegro).

The Regional Meeting was opened by Vice-President of the Parliament of Montenegro – Suljo Mustafić, Protector of Human Rights and Freedoms of Montenegro – Šučko Baković, Deputy Head of the EU Delegation to Montenegro and the Head of the Political, European Integration and Trade Section of EU Delegation to Montenegro – Alberto Cammarata, Head of UNICEF Office to Montenegro – Benjamin Perks, Head of the Programme for the Rule of Law and Human Rights in the OSCE Mission to Montenegro – Rob Force, and Director of the Programme for the Rights of Children in Save the Children – Ahmed Pjano.

The Vice-President of the Parliament of Montenegro assessed the cooperation of Parliaments of the countries of the region, as well as the cooperation among the Ombudsmen of the countries of the region, as a very important factor that contributes to the strengthening of the activities aimed at protecting human rights and freedoms of all citizens who live in these areas.

Within the framework of its legislative, monitoring and control activities, the Parliament of Montenegro implements a number of activities in the field of promotion and protection of all human rights, with special attention paid to the protection of the rights and interests of the child.

The Protector of Human Rights and Freedoms of Montenegro Šučko Baković said that the institution of the Protector of Human Rights and Freedoms of Montenegro conducted a survey on child begging, sexual exploitation of children and child abuse on the Internet. The surveys were carried out within the Regional Project “Improvement of the status of the children in order to protect them from all forms of exploitation”, which was implemented with support of Save the Children. They were presented in three Reports and on the basis of their results Recommendations were made and sent to the relevant ministries for further action.

The Deputy Head of the EU Delegation to Montenegro Alberto Cammarata expressed his pleasure for attending the Regional Meeting. Announcing the fact that children represent one-fifth of the total population of the European Union, he said that children are the most important treasure in every society, but are also the most vulnerable category, which is why they deserve the attention of all of us including those who make decisions on political issues. Children are a vulnerable group, but within the group there are also those categories that are the most vulnerable. Among other things, he pointed out that children who are victims of the

economic crisis suffer the most. In Mr. Cammarata's opinion, it is crucial to tackle the causes that lead to the problems that children face. The European Union has devoted attention to the issue of child protection and protecting children's rights, which is also defined by the Charter of Fundamental Rights. This is an issue that does not recognize borders and an issue that is being addressed through cooperation. The key issue is whether accession negotiations are adequate for our children. Stating that the accession negotiations as well as the introduction and adoption of norms and principles of the European Union are certainly important, since the same children are to be citizens of the European Union, which is all aimed at efficient overcoming of the problems encountered in the area of child protection, the Deputy Head of the EU Delegation to Montenegro expressed a view that children should receive greater visibility in the process of European integration. He also stressed the importance of Chapter 19, which contains the legislation related to the protection of young people at work. Also, he considers important the application of EU standards and creating a better working environment for youth.

When it comes to the protection and promotion of children's rights in Montenegro, the Deputy Head of the EU Delegation to Montenegro referred to the Progress Report of the European Commission for 2013, which states that the state of Montenegro achieved a lot in this field. According to his opinion, the institutional cooperation in each country is crucial. It is necessary to provide support to the Committee for Human Rights and Freedoms and the Protector of Human Rights and Freedoms since those institutions are of key importance in taking concrete actions in the field of improving and advancing the rights of the child. With a view to overcome the numerous obstacles to the improvement and protection of children, it is crucial to identify the problems faced by institutions, defining them and finding a way to solve them. Mr. Cammarata also stressed that the support of the Delegation of the European Union can be counted on in the context of overcoming these problems.

Speaking on the protection of children's rights in Montenegro, the Head of UNICEF Office to Montenegro Benjamin Perks stressed that every child has the right to protection from violence and expressed his satisfaction with the fact that the Second Regional Meeting of parliamentary working bodies responsible for human rights and the rights of the child with the Ombudsmen for children of countries in the region was taking place in Montenegro. Mr. Perks also expressed his satisfaction with the cooperation with the Committee for Human Rights and Freedoms, noting that the joint actions of the Parliament of Montenegro, the Government of Montenegro and UNICEF have greatly contributed to the improvement of the position of children and the protection of their rights in Montenegro. Reflecting on the issue of how to solve the problem of improving the status and rights of the child and protecting the children from all forms of exploitation, the Head of UNICEF Office to Montenegro emphasized as crucial the modern protection system that would include: health care, education, social welfare centres, judiciary and sports.

Mr. Perks said that coordinated action and a multi-sectoral approach of all state authorities was necessary, together with the participation of NGOs and the support of international organizations, in order to solve problems related to different forms of exploitation and abuse of children.

Pointing out that the OSCE Mission to Montenegro is not directly involved in the activities in the field of child protection, Head of the Programme for the Rule of Law and Human Rights in the OSCE Mission to Montenegro Rob Force emphasized that the aim of the OSCE Mission was to contribute to a better status of children and their rights through its actions in the field of human rights. In his words, the OSCE Mission would continue to use its capacities in the future to improve the human rights situation in Montenegro.

Director of the Programme for the Rights of Children in Save the Children Ahmed Pjano said that the vision of the organization Save the Children was a world in which all

children exercise their right to life, protection, development and participation in decision-making on issues that affect them. Since the protection of children is a priority, the Director of the Programme for the Rights of Children stressed the importance of the Convention on the Rights of the Child, stating that it presented the basis for the work of this organization. With regard to the protection and promotion of children's rights, Mr. Pjano pointed to the following key questions: to what extent are children really aware of their rights and do state institutions have the capacity to take appropriate measures in the context of child protection. To continue with, he also pointed out that Save the Children has been developing regional cooperation in the field of promotion and protection of children's rights ever since 2009, as well as that significant advancements have been made in this context.

The Chairman of the Committee for Human Rights and Freedoms Dr. Halil Duković informed participants about the activities of the Committee that were implemented in the field of protection of children's rights. He emphasized the good cooperation between the Committee and other state authorities and a large number of international organizations and local NGOs.

At the working session, participants were also addressed by Zlata Đerić, a member of the Committee on Human and Minority Rights and Gender Equality of the National Assembly of the Republic of Serbia, Dr. Ljiljana Đurašković, Deputy Chairman of the Committee for Human Rights and Freedoms of the Parliament of Montenegro, Mila Jelavić, Ombudsperson for Children of the Republic of Croatia, and Svetlana Sovilj, representative of Montenegro in the Council of Europe's Committee of the Parties to the Convention on Protection of Children from Sexual Exploitation and Sexual Abuse, so-called Lanzarote Convention.

Svetlana Sovilj, representative of Montenegro in the Council of Europe's Committee of the Parties to the Lanzarote Convention, has introduced participants of the Meeting with the activities of the Committee. She pointed out that Montenegro signed the Convention on 18 June 2009, ratified it on 25 November 2010, while the Convention entered into force on 1 March 2011. As a starting point, the Lanzarote Convention on Protection of Children from Sexual Exploitation and Sexual Abuse takes the standards of the United Nations and the Council of Europe, extending them to cover all possible types of sexual criminal offences against minors and to criminalize them. It is prescribed that countries in Europe and beyond shall establish specific legislation and take measures with a focus on protecting the best interests of the child. It is also established that people who work with children must be tested and trained, that children should be aware of the risks of sexual exploitation and sexual abuse, as well as of the ways in which they can protect themselves. The Lanzarote Convention also provides mechanisms for the protection of children. In order to monitor the implementation of the Lanzarote Convention, the Lanzarote Committee was established, while the monitoring procedure was divided into rounds, with each round referring to a specific topic. The Lanzarote Committee has decided that the first round of monitoring shall refer to "Sexual abuse of children in the circle of trust" and has prepared a thematic questionnaire to collect data on how Member States implement the Lanzarote Convention. Also, a General Questionnaire has been prepared, and all the Parties to the Convention must provide answers to both questionnaires by 31 January this year, so that the monitoring is conducted at the same time in all countries. Svetlana Sovilj also pointed out that Montenegro has prepared the Draft Report, which would soon be considered at the session of the Government of Montenegro. Likewise, she informed the participants of the basic information and activities of Montenegro within the Council of Europe Campaign "One in Five".

Further on, she has pointed out that the Campaign is aimed at promoting and implementing the Council of Europe Convention on Protection of Children from Sexual Exploitation and Sexual Abuse as an umbrella document that will contribute to improving the unified legal system and homogenize the legal framework in order to protect children in a

quality manner, as well as at raising awareness of the problem and consideration of options for solving problems with a view to stop the abuse and sexual violence against children. For the purpose of more successful implementation of the Campaign in Montenegro, a National Team was formed in 2012, which includes representatives of the Parliament, the Government, the media, civil society, international organizations and all sectors of society that can make a contribution in this area.

Svetlana Sovilj also stressed that Montenegro and the competent authorities are taking a number of social policy measures for the protection of children that are victims of sexual violence. Specific actions are being taken to protect those who are the most vulnerable in society, such as abused and neglected children, children without parental care, children living in low income families, children with disabilities, children with unacceptable behaviour and children in conflict with the law. The most common problems that the competent bodies faced in practice included the lack of awareness of the general public and the professional staff of the existence of this phenomenon, the lack of expert knowledge and skills, as well as the lack of coordination and cooperation between the institutions, which is why measures were taken to tackle these problems.

Participants of the Regional Meeting were unanimous in their view that it was necessary to provide legal and real prerequisites for the establishment of a multidisciplinary approach to addressing and combating the problem of child begging, as well as regional cooperation with the authorities of the neighbouring countries in order to establish mechanisms for more efficient flow of information for the purpose of detection and continuous monitoring of children engaged in begging.

In addition, it was pointed out that a variety of social services should be established through the reform of the social protection system, in accordance with international standards and with the aim of preventive action-taking aimed at children and families at risk. Also, measures should be taken to improve the living standard of families with children, especially those living below the poverty line.

Participants of the Meeting were unanimous in their assessment that it was necessary to consider the possibility of initiating amendments to existing legislation in order to precisely define all forms of economic exploitation of children and to improve the protection of children from all forms of economic exploitation. Also, it is necessary to take measures to raise awareness of the general public about the harmful effects of begging whereas access to information should be ensured, primarily for children living on the streets, in order to protect them from the risk of becoming victims of trafficking in human beings and economic and social exploitation.

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On the second day of the Regional Meeting, Deputy Protector of Human Rights and Freedoms of Montenegro for the Rights of the Child Nevenka Stanković presented reports made by the institution of the Protector on the basis of surveys conducted in the framework of the Regional Project “Prevention of Child Exploitation in South East Europe”, implemented by Save the Children in cooperation with members of the CRONSEE network, Ombudsmen of the region.

Deputy Protector stated that the institution of the Protector conducted surveys on child begging, sexual exploitation of children and child abuse on the Internet. The surveys were presented in three Reports, and based on their results certain recommendations were made and addressed to the relevant ministries for further action.

Zoran Vukčević, Head of Delegation of the Parliament of Montenegro in the Parliamentary Assembly of the Council of Europe and the contact person from Montenegro in

the Network of Contact Parliamentarians to stop sexual violence against children “One in Five”, introduced the participants of the Meeting with basic information about the Council of Europe campaign “One in Five” and activities that Montenegro implemented within the campaign.

He drew the participants’ attention to the fact that according to the statistics of the Council of Europe, every fifth child in Europe was a victim of some form of sexual violence, whereas in 70-85% of cases, the abuser was a person whom the child knew and trusted.

He also said that he would inform the competent persons in the Council of Europe about the important Meeting in Montenegro on the topic, which showed the readiness of the entire region to jointly strive to solve the problems of different forms of child abuse.

Participants of the Second Regional Meeting were unanimous in their assessment that the organization of the conference was an excellent opportunity to exchange opinions, ideas, experiences and best practices with each other in order to learn about the situation of children’s rights in each country individually, as well as to encourage and further develop cooperation of parliamentary bodies responsible for human rights and the rights of the child with the Ombudsmen at both, the level of each of the states, and the regional level, through the cooperation of all institutions.

The Second Regional Meeting of parliamentary working bodies responsible for human rights and the rights of the child with the Ombudsmen for children of countries in the region was closed with the adoption of a Joint Statement.