

Highlights

Building a Europe for and with children

Launching conference
Monaco, 4-5 April 2006

French edition

Les idées-forces – Construire une Europe pour et avec les enfants

The opinions expressed in this report may not all reflect the official policy of the Council of Europe.

More information on Council of Europe action to eradicate violence against children can be found at <http://www.coe.int/children>.



Directorate General of Social Cohesion
Programme “Building a Europe for and with children”

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Foreword

In the best of all worlds – a perfect world for children – the United Nations Convention on the Rights of the Child would be largely sufficient to establish the necessary conditions for the emergence of the Europe it is our desire and our duty to build.

However, if that “piece of paper” is to become the strongest, most valuable building material in the world, we must all act together, and in a co-ordinated way. You doubtless know that the diamond is the hardest of all gemstones. Yet diamonds are simply made of carbon atoms. Their hardness is due to the cohesive forces between the atoms. It is the painstaking work of the gem cutter, which brings out the beauty and the brilliance of the diamond.

I invite you to join and work with us throughout the process we are launching: the Monaco process.

The two main objectives we have set ourselves – promoting children’s rights and eradicating violence against children – entail a multitude of extremely practical forms of action, some of which are already underway. They range from the adoption of new, and highly necessary, standards to fight abuse against children, to the drafting of textbooks teaching children’s rights. From teacher training courses on violence in school or media literacy manuals, to campaigns for the abolition of corporal punishment. From positive parenting guides, to education schemes targeting Roma children. From launching a website designed for children to developing new methodologies that will ensure children’s participation.

It is true that we have given ourselves three years to meet two great challenges: first, we want to propose models for national strategies to protect children and prevent violence; second, we seek to offer methodologies, tools and networks that will enable the genuine participation of children.

Three years is both a short and a long time. We are aware that the number of children in distress makes this an urgent matter. However, I am convinced that, starting today, each day will be a day won for the children’s cause, as every day we will achieve new objectives and undertake new actions.

Here I stand, counting on the strength of purpose of the driving forces of the Council of Europe – the Committee of Ministers, the Parliamentary Assembly, the Congress of Local and Regional Authorities, the Commissioner of Human Rights and the INGO conference. I rely equally on their ability to inspire and promote full implementation of the programme with the strength of will it demands.

The children must, at last, play in the open veldt, no longer tortured, by the pangs of hunger or ravaged by disease or threatened with the scourge of ignorance, molestation and abuse, and no longer required to engage in deeds whose gravity exceeds the demands of their tender years.

*Nelson Mandela,
Nobel Peace Prize Laureate*

I am also counting on the determination and expertise of the intergovernmental organisations, independent institutions, experts and devoted individuals who fight every day for our children's rights and more than ever, I count on our children to build a Europe of their own. I count on each one of you, carbon atoms and diamond cutters. Together, we can give the raw material of the United Nations Convention the power, the beauty and the brilliance it deserves – and which we owe to our children.

Maud de Boer-Buquicchio
Deputy Secretary General of the Council of Europe

Laying the foundations

Design

The Council of Europe conference “Building a Europe for and with children”, held in Monaco on 4 and 5 April 2006, marked the launching of a three-year programme (2006-08) to promote children’s rights.

This programme stems from the firm commitment of the heads of state and government, gathered in Warsaw for the Council of Europe Third Summit (May 2005), to promote children’s rights and eradicate all forms of violence against children. Its prime objective is to help decision makers and stakeholders to set up national strategies and policies to promote children’s rights and prevent violence against children. To meet these objectives, the programme follows two strands. The first focuses on children’s rights and entails devising institutional and legal frameworks, instruments and communication campaigns, and education and training programmes to help member states overcome the difficulties involved in honouring their commitments to protect children’s rights effectively. The programme will not only help implement existing legal instruments but will examine the need for new standards where the law remains ambiguous or incomplete. Above all, its main purpose is to remove discrepancies between legal and political commitments and real-life situations.

The second strand, through the action programme “Children and violence”, addresses the issue of violence. Violence against children cuts across social class, national boundaries, cultural differences, religious beliefs and ethnic distinctions. For this reason, the programme’s approach is to combat violence where it takes place, at home, at school, in the family environment, in residential institutions, in the community, in the media and in cyber-space. The action programme builds on four principles (the “four Ps”): protection of children, prevention of violence, prosecution of criminals and participation by children.

Over the next three years, the programme will develop specific instruments and methodologies to tackle the different forms of violence and formulate recommendations to set up integrated prevention policies and strategies at national and local level.

The programme “Building a Europe for and with children” brings together all relevant Council of Europe bodies and departments, which will be involved throughout in fulfilling the programme’s objectives and ensuring a coherent and integrated implementation of all the Organisation’s policies related to children.

“With this new programme, the Council of Europe wishes to move on to the operational stage, to begin the real site work. We must therefore begin to build and we have accordingly set ourselves two main objectives: promoting children’s rights and eradicating violence against children.”

*Maud de Boer-Buquicchio,
Deputy Secretary General
of the Council of Europe*

Building team

The launching conference was co-organised by the Council of Europe and the Principality of Monaco, under the presidency of HRH Princess Caroline of Hanover. Jean-Paul Proust, Minister of State and Head of Government of the Principality of Monaco and Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe opened the conference. The Council of Europe Commissioner for Human Rights, Thomas Hammarberg, addressed the delegates during the closing ceremony.

The conference brought together government representatives from various specialised ministries, parliamentarians, local authorities, young people, the business sector, independent experts and journalists. Key intergovernmental organisations and agencies, such as Unicef, the Office of the High Commissioner for Human Rights, the World Health Organization, Interpol and the European Commission, joined forces with the Council of Europe. Experts working on the UN Study on Violence against Children shared their views and experience and gave the participants insight into the study's preliminary recommendations.

A large number of ombudspersons for children attended the event. The presence of a wide-range of non-governmental organisations considerably enriched the debate. Seventeen young people aged 15 to 18 assiduously prepared their contribution to the event in a pre-conference seminar.¹ They came up with concrete and fresh proposals. All in all, over 250 delegates from 45 member and observer states constituted a genuine building team that rallied round to lay the foundations of a Europe for and with children.

Discussions took place in plenary sessions and round tables that addressed four thematic areas: the promotion of children's rights, children's participation, sexual abuse and corporal punishment. The main purpose of the conference was twofold:

- to launch a sustainable process and lay the groundwork for a European forum on children's rights where all stakeholders can contribute to a European strategy to promote these rights;
- to identify priorities and formulate concrete proposals to set off the programme, with the help and guidance of a wide-range of stakeholders and renowned experts in the field.

During the two-day conference, the participants made substantial contributions with their views, experience and suggestions. What follows does not purport to be an exhaustive account of the discussions; it is rather an attempt to convey the core messages of their reflection.

1. The full report of the preparatory seminar attended by young people is available at "<http://www.coe.int/children>".

Foundations

Europe is perhaps the region with the most extensive legislation and mechanisms to protect children's rights. The Council of Europe's European Convention on Human Rights, the European Social Charter and the Convention on Action against Trafficking in Human Beings are significant examples of Europe's commitment to human rights, and by extension to children's rights. The Committee of Ministers and the Parliamentary Assembly – the statutory bodies of the Council of Europe – have developed recommendations and resolutions to prevent and respond to violence against children. On top of European and domestic legislations, there are global instruments such as the United Nations Convention on the Rights of the Child, which stands today as the most widely ratified treaty in existence. In view of that, one may argue that children's rights have solid foundations. Reality, on the other hand, often bears out that the edifice is nonetheless shaky.

A child used as a soldier, a child left to languish in an orphanage, a child forced to work, a child abused in a detention centre, a child sexually assaulted, a child abandoned to the streets, a child with no access to education or health, a child deprived of his or her rights is simply one child too many. Clearly, the gap between the stirring rhetoric above and the bleak realities of many children in Europe is a secret to no one. As Jacob Doek, chair of the UN Committee on the Rights of the Child, recalled in his keynote speech, the UN Convention on the Rights of the Child is also the most widely violated treaty. If there is still a long way to travel down the road to achieving full respect for children's rights, there was consensus in Monaco that Europe has nevertheless the potential to become a model that could inspire other regions.

"I firmly believe that any strategy to address the problem of violence will have a better chance of succeeding if the importance of multisectoral co-ordination is taken into consideration during the planning and development stages."

*Paulo Pinheiro,
independent expert for
the UN Study on Violence
against Children*

Building process

By definition, a process is a particular course of action undertaken to achieve a result. Accordingly, "Building a Europe for and with children" is engaging in a series of actions and policies that will change how children's rights are respected and enforced. Such a process calls for a coherent strategy, with clear priorities, actions and monitoring mechanisms. The eradication of violence needs a strategic approach capable of co-ordinating international, national and local efforts. It should be the result of a participatory process, involving governmental and non-governmental organisations, childcare professionals, parents, experts, the private sector, children and young people. Its key policies should target the stages leading up to violence with prevention campaigns before violence occurs. When violence does strike, it should be hit with immediate intervention measures to protect children and firm regulations to prosecute criminals. It should equally

deal with the repercussions of violence and assist the victims throughout their recovery process with counselling programmes.

“Commitments should be translated into concrete, time-bound targets.”

*Jacob Doek,
Chair of the UN Committee
on the Rights of the Child*

Even though children’s rights have known a significant development in the last ten years, practice is not yet up to speed. The Regional Consultation for the UN Study on Violence against Children, held in Ljubljana in July 2005, urged governments to “act now”. In Monaco, the participants restated the urgency to ban all forms of violence against children. Clearly, the law alone cannot change attitudes, but there are a variety of measures that can help trigger the process.

These may range from setting up independent institutions to creating nation-wide help lines; from enforcing the principle of non-prescription for offences against children to training manuals for parents; from appointing a mediator for children to creating a children’s network to facilitate their participation in decision-making processes. The participants made overall proposals which are presented in the section “Defining the building blocks” (p. 21).

Now, the process does not stop here. As much as strategy should be followed by concrete actions, actions need in turn to be properly monitored and the results fed back into the process. Independent monitoring is crucial, as it helps draw an accurate picture of the situation within a given country, collect data and identify relevant political, socio-economic and cultural factors. It also helps assess the adequacy of national measures – whether legal or political – by identifying both shortcomings and good practices. Finally, it fosters dialogue amongst the different stakeholders – national and local authorities, NGOs, experts – and offers them a very valuable tool to check the progress of policies being carried out.

It is particularly important to have a monitoring framework that includes reporting mechanisms to ensure an effective enforcement of children’s rights. These should, for instance, allow for the possibility of filing complaints before independent bodies with the power to investigate and issue binding decisions. Reporting mechanisms are especially relevant for schools and institutions, but equally applicable to health-care services, or any other structure involving children. Independent bodies should also protect the plaintiff from any potential reprisal the complaint may stir up, particularly when the plaintiff is a child.

On an international basis, monitoring instruments are just as necessary. During the discussions, it was rightly recalled that without the European Court of Human Rights, the reach of the European Convention on Human Rights would certainly be lesser. Likewise, the UN Convention on the Rights of the Child (CRC) would be strengthened considerably with an international court of children’s rights. Without accountability, law becomes dead letter. To that end, Doek suggested as a first measure, that the Council of Europe, in co-operation with the European Union, should fully support the recommendations of the UN Study on Violence against Children, and appoint a regional special representative that will promote, support and monitor the implementation of the recommendations from the study.

Preparing the groundwork

Clearing the way

To start with the groundwork, one has first to remove obstacles and clear the way. In her speech, Maria Calivis, regional director of Unicef, highlighted some of the obstacles still hindering full implementation of the CRC. Referring to them as striking omissions, she exposed five main obstacles. First, she recalled that alongside the efforts to involve children in decision-making processes and having their views heard, we need more determination to have these views turned into concrete action. Second, while most legal safeguards are in place to protect children's rights, we are still deficient in enforcing professional accountability. Third, vulnerable children – such as children belonging to ethnic groups, children in institutions, migrant, and street children, and children with disabilities – need more protection. Fourth, the right to survival is still violated on a daily basis in many countries. Finally, while independent monitoring mechanisms, such as ombudsperson's offices, are most valuable safeguards, we lack the data, tools and methodologies to tackle the issue of children's rights violations at the root.

“Fundamental rights, children rights are yet to be built, first and foremost at national level.”

*Françoise Tulkens,
Judge of the European
Court of Human Rights*

Inevitably, such important obstacles to children's rights were matter for discussion and the participants came up with proposals for clearing the way. This was the task of the panels. Panel 1 addressed “promoting children's rights”, and presented proposals for a coherent European strategy. Panel 2 discussed the topic of “children's participation”. The panellists were invited to consider methodologies and experiences from various countries in order to make recommendations that could be implemented under the programme. The third panel looked into ways of “combating sexual abuse in the cyber-era”, particularly in light of the latest mobile technologies, which have led to a whole new breed of crime. Finally, panel 4 examined strategies for a Europe free of corporal punishment, a key objective of the programme “Building a Europe for and with children”. Their discussions and conclusions are presented in what follows.

Panel 1: Promotion of children's rights

Over the last century, international efforts to promote the concept of children's rights have significantly transformed the status of the child from a relatively invisible subject to a full-fledged holder of rights. This process has culminated with the almost universal ratification of the UN Convention on the Rights of the Child, a milestone in children's rights protection. At European level, the Council

“In an ideal world, the best possible answer would be an international and constraining jurisdiction; alternatively, the European Court of Human Rights could open a special section on children’s rights.”

*Judge Josiane Bigot,
President of Themis*

of Europe has developed a normative framework and range of legal instruments and monitoring standards for children’s rights, notably the European Convention on Human Rights and the European Social Charter. Clearly, ratifying international treaties is not an end in itself, but is the framework in which to work towards a full, effective and unconditional enforcement of children’s rights. Having rights on paper means little, if we do not make children’s rights a reality.

There are a number of initiatives that can make an important contribution in that direction. Philip O’Brien, regional director at Unicef, suggested three measures. He recalled that whereas all Council of Europe member states have ratified the CRC, there are a number of outstanding reservations, notably on name, nationality, the right to know and be cared for by biological parents, and on child-sensitive juvenile justice proceedings. Lifting such reservations would constitute a first step towards full implementation of the CRC.

Another important step would be the integration of a child right’s perspective into policy, or mainstreaming the implementation of the CRC. The UN Committee on the Rights of the Child has stressed the need to adopt comprehensive national strategies that address all child-related issues. This not only concerns countries: international organisations also have a responsibility in making children’s rights a mainstreaming priority.

At long last, children’s rights are on the agenda of most international organisations. The United Nations will publish the conclusions of the UN Study on Violence against Children at the end of 2006. Unicef is promoting the “Europe fit for children” process. The European Commission is preparing a communication on children’s rights and the Council of Europe has launched its programme “Building a Europe for and with children”. This will help create the political momentum needed to develop a coherent, integrated pan-European strategy. It was clear to the participants that to make children’s rights a reality, Europe has no option but to seize this opportunity.

Panel 1 brought together government officials, experts, young people and advocates of children’s rights to help devise such a European strategy. Philip O’Brien presented the introductory report and Manuel Martin, creator of the animated series “Cyberdodo and the rights of the child”, moderated the panel. The discussants were: two young people, Tirill Sjøvoll (Norway) and Milos Vojnovic (Serbia and Montenegro); Romanian State Secretary for Children’s Rights, Bogdan Panait; Monegasque parliamentarian Jean-Charles Gardetto; European Commission official Patrick Trousson, co-ordinator of the Rights of the Child; Judge Josiane Bigot; and Francis Kasasa, Secretary General of the NGO AMADE Mondiale. Together with the participants in the audience, they agreed the following.

Conclusions from the panel

Reinforcing the legal framework

- Urge states to review and lift any outstanding reservations to the CRC
- Make public and accessible all reports (national reports, alternative reports from NGOs and general comments from the Committee on the Rights of the Child)
- Ensure that recommendations made by the UN Committee on the Rights of the Child are applied
- Urge ratification and effective implementation of the provisions of all European conventions and encourage states to lift outstanding reservations
- Improve monitoring mechanisms
- Set up monitoring mechanisms specific to children's rights
- Develop European standards for juvenile justice
- Campaign in favour of legal principles and criminal and civil law procedures to better protect child victims of violence
- Adopt the principles of non-prescription and universal jurisdiction for offences against children
- Guarantee children's access to legal instruments that protect their rights

Building up institutional capacity

- Set up governmental institutions devoted to children's issues, with inter-ministerial mandates and sufficient human and financial resources
- Set up independent institutions that are accessible to children and young people, such as ombudsperson's offices for children, and ensure that they have sufficient resources to function effectively
- Set up dedicated services, providing support and advice to children in need via help lines
- Set up specialised services to collect data related to violence against children

Co-ordinating coherent information and prevention campaigns

- Launch information and communication campaigns, with a clear message adapted to the audience targeted
- Use all media, especially new media, to communicate with children and young people
- Make children's rights a standard subject in school curricula
- Devise communication tools together with partners and parents, including specific materials to raise awareness on children's rights
- Develop child-friendly texts

Fostering partnerships

- Set up sustainable partnerships involving the private sector, notably with businesses operating in markets targeting children, and with media
- At European level, set up a forum with children, governments, local authorities, representatives of independent institutions specialised in children's issues, experts' networks, NGOs and the business sector
- Co-ordinate efforts between European institutions to increase impact and make the most of available resources

Panel 2: Children's participation

Participation is about having the opportunity to express views, influence decision making and achieve change. Children's participation is an informed and willing involvement of all children, including the most marginalised and those of different ages and abilities, in any matter concerning them either directly or indirectly. Children's participation is a way of working and an essential principle that cuts across all programmes and takes place in all arenas – from homes to government and from local to international levels.

“Children's participation is above all a process – a journey of discovery – an ongoing mission that involves each and every one of us.”

*Clare Feinstein,
Save the Children
Sweden*

Participation should be seen as a fundamental human right. The CRC sets forth a number of rights relating to children's participation in matters that affect their lives. Children and young people are not heard mainly because parents and societies all too often do not see the value of their involvement. If giving them the means to express their views, opinions and concerns is crucial for effective participation, recognising children's rights should not release adults from their responsibilities. On the contrary, adults need to support, accompany and encourage children to be



involved in participatory processes and make sure that children's opinions and testimonies are duly taken into account.

Unlike adults, children often lack communication channels that can convey their opinions to decision makers. Hence, a first step would be to give young people an agora where they can discuss and share views: in schools, in communities, in institutions, or simply at home. There are a number of meaningful approaches to children's participation such as consultative processes, participative initiatives or children's self-advocacy. Experience shows that children and young people can become successfully involved in research, advocacy and peer representation, in managing their own institutions such as schools, and evaluating services intended for young people. With their contribution to the conference, they proved once more that they are well-informed, constructive and resourceful interlocutors.

Clare Feinstein, advisor to Save the Children Sweden, presented the introductory report. Fellow panellists included 17-year-old Maneh Tonoyan and 18-year-old Ioanna Barbu; Kjell Øie, Norwegian State Secretary for Children and Equality; Shereen Mestan, head of the Bulgarian State Agency for Child Protection; Amaya Gillespie, director of the Secretariat of the UN Study on Violence against Children; Ankie Vandekerckhove, Children's Rights Commissioner for the Flemish Parliament; Christophe Grudler, editor-in-chief of the *Journal des Enfants*. Dano Halsall, godfather to the Little Dreams Foundation, facilitated the discussions. Their conclusions were as follows.

Conclusions from the panel

Structures for children

- Set up more permanent structures to guarantee children's participation as a process and not as one-off occasions
- Set up councils, committees and children's parliaments to provide advice to governments

Ensure representation of a variety of children

- Pay attention to gender balance, age groups, vulnerable groups and excluded children such as migrant and street children, children in institutions, disabled children
- Use or establish informal arenas to include vulnerable groups and apply a wider range of methods

Provide adult support

- Modulate communication means and messages according to children's age and context
- Ensure that adults adjust expectations to a child's capacity to understand
- Engage in interactive and stimulating participation

- Go beyond the “stated agreement” stage and enter into real and meaningful discussions
- Allow children to disagree and do not expect children and young people to always have politically correct attitudes
- Bear in mind that children and young people are not one voice; like adults they disagree among themselves
- Ensure follow-up
- Turn children’s suggestions and proposals into concrete action
- Provide children with feedback on the results of the process in which they are involved

Panel 3: Combating sexual abuse in the cyber-era

Due to the progression of Internet over the last decade, persons seeking contact with children for sexual purposes have found themselves a whole new “hunting ground” and one where they can easily elude detection. This is particularly evident in the explosion of child pornography on the World Wide Web. Grooming or soliciting children into sexually oriented conversations is now frequent on the Web. Paedophiles often seek contact via children’s chat rooms. Some use sexually explicit language, some persuade children to pose for web cameras, others go so far as to cross over the virtual boundary and meet with them in real life.

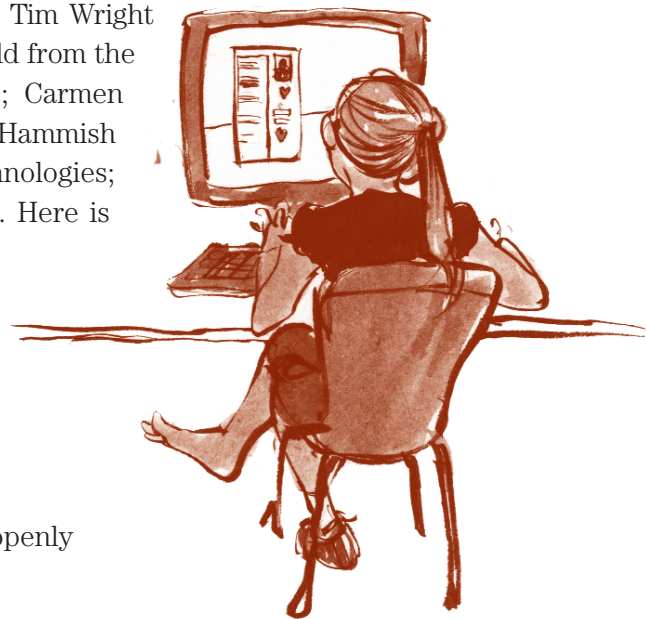
The latest generation of mobile phones (3G) offers new possibilities to abusers. Nowadays, mobile phones are “mini-computers”: they take photos, make films and connect to Internet. Wireless technology gives easy access to child pornography almost anywhere and anytime. It is also becoming more difficult for parents and child carers to supervise their children’s use of mobile phones.

The almost non-existent research on grooming and sexual abuse perpetrated via new technologies makes it more difficult for legislators and policymakers to devise effective mechanisms to fight such abuses. New mobile technologies are also proving a challenge for law enforcement. Offenders are often one step ahead of the law, and given the breakneck speed with which technologies are developing, they can easily find loopholes in legislation, both at national and international levels. Clearly, the law cannot keep up.

Existing international legal instruments do not provide adequate protection as they contain no specific provisions against grooming. The Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography or the European Union Framework decision on combating sexual exploitation of children and child pornography have no specific provisions for acts that take place in cyberspace. Nor does the Council of Europe Convention on Cybercrime make specific provisions against grooming. The term

“computer systems” used in legal texts no longer reflects the reality and sophistication of new technological devices. Nevertheless, there is a growing consensus to criminalise grooming. Some states have done so in their national legislation, but, given the boundless and almost instant reach of communication technologies today, the nature of the problem calls for a global approach and for harmonised legislation.

What are the steps that we should take to protect the online generation? We asked this question to the members of the panel: Rachel O’Connell, from the Cyberspace Research Unit at the University of Central Lancashire; 17-year-old Agata Parasiewicz and Hanne Wolsgard; Tim Wright from the UK Home Office; Ruth-Gaby Vermot-Mangold from the Parliamentary Assembly of the Council of Europe; Carmen Madriñan from ECPAT International; Interpol expert Hammish McCulloch; Christian Sjöberg, CEO of Netclean Technologies; and Trond Waage from the Unicef Research Centre. Here is what they said.



Conclusions from the panel

What adults should do

- Be aware, informed and raise awareness
- Involve, inform and consult the children
- Win children’s trust and encourage them to talk openly

What the relevant structures should do

- Prepare adults to work with children
- Train social workers to talk about the Internet and sexual abuse with children. Children’s often talk more freely with them than with their parents or teachers
- Ensure that professionals and volunteers working with children do not have criminal records

What schools should do

- Organise meetings with parents; observe children and alert parents when something seems out of kilt with a particular child
- Educate and train the children to use the Internet in a safe way
- Give children the means to protect themselves against sexual abuse

What children and young people should do

- Give peer-to-peer guidance on hotlines through the Internet
- Launch Internet information campaigns, by children for children

What Internet service providers should do

- Choose to control websites rather than to ban them

- Use Internet for campaigns and hotlines to protect children
- Use the media and language used by children and young people to reach them effectively

Panel 4: Towards a Europe free of corporal punishment: priorities and strategies

Corporal punishment is the most prevalent form of physical violence against children. The number of Council of Europe member states that have abolished all forms of corporal punishment of children – including corporal punishment within the family – has increased significantly in recent years. More than a third of Council of Europe member states have done so and a number of others have committed themselves to doing so in near future. However, despite these very positive developments in the majority of Council of Europe member states, corporal punishment of children remains lawful and socially acceptable within the family. Outside the family, in a small number of states, legislation has not yet banned corporal punishment in schools, institutions and other forms of alternative care, and in other states, enforcement is not effective.

“We cannot hide behind the right of privacy to justify corporal punishment.”

*Thomas Hammarberg,
European Commissioner
for Human Rights of the
Council of Europe*

Children are entitled to the same protection as adults against violence. Their dependence and various development stages suggest they should have more, not less protection.

The abolition of all corporal punishment and all other forms of cruel or degrading punishment or treatment is a human rights issue. The European Social Charter requires states to protect children from all forms of ill-treatment and abuse, including corporal punishment. The European Court of Human Rights has interpreted the European Convention on Human Rights as prohibiting judicial birching of children, corporal punishment inflicted at school, as well as parental corporal punishment. In 2004, the Parliamentary Assembly of the Council of Europe adopted a recommendation calling for action to make Europe a corporal punishment free zone for children.²

The CRC, ratified by all member states of the Council of Europe, requires state parties to protect children from all forms of physical or mental violence (Article 19). The UN Committee on the Rights of the Child has consistently interpreted the convention as requiring the prohibition of all corporal punishment, however light, including within the home, and it has made specific recommendations to states on this issue, including to most Council of Europe member states.

Notwithstanding these positive developments, grey areas remain. Still today, corporal punishment is considered as an acceptable disciplinary measure in schools.

2. Parliamentary Assembly Recommendation 1666 (2004) on a Europe-wide ban on corporal punishment of children.

Considering that schools are above all places of socialisation, educating children under rules which allow violence may have an opposite effect. It is a well known fact that violence breeds violence. This is why, as much as we need to clear these grey areas, we have to understand the reasons behind countries' reticence – and hence their difficulties – to honour their commitments when it comes to corporal punishment inflicted on children. In the same way, it is crucial to act upon the root causes of violence to help people change attitudes with respect to using violence to raise children.

The elimination of corporal punishment of children is important not only because it is a violation of human rights but because it has serious consequences for the health and development of children and for society as a whole.

Françoise Tulkens, judge of the European Court of Human Rights, helped set the scene in her introductory report by identifying priorities and strategies for a Europe free of corporal punishment. Young people Martin Breskvar and Ellena Cruse joined Luka Maderić, head of the Croatian Office for Human Rights; Helena Bargholtz, Swedish MP; Matti Mikkola, member of the European Committee of Social Rights; Peter Newell, co-ordinator of Global Initiative to End All Corporal Punishment of Children; and World Health Organization representative Inge Baumgarten. Journalist Sandrine Mörch was the panel moderator.

Conclusions from the panel

Ban all forms of corporal punishment of children in all settings

- A priority target of the three-year programme “Building a Europe for and with children” is an unequivocal ban on all forms of corporal punishment of children, through lobbying and using human rights mechanisms
- Adopt the necessary legal and judicial measures, weighing the pros and cons of civil and penal channels
- Set up specific measures to protect the most vulnerable children, such as migrant, disabled and street children

Change attitudes

- Inform and guide parents and child carers towards non-violent parenting and childrearing approaches. Banning corporal punishment is about changing attitudes, not prosecuting parents
- Media are instrumental for the dissemination of an unequivocal message against corporal punishment
- Children are the prime actors in this process
- Make prohibition effective in all settings

“Now we need real pressure from the growing number of memberstates which have achieved this fundamental and long-overdue reform for children, to insist that the other states take their human rights obligations seriously.”

Peter Newell, Global Initiative to End All Corporal Punishment of Children

- To be successful, any legal reform needs to be accompanied with awareness-raising campaigns to inform the public, primarily children. Knowing their rights increases children's capacity to protect themselves.



Defining the building blocks

Policy makers, experts, young people and children's rights campaigners rallied together to embark on a three-year programme that marked the beginning of a process. Other events and initiatives will follow, such as the forthcoming conference of Ministers of Justice, which will be held in Yerevan in October 2006, and which will examine the status of victims and address the all-important issue of juvenile justice. The European Conference of Ministers for Family Affairs is another example. Held in Lisbon shortly after the Monaco conference under the title "Changes in parenting: children today, parents tomorrow", the conference explored alternative forms of parenting exclusive of all violence. The Council of Europe Parliamentary Assembly is also actively campaigning for children's rights. Their current work in this field covers the rights of children in institutions, preventing abandonment at birth or banning corporal punishment of children. The commitment of the Council of Europe Commissioner for Human Rights will instil an extra thrust into the process.

During the two-day Monaco conference, participants helped define the building blocks for a Europe for and with children and they identified five priority areas around which both national and international authorities should shape their strategies. They suggested a concrete set of measures to illustrate how ideas could turn into action and insisted on the importance of monitoring the actual enforcement of children's rights. Their appeal was straightforward: Europe needs to pull all of its resources together to make children's rights a reality. Amongst all participants, the young people at the conference proved that they could make a significant contribution to "Building a Europe for and with children". Their approach focused on real issues; their simple formulas conveyed eloquent statements; their suggestions were sensible; their comments, to the point and their insight, edifying. Their recommendations are found in Appendix 2. Their conclusions and those of the adults are summarised in the following table, along with some of the programme's concrete operational measures that respond to their concerns.

"All of our proposals are achievable with political will and the commitment of civil society."

*Martin Breskvar,
18 years old,
Unicef Slovenia*

Policy development

Without political will, efforts will be in vain. Giving children political visibility is the keystone towards building a Europe for and with children.

Integrate a child right's perspective into policy.

Place children at the centre of development programmes and deliver assistance only to those countries that commit themselves to children's rights.



Develop methodologies, networks and tools to encourage meaningful participation of children in decision-making processes, paying particular attention to victims of exclusion (migrant children, street children, children in institutions, disabled children, etc.).

Elaborate models by analysing legal and institutional frameworks at national and local level levels, identifying good practices and examine examining the roles of independent and inter-ministerial institutions.

Set up integrated models to prevent violence by analysing national and local policies and identifying good practice.

International reviews of national youth policies, in connection with child policies.

Legal framework

Effective protection of children's rights calls for strong legal frameworks, with monitoring mechanisms that inform on the level of enforcement of legal instruments and highlight failures in the system. Additional efforts should focus on protecting vulnerable groups.

Reinforce international mechanisms protecting children by opening up the UN Committee of the Rights of the Child to individual communications and increase the number of ratifications of

Review the European Convention on Adoption and the European Convention on the Exercise of Children's Rights.

Promote the ratification and/or implementation of existing conventions (European Social Charter, anti-trafficking convention, cyber-crime convention, etc.).

Draft a recommendation on empowering children in the new media environment.

Participants' conclusions

Programme measures

the Revised European Social Charter and its protocol to allow collective complaints.

Adopt legal measures to protect the most vulnerable children (children with disabilities, non-citizens, street children, minorities, etc.).

Establish the principles of non-prescription and extra-territoriality justice for crimes against children.

Consider drafting an instrument against sexual exploitation and abuse of children.

Work on a special status of child victims of violence.

Reinforce children's protection from harmful content in the media.



Institutional framework

In addition to governmental and specialised agencies, independent and well-established institutions are paramount to securing children's rights. Such institutions should be present at European, national and local level. They should operate in networks to reinforce their visibility and impact.

Establish independent ombudspersons for children in all member states.

Establish a European mediator or commissioner for children.

Establish governmental institutions with a transversal mandate and the capacity to influence all policies with an impact on children.

Set up observatories to monitor abuse against children and adjust prevention policies.

Encourage European monitoring bodies to pay a particular attention to children's rights and violence against children.

Raise awareness on the results of processes and promote follow-up of recommendations.

Reinforce co-operation with the European Network of Ombudspersons for Children.

Conduct comparative analyses of existing national institutional frameworks.

Participants' conclusions

Programme measures

Awareness, education and training

The law alone will not stop violence. Only a change of attitude and a zero-tolerance approach can make a difference. Information and awareness campaigns may help change social, cultural and behavioural attitudes. These campaigns should be conducted in a coherent manner, co-ordinating international, national and local efforts. They should reach both public and private spheres and carry a clear message, with long-term vision, adapted to the target audience. To be effective, one-off media events should only be part of an overall coherent and sustainable communication strategy.

Train professionals and social workers to detect and report abuse.

Develop tools, methodologies and guidelines on positive parenting.

Create a communication agency devoted exclusively to promoting children's rights.

Organise a European day for children's rights.

Collect facts on abusive and violent behaviour towards children to inform and dissuade the public at large.

Establish children's help lines to report abuse.

Set up peer-to-peer training programmes to inform on children's rights

Publish children-friendly information material.

Develop the Programme website as an entry to all Council of Europe activities in the field of Children's Rights

Develop a child-friendly website, possibly in co-operation with the European Commission

Publish a manual on children's rights for the general public

Publish a manual for trainers on children's rights (Compassito).

Target communication campaigns on specific issues, such as the European Convention on Human Rights or the European Social Charter.

Organise communication campaigns to address violence, such as sexual abuse, corporal punishment, violence in schools and violence in the media including specific communication products adapted to the various target groups (parents, children, paediatricians, journalists, police, judges, etc.).

Publish handbooks (Internet literacy, violence in schools, etc.).

Participants' conclusions

Programme measures

Co-operation and co-ordination

Building a Europe for and with children involves building trust and relationships. Such a venture will need wide-ranging and sustainable partnerships at international, national and local level.

Appoint a regional special representative to monitor the implementation of the recommendations issued in the UN Study on Violence against Children.

Reinforce co-operation with the European Commission, Unicef, NGOs.

Define the Council of Europe's role in the follow-up to the UN Study on Violence against Children.

Upon demand, provide targeted assistance to countries by reviewing their legislation, designing policies, helping set up institutional frameworks and training professionals.

Participants' conclusions

Programme measures

Teaming efforts

Work in progress

“Building a Europe for and with children” will not start from scratch. In fact, the Council of Europe has achieved significant developments in the field of children’s rights, primarily through legal standards, cross-sectoral policies and unique monitoring mechanisms. Here is how the programme will build on its current work and advance further to address the challenges raised during the conference.

Standard setting

The Council of Europe is the main standard setting organisation in the field of children’s rights in Europe. Its two statutory bodies – the Committee of Ministers and the Parliamentary Assembly— have adopted numerous legal texts with detailed policy implications for member states’ work to prevent and respond to violence against children. They range from legally binding texts, such as conventions, to recommendations and resolutions addressed to the member states.

The Congress of Local and Regional Authorities of the Council of Europe, a consultative body, has addressed in particular the issues of young people’s participation in local and regional life and violence in schools and sports.

On a general level, the European Convention on Human Rights defines the fundamental rights of all persons within the jurisdiction of a member state. This means that any person believing to be a victim of a violation of his or her rights may complain to the European Court of Human Rights once national channels have been exhausted. The European Social Charter completes the Convention in the area of social and economic rights. It sets out rights and freedoms and establishes a supervisory mechanism guaranteeing their respect by state parties.

Other Council of Europe conventions have reaffirmed the rights of children in particular areas. There are a number of conventions that have helped to advance the protection of children against different forms of violence, namely the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; the European Convention on the Adoption of Children; the Convention on Contact concerning Children; the European Convention on the Exercise of Children’s

“I would like a coalition of international associations and organisations to be set up as quickly as possible to encourage and support those governments which undertake to adopt specific measures to prevent the most serious crimes committed against children from going unpunished – measures such as extending or doing away with time limits for the prosecution of offences, stepping up judicial co-operation or adopting a model or framework law to strengthen action against trafficking in children, including that done with the help of the Internet.”

HRH Princess Caroline of Hanover

Rights, the European Convention on Action against Trafficking in Human Beings, and the Convention on Cybercrime.

The Committee of Ministers of the Council of Europe has also produced a series of important recommendations and resolutions relevant to children's rights, prepared by specialised intergovernmental committees or experts. The topics covered range from violence in the family, juvenile delinquency, child abuse to participation of young people.

The Parliamentary Assembly has also adopted a wide range of resolutions and recommendations relating to child labour, the sexual exploitation of children, child soldiers and children in institutions to name but a few.

Policy development

The Council of Europe has cumulated a solid expertise in the field of policy development. The bulk of the work is undertaken by steering committees composed of representatives of governments and observers from NGOs and other intergovernmental organisations. Steering committees in the fields of legal co-operation, human rights, social cohesion, culture, education and youth, include children's rights issues in their respective agendas. Specific structures, such as small groups of experts or multi-sectoral platforms, are often created to assist the steering committees in their work. In 2006, the steering committees dealt with the following: revision of the Convention on Adoption of Children, the status of child victims of violence, the protection of children from harmful content in the media, drafting guidelines on positive parenting, legal co-operation to fight sexual exploitation and abuse of children, protection of children with disabilities, education of Roma children, and training on children's rights.

Monitoring

Monitoring member states' compliance with human rights standards is one of the most important functions of the Council of Europe. The Organisation has established various monitoring systems, country-based, treaty-based or thematic. An independent institution, the Council of Europe Commissioner for Human Rights greatly contributes to assessing different situations through country visits. In reports, the Commissioner has frequently paid attention to issues of violence affecting children, including the situation of Roma children; urban youth violence; child abandonment; conditions in institutions housing children and young people, in particular in orphanages and psychiatric institutions or penal detention for juveniles.

Monitoring work is also carried out by mechanisms established by conventions. Progress towards the eradication of some forms of violence has accelerated in the last two decades, with the Council's human rights mechanisms being used to assert children's rights. The European Court of Human Rights, the European

Committee of Social Rights and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment have all begun to use the detailed standards of the United Nations Convention on the Rights of the Child to inform their judgments, conclusions and recommendations.

In a 2003 judgment, the Grand Chamber of the ECHR asserted:

The human rights of children and the standards to which all governments must aspire in realising these rights for all children are set out in the Convention on the Rights of the Child ... The Convention spells out the basic human rights that children everywhere – without discrimination – have: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. It further protects children’s rights by setting standards in health care, education and legal, civil and social services.

This demonstrates the potent value of having effective regional human rights mechanisms to pursue international standards alongside the United Nations conventions.

Children are dependent and generally disempowered, and this makes it particularly difficult to identify and implement effective remedies when their rights have been violated. Nevertheless, there have been a number of applications to the European Court of Human Rights. Recently, the collective complaints procedure provided for by the Social Charter has been used by NGOs to pursue children’s rights. The coming period will undoubtedly see a review of how these ultimate and vital avenues for redress can be made more child-friendly and accessible to children and those who represent them. A more recent convention, the European Convention on Action against Trafficking in Human Beings, also foresees the creation of an independent monitoring body which, once fully operational, will no doubt contribute to its effectiveness.

Consolidating partnerships

During their discussions, the participants drew attention to the remarkable momentum building up in the international arena, owing to the commitment of governments and intergovernmental organisations to children’s rights. The European Union and other organisations such as Unicef, the Office of the High Commissioner for Human Rights and the World Health Organization have set their agendas in this respect and there is a significant potential for fruitful co-operation with these actors. They concurred that further synergies should be developed particularly with the European Commission, about to publish a communication on children’s rights, and Unicef, who is leading the process “A Europe fit for children”. The Council of Europe should also rally children, private

“We need greater synergies between our European institutions to develop together a long-term strategy for children’s rights.”

*Patrick Trousson,
European Commission*

companies, professional networks and the media round a European forum for children's rights.

Moreover, the participants acknowledged the important role that the Council of Europe has to play in the follow-up to the UN Study on Violence against Children, ensuring a broad implementation to its recommendations and monitoring progress. The Council of Europe has the mandate, the expertise and the tools to address the urgent issue of violence against children. Most European policies, institutions and legislative frameworks related to children's rights are facilitated or inspired by Council of Europe efforts. Europe as a continent has the potential of becoming a reference for other regions of the world in the fight against children's violence. The programme "Building a Europe for and with Children" will rise up to the challenge. The Monaco process is now launched.

Further reading

Conference “Human Rights – Disability – Children: Towards an international instrument for disability rights – the special case of disabled children”, Proceedings, Council of Europe Publishing, 2006

Violence reduction in schools – How to make a difference, Council of Europe Publishing, 2006

The Internet literacy handbook, Council of Europe Publishing, 2006

Eliminating corporal punishment: a human rights imperative for Europe’s children, Council of Europe Publishing, 2005

Protecting children against corporal punishment – Awareness-raising campaigns, Council of Europe Publishing, 2005

Regional Consultation for the UN Study on Violence against Children, Europe and Central Asia, Ljubljana, Slovenia – 5-7 July 2005, Consultation Report, Unicef, 2005

Council of Europe Actions to promote children’s rights to protection from all forms of violence, Innocenti Research Centre, Unicef, Florence, 2005

Laying the foundations for children’s rights, P. Alston, J. Tobin, M. Darrow, Innocenti Research Centre, Unicef, Florence, 2005

Violence against vulnerable groups, Council of Europe Publishing, 2004

A partnership approach to crime prevention, Council of Europe Publishing, 2004

Youth and exclusion in disadvantaged urban areas: addressing the causes of violence, Council of Europe Publishing, 2004

Young people and violence prevention – youth policy recommendations, Council of Europe Publishing, 2004

Child sexual abuse in Europe, Council of Europe Publishing, 2003

Violence against women and children – Vision, Innovation and Professionalism in policing, VIP Guide, Council of Europe Publishing, 2003

Safeguarding adults and children with disabilities against abuse, Council of Europe Publishing, 2002

Compass – a manual on human rights education with young people, Council of Europe Publishing, 2002

Promoting Children’s participation in democratic decision-making, G. Lansdown, Innocenti Research Centre, Unicef, Florence, 2001

“Building a Europe for and with children”: <http://www.coe.int/children>

Appendices

1. Presentations

Jean-Paul Proust **Minister of State of the Principality of Monaco**

Your Royal Highness, ladies and gentlemen,

It is my great pleasure to welcome you to Monaco on behalf of His Most Serene Highness Prince Albert II and His Government. I hope, of course, that you will have a pleasant stay but also that it will be a productive one. The task that the Council of Europe has set you – namely to build a Europe for and with children and combat all the forms of violence to which they may fall victim – is an extremely urgent one.

Your Royal Highness, you have graciously agreed to chair this conference – to lead it and provide it with a soul. I would like to thank you on behalf of all the participants because, as president of the World Association of Children's Friends and a mother yourself, you combine all the qualities required to perform this extremely important task.

In view of your long-standing and substantial experience of children's issues and your personal commitment to efforts to promote children's rights, the conference organisers would have found it difficult to find anyone more qualified and dedicated than yourself to lead the proceedings.

Ms de Boer-Buquicchio, we particularly welcome your presence at this conference, which the Secretariat of the Council of Europe prepared under your authority with the care that such a meeting requires, bringing together as it does leading figures from the member states, numerous experts and hard-working representatives from intergovernmental and non-governmental organisations striving to promote and protect children's rights.

I would also like to welcome the many representatives of humanitarian associations with us here today, and the children and young people who have been working to provide us with an overview of their views and concerns.

Your Royal Highness, ladies and gentlemen, may I stress how much it pleases the Principality of Monaco, which devotes so much determination, effort and money, at national and international level, to promoting and protecting children's rights, that the Council of Europe has chosen it to host this conference.

The conference is destined to be a special event as it will mark the official launch of "Building a Europe for and with children", a project which will place particular emphasis on measures to combat all forms of violence against children, in

accordance with the Action Plan adopted in Warsaw in May 2005 at the Third Summit of Heads of State and Government of the Council of Europe.

His Most Serene Highness Prince Albert II, who played an active part in the summit, believes that this is a key commitment, firstly as it covers all the social, legal, educational and health aspects of the various forms of violence against children and secondly as it recommends measures which must be introduced all round, including legal instruments where appropriate, to put an end to the sexual exploitation of children.

The Monegasque Government will, of course, contribute to this process. Among other things it has commissioned an expert to prepare a legal study of children's rights with a view to enhancing their protection and begun drawing up legislation to make child-pornography-related activities criminal offences, particularly those committed or facilitated by means of new communication technology. Similarly, the Monegasque Government has decided to fund a Council of Europe project to combat the risks of sexual abuse via e-mail.

It is essential that the conclusions of this conference and the "Monaco Process" we will be launching are supported and followed up by a major public awareness campaign to ensure that they have a real and lasting effect. I am convinced that they will come to be included among the priorities to which His Most Serene Highness Prince Albert II drew attention on his succession, when he said that he hoped that Monaco would promote the fundamental values of human rights, tolerance and peace – values on which, moreover, the Council of Europe is founded.

Maud de Boer-Buquicchio

Deputy Secretary General of the Council of Europe

Your Royal Highness, excellencies, ladies and gentlemen, may I begin with a story?

Once upon a time there was a continent ravaged by the most damaging war of all time. Human madness had destroyed everything. Houses, factories, libraries, districts and entire towns were razed to the ground. What was worse, some human beings denied others their dignity and, for a moment, in the silence that followed the explosion of the bomb, humanity seemed to be lost forever, carrying along with it the millions of victims of the Second World War.

Then, faced with the rubble, people decided to rebuild the schools, the factories, the cathedrals, the museums and the towns. It was no easy job, but it was done. However, how can broken lives be rebuilt? What material can replace lost dignity? What paint can cover up the traces of the horror imprinted on our souls?

Is there a crane capable of lifting the weight of guilt? Will these new walls protect us from our nightmares, from fear of the other?

Among the finest and most ambitious projects that came into being in the wake of the war, I definitely prefer the building of Europe, since, despite all the difficulties, we succeeded in finding the materials we needed – the strength and the willpower – to meet the greatest challenge of all – that of building a union of nations, a union which grows closer and stronger every day.

Since 1949 the Council of Europe has been striving to build a Europe founded on three pillars: human rights, democracy and the rule of law. To succeed in our task, we have developed a very varied range of highly sophisticated tools – legal instruments, monitoring mechanisms, assistance programmes, awareness-raising tools, forums for debate and innovation.

The Council of Europe has become the home of democracy and of human rights, but a home is well-designed only when the architect succeeds in harnessing intangible elements (space and light) for the well-being of all who live there. Today, I wonder whether, in striving to go far and fast with our projects, we have not overlooked children.

Is the home we are building safe, comfortable, fun, accessible, comforting, beautiful and ... liveable for the 155 million children in Europe? I ask this question even though the Council of Europe is doubtless the organisation with the greatest experience of developing standards and promoting sector-based strategies for child protection in Europe.

Children are vital, and so are their rights.

Since its formation the Council of Europe has drawn up many legal instruments of prime importance to the protection of children's rights, such as the European Convention on Human Rights, the European Social Charter and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, to cite but three. Thanks to these instruments, states have been obliged to adopt measures – including legislation – constituting significant progress in the protection of children's rights. Their interpretation is increasingly based on the most frequently ratified convention worldwide: the United Nations Convention on the Rights of the Child. This is a fantastic example of complementarity between two kinds of instruments (one global and the others regional).

I nonetheless remain convinced that these conventions should have a far greater impact. To achieve that, adults must cease to regard children as mini-persons with mini-rights. Children must also be aware that these conventions and rights exist and be more easily able to rely on them.

In addition to our conventions, there are the recommendations and resolutions adopted by the Committee of Ministers, the Parliamentary Assembly and the Congress of Local and Regional Authorities. The list is very long, and the subjects dealt with extremely varied, albeit always of crucial importance. Although it is difficult to assess the impact of all these legal instruments, they undoubtedly serve as guidance for the legislation and policies of all our member states.

However, the role played by the Council of Europe does not end there. In our building work, law is a very important raw material, but it alone cannot bear the full weight of our home, since law is not an end in itself but a tool for achieving our objectives. We must establish institutions, devise policies, invest in research, education, training and awareness-raising, and develop new tools with which to meet new challenges – and that is also the role of the Council of Europe.

Yet, despite almost 60 years' building and reconstruction efforts, Europe is still not our children's home. As the results of the consultation we held in Ljubljana last summer show, violence against children continues to exist, is growing and is assuming new forms. No country is free of it and no country has done everything possible to solve the problem. We have accordingly decided to devote all our energies, resources and expertise to promoting respect for children's rights and to combating violence against children.

This determination and this espousal of children's cause by the Council of Europe were recently confirmed at the highest level on the occasion of the Organisation's summit of heads of state and government, held in Warsaw last year.

The programme we are launching today is our Organisation's response to this immense challenge, to the mandate we were given by the summit to build a Europe for and with children.

Building a Europe for children is a huge undertaking. The shelves in your offices are doubtless crammed with legal instruments, declarations, recommendations, reports and proposals. At the same time, I suspect that your budgets are still very meagre.

With this new programme, the Council of Europe wishes to move on to the operational stage, to begin the real site work. In Europe we already have most of the raw materials: we have the best architects and some excellent craftsmen. We have a quite clear idea of what must be achieved. We must therefore begin to build and we have accordingly set ourselves two main objectives: promoting children's rights and eradicating violence against children.

Firstly, we intend to launch a major campaign for the promotion of children's rights. Our aim is to:

- help states honour their commitments under the main international legal instruments;
- promote inclusion of the “child” dimension in all areas of policy-making and help establish integrated national child protection strategies;
- enhance knowledge of children's rights among children themselves and all those in day-to-day contact with them or who decide their future (authorities, parents, teachers, doctors, welfare workers, law professionals, the media, etc.);
- make it easier for children to assert their rights: develop information resources and judicial and other procedures suited to children of different ages and in different situations;
- promote ratification and application of existing instruments and develop new standards where necessary. In particular, I believe we must devise standards to guarantee that children's rights are fully respected in judicial procedures in general and in the juvenile courts system in particular.

Our second objective is the eradication of violence against children. We intend to monitor implementation of the recommendations made in the United Nations' study on the subject, focusing on six priority areas – school, resident institutions, the family, the community, the media and cyberspace.

Our action will be founded on four pillars (the “four Ps”): protection of children, prevention of violence, prosecution of criminals and participation by children.

The first principle: protection of children. Protecting children who are in extreme distress or danger requires both emergency measures and long-term policies capable of tackling the roots of the problem. Social exclusion, poverty, illness, disability and war are real-life situations which make children even more vulnerable and require reinforced protection measures. The Council of Europe is not a humanitarian aid or emergency relief organisation. Our strongpoint remains the background work of creating conditions conducive to equitable, sustainable

economic and social development. Through our policies in the fields of social cohesion, education, youth and culture, we hope to help enhance the protection of children at risk due to difficult economic, political or social situations.

The second principle: prevention of violence. In the context of our programme “Responses to violence in everyday life in a democratic society” (2002-2004) we identified twelve principles that should serve as guidelines for national and local policies aimed at preventing and reducing violence. Over the coming three years we will be testing the application of these principles and assessing the outcome. Our aim is to propose model violence prevention strategies to the national authorities. The tools developed will be aimed, above all, at overcoming the divide between the law and reality.

Take the example of corporal punishment. We have standards – legal instruments and decisions by competent bodies – condemning this unacceptable form of violence, which is tolerated (and sometimes even welcomed) within families, schools and detention centres. We will run a campaign to outlaw corporal punishment in all member states. However, apart from the purely legal aspects, we must bring about a change of attitudes and help parents raise their children without violence. Our positive parenting project will be one of the three themes addressed by the Conference of European Ministers for Family Affairs being held in Lisbon in May. This subject is particularly close to our hearts, which is why we have proposed discussing it at this conference.

The third principle: prosecution of the perpetrators of violence. The impunity enjoyed by the perpetrators of violence against children is unacceptable. A society which allows criminals (such as child traffickers or paedophiles) to go unpunished is quite simply an accomplice to the offence.

Unfortunately, taboos, tolerance, society’s indifference and the victims’ silence help to increase the number of offences that go unprosecuted. In addition, account must be taken of the fact that criminal procedure is far from suited to the needs of child victims. Application of certain principles of criminal law (such as the limitation period) should take into consideration a child victim’s circumstances and the seriousness of the offence.

It is also essential to ensure reparation of the damage suffered by victims, and the State should guarantee compensation where the perpetrator of violence is insolvent. Prosecution of criminals and reparation of damage suffered by victims are therefore part of the foundations of the home we are building. We cannot economise on them without risking its collapse. The Council of Europe has the expertise and the tools needed to devise standards in this field, and I intend to spur it to act.

The debate taking place on the possible preparation of an international legal instrument to combat sexual exploitation and abuse of children is already a major step forward.

The fourth principle: participation by children. Here I address in particular the young participants at this conference, I wish to conclude my speech today by referring to the noblest of our four principles: participation by children. This is a subject on which I have some good news and some bad news. The good news is that we genuinely want to build a Europe with children. The bad news is that we don't know how to go about it.

That is why we have proposed holding a round-table discussion on participation by children. We want to know your opinions, learn about your experience, hear your wishes, understand your fears and share your ideas. We are aware that this is a huge challenge, but we have three years in which to tackle it. By 2008 we hope to have developed methodologies, tools and networks capable of guaranteeing effective participation by children, including those who do not attend school or who are socially excluded. Our primary aim is to involve children in the running of our programme.

We are delighted that young people are taking an active role in this conference. Whereas we are only just starting our proceedings, they have already completed the first part of their programme, as they have been working on their contribution to the conference since Sunday. They have also had to take time out from school right in the middle of the year. Thank you very much for your efforts.

There is a hill in Stuttgart known as the Monte Scherbelino, where over 1.5 million cubic metres of debris from the town were dumped after the Second World War. This raised the height of the hill by 40 metres, and it now offers the best panoramic view of the reconstructed city. The hill has become a symbol of human beings' destructive and creative capacities.

The Council of Europe is also a symbol of reconciliation and European unification. But we are not alone. The European Union is also an outstanding result of Europe's will to lay sound foundations for the economic and social progress to which our citizens aspire. If the European Union and the Council of Europe have the same symbols (the European flag and anthem), that is because we are destined to share the same values.

With the forthcoming publication of its Communication on the Rights of the Child, the European Commission is about to take an important step forward in this field. It is not by chance that we are travelling the same road at the same time. Let us set the best course together, so as to arrive more quickly at our destination!

I also hope for fruitful future co-operation between the Council and the large family of United Nations agencies. The Council of Europe's standpoint is the same as

that of the other major guardians of children's rights – Unicef and the Office of the High Commissioner for Human Rights. I am delighted by the presence here today of two regional directors of Unicef, Maria Calivis and Philip O'Brien, and I know we can count on their friendship. Louise Arbour, the High Commissioner for Human Rights, is sorry not to be able to attend, but she has sent us a message of support, which you can consult.

It is true that the programme we are launching today can succeed only with the support and co-operation of governmental and non-governmental organisations whose very role is to protect human and children's rights. I am convinced that the process we are initiating today will enable us to strengthen our ties, and above all to be more effective in performing our respective roles.

Mr Minister of State, You have chosen children's rights as the theme of the first major event you have hosted since your accession to the Council of Europe. I am moved by the symbolic value of this conference and extremely grateful for the efforts made to organise it. On behalf of the Council of Europe and all the participants, representing 45 countries, thank you for your hospitality and welcome.

Your Royal Highness, excellencies, ladies and gentlemen, I wish to conclude with a simple saying, which perfectly enshrines the spirit of the task before us:

A man never stands as tall as when he kneels to help a child.

Her Royal Highness Princess Caroline of Hanover

Ladies and gentlemen, on my way here this morning, my thoughts were filled with the suffering and injustice which so many of the world's children have to endure, victims of poverty, famine and conflict, but also of the violence of Mafia rings, which escape punishment for their crimes by circumventing laws and borders alike.

Many also suffer from prejudice, racism and the backsliding of certain societies in which moral references are becoming blurred and the fundamental values of human rights and the rule of law – the Council of Europe's values – are increasingly spurned, ignored or flouted.

Some are also victims, I am afraid to say, of their own families, of the alcoholism and unhappiness of parents lost in the moral maze, and of rules, including school rules, that are outdated or poorly interpreted. And such brutality is unleashed upon some children that it may even result in their deaths. They suffer because of our thoughtlessness, and we need to react now, to spare them further suffering.

The more dependent, weak and vulnerable children are, the more they need respect, for themselves, and for their rights to life, to a family, to care and to education, regardless of their appearance, origin or status.

Let us return for a moment to our own childhood, to our first memories, to the doubts we felt and to the fears and anxieties that sometimes dwelt in us, to our outbursts of emotion and to the dreams that we nurtured. Let us recall the marvellous bond of trust we had with our parents, the affection that we so naturally felt for our friends and family, and the happy innocence which guided our first steps into the web of human relationships. How ever-present our need for protection and tenderness was at that stage! No child has any desire to be ill, to suffer, or to be hungry, beaten, abused, sold or killed.

We political leaders, representatives of intergovernmental and non-governmental organisations, experts on, and campaigners for the promotion and protection of children's rights, and journalists and communications professionals are gathered here in Monaco today to hear one another's views and listen attentively to the children and young people who have joined us, some of whom worked so hard yesterday, and again this morning. It is important, after all, for the children and young people who are taking part in this meeting to be listened to and heard, and for us to take their views into account.

We are not here to persuade one another of the validity of the causes that each of us has chosen to defend, or to reflect once again on the plight of the world, on the benefits and disadvantages of globalisation or on climate change, but to work together within the bounds of our own resources, experiences and commitments to seek practical solutions to the various very well-defined problems highlighted

with such clarity and relevance in the reports drawn up for this conference by the Council of Europe's experts and by other specialists.

I thank you for the confidence you showed in me by asking me to preside over the proceedings, which I will do with conviction, paying full heed to your concerns, aspirations and recommendations. I will do this as much in my capacity as a champion of children's cause as in my capacity as a mother, whose life and choices are guided chiefly by the desire to protect my family and its stability, and to secure the happiness and the future of my children.

My position as president of the World Association of Children's Friends, AMADE-Mondiale since 1993 has taught me how dramatic a situation many of the world's children are in and how difficult and complex it is, despite all the laws and international instruments that our governments have adopted, to protect children against violence and abuse of all types, including the sexual abuse inflicted on all too many of them.

As was the case with the Convention on Anti-Personnel Mines or the International Criminal Court, I would like a coalition of international associations and organisations to be set up as quickly as possible to encourage and support those governments which undertake to adopt specific measures to prevent the most serious crimes committed against children from going unpunished – measures such as extending or doing away with the time limits for the prosecution of offences, stepping up judicial co-operation or adopting a model or framework law to strengthen action against trafficking in children, including that done with the help of the Internet.

The three-year programme which the Council of Europe is launching here in Monaco provides an outstanding opportunity to increase awareness of the challenges we face and form an "alliance of wills" to implement, promptly and effectively, the measures which we can set out in our conclusions.

I hope that this programme will prompt us to establish a fully-fledged co-operation network to help us to continue and intensify the campaigns we have been conducting, sometimes with very little publicity, often for many years and occasionally with an unpleasant feeling that we stand alone – a feeling that can border on disillusion at times and induce bitterness.

It is our duty to share our experiences, to work together to pinpoint the reasons for our successes and failures and, during the round table sessions, to hold exchanges of views which I firmly believe will enable us to make progress in many areas.

This conference may be a chance to learn more about recent initiatives or innovative projects currently being carried out by governments and charitable humanitarian organisations and associations.

AMADE-Mondiale, over whose destiny I preside, has prepared for your attention an information document describing our main activities in Africa, Asia and Europe, which are often conducted with the assistance of our local offices and as part of joint projects involving other associations.

I would like briefly to draw your attention to three of these activities to which I am particularly attached:

- the “New smile on life” programme: This project is intended, through surgeon training, to increase the number of operations on children whose cleft palates prevent them from being properly breastfed and mark them out for exclusion and discrimination;
- “Schools opened to the wind”: These schools are for children who live on the streets, providing them in their home areas not just with education but also with meals and appropriate care;
- “Alliance for bases clean-up” (ABC): The aim of this programme, based on information campaigns, is to achieve a total clean-up of United States military bases and the elimination of the dangerous toxic waste around these sites while helping those children whose illnesses have been caused by the resultant contamination.

In accordance with the wishes of my mother Princess Grace, who founded the association and was its first president, AMADE-Mondiale also endeavours to encourage research and discussion on subjects raised by scientific and technological progress, in the light of fundamental ethical and moral principles.

It was as a result of this that, in April 2000, following painstaking preparation and extensive consultation, AMADE-Mondiale teamed up with Unesco to hold an international colloquy attended by leading figures from the world of genetics, medicine, research and law. The resulting *Monaco statement: Considerations on bioethics and the rights of the child* and the proceedings of the colloquy were both published.

More recently, in April 2003, the Government of Monaco helped to hold an international round table attended by experts, lawyers, specialists and diplomats on “Crimes against the child, crimes against humanity”. This provided an opportunity to investigate the various approaches that might be considered to combating impunity for certain particularly serious violations of the rights of the child.

My brother, Prince Albert II, also spoke on this subject in May 2002 at the Extraordinary Session of the United Nations General Assembly on children, drawing world leaders’ attention to the matter in the following terms:

Is it not our duty to try to improve the tools at our disposal, including legal instruments, removing the current limitations of time and borders on prosecution and punishment of these unnatural crimes against children by classifying them as crimes against humanity?

I wish you an outstanding and rewarding time in Monaco and sincerely hope that our work and the Council of Europe's three-year programme will be successful. I would also like to congratulate and thank the Council for taking this initiative and for showing such an exemplary and steadfast commitment to promoting and protecting the rights of the child.

As my father, the late lamented Prince Rainier III, was in the habit of saying, you do not have to be big to do great things or to act in large numbers to enjoy success.

We have a duty to succeed in the task that lies ahead of us. As Simone de Beauvoir wrote: isn't every newborn child a god taking the form of a person?

Bogdan Panait

Romanian State Secretary for Children's Rights, on behalf of the Committee of Ministers of the Council of Europe

It is an honour and a privilege for me to represent the Committee of Ministers of the Council of Europe at this launching conference of the programme “Building a Europe for and with children”.

The Third Summit of Heads of State and Government of the Council of Europe, which took place in Warsaw on 16 and 17 May last year, reconfirmed the role of the Council of Europe as an essential component of the European political and security architecture, and as a unique framework to promote and defend human rights, advance democratic principles and values and foster the rule of law throughout Europe.

In this context important decisions concerning the issues to be discussed at this conference were taken. I quote from the Action Plan adopted by the heads of state and government at the Third Summit:

We are determined to effectively promote the rights of the child and to fully comply with the obligations of the United Nations' Convention on the Rights of the Child. A child rights perspective will be implemented throughout the activities of the Council of Europe and effective co-ordination of child-related activities must be ensured within the Organisation.

We will take specific action to eradicate all forms of violence against children. We have therefore decided to launch a three year programme of action to address social, legal, health and educational dimensions of the various forms of violence against children. We shall also elaborate measures to stop sexual exploitation of children, including legal instruments if appropriate, and involve civil society in this process. Co-ordination with the United Nations in this field is essential, particularly in connection with follow-up to the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography.

Since the adoption of the Action Plan, the Committee of Ministers has taken a number of decisions relating to its implementation. It has approved the three-year programme: “Building a Europe for and with children”, identified the necessary resources within the budget and approved the creation of a co-ordination unit within the organisation.

As has already been stressed by the Deputy Secretary General, Maud de Boer-Buquicchio, the Third Summit insisted on the implementation of a child rights perspective throughout the activities of the Council of Europe. The programme on children will partly be implemented through the relevant intergovernmental steering committees, which will include items relating to children in their respective agendas. These activities range from manuals on children's rights education

to the drafting of new legal instruments. But more generally, a child rights perspective shall be guiding all activities of the organisation.

In this context, I would like to stress that the Council of Europe is the main standard setting organisation on children's rights in Europe. The Council of Europe has drawn up several legal instruments which protect children from violence and confer a number of other rights on them: among these are the European Convention on Human Rights, the revised Social Charter and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

Both the European Court of Human Rights and the European Committee of Social Rights have developed case-law with particular emphasis on children, for example concerning the prohibition of corporal punishment and other forms of ill-treatment of children. I would like to add that the Committee of Ministers supervises the implementation of the judgments of the Court and the decisions of the European Committee of Social Rights and that it considers this to be one of its most important tasks.

Another significant Council of Europe treaty, the European Convention on the Exercise of Children's Rights, guarantees the exercise by children of certain procedural rights in family court proceedings.

Furthermore, a couple of the recent legal instruments adopted by the Committee of Ministers provide protection for children against sexual and other forms of abuse in certain contexts. The first one is the Convention on Cybercrime, which contains a provision relating to the prohibition of the production, dissemination and possession of child pornography through or on a computer system. The second instrument is the Council of Europe Convention on Action against Trafficking in Human Beings, adopted at the third summit. This convention contains a number of provisions with the particular aim of protecting children from trafficking and providing adequate protection and assistance to children who have been victims of trafficking.

I might add that the Committee of Ministers only a couple of weeks ago adopted terms of reference for a committee to evaluate the need for an additional international legal instrument for the protection of children against sexual exploitation, that would fill any existing lacunae. This activity follows from the Action Plan adopted at the third summit.

The Committee of Ministers has also adopted a number of important recommendations concerning children's rights. Other recommendations contain provisions providing specific protection for children in various contexts. In the first category of recommendations, I would like to highlight that of 1985 on violence in the family, of 1990 on social measures concerning violence within the family, and of 1993 on the medico-social aspects of child abuse, which emphasise the general

condemnation of corporal punishment and other forms of degrading treatment as a means of education. More recent recommendations concern the protection of children against sexual exploitation, new ways of dealing with juvenile delinquency and the role of juvenile justice, and the rights of children living in residential institutions.

Work is now progressing rapidly on a draft recommendation on victims which will deal with issues relating to persons vulnerable to victimisation, especially repeat victimisation. It will refer to victims of organised crime, including trafficking in human beings, and to the creation of specialised centres to help victims of crimes such as sexual violence and domestic violence.

Essential parts of the programme that we are now launching relate to the Council of Europe's standard-setting role, including awareness raising and information on the existing international and European legal instruments in the field, as well as assistance to member states with the implementation of these instruments. The programme will also focus on the implementation or revision of existing instruments and on the possible elaboration of new ones.

Conferences of specialised ministers will play an important role for the implementation of the new programme. The Conference of European Ministers responsible for Family Affairs, to be held in Lisbon on 16 and 17 May, will deal with issues relating to parenting in the best interest of the child and to family policies in the light of demographic changes in Europe and different patterns of family life.

Later this year, the Conference of European Ministers of Justice, to be held in Armenia, will deal with the topic "Victims: place, right and assistance" and will cover both penal and civil aspects of the question of victims as well as issues relating to particularly vulnerable groups of victims, including children.

As Chair of the Committee of Ministers, Romania has made its contribution to the implementation of the Council of Europe's goals and priorities, as adopted in the Action Plan. A conference on children's rights was organised in January 2006, focusing on the Romanian experience in connection with examples proposed by other countries and with international and European standards.

In the Council of Europe member states taken as a whole, the population below the age of 18 is around 155 million individuals. The United Nations Convention on the Rights of the Child has been ratified by all member states and they are all expected to develop national action plans to ensure its full implementation. The heads of state and government present in Warsaw considered that the complexity of the issues at stake called for a comprehensive strategy to co-ordinate the efforts of all key actors and to mobilise resources.

The presence here, at this launching conference, of high level representatives from such a large number of member and observer states, is a clear indication of

our commitment to the issues to be discussed and of our expectations and hopes as regards the programme we are now launching. But what I will find particularly interesting will be to hear the expectations, hopes and concerns of the young people present at this conference. Let me also express the hope that you will be with us throughout the programme and that your viewpoints and your ideas will be taken on board.

Finally, I would like to thank the authorities of Monaco for the excellent organisation of this event and, in particular, thank Her Royal Highness, Princess Caroline of Hanover, for her personal commitment to this cause.

Jean-Charles S. Gardetto

Member of the Parliamentary Assembly of the Council of Europe

Your Highness, ladies and gentlemen,

At the Third Summit of Heads of State and Government of the Council of Europe (Warsaw, May 2005) it was agreed that “Building a Europe for and with children” was to be one of the priorities for the organisation’s member states. The Parliamentary Assembly of the Council of Europe, which I have the honour of representing, has long been active in promoting the cause of children. Children’s rights have always been part of the Assembly’s focus. However, children’s issues became a real concern in the 1990s and in 1996 the Social, Health and Family Affairs Committee set up its Sub-Committee on Children.

Since then, this sub-committee has sought to nurture a genuine culture of children’s rights in member states. For example, since 1996 more than twenty resolutions, recommendations and reports have been adopted by the Parliamentary Assembly, primarily at the initiative of the Social, Health and Family Affairs Committee.

But it is not the only one: other committees such as the Legal Affairs Committee, the Committee on Equality between Women and Men and the Committee on Migration have also incorporated a children’s dimension into their activities.

Our aim is to make children a political priority. I have to be honest with you: it is not easy to make children’s rights a major political issue. Regrettably, the fate of children is not a matter that brings with it a great deal of political capital and accordingly it does not seem to arouse the passions of politicians and governments.

While protecting children’s rights is a challenge for the Parliamentary Assembly of the Council of Europe, it is also a duty. The prime role of the Council of Europe is to ensure respect for human rights. And children are human beings who also have rights that must be upheld.

Giving children greater political visibility was the main aim of the Parliamentary Assembly’s first major text entirely devoted to children – Recommendation 1286 on a European strategy for children. This text was drafted with the help of Unicef and international experts in the field of children’s rights and contains numerous ideas which were innovative at the time and which remain extremely topical.

A few years later, in 2002, the Assembly’s Social, Health and Family Affairs Committee wanted to turn the ideas contained in the 1996 proposals into practical obligations for member states in the form of Recommendation 1551, entitled “Building a twenty-first century society with and for children”. However, the 1996 strategy has not, as was hoped, yet given rise to many additional activities within the Council of Europe. Rather, ten years on, it seems to be the European Union

that is now drawing on the ideas it put forward. This is a sign of another potential area for joint and co-ordinated activities between our two organisations at a time when there is a considerable tendency to be in competition with each other. If we are to build a Europe for children, we have to pool all our efforts and set priorities at European level.

One of the first priorities is to give children a voice and greater visibility. Children have rights and should be able to voice their concerns when these rights are not upheld. At national level, this means having legislation that genuinely protects children and appointing in each country a mediator or ombudsman for children (as the Assembly called for in Recommendation 1460 (2000)).

The globalisation of trade, the complexity of inter-state relations and the use of new technologies all complicate the task of those defending the cause of children. A European network of children's ombudsmen has been set up and is attempting to address these challenges by exchanging information and co-operating effectively. Shouldn't we be giving stronger support to what they do?

To do this, we should perhaps contemplate appointing, at European – and why not Council of Europe – level, an independent, European children's ombudsman tasked with promoting children's rights and able to act on their behalf.

At the initiative of the Parliamentary Assembly, the Council of Europe appointed a Commissioner for Human Rights. The first Commissioner, Mr Alvaro Gil Robles, carried out this role with acknowledged success. Today this task is in the very competent hands of Mr Thomas Hammarberg, who I am very happy to see with us here today. Children's rights have not been totally absent from the work of the Commissioner, but it has to be said that they have been a fairly small part of his activities which have focused more on human rights in conflict regions or on the rights of those imprisoned. This is not a criticism. The work carried out by the Commissioner for Human Rights is vitally important and admirable. But one person alone cannot do everything. What is needed is a separate and more specialised position.

In addition to giving children visibility at European level and speaking out on their behalf, this "commissioner for children's rights" could be responsible, among other things, for:

- promoting awareness and implementation of the various conventions on children's rights;
- advising and assisting the various players in the field of children's policies;
- assessing the impact on children of the policy choices made;
- drawing up specific strategies to promote education in peace and non-violence.

A second key priority is to ensure that children are at the centre of development aid policies for non-member countries. Europe is not isolated from the rest of the world. The life and fate of children in non-Council of Europe member states very

often depends to a large extent on the activities of European countries, whether of their governments, companies or nationals.

This often results in economic exploitation, forced child labour and prostitution brought about by sex tourism and so forth.

The situation of children in the rest of the world is the concern of us all. If what we have to say about children's rights is to be credible, it must be co-ordinated and the commitment of the Parliamentary Assembly of the Council of Europe to the cause of children must go beyond the strictly European framework.

We in the Assembly believe that European states must ensure that the UN Convention on the Rights of the Child is upheld throughout the world; they must fight against the exploitation of children and protect them against armed conflict.

The Assembly has also called for an increase in aid to developing countries and a flexible approach to debt repayment. In particular it has urged the international community to work out development aid policies for conflict-stricken countries to bring an end to the use of child soldiers (Resolution 1215 (2000)), to take steps to demobilise those enlisted, provide them with physical, psychological and social rehabilitation, and reintegrate them into civilian life, and in particular into a suitable education system.

Lastly, the Assembly has called on member states to give priority to the protection and rights of children in their national development aid policies and to insist that beneficiary states uphold the rights and interests of children as a condition for any technical and financial assistance.

By way of illustration, we should remember that there is a growing number of children affected by HIV or Aids, or who have lost a father or mother to the disease, in the developing world and especially in Africa. Incidentally, the Assembly's Social, Health and Family Affairs Committee has just initiated a report on this matter. Every 15 seconds, Aids kills a mother or a father. There are more than 15 million Aids orphans throughout the world. In the vast majority of cases, these children have no means of education, which often has to be paid for in their country, and have no parents who can pass on their knowledge and skills.

What, therefore, can western development aid do for these forgotten generations who do not have the educational tools to be able to make use of such aid? This is an enormous challenge that the Council of Europe cannot disguise. Yes, we need to build a Europe with and for children, but it must be a Europe that shows solidarity with the children in the rest of the world.

Anissa Tamsamani
Member of the Congress of Local and Regional Authorities
of the Council of Europe

Your Royal Highness, excellencies, ladies and gentlemen,

A great Russian novelist, Fyodor Dostoevsky, once wrote: “The whole world is not worth a single tear of a child.” These words were written more than a century ago – before the two world wars, before the Bolshevik revolution and the communist regimes, and before the triumph of democracy on this continent, which we are enjoying today.

Yet, despite our democratic achievements, we are here because the situation of children in Europe urges us to act to prevent the persistent ill-treatment, abuse and violence against our younger generation, and to defend the children’s rights as human beings. According to the Organisation for Economic Co-operation and Development, ten children die every day from ill-treatment in OECD member states. In France alone, 75 000 children are ill-treated every year, and two children die every day from cruel treatment. Human Rights Watch has stated on many occasions that children were “easy targets” for abuse and violations of their rights – be it domestic violence or violence in schools – including corporal punishment – street violence or police brutality, child labour or sexual exploitation and child pornography.

We must recognise that children are the most vulnerable group of society requiring special attention – even more so when they are children whose parents belong to other groups subjected to discrimination such as migrants, refugees or national minorities. At the same time, we must reaffirm that children are full-fledged citizens who enjoy equal rights as any human beings, and it is our political and moral duty to make sure that these rights are fully respected – including the right to be free from violence.

We have a good legal basis: the United Nations Convention on the Rights of the Child, which has been ratified by almost all governments – with the regrettable exception of the United States and Somalia – and the European Convention on Human Rights, which guarantees equal rights for everyone, without discrimination on the basis of age. The challenge is, however, to apply these treaties in practice, and at all levels – national, regional and local. The programme “Building Europe for and with children”, which we are launching today, serves just this purpose – to bring together all actors involved in children’s welfare, to combine our efforts in protecting their rights and freedoms and involving them to the fullest in our democratic societies.

Regional and local authorities of Europe, and the Council of Europe Congress representing them, on whose behalf I speak today, have an important role to

play in this process, and can make a valuable contribution to implementing the programme. Certain chapters of this programme have a direct relevance to local and regional government: the prevention of neighbourhood violence and work in communities, the prevention of violence in schools and action concerning street children, to name but a few. Awareness-raising is another important aspect where local and regional authorities can be of great importance, engaging local NGOs and media to provide adequate information on the situation in specific communities and residential institutions. In addition, we propose creating local free-of-charge telephone hotlines and shelters for battered children, which would allow a child to address social workers directly. Local authorities can also assume the responsibility for training of community workers and parenting counselling, especially in cases of family violence.

We in the Council of Europe Congress see local and regional authorities as being the first line of defence of children's rights – because abuse of children and their exploitation happens in local communities, which should be the first to know about it and to react to it. It is clear, of course, that national governments should give local authorities proper means to implement their programmes for children, including local action to enhance the youth participation in community life – which is one way of preventing crime and violence among young people. Our Congress has adopted several resolutions and recommendations on youth participation and the role of young people as citizens, dating back to 1999, not to mention the European Charter on the Participation of Young People in Local and Regional Life, revised in 2003.

Local authorities also have a crucial role to play in dealing with disadvantaged neighbourhoods, where children are particularly exposed to violence. Our Congress has done a great deal of work on this issue, starting from a recommendation to Council of Europe member states on policies for deprived children and their families, adopted in 1999, and, recently, launching the so-called Berlin Process to mount action for disadvantaged urban areas. The most recent conference on this subject was held at the Council of Europe headquarters in Strasbourg at the end of January 2006.

We should also look into the idea of establishing and developing a Europe-wide network of ombudspersons for children at regional and local level, already existing in some countries. It is especially important because children do not have direct access to courts, and the parents who may represent their interests are sometimes themselves the source of their children's rights violations. Such a network could operate in close co-operation with the Council of Europe Commissioner for Human Rights.

Coming back to the famous phrase of Dostoevsky, I would like to stress that the fact that we are here today shows our full awareness of the need to act so that children in Europe – and elsewhere – do not shed tears from pain, fear, poverty

or exclusion. The programme which we are launching today will address this need, and I wish all of you – all of us – every success in carrying it out. Let us act together to make sure that children shed only tears of joy.

Gérard Greneron

Vice-President of the Council of Europe INGO Conference

Your Highness, Your Excellency, Madam Deputy Secretary General of the Council of Europe, distinguished representatives of the Council of Europe, ladies and gentlemen, my INGO colleagues,

This inaugural conference for the programme “Building a Europe for and with children” is the first step on the road that we will travel together for the next three years. The lead for this programme was given in Warsaw last May by the 46 heads of state and government of the Council of Europe convened for their Third Summit. They decided to implement a Council of Europe programme to further children’s rights and protect children against all forms of violence. The idea that the rights of the most vulnerable require special protection was slow to emerge, and it was in the 20th century that the international community took this avenue.

Let us refresh our memory by recalling the date 20 November 1959 when the United Nations General Assembly adopted the first Declaration of the Rights of the Child, which carried on the good work of the Geneva Declaration of the Rights of the Child adopted by the League of Nations in 1924. Finally in 1989 the United Nations General Assembly unanimously adopted the International Convention on the Rights of the Child, which became legally binding on 2 September 1990.

It seeks to lay down a true world-wide law of childhood. Of the 54 articles in the convention, 41 deal with the actual rights of the child. Embodying the rights defined by the Universal Declaration of Human Rights, it strengthens some of them and adds certain specific rights. It comprises civil rights, social rights, cultural rights and political rights that meet three criteria: protection, provision and participation.

Among the Council of Europe instruments, the European Convention on Human Rights and the European Social Charter, in particular Articles 7 and 17 in the latter, also protect children.

Instruments that set forth and uphold the rights of the child might lead us to believe that children today are safe from all forms of violence whether physical or psychological. Alas, that is not so. In order to attain the goal which has been set for us by the Council of Europe programme, “Building a Europe for and with children”, we must all work together – governmental and parliamentary representatives, experts of the Council of Europe, the European Union, international institutions, representatives of international and national non-governmental organisations, and of course children.

If we are to successfully meet the challenge laid before us, we must sincerely want the child to become an agent and to act. Accordingly, children must be associated with the organisation of projects where they can find their proper place.

The adult's role is thus to accompany the child, and not decide everything in his or her place. The two-day seminar that preceded this conference, during which time the young participants prepared their contribution, fits perfectly into this strategy. I am convinced that their work will significantly enrich and inform the proceedings.

The other themes before us today concern the approaches to be used and the partnerships to be formed for combating and eradicating all forms of violence against children by breaking down the wall of silence.

Violence is many-sided and denotes acts inflicted on children such as striking or beating, poisoning, burning, inflicting blows, biting, shaking, throwing to the ground, choking, or using any kind of force or constraint. Another aspect of physical violence against children is trying to justify it as a disciplinary measure. Yet research shows us that discipline by physical means is not an effective way of favourably influencing a child's behaviour. These studies ought not to be interpreted as calling parental authority into question but as seeking the best way to enforce it.

Finally, sexual violence towards children wears different faces and in this age of digital technology, it employs the fastest means of dissemination. Children can be rapidly exposed to a contact, activity or behaviour of a sexual nature, and to material classed as child pornography.

The Council of Europe INGO Conference and its newly elected bureau have committed themselves to this three-year programme with enthusiasm and determination. The conference will play an active part, and a useful one, in the design and implementation of the cross-sectoral programme in conjunction with its "quadrilogue" partners in the Council of Europe.

The INGOs of the Council of Europe, which stand for democratic pluralism, assisted by their expertise in their fields of competency, their extensive range of action, their diversity and their direct link with the public, will make every effort to enrich this programme and to promote it by mobilising public opinion. With that in mind, the president of the INGO Conference, Annelise Oeschger, unfortunately prevented from attending, has asked me to pass on her best wishes for a successful launching conference. She has also entrusted me with monitoring of the entire programme and with co-ordinating the work of the Council of Europe INGOs. I shall apply myself to this with the support of my colleagues in the INGOs.

People are wont to say that the child is a future adult human being. Let us make sure that this future will be a better one by conjugating it in the present tense.

Maria Calivis

Regional Director for Unicef Regional Office for CEE/CIS, Geneva

Your Royal Highness, excellencies, ladies and gentlemen, colleagues and friends, On behalf of Unicef, I would first like to pay tribute to the Council of Europe for organising this milestone event and to Ms Maud de Boer-Buquicchio for gathering together all the stakeholders committed to “Building a Europe for and with children”.

It has been four years since the UN Special Session called for “A world fit for children”. The programme being launched today represents one of the most important initiatives in that same spirit, aiming to translate the principles of the Convention on the Rights of the Child into the daily lives of children.

The partnership between the Council of Europe and Unicef is a long standing one. And there is, if I may say so, a natural complementarity in the work of our two organisations. We very much look forward to combining our strengths again in this new initiative.

Fifteen years have passed since the convention was adopted. Since then, an entire generation of children has been born and has grown up. Here in Europe, the convention had enormous support and many countries worked hard to translate its principles into genuine, lasting improvements for children. Mindsets have changed as well. Today children rights are increasingly seen as the unifying element in a whole range of policies and action. And yet, if I were to offer a one liner on the implementation of the convention, it would be: “Remarkable progress – marred by striking omissions.”

I would like to briefly highlight some of these gaps.

1. It is true we have made great strides in involving children in decision making, listening to them and sharing respect for their views. Where we have not done so well – and where we continue to fall short – is in translating their views into concrete action. Nor have we given enough attention to the voices of the most vulnerable.

2. We have also seen progress in promoting the notion of the “best interest of the child”. The principle of the best interest of the child is no longer an “add on”. Indeed, children have become a vantage point from which to scan public policy. Most legal safeguards are in place but those accountabilities of professionals – that would mandate them to identify early signs and address acts of violence against children – are not yet in place.

3. Many constitutions across the region enshrine the principle of non-discrimination yet there are still many children whose interests are ignored. These include children belonging to ethnic groups, children growing up in residential

institutions, children in remote rural areas and unaccompanied young people who cross borders only to find themselves non-citizens in unfamiliar lands.

4. The right to survival and development is also violated if we look at the shocking figures on children under the age of 14 who die every day as a result of violence. In addition, in several countries, access to universal services such as education and support for early childhood is slipping back.

5. Monitoring of child rights continues to be one of the weakest links. Although independent monitoring processes such as ombudspersons' offices continue to play a most valuable role, there are wide gaps in the area of data, tools and methodologies to make violations visible.

So, if – as mentioned earlier – the “report card on child rights” reports some “striking omissions”, the programme being launch today (with its two main areas of action) has the potential and ingredients to address many of the existing gaps and violations. And let me use this platform to recommit Unicef's full support to partnering with the Council of Europe and others to implement this common agenda.

Europe has the capacities to become the first region in the world to create a “Region fit for children”. This would be a momentous achievement. It would unite the countries of the region around a visionary goal. And by dint of this triumph, the people of Europe would show that a “world for children is a world fit for all”.

Roberto Bertollini
Director of Special Programme on Health and Environment
Regional Office for Europe, World Health Organization

Your Royal Highness, Your Excellency, Minister of State of the Principality of Monaco, Deputy Secretary General, distinguished guests, ladies and gentlemen, Health as defined by WHO is not merely the absence of disease or infirmity, but a state of complete physical, mental and social well-being to which every citizen and every child around the world is entitled. Health is a fundamental right for every child and adolescent around the world.

The right to enjoy the “highest attainable standard of health” is enshrined in the Convention on the Rights of the Child (CRC) and is the ethical and legal basis for our work. The opportunity for children and adolescents to grow and develop in a social and physical environment that provides equitable access to health, social and legal services should be a fundamental policy objective for all countries.

However, social and economic inequalities, a lack of awareness of children’s basic rights, unhealthy and unsafe environments, social norms and traditions which support emotional and physical punishment, as well as interpersonal violence are among the many threats which deprive children of this right.

In the WHO European Region (with its 52 member states) children’s health is influenced by multiple factors.

Let me give you a few specific examples from the area of environment and health:

- on injuries: road traffic injuries and drowning, for example, are the first and third leading cause of death, respectively, in children aged 5-14 years;
- on violence: child mortality from homicide is nearly three times higher in the Commonwealth of Independent States (CIS) than in the European Union. Infants and very young children (0-4 years) are at greatest risk, with homicide rates in that age group more than double those among 5-14 year olds;
- above the age of 14 years, self-inflicted injuries (including suicide) are the second leading cause of death.

Let us also not forget that children pay a high price for adults’ inability to provide for a safe environment: for example, it is estimated (depending on the source used) that between 4 000 and 14 000 deaths in children aged 0-4 years annually are attributable to outdoor air pollution.

In addition, there are marked inequalities in the health of children and adolescents.

In general, children in the CIS are worse off than their peers in the European Union. Children in low- and middle-income countries (LMIC) in the European and Central Asian Region are much more likely to suffer ill health than their peers

in high-income countries (HIC) in the region. They are more likely to suffer from the consequences of unsafe or unhealthy environments and poverty. They are more likely to be killed or die as a result of violence. For all injuries, for example, children in the age group 5-14 years in low- and middle-income countries are 4.2 times more likely to die than those in high-income countries.

The same pattern of inequality in children's health can be found within countries: children in low-income population groups or lower social classes are especially vulnerable to risky situations, unsafe environments and risky behaviour, much more so than their peers in high-income population groups or higher social classes. In the United Kingdom, one of the wealthiest countries in the European Region, children from low-income social classes have a threefold higher risk of a road traffic injury than children from high-income social classes.

Deaths of children and young adults in the European Region, which I am referring to, are extreme events and only the visible tip of the problem: for every lost life, for every child or adolescent who dies, hundreds more need support and services. Hundreds more are enduring days, weeks and months of ill health and suffering, and may be left with a long-lasting physical or psychological health problem or even disability.

We all want Europe to be a safer and better place for children. What can we do to face the current challenges?

Following the motto “Building a Europe for and with children”, we – representatives of member states, public and private institutions, civil society, children and parents, and policy-makers – can help transform policy into action. We can strive towards better co-ordination and collaboration. We can use opportunities and we can build our action on existing policies and commitments. We can capitalise on successful experience and good practice.

The World Health Organization has made a big effort, together with all its member states and other stakeholders, to contribute to this development.

The Children's Environment and Health Action Plan for Europe (CEHAPE), adopted by the 52 European member states of WHO in Budapest in 2004, is an important framework for advocating for the rights of children to live and grow in a healthy environment. During the process leading up to the development and approval of this instrument, a systematic attempt was made to involve young people in the process of making policy on the environment and health and in the official committees and fora.

Participation by young people started at the Budapest conference itself, with a youth parliament and 30 official youth delegates from member states. A Youth Declaration was presented to the ministers. This called for youth representation on the European Environment and Health Committee (EEHC) and on the

CEHAPE Task Force. The third meeting of the Task Force was held last week in Dublin, with the active participation of young people.

In September 2005, a European strategy for child and adolescent health and development was adopted by the WHO Regional Committee for Europe, after a two-year process of consultation with member states. The purpose of the strategy is to assist member states in formulating their own policies and programmes. A toolkit was also made available to accompany the strategy, providing resources to help countries develop their own proposals for child and adolescent health and development. The strategy and associated tools will enable member states to determine any gaps in their plans and clarify their priorities for future investment. Furthermore, the document provides an umbrella strategy for the large number of evidence-based initiatives currently being promoted by the WHO Regional Office to support the health and development of children and adolescents.

Also in September 2005, the WHO Regional Committee passed a resolution to prevent injuries and violence in the WHO European Region (EUR/RC55/R9). WHO made its message clear: injuries are no accident, and the majority of them can be prevented! This resolution is therefore a commitment by WHO and its 52 European member states to work on a comprehensive set of actions to respond to the challenges that injuries pose to children and young adults. They include national plans of action, strengthening of capacities, monitoring of progress, as well as networking and partnerships across sectors.

In November 2005, national focal points for violence and injury prevention appointed by ministries of health met in the Netherlands to initiate networking and information exchange across the European Region. “A life without violence and injuries in Europe (LIVE)” is the common vision which they agreed upon to guide their future action.

The physical, mental and social well-being of children in Europe is our capital and basic investment for the future. Not only does it mirror the current state of public health, social and economic development, and the realisation of human rights, it also shapes and projects the status of the generations and population to come.

This conference is part of an important process towards a common goal: to promote children’s rights and reduce violence against children in Europe. The conference is both ambitious and practical. It aims to integrate children’s views, to discuss new challenges and to pinpoint the action needed to achieve this goal.

I wish you success with this conference and look forward to contributing to its follow-up in the European Region.

Pawel Jaros

President of the European Network of Ombudspersons for Children

Your Royal Highness, ladies and gentleman,

Today I would like to speak to you from an ombudsman's perspective and share with you how the European Network of Ombudspersons for Children wish to contribute to "Building a Europe for and with children".

The convention on children's rights as a document of international law provides a comprehensive yet complex overview of the issue of the protection of children's rights. The convention describes the legal status of the child, which is based on the following rules:

- the child is an independent subject yet because of his or her immaturity, both physically and psychologically, requires specific care and legal protection;
- the child as a human being is entitled to his or her identity, dignity and privacy;
- the family unit is the best environment in which the child can grow up;
- the state has a responsibility to support the family and only in exceptional circumstances will it replace the family's function.

For the full implementation of the convention's rights, an independent national institution for the protection of the rights of children is necessary, working alongside government. Together, these two bodies will guarantee full implementation of the legal requirements described in the convention and will undertake independent monitoring of activities regarding children's welfare.

In many countries, institutions protect children's rights, but the welfare of children is not their sole objective. The experiences of both ENOC and the Polish Ombudsperson for Children prove unequivocally that an independent institution is required to facilitate and monitor the protection of children's rights in their entirety. These institutions must hold relevant qualifications and have procedures in place to deal with problems should they occur.

This independent institution should not replace the authorities or institutions to whom the legislator has given the task of helping the family and the child, but offer support and guidance when necessary. ENOC's standards reiterate this. In October 2000, from the fundamental principle adopted by the UN General Assembly, that is "the rules that are connected to the national institutions", ENOC formulated the minimum standards required for institutions to protect children's rights. These institutions should be independent national or regional bodies or created to defend, monitor or protect the best interests of the children; or they may be a part of the office of the ombudsperson for human rights, but particularly focusing on the rights of the child.

To qualify for membership in ENOC, institutions must be able to demonstrate that:

- they have been established through legislation approved by Parliament;
- they have the specific function of promoting children's rights and interests;
- there are no provisions in the legislation which limit the institution's ability to set its own agenda in relation to this specific function, or which prevent it from carrying out significant core functions as suggested in the Paris Principles;
- the institution must include or consist of an identifiable person or persons concerned exclusively with the promotion of children's human rights;
- arrangements for the appointment of ombudspersons, commissioners and members of a commission must be established by an official act, setting out the duration of the mandate and any arrangements for renewal;
- the institution must not be subject to any financial controls which affect its independence.

So far, ENOC's experience demonstrates the necessity of maintaining the highest standards of independence for the national institution. Meetings are held on an annual basis and working contact within the ENOC network demonstrates the importance of a permanent debating forum for the issues associated with children's rights in both a national and international dimension. The 2005 annual meeting was held in my capital – Warsaw. It was devoted to discussion and knowledge sharing, with children themselves participating and being involved in the decision-making processes where matters affected them. We addressed the rights of unaccompanied and separated children outside their country of origin, including refugees and asylum seekers. The issue of victims of child trafficking was also high on our agenda. It was important to discuss the most effective way to inaugurate new independent institutions in other countries that protect children's rights.

Both the experiences of ENOC and my own in Poland of building up the Office of the Ombudsperson for Children show that a guarantee of independence from the administrative authorities is essential.

Looking to the future, ENOC is in the process of setting up a central secretariat which will provide all of our members with easy access to information and we will share knowledge of our experiences and achievements throughout Europe and one day, hopefully, around our world.

Paulo Pinheiro

Independent expert for the United Nations Study on Violence against Children

Video message

Excellencies, young people, ladies and gentlemen, dear friends – good morning.

My sincere apologies for not being with you today. A trial at the Inter-American Court on Human Rights has unfortunately made it impossible for me to participate in the launching conference of the programme “Building a Europe for and with children”. I would like to express my gratitude to the Principality of Monaco which is not only hosting this important launch but has also contributed to the study development. I deeply regret missing this excellent opportunity to attest once again to the commitment of the Council of Europe in ending all forms of violence against children.

I have to mention in particular the unparalleled education of my dear friend the Deputy Secretary General of the Council, Ms Maud de Boer-Buquicchio, who has been a driving force of so many activities around the UN Secretary General’s study on violence against children. The Council of Europe was one of the co-organisers of the Europe and Central Asia regional consultation held in Ljubljana last year. The commitment expressed by heads of member states of the Council of Europe at its summit in Warsaw in May 2005 was a demonstration of the leading role played by the Organisation in promoting a consistent strategy to address the problem of violence.

The programme launched today crowns this remarkable process. As you are aware, the UN Study on Violence against Children is approaching its final stage and will be presented at the UN General Assembly later this year. Through initiatives such as this meeting you are having today, many of those who have contributed to the study process throughout the consultations are already putting into practice some of the key recommendations they have identified, and are evaluating follow-up strategies. This synchronisation will certainly strengthen the report’s presentation at the UN General Assembly and reassure us about the importance of the participatory process of the consultations. All of the regional consultations for the UN study stressed the importance of developing a co-ordinated and systematic framework to tackle violence against children: combining key aspects such as prevention and strategies, response and provision of care to victims, law enforcement, data collection and research, advocacy and capacity building. This kind of co-ordination is essential not only at the local level but also at the regional and international levels.

After two years leading this UN study, I firmly believe that any strategy to address the problem of violence will have a better chance of success if the importance of

multi-sectoral co-ordination is taken into consideration during the planning and development stages. Another important recommendation of this study I highlight is that children and adolescents are essential partners and must be involved and consulted in order to ensure the success of the strategies designed to protect them.

As the title of the conference makes clear, we must build a Europe for and with children. Just taking two examples into consideration, it is clear to me that the launching of the Council of Europe programme on children and violence is an outstanding initiative to put into practice in a systemic way, many of the ideas that emanated from the consultation in Ljubljana. I am sure your programme will serve as an inspiration, helping to achieve a real change in the status of children. The “Act now” slogan from Ljubljana was taken seriously by its organisers and certainly by children who expect no less. I hope that this launch will inspire the many other initiatives that will follow the study at national, regional and international level, catalysing a new global respect for children and will end all forms of violence against them. Once again, my apologies for not being able to attend and all my best wishes for your commendable work. Thank you and congratulations.

Idália Moniz

Portuguese State Secretary for People with Disabilities

Your Highness, ladies and gentlemen,

In a few months time, we will be commemorating the 15th anniversary of the United Nations Convention on the Rights of the Child. This is a landmark text which has been widely ratified. Children's rights are, so to speak, a universal law.

It is time to take stock of where we are on this issue. From an international point of view, the situation of children in the world is paradoxical. While their rights are recognised by the convention, recent and not-so-recent events have shown us that children become the very first victims of exploitation and violence in all their forms.

This is unacceptable. No democratic society which claims to be based on the fundamental values and principles such as respect for human rights can accept any violation of the rights of their most vulnerable citizens, namely children. What are we doing to ensure that each child can fully develop? What more could we be doing? Every society, every adult, every government and every politician might well ask themselves this question.

Today's Portugal is also addressing this social issue and it is one that is fully on our agenda. For the government in power, the promotion and implementation of children's rights is a political priority. There is an urgent need to ensure that the actual situation reflects what is provided for in law. Children are not children for long.

In order to fully implement children's rights there has to be a dynamic, proactive policy that can anticipate problems rather than simply trying to deal with them urgently once they have arisen. This requires first and foremost co-ordinated action in several areas – legal, social, economic, education and cultural – to ensure that children can develop fully. We are committed to building a society for children, based on their rights, making sure that they are able to play a full part, but at the same time taking into account parental responsibilities. In short, a society that sees each child as a citizen.

The Portuguese Government also recognises the fundamental role of the family and is pursuing a comprehensive, cross-sectoral strategy in virtually all areas of governance, especially those relating to bringing up children and support for positive parenting.

Accordingly, my government attaches great importance to the 28th Conference of European Ministers responsible for Family Affairs on "Changes in parenting: children today, parents tomorrow", to be held in Lisbon on 16 and 17 May, 2006.

We are totally and unconditionally committed to the organisation of this conference as we are fully aware of the responsibility and role that fall to European

countries, in conjunction with the Council of Europe, in promoting debate and exchanging best practices on the role of parents and the rights of their children, in a Europe that is changing every day.

This, quite apart from the importance of the topic being discussed here in Monaco, explains my attendance, as an official with responsibility for childhood policy, at this conference. I therefore believe it important to outline briefly for you the main thrust of the action and measures currently being pursued in Portugal.

First of all, we have just radically reformed the law relating to minors. There are three focal points to this reform, which began in 2001:

- children are social players who must be empowered if society is to develop and strengthen its social cohesion;
- both the state and the community have a duty to ensure that children are able to develop their full potential;
- there must also be a new partnership between the state and the community, underpinned by social responsibility and solidarity.

There are ten major principles underlying the law on promoting the rights of and affording protection to children in danger, representing a new approach to children's issues and related legislation:

- respecting the universal nature of children's rights;
- respecting a child's identity;
- respecting what children have to say;
- respecting the participation of parents;
- respecting parent's rights;
- empowering parents;
- pursuing a multidisciplinary approach at central and local government level and among the community;
- enlisting the full support and active participation of the community;
- taking action early on with regard to children with disabilities;
- increasing resources.

Over the past year we have been committed to ensuring that these principles are complied with and, above all, to promoting the protection of children in danger, in accordance with our obligations under the United Nations convention. We have decided to embark upon a four-year action plan comprising strategies and measures in the social, legal, education and health fields, and measures to combat the various forms of violence against children. Here, there are a number of initiatives which have a two-fold aim: first, putting in place children's civil, social, educational and health-care rights from birth until adulthood, and second, promoting the role of parents through measures to reconcile family and working life.

An initiative has also been taken to make both children and the community more aware of children's rights. This initiative, being developed by those responsible for social security, education, youth and culture, is being run with the participation of children and the whole community. Other initiatives in this regard which are currently underway include:

- “a born citizen”, an early intervention programme, which is also vital in offering support to families;
- a programme aiming to deliver high-quality services for the very young, whether in crèches or with registered child minders;
- increasing the number of kindergartens;
- school for parents.

I would like to stress the importance that Portugal attaches to community participation in framing policies for children. Here, the immediate priority is to organise and strengthen the action taken by the Children and Young People Protection Boards, which are municipal bodies. These are locally-based official, non-judicial, multi-dimensional bodies comprising public and private institutions, including NGOs, working in the field of child protection. There is also active participation by the community, parents and young people themselves.

These boards play a very important role in preventing risk factors and in assisting children in danger. They also serve as local forums, making the community aware of the universality of children's rights, and as a means of monitoring the implementation at local level of the United Nations convention.

While we do not claim that this policy and programme are perfect, they are intended to ensure that children can benefit from the rights we have undertaken to uphold in accordance with the convention, and which we are developing and strengthening.

We are genuinely committed to achieving this as, I am sure, are all the participants at this conference here in Monaco. I would like to conclude by inviting you to Lisbon where I hope we can meet again on 16 and 17 May next.

Ana-Rosa Payán

Head of the National Agency for Family Development of Mexico

Ladies and gentlemen,

Mexico thanks the Council of Europe for this invitation to participate in one of their conferences for the first time, and present the “Mexican experience on the protection of minors and families”. As you know, we are a democratic and federal country consisting of 32 autonomous states, inhabited by 103 million people.

It is an honour to lead the National Agency for Family Development, which is the national institution responsible for public policies that aim to promote family and community integral development, fight the causes and effects of vulnerability, and generate social capital. In 2004, we carried out a study of the Mexican family to learn about the nature of its composition with a view to designing appropriate public policies.

More than 60 government and academic institutions, researchers and members of civil society participated in this research, which was a successful experience in terms of co-ordination and connection between institutions. Results revealed that Mexico is a country of families. We have 20.6 million families, an equivalent of 96% of our population. One home is inhabited by several generations: children, parents, brothers and sisters, all living together.

More than 80% of the population state that they consider the family the most important value in their lives. We can say that we are a country of people that live in the family. We are also a country of young people: children and adolescents under 18 compose more than 42% of the population. This is why the government has made childhood a priority issue, and has signed the international UN Convention on the Rights of the Child.

Our president, Vicente Fox Quesada, and his government support the National Development Plan, which focuses on the importance of childhood and encourages us to create the conditions needed for our children to develop in a physically- and emotionally-secure environment that will guarantee their well-being, education, health and fair treatment.

In addition, in the framework of the United Nations General Assembly for Childhood, Mexico joined the 2002-2010 Inter-institutional Action Programme, and has integrated its principles and actions into government structures in an effort to build a country appropriate for the development of children and adolescents.

We have the same border problems as other nations: our northern neighbours are the United States of America and to the south we have Belize and Guatemala. We have migration problems brought on by people seeking jobs. We acknowledge that we are a country from which people migrate. In light of this, we not only take

steps to protect our Mexican children, we also provide care for the children of migrants who are in transit through our territory.

Migration is a phenomenon that lacerates and hurts because it has a direct impact on families: it can cause their disintegration, and thereby provoke the abandonment of a great number of children and adolescents, leaving them in a vulnerable and risky situation – open to abuse and even to trade. Mexico is paying special attention to this problem and is introducing a programme for migrant children, either from Mexico or from a foreign country, providing care and attention until the children concerned are returned to their family. We also provide legal advice to defend their rights.

The problems affecting our nation are those affecting the world in general. We have not escaped conflicts generated by unemployment, drugs and demographical growth.

Modernisation and globalisation have led to progress, but also to problems such as pornography networks. We acknowledge that media and cybernetic advances are essential tools for development and for preventing criminal acts. However, they are also instruments used to commit illicit acts and set up organised crime networks abusing the weak.

To combat this problem, in observance of the 1996 agreements of the World Congress of Stockholm and the 2001 agreements of Yokohama, Mexico has elaborated the “National action plan for prevention, attention and eradication of commercial sexual exploitation of children”. The aim of the action plan is to implement prevention policies and policies to care for and protect children or adolescents and their families that have been or are in danger of sexual abuse.

Concerning the legal framework, we travel to numerous cities to encourage local legislators to undertake legal reforms to improve the application of the law: increase punishment for sexual offences, broaden the list of illegal offences for acts committed against minors, increase the development of professional institutions to deal with the defence of minors and families.

We consider that a family approach is very important: we seek to re-establish the family as the social nucleus where individuals can grow and develop. We believe that the most important values of humanity reside within the family: honesty, respect, ethics and solidarity. It is also the family that transmits culture, language and traditions. We seek to re-establish its importance by strengthening both individuals and society. Working with families can help prevent psycho-social disorders, and help form citizens to be responsible for themselves and their community. The family is the basic support unit during childhood and an ally in prevention.

On the other hand, the phenomenon of child sexual exploitation is an extreme abuse of power over the weakest and most helpless human beings. Mexico is

convinced that in order to prevent and combat child abuse we must work on issues such as education and the defence of children's rights. Since 2002, Mexico has focused on stimulating child participation by disseminating and promoting knowledge of children's rights. We would like to share our experience of the National Network of Children Promoters with you. These are children and young people, aged 10 to 17, who promote children's rights within their communities. Promoter children set up projects and then invite other children to join them, and together they decide on actions to take, according to their needs, desires and concerns, adapting these to their social, historical and cultural environment in order to promote and enable them to claim their rights.

Through the National Network of Child Promoters and the Family and Community Perspective, we are developing instruments to build a better country by creating participation spaces and defending children's rights, for the full development of childhood. However, no country's efforts are enough if these are unilateral. That is why we call for international collaboration to defend our children wherever they may be.

To conclude: Mexico like many other nations wants to share its experiences. To focus effectively on vulnerable children, it is crucial that prevention efforts use a family and community approach. It is important to strengthen legal frameworks and ensure that every person in every country observes the law. It is equally important to intensify and promote international co-operation in this interdependent world to defend children from all forms of abuse and exploitation wherever they may be, because the future of humanity depends upon them.

We should turn our attention towards families: it is there that we find our roots and it is there that we will find the answers to our questions. We believe the essence is at the origin. That origin is in the family, in the coexistence of people who create social capital and human values that go far beyond contact with instruments and technologies.

Under the present government, we have been able to change from a unilateral assistance system to a system of joint social responsibility, emphasising planning that includes a family and community perspective, with the participation of children and families in order to defend their rights. We have clear objectives and we know that our greatest asset is our families. The greatest ally of those in vulnerable situations is a family structure upon which to lean.

Let's tackle our barriers – those walls impeding communication with our children and young people!

It is time to build bridges, to combine our ideas and concepts so that we all work together in harmony among nations to build a world free of violence!

Jacob Doek

Chair of the United Nations Committee on the Rights of the Child

Introduction

The United Nations Convention on the Rights of the Child (CRC) is the almost universally ratified human rights treaty. Violence against children is the universally practised violation of the rights of the child. It is not only a violation of all the provisions of the CRC that provide the child with the right to be protected from abuse, maltreatment, and sexual, economic and other forms of exploitation (Articles 19, 32-38), but also of many other provisions. Violence against a child has a negative, often detrimental, impact on her or his enjoyment of: the right to be cared for in her or his family or in an alternative form of care (foster care, institutions); the right to the highest attainable standard of health (Article 24), the right to education and the realisation of the aims of education (Articles 28, 29), the right to freedom of expression (Article 13); the right to engage in play, recreational and cultural activities (Article 31); and for children in conflict with the law, the right to be treated in a manner consistent with her or his sense of dignity and worth and which reinforces a child's respect for the human rights and fundamental freedoms of others (Article 40).

More than enough reasons for the UN Committee on the Rights of the Child to devote two of its annual days of general discussion to violence against children (2000, 2001) and to recommend that the United Nations General Assembly request the Secretary General to undertake a study on violence against children (Article 45c). This study has been underway over the past two years and has generated considerable momentum via regional consultations with significant participation of children and young people, and via a questionnaire meant to collect information from UN member states and which has been responded to by more than 130 governments. There has been an unprecedented response in the UN, indicating the interest of its member states and their willingness to address violence against children as an important social problem.

The study will be completed at the end of 2006 with a report to the UN General Assembly that will contain not only an analytical assessment of the various aspects of violence against children and the different settings in which this violence takes place, but more importantly, a set of concrete recommendations with (I hope) time-bound targets where appropriate. Of course, I cannot present these recommendations today. It is Mr Pinheiro's responsibility to decide on their content. But as requested, I will give you some of my thoughts on priorities in our efforts to prevent and eliminate violence against children and how I believe they should be co-ordinated.

It is impossible to give a full picture of all the actions that should and could be undertaken. One can find this for example in "Act Now! Regional consultation for

the UN Study on Violence against Children”, the report on the consultation which took place in Ljubljana on 5-7 July 2005 for Europe and Central Asia.

Before presenting some of the priorities as I see them and which are also based on the CRC Committee’s Concluding Observations, I would like to make some introductory remarks.

There has been an impressive body of resolutions and recommendations adopted by the Committee of Ministers and by the Parliamentary Assembly of the Council of Europe over the past 25 years on various aspects of violence against children.³

The most recent product in this regard is the action programme “Children and violence”, initiated in the wake of the Third Summit of Heads of State and Government of the Council of Europe. This conference is meant to launch the effective implementation of this action programme, inter alia, by breaking down the wall of silence surrounding violence against children, with a focus on sexual abuse and corporal punishment. But given the information (in the background document for this conference) that fighting sexual abuse of children has been a priority of the Council of Europe over the past ten years, one wonders why, still today, we are trying to break the wall of silence surrounding it.

What I am missing after 25 years of resolutions and recommendations is a sense of urgency expressed in concrete and time-bound targets of action. The recent action programme “Violence and children” is again another well-appreciated expression of commitments, but again without the urgency needed to make real progress in the prevention and elimination of violence against children.

We already have enough knowledge and experience with which to identify priorities at national and/or international level. But the real challenge is to combine these priorities with reasonable but concrete time-bound targets. This would create the necessary sense of urgency and allow us to measure systematically the (lack of) progress made.

Priorities and co-ordinated efforts

Prevention

It is not easy to identify priorities that apply to all UN members and state parties to the CRC. Per country priorities may differ depending on the form of violence perceived as the most serious one, while at the same time political will and available resources are also important factors in this regard. But it should be safe to assume that every state in the world would subscribe to one overarching principle: all forms of violence against children are unacceptable from a human rights

3. For an overview see: *Council of Europe actions to promote children’s rights to protection from all forms of violence*. Unicef Innocenti Research Centre, 2005.

perspective (and in my opinion from all other perspectives) and that violence should be prevented, reduced and eliminated. So priorities one through five are prevention, prevention, prevention, prevention and prevention.

These priorities require creating and maintaining a culture of non-violence when it comes to the upbringing and treatment of children. Violent behaviour against children is as unacceptable as it is when perpetrated against any adult human being.

To create this culture, various measures are needed. Let me just mention some of the most essential.

The international norm that violence against children is a serious violation of their rights should be confirmed by introducing and enforcing prohibition by law of all forms of violence against children. This may require strengthening the provisions that criminalise assault (provisions that exist in every criminal code) and/or a specific norm-setting provision in civil law (for example in the section on parental responsibilities and rights). It may require specific provisions in, for example, education law, labour law and laws regulating care in institutions. I am aware of the fact that in many (European and other) countries prohibition of violence against children in the family is a particular problem because it has to include the prohibition of corporal punishment. A recent survey shows that out of the 46 member states of the Council of Europe, 16 have a straight and full prohibition of all forms of violence against children (including corporal punishment). But more than 15 member states still lack firm prohibition of all forms of violence against children in care institutions. In addition, 30 member states have not prohibited violence against children in the family. With reference to what I said before, it is time to set concrete and time-bound targets. Let me suggest to the Council of Europe (and the European Union) the following targets:

- by the end of 2010, all member states of the Council of Europe will have enacted the necessary legal provisions containing a full prohibition of violence against children in schools, care institutions, the workplace and juvenile justice practice;
- by the end of 2012, all member states of the Council of Europe will have enacted legal provisions on violence against children – including corporal punishment – in the family setting.

These legal provisions and their enactment must go hand in hand with the following measures:

- awareness-raising and educational campaigns, which are needed not as one-time events, but as ongoing measures directed at the public at large, with a special focus on parents and children, and all professionals working with and for children;

- professionals working with children should be taught, as part of the regular curriculum of their education, the importance of non-violent behaviour towards children and how it can be practised in various settings. In addition, ongoing in-service training is required to maintain the non-violent approach of staff.

All these measures should be developed in close consultation with children themselves, parents, professionals and where applicable, traditional and/or religious leaders.

Finally, in this regard, some remarks about enforcing prohibition of violence against children. The first and most important enforcement instruments are awareness-raising, education and training measures. Other measures to enforce prohibition are disciplinary measures, for example in school and institutional settings, and ultimately and when necessary, prosecution. The suggestion that prohibiting of all forms of violence against children, including corporal punishment, will result in the imprisonment of many parents is wrong and is most likely meant to make the public afraid of the consequences of such prohibition.

In most if not all countries around the world, prosecution authorities have the power (subject to certain conditions and/or limitations) not to prosecute very minor offences. In other words, it is very unlikely that a parent who gives a child a slap on the buttocks will face prosecution. Prosecution should be an ultimate remedy to be used in more serious cases of violence against children. In that regard, the non-violence norm means that parents and other caretakers will no longer be able to hide behind their right to use “reasonable chastisement” in the upbringing of their children.

Intervention

Intervention is the other major area where specific actions are necessary and priorities should be set. Every child who is a victim of abuse, exploitation or any other form of violence is entitled under the CRC to the most effective forms of protection. This requires immediate action as soon as such an incident occurs or if there is suspicion that it has occurred, in order to provide the child with the support, treatment and counselling she or he may need, and to prevent further violent acts.

State parties to the CRC and other members of the United Nations should, with reference to Article 19 CRC, develop and implement an effective system of reporting, referral, investigation treatment and follow-up to all instances of violence against children. Let me identify some of the measures that should be taken as a matter of priority in general and for each of the settings in which such violence may occur.

In general:

- Establish a national toll-free child help line that will allow children to talk about and report violence they have been subject to in the home, in institutions,

in the workplace or elsewhere. Make this help line known to children via flyers, posters, radio and TV. Make sure that the help line is staffed with well-trained professionals and volunteers, and that children's complaints can be referred when necessary to services able to provide support and intervene. Experience has shown that help lines can be a good starting point for appropriate actions dealing with violence against children. The CRC Committee regularly recommends that state parties set them up, and a growing number of states has done so already or are in the process. All Council of Europe member states (and the EU) should have operational help lines in place (with the necessary support from governments and (private) telephone companies) by 2012. In this regard, I would like to refer to the European Union plan mentioned yesterday by Mr Trousson to establish special help lines in all EU states, using the number 116 plus an extra digit for special categories. I urge the EU to give the highest priority to child help lines. So far, experience has shown that help lines set up exclusively for children are the most effective.

- Develop and implement an effective reporting system for all professionals working with and for children. This could be a system of mandatory reporting based on law as is the case in the United States of America, Australia, Canada and some European countries. It can be a semi-mandatory or voluntary system based on codes of conduct for professionals. But in both systems, the failure to report should have consequences, such as disciplinary measures or when appropriate, civil lawsuits or prosecution. An important element of both systems should be a rule that professionals who report in good faith will be protected from legal action. The effectiveness of this type of system would be enhanced if reports were to be received by a service established for that purpose, and which had the power to investigate reports and take the necessary measures to provide a child and when applicable her or his family with any needed treatment and support, and prevent further abuse/violence.
- Set-up an effective reporting system, with the necessary legal provisions and the establishment of a service (or: designating one of the existing services) to receive and investigate reports on violence against children. This should be realised in all member states by 2012.

In the home:

- Develop and implement rules that allow for the removal of the perpetrator instead of placing the child in an institution or other form of alternative care, which in fact means that the child is further traumatised;
- Introduce, particularly in cases of sexual abuse, procedures for intervention which allow the child to provide information to the investigating officers in a manner that protects the child's privacy and prevents further traumatism (video/audio taped interviews conducted by well-trained interviewers; avoid

court hearings when possible or establish hearing practice in separate audio-linked court rooms).

In institutions:

- Allow children in institutions to file violence complaints with an independent body empowered to investigate fully such complaints and to make binding decisions. Make sure that filing a complaint will have no negative consequences for the child concerned.
- Ensure independent inspections of institutions, with the possibility of making unannounced visits. Inspectors should have the right to interview children under a guarantee of confidentiality/privacy.

In the workplace:

- Ensure that labour inspectors have had the training needed to inspect locations where child labour occurs, in particular in the informal sector. Facilitate and encourage unannounced visits and allow children to file complaints with the labour inspector (posters, toll-free telephone numbers and so forth).

In the community:

- Establish and enforce specific rules for police officers and other authorities in charge of maintaining public order with a view to preventing all forms of violent behaviour, in particular against street children and children arrested because they are (allegedly) in conflict with the law. These rules should apply not only to the arrest but also to interrogation and pre-trial detention at police stations or other detention centres (see also institutions).

It is most likely that there are more and other measures that should be taken (such as for violence in schools), and that some of the measures identified as priorities for the home, institutions, the workplace and the community have already been initiated in some of member states of the Council of Europe. But all these measures should be enacted and implemented in all member states by the end of 2012.

Co-ordinated efforts/national policies

All these priorities and the many other measures needed to prevent and combat violence require a co-ordinated policy and practice involving all relevant governmental and other bodies (for example NGOs).

If each state is to develop and implement a comprehensive national policy with, where possible, time-bound targets, implementation requires well-co-ordinated efforts of all relevant governmental bodies: UN agencies such as Unicef (when applicable) and NGOs. At the same time, ongoing efforts should be made to involve children and their parents in the best way possible. But establishing such a policy cannot be an excuse to suspend all actions aiming at the prevention of

violence against children. It should go hand in hand with the implementation of measures that should be considered as priority measures, some of which I have already suggested.

The UN Study on Violence against Children should have a lasting impact on the policies and practices of all UN members/state parties to the Convention on the Rights of the Child. This requires a full commitment to implement the recommendations that will be presented in the report to the General Assembly at the end of 2006. But the reality of the matter is that a commitment expressed in the General Assembly is not a guarantee that it will be adequately translated into concrete, time-bound actions at national level.

It is therefore essential that members of parliaments, NGOs and other members of civil society take all possible measures to help governments meet their commitments. But reality also tells us that in some states parliaments have either limited power or lack the political will required and that some NGOs hardly exist and/or lack the capacity to be as effective as they would like to be.

In addition to the emphasis that should be placed on national actions, it is equally important that the UN General Assembly request the Secretary General to appoint a special representative for the prevention of violence against children for a minimum period of five years. Without such a representative, it is very likely that in many states the report on the UN Study on Violence against Children, and in particular the recommendations it contains, will gather dust somewhere on governmental desks. The representative should report annually to the UN General Assembly and to the new Council on Human Rights on progress made and the obstacles remaining.

I would like to suggest that this UN Representative be supported by regional special representatives. The Council of Europe could take the lead in this respect. The Council should appoint a clearly mandated special representative/rapporteur (even if the UN does not appoint a UN special representative) for the period 2007-2012. The core task of the rapporteur should be to monitor, promote and support the recommendations of the UN study in the member states of the Council of Europe. And if the Council of Europe is willing to add some time-bound targets (as I suggested) to the recommendations of the UN study, the Council of Europe special rapporteur should report annually on the progress made in that regard. I strongly recommend that the Council of Europe and the European Union co-operate closely and co-ordinate their efforts to prevent and eliminate all violence against children.

A sense of urgency is reflected in the slogan of the Ljubljana consultation “Act now!”. Concrete and time-bound actions are urgently needed if we really want to create a world fit for children. By the way, it will be a world fit for adults as well.

Thomas Hammarberg

Council of Europe Commissioner for Human Rights

The time has come to move from rhetoric to enforcement. Violence against children must be stopped. It is just not acceptable that children are beaten and battered by adults, very often by those whom they trust most. Neither can we tolerate that children are exploited in pornography or subjected to physical sexual abuse.

International and European norms are very clear. The Convention on the Rights of the Child – ratified by all members of the Council of Europe – says that states should take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

The law is important but not enough. We know that even in countries where the law is clear there have been cases of battering and abuse of children. There is a need for monitoring and rapid reaction in cases of violation. There is a need for concerted education and information, including the training of professionals who are particularly important for the protection children, for instance teachers, social workers, health personnel and the police.

Still, even when such measures have been taken breaches can still occur, and children – and their representatives – need remedies to protect their rights. They need to know where to go for confidential advice and advocacy, how to make complaints and pursue them, including to court when necessary.

And when states are failing to address such breaches on the national and local level, children should have a possibility to use regional human rights mechanisms. This is also relevant in regard to the Council of Europe. We should secure that its mechanisms, including the Court and the Social Charter collective complaints procedure, are truly accessible to children. They should be child friendly, child sensitive.

The campaign “Building a Europe for and with children” is of paramount importance. If we want a world where others are respected, where there is tolerance and where conflicts are resolved by peaceful means, we should take strong action. That is what the present generation of children is expecting from us. We should not disappoint them.

2. Young people's recommendations

We, children and young people, make the following recommendations.

On children's rights

- to build peer-to-peer training, to raise awareness on children's rights and to teach children's rights in schools and institutions;
- to reinforce the fight against sexual abuse, discrimination and corporal punishment and encourage freedom of expression and opinion;
- to come up with new policies to prevent violation of children's rights;
- to make sure that every child is aware of the UN Convention on the Rights of the Child, no matter his or her country, age or colour of skin.

On children's participation

- to understand children and young people's participation as a right and turn it into a European working principle;
- to learn from good practice around us, self-analysis homework;
- to understand what children's future individual strategy will be when it comes to children's participation;
- to encourage children and young people's participation only if it is sincere, equal and productive.

On violence against children

We, children and young people, should take action and:

- participate in developing educational programmes, lobbying school authorities and governments;
- initiate campaigns and projects to prevent and stop violence against children, web pornography, cyber sex, abusive video taping and harmful traditional practices;
- create help centres for children and build alternative activities to replace violence.

On follow-up to the conference

We, children and young people, suggest that we work together to:

- shape up and start our common initiative to build a Europe for and with children. Now we have to act;
- build up a strategy to promote and implement children's rights;

- find means of fighting violence against children in our own countries;
- activate national organisations and create a European network for children, as a concrete measure whereby children and young people's participation will materialise.



3. Programme

Building a Europe for and with children

Launching conference

Under the Presidency of HRH Princess Caroline of Hanover

Monaco, 4-5 April 2006

Tuesday 4 April 2006

9 a.m. Registration

Plenary

10 a.m. Official opening by His Excellency Jean-Paul Proust, Minister of State of the Principality of Monaco, and Ms Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe

Statement by the Chair, HRH Princess Caroline of Hanover

Statements by representatives of the Council of Europe:

- Mr Bogdan Panait, Committee of Ministers; Romanian State Secretary for Children's Rights
- Mr Jean-Charles Gardetto, Vice-President of the Parliamentary Assembly; Vice-Chair of the Parliamentary Assembly Sub-Committee on Human Rights
- Ms Anissa Temsamani, Member of the Congress of Local and Regional Authorities
- Mr Gérard Greneron, Vice-President of the INGO Conference

11 a.m. Addresses by intergovernmental organisations and independent bodies:

- Ms Maria Calivis, Unicef Geneva, Regional Director for Central and Eastern Europe, the Commonwealth of Independent States and the Baltic States
- Mr Roberto Bertollini, Director, Special Programme on Health and Environment, World Health Organization Regional Office for Europe
- Mr Pawel Jaros, President of the European Network of Ombudspersons for Children

Address by Mrs Idalia Moniz, Portuguese State Secretary for the Disabled

11.20 a.m. “Building a Europe for us with adults” – young people’s perspective of the Council of Europe programme

12 noon Symbolic launching act of the programme

12.30 p.m. Press conference

1 p.m. Lunch hosted by the Principality of Monaco

2.30 p.m. Panel 1 – Promotion of children’s rights, awareness raising and information: designing a European strategy

Introductory report by Mr Philip D. O’Brien, Regional Director, Unicef Geneva Regional Office

Members of the panel:

- Two young persons
- A minister: Mr Bogdan Panait, Romanian State Secretary for Children’s Rights
- A parliamentarian: Mr Jean-Charles Gardetto, Member of the Parliamentary Assembly of the Council of Europe
- A European Commission representative: Mr Patrick Trousson, Co-ordinator of the Rights of the Child, Directorate General for Justice, Freedom and Security
- A judge: Ms Josiane Bigot, judge, Cour d’Appel de Colmar; President of Themis
- An NGO representative: Mr Francis Kasasa, Secretary General of AMADE Mondiale

Facilitator: Mr Manuel Martin, author of the animated series “CyberDodo and the rights of the Child”

4.30 p.m. Coffee break

5 p.m. Panel 2 – Children’s participation: guaranteeing access to information and developing consultation and participation processes

Introductory report by Ms Clare Feinstein, Global Child Participation Advisor, Save the Children Sweden

Members of the panel:

- Two young persons
- A minister: Mr Kjell Erik Øie, State Secretary, Norwegian Ministry of Children and Equality
- A representative of a state agency: Ms Shereen Mestan, President of the Bulgarian State Agency for Child Protection
- A representative from the United Nations: Ms Amaya Gillespie, Director, Secretariat of the United Nations Study on Violence Against Children

- An ombudsperson for children: Ms Ankie Vandekerckhove, Children's Rights Commissioner, Flemish Parliament
- A representative of a children's news agency: Mr Christophe Grudler, Deputy Director and editor-in-chief, *Le Journal des Enfants*

Facilitator: Mr Dano Halsall, world champion swimmer; godfather to the Little Dreams Foundation

7 p.m. Close of the first day

7 p.m. Reception given by the Principality of Monaco

Wednesday 5 April 2006

Plenary

9 a.m. **Violence against children: identifying priorities and co-ordinating efforts**

(chaired by Ms Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe)

Video message from Mr Paulo Pinheiro, independent expert in charge of the United Nations Study on violence against children

Address by Minister Ana-Rosa Payán, Head of the National Agency for Family Development of Mexico

Keynote speech by Mr Jacob Doek, Chair of the United Nations Committee on the Rights of the Child

10 a.m. **Breaking the seal of silence**

(Discussion in two parallel panels)

Panel 3 – Combating sexual abuse in the cyber-era

Introductory report by Ms Rachel O'Connell; psychologist, Cyberspace Research Unit, University of Central Lancashire

Members of the panel:

- Two young persons
- A government representative: Mr Tim Wright, UK Home Office
- A parliamentarian: Ms Ruth-Gaby Vermot-Mangold, Member of the Parliamentary Assembly of the Council of Europe
- An NGO representative: Ms Carmen Madriñan, Executive director, ECPAT International
- A representative of Interpol: Mr Hamish McCulloch, Assistant director, Trafficking in Human Beings, ICPO-Interpol

- A business sector representative: Mr Christian Sjöberg, Chief Executive Officer, Netclean Technologies

Facilitator: Mr Trond Waage, Senior fellow and Special advisor, Unicef Research Centre

Panel 4 – Towards a Europe free of corporal punishment: priorities and strategies

Introductory report by Ms Françoise Tulkens, Judge of the European Court of Human Rights

Members of the panel:

- Two young persons
- A government representative: Mr Luka Maderić, Head of the Croatian Office for Human Rights
- A parliamentarian: Ms Helena Bargholtz, Member of the Swedish Parliament; Chair of the Sub-Committee on Children, Parliamentary Assembly of the Council of Europe
- A member of the Council of Europe Committee of Social Rights: Mr Matti Mikkola, Professor of labour law, University of Helsinki
- An NGO representative: Mr Peter Newell, co-ordinator, Global Initiative to End All Corporal Punishment of Children
- A representative from WHO: Ms Inge Baumgarten, technical officer, Prevention of violence, World Health Organization, Regional Office for Europe

Facilitator: Ms Sandrine Mörch, journalist

1 p.m. Lunch hosted by the Deputy Secretary General of the Council of Europe

2.30 p.m. Plenary

Presentation of the panels' conclusions

Presentation of the conference report outline

Discussion

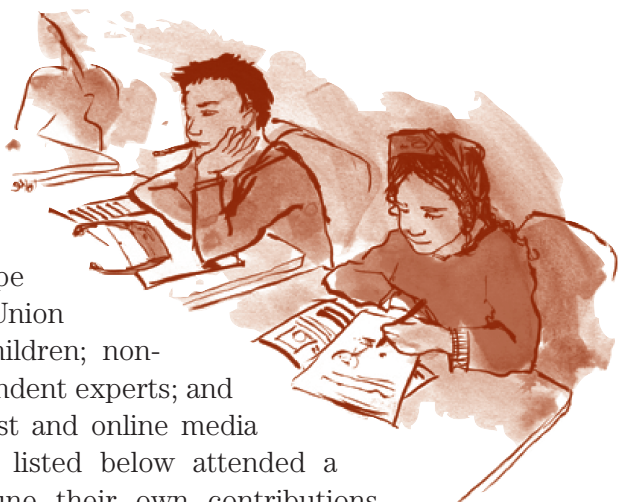
Closing remarks:

- Mr Thomas Hammarberg, Council of Europe Commissioner for Human Rights
- Ms Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe
- HRH Princess Caroline of Hanover

5 p.m. Close

4. Participants

Over 300 persons⁴ attended the Monaco conference: government representatives from 45 countries; international organisations, including Unicef, the UN Office of the High Commissioner for Human Rights and the World Health Organization; Council of Europe bodies and institutions; European Union institutions; ombudspersons for children; non-governmental organisations; independent experts; and journalists from the print, broadcast and online media worldwide. The 17 young people listed below attended a pre-conference seminar to fine-tune their own contributions, which were thoughtful, imaginative and relevant. They showed once again that the young have a great deal of insight into our world and ways to fix it. Their final declaration is found in Appendix 2.



Ioana Barbu, Romania

Zvijezdana Posavec, Croatia

Martin Breskvar, Slovenia

Daphné de Sigaldy, Monaco

Alan Brianti, Monaco

Tirill Sjøvoll, Norway

Ellena Cruse, United Kingdom

Camilla Smerieri, Italy

Tamar Dekanosidze, Georgia

Maneh Tonoyan, Armenia

Julius Lukosius, Lithuania

Tatiana Toporovschi, Moldova

Katarina Mekis, Slovenia

Milos Vojnovic, Serbia and
Montenegro

Sengjul Osmani, “the former
Yugoslav Republic of Macedonia”

Agata Parasiewicz, Poland

Hanne Wolsgard, Denmark

4. For a detailed list of the participants, consult “<http://www.coe.int/children>” (Events, Monaco).

