

Strasbourg, 22 May 2019

CAHENF(2019)LD1

Ad hoc Committee for the Rights of the Child (CAHENF)

List of decisions

6th meeting Strasbourg, 21-22 May 2019 Council of Europe, Palais de l'Europe, Room 8

Prepared by the Children's Rights Division Directorate of Anti-Discrimination

I. Opening

The 6th plenary meeting of the CAHENF in Strasbourg from 21 to 22 May 2019 was chaired and opened by **Ms Maria-Andriani Kostopoulou** (Greece). The agenda and the list of participants are appended to the list of decisions.

II. Decisions

The CAHENF:

Agenda item 2: Adoption of the agenda and order of business

- adopted the draft agenda and order of business, as they appear in documents CAHENF(2019)OJ1 / CAHENF(2019)OJANN1;
- welcomed and heard the presentations by the new members who had joined the CAHENF since the last meeting (Croatia, Czech Republic, Finland, Georgia, Iceland, Lithuania, Luxembourg, Malta, Republic of Moldova, Norway, Poland, Spain).

Agenda item 3: Information by the Chair and Secretariat

3.1 Election of the position of Vice -chairperson and Bureau member

- took note of the information provided by the Secretariat on the procedure for electing a Bureau member and a Vice-Chairperson, following the departure of Ms Satu Sistonen (Finland) and thanked Ms Sistonen for her work and contribution to the work of the Committee;
- elected Mr Eduard Israyelyan (Armenia) as Vice-Chair, and Ms Odete Severino (Portugal) as Bureau member.

3.2 Information on developments since the last Plenary meeting

- took note of the recently adopted decisions in the Ministerial session in Helsinki (16-17 May) and the proposals by the Secretary General regarding intergovernemental work, and any relevant implications for the work of the CAHENF;
- welcomed the priority focus of the French Presidency of the Committee of Ministers (May to November 2019) on the rights of the child;
- took note of the information provided by the Secretariat on the current budgetary situation of the Council of Europe;
- took note of developments presented by the Secretariat on work carried out since the last meeting and relevant events;
- considered PACE Recommendation 2156(2019) on Anonymous donation of sperm and oocytes: balancing the rights of parents, donors and children, with a view to preparing a comment for the Committee of Ministers by 6 June; agreed that any further comments should be submitted by 23 May, and decided to entrust the Bureau and the Secretariat to prepare a draft opinion and circulate for adoption by expedited procedure *through electronic communication* for communication to the Committee of Ministers.

Agenda item 4: Elaboration of guidelines: Final examination of the Draft Committee of Ministers Recommendation on Human Rights Principles and Implementing Guidelines on age assessment for children in migration (for approval before communication)

4.1. Report on consultations with unaccompanied children on the topic of age assessment

 took note of the outcomes of the consultations with children and young persons subject to age assessment aimed at supporting the drafting process of the CAHENF and heard a presentation on the process and findings in Portugal (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens).

4.2. Outcome of final consultations on the draft Recommendation: Secretariat paper on outstanding issues and proposed revisions

- started the examination of the draft Recommendation CM/REC(2019)x of the Committee of Ministers to member states on Human Rights Principles and Guidelines on age assessment for children in the context of migration, together with the draft revisions proposed to take into account the views of children;
- approved the text of the draft recommendation, and discussed and completed the examination of the appendix (up to Principle 2), as amended;
- took note of the positions and reservations expressed by Germany and Denmark at this stage, and agreed to reflect those in the meeting report;
- took note that a revised draft explanatory memorandum would also be circulated for comments following the finalisation of the consultation process on the draft text;
- agreed to hold a last round of consultations in June 2019 on the appendix (principles 2-9 only) and decided to entrust the Secretariat and the Bureau members to finalise a revised version of the appendix for approval through an online procedure in July 2019, in order to be able to communicate the draft recommendation to the Committee of Ministers for consideration; unless any major outstanding issues would require pursuing the examination of the revisions in November 2019.

Agenda item 5: CAHENF's contribution to the Action plan on protecting refugee and migrant children in Europe

5.1. Review of Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors: update on progress and follow-up required

- took note of the information provided on the state of progress of the review of the Recommendation and also of the proposals made to complement the information received through a review of other relevant sources and, subject to funding available, of a thematic visit to examine policy options and proposals to be made for follow-up;
- taking into account the limited responses received, invited delegations which had not yet responded to do so by 30 June 2019
- agreed to examine and adopt a final report at its next plenary meeting in November 2019.

Agenda item 6: Mid-term evaluation of the Council of Europe Strategy for the Rights of the Child (2016-2021)

6.1. Update by the Secretariat on the outcome of the main survey launched for the mid-term evaluation and the state of play of the survey amongst partner organisations

took note with interest of the update provided on the outcomes and state of play of the main survey, including with regard to responses received and further responses awaited from partner organisations;
took note of the fact that further responses to the survey circulated to CAHENF could be provided to

the Secretariat by 17 June 2019 at the latest.

6.2. Preliminary findings of the draft report on the implementation of the Strategy: exchange of views on progress and outstanding challenges under each priority area and follow-up required by CAHENF

took note with interest of the overview of preliminary findings and the proposed format and timeline for finalising the report on the implementation of the Strategy;
provided comments on the preliminary findings, format and calendar for the publication of the report.

6.3. Action plan for the implementation of the Strategy (as of April 2019)

- examined and endorsed the updated Action plan;
- invited delegations to communicate to the Secretariat possible topics to be highlighted in the thematic section of the Second implementation report, which is planned to be submitted to the Committee of Ministers in October 2019.

6.4. Organisation of the Mid Term Evaluation Conference (13-14 November 2019): draft programme and update on state of preparations, including child participation

- took note with interest of the information provided by the Secretariat, on the state of play of the organisation and format of the upcoming Mid-term evaluation conference on the Strategy for the Rights of the Child (2016-2021) (Strasbourg 13 to 14 November) and welcomed the suggestions for topics which could be considered as well as possible new communication tools facilitating interactive exchange between participants at the Conference;
- took note of the dates of its next plenary meeting (12 November and 14 November (afternoon only);
- welcomed the approach proposed for the agenda of the conference and the suggestion of elaborating a declaration on challenges and strategic priorities for action, also in the context of follow-up to be given to the conference and CAHENF's role in this context.

Agenda item 7: Priority area 2 - Participation of children

7.1. Implementation of the Child Participation Assessment Tool (CPAT): update by delegations

- took note with interest of the state of play of the current work cycle III of the Child Participation Assessment Tool (CPAT) in which the tool is used by Malta, Finland and Slovenia, and heard the oral report by one of the international consultants involved in the process and the reports of national delegations.

7.2. Update on relevant activities and events on child participation

- noted with interest information provided on the child-friendly DOSTA! Campaign materials prepared in the framework of the Strategy.

Agenda item 8: Priority area 3 - Implementation of the international and Council of Europe standards on the protection of children from violence in member states

8.1. Oral update on CAHENF-VAC's work and outcomes of the meeting held on 13-14 May 2019

- took note with interest of the information on the results of the recent CAHENF-VAC meeting, including the work undertaken with a view to setting up a clearinghouse on responses to violence against children ("VAC clearinghouse").

8.2. Draft report "A life free from violence for all children": exchange of views

- took note with interest of the preliminary findings of the VAC survey, taking stock of actions with regard to the implementation of integrated national strategies and action taken against violence encountered by children in specific settings (home, school and alternative care);
- agreed to the proposal, put forward by the CAHENF-VAC of preparing a comprehensive report on responses to violence against children;
- discussed and endorsed the themes identified by the CAHENF-VAC as requiring further priority action by the Council of Europe.

8.3. European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse: 2019 edition

 took note of the information provided on the 2019 edition of the European Day (this year topic: "Empowering children to stop sexual violence") and the invitation conveyed to national governments to contribute to the event.

Agenda item 9: Priority area 5 - Children's rights in the digital environment

9.1. Draft Handbook for policy makers

- took note of the current state of preparation and calendar foreseen for the finalisation of the Handbook for policy makers on "The rights of the child in the digital environment", to support the implementation of Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment;
- invited the thematic rapporteur on the implementation of CM/Rec(2018)7 to review the current draft and thanked the delegations of Belgium and the Netherlands for volunteering to act as additional reviewers;
- noted that the reviewers' contributions and any further comment on the current draft should be communicated to the Secretariat by 17 June 2019.

9.2. The experiences of children with disabilities in the digital environment: presentation of findings

took note with interest, and discussed the findings of the report prepared with the participation of children with disabilities and agreed on the publication of the report;
instructed the Bureau to report back to the Committee with suggestions for further action.

9.3. Activities proposed to follow up and support implementation of CM/Rec(2018)7

- took note of the work undertaken to support the implementation of CM/Rec(2018)7 and the development of a child-friendly version of the recommendation;
- agreed to consider a joint action with the Convention 108 Committee (T-PD) and invited the Chair to discuss this possibility with the T-PD at their next meeting (13-14 June 2019) and invited the Secretariat to report back to the CAHENF on the outcomes of the meeting and modalities for implementation;
- invited the Secretariat to prepare a consolidated plan for follow-up activities to be examined at the 7th plenary meeting in November 2019.

Agenda item 10: CAHENF's implementation of the workplan in 2019 and discussion of priorities

10.1. Draft workplan for 2019 (update as of April 2019)

- took note of the updated work plan prepared by the Secretariat.

10.2. Discussion on priorities for CAHENF's thematic focus (2020-2021)

- discussed the proposal of priorities and activities prepared by the Secretariat and endorsed the draft terms of reference for the upcoming biennium (2020-2021).

10.3. Relevant Council of Europe actions and activities and possible contributions or follow-up by the CAHENF, including participation of CAHENF representatives in other events

- took note of the list of Council of Europe events in 2019 that are relevant for the CAHENF.

Agenda item 11: Thematic exchange: child impact assessments

- postponed holding the thematic exchange to the next plenary meeting.

Agenda item 12: Gender equality and children's rights: examination of a proposal for the development of policy briefs on selected topical aspects

- considered the proposal to develop topical policy briefs on the rights of the child and gender issues and decided to re-examine the proposal at a further meeting.

Agenda item 13: Information on relevant initiatives, cooperation activities and projects at European and international level in the area of the rights of the child

- took note with interest the information provided by members, other bodies and organisations on work in the area of the rights of the child.

Agenda item 14: Co-operation activities and projects by the Council of Europe

- postponed this agenda item to a further meeting.

Agenda item 15: Any other business

- noted that the website (public and restricted) of the CAHENF will be revisited before the next meeting.

Agenda item 16: Adoption of the list of decisions and close of the meeting

- considered the draft list of decisions and adopted it before closing the meeting.

APPENDIX I

AGENDA

- 1. Opening of the meeting at 9.15
- 2. Adoption of the agenda and order of business
- 3. Information by the Chair and Secretariat
- 4. Elaboration of guidelines: Final examination of the Draft Committee of Ministers Recommendation on Human Rights Principles and Implementing Guidelines on age assessment for children in migration (for approval before communication)
 - **4.1.** Report on consultations with unaccompanied children on the topic of age assessment
 - **4.2.** Outcome of final consultations on the draft Recommendation: Secretariat paper on outstanding issues and proposed revisions
- 5. CAHENF's contribution to the Action plan on protecting refugee and migrant children in Europe
 - **5.1.** Review of Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors: update on progress and follow up required

6. Mid-term evaluation of the Council of Europe Strategy for the Rights of the Child (2016-2021)

- **6.1.** Update by the Secretariat on the outcome of the main survey launched for the mid-term evaluation and the state of play of the survey amongst partner organisations
- **6.2.** Preliminary findings of the draft report on the implementation of the Strategy: exchange of views on progress and outstanding challenges under each priority area and follow-up required by CAHENF
- 6.3. Action plan for the implementation of the Strategy (as of April 2019)
- **6.4.** Organisation of the High-Level Mid Term Evaluation Conference (13-14 November 2019): draft programme and update on state of preparations, including child participation

7. Priority area 2: Participation of all children

- **7.1.** Implementation of the Child Participation Assessment Tool (CPAT): update by delegations
- 7.2. Update on relevant activities and events on child participation

8. Priority area 3: Implementation of the international and Council of Europe standards on the protection of children from violence in member states

- **8.1.** Oral update on CAHENF-VAC's work and outcomes of the meeting held on 13-14 May 2019
- **8.2.** Draft report "A life free from violence for all children": exchange of views

9. Priority area 5: Children's rights in the digital environment

- **9.1.** Draft Handbook for policy makers
- **9.2.** The experiences of children with disabilities in the digital environment: presentation of findings
- 9.3. Activities proposed to follow up and support implementation of CM/Rec(2018)7

10. CAHENF's implementation of the workplan in 2019 and discussion of priorities

- **10.1.** Draft workplan for 2019 (update as of April 2019)
- **10.2.** Discussion on priorities for CAHENF's thematic focus (2020-2021)
- **10.3.** Relevant Council of Europe actions and activities and possible contributions or followup by the CAHENF, including participation of CAHENF representatives in other events
- 11. Thematic exchange: child impact assessments
- 12. Gender equality and children's rights: examination of a proposal for the development of policy briefs on selected topical aspects
- **13.** Information on relevant initiatives, cooperation activities and projects at European and international level in the area of the rights of the child
- 14. Co-operation activities and projects by the Council of Europe
- 15. Any other business
- 16. Adoption of the list of decisions and close of the meeting at 18.00 pm

APPENDIX II

LIST OF PARTICIPANTS

MEMBERS / MEMBRES

ALBANIA/ALBANIE

Ms Alma Tandili Director State Agency for the Protection of Children's Rights

ANDORRA/ANDORRE

Mr Jordi Olive Cadena Head of the Department of Children and Adolescents Ministry of Social Affairs, Justice and Interior

ARMENIA/ARMÉNIE

Mr Eduard Israyelyan Head of the Child Rights Protection Unit Human Rights Defender's Office

AUSTRIA/AUTRICHE

Mr Ewald Filler Ombudsman for Children and Youth Federal Ministry of Family and Youth

AZERBAIJAN/AZERBAÏDJAN

Ms Jeyran Arif Rahmatullayeva Head of Staff State Committee on Family, Women and Children Affairs of Azerbaijan Republic (SCFWCA)

BELGIUM/BELGIQUE

Ms Christel de Craim Attaché Observatoire de l'Enfance, de la Jeunesse et de l'Aide à la Jeunesse Ministère de la Fédération Wallonie-Bruxelles

Mr Joost van Haelst Policy Advisor Children's Rights Division for Youth - Department for Culture, Youth and Media Flemish Government

BOSNIA AND HERZEGOVINA/ BOSNIE ET HERZÉGOVINE

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BULGARIA/BULGARIE

Ms Eleonora Lilova President of the State Agency for Child Protection

Ms Teodora Ivanova Secretary General of the State Agency for Child Protection

Ms Milena Dyankova Chief of International Protection, Cooperation and Coordination Department State Agency for Child Protection

CROATIA/CROATIE

Ms Margareta Mađerić State Secretary Ministry for Demography, Family, Youth and Social Policy

Ms Jasminka Brstilo Head of Service for Family and Children Ministry for Demography, Family, Youth and Social Policy

CYPRUS/CHYPRE

Ms Leda Koursoumba Commissioner for the Protection of Children's Rights

CZECH REPUBLIC/RÉPUBLIQUE TCHÈQUE

Ms Diana Smidova Secretary of the Committee for the Rights of the Child Secretariat of the Government Council for Human Rights Department of Human Rights and Protection of Minorities

DENMARK/DANEMARK

Ms Anne Martha Malmgren-Hansen Special Adviser Legal and International Ministry for Children and Social Affairs

ESTONIA/ESTONIE

Ms Elise Nikonov Chief Specialist Department of Children and Families Ministry of Social Affairs

FINLAND/FINLANDE

Ms Marjo Malja Senior Ministerial Advisor Ministry of Social Affairs and Health

FRANCE

Mr Alexis Rinckenbach Chef du Bureau des affaires européennes et internationales Direction Générale de la Cohésion sociale Ministère des solidarités et de la santé

GEORGIA/GÉORGIE

Mr Joni Choniadze Human Rights Protection and Quality Monitoring Department Ministry of Internal Affairs of Georgia

GERMANY/ALLEMAGNE

GREECE/GRÈCE

Ms Maria-Andriani Kostopoulou *(Chair / Présidente)* Attorney at Law Supreme Court of Greece

Ms Parskevi Kakara Official Directorate of International Relations Ministry of Labour, Social Security and Social Solidarity

HUNGARY/HONGRIE

Ms Agnes Osztolykan First Secretary Permanent Representation of Hungary to the Council of Europe

Ms Laura Veres Trainee Permanent Representation of Hungary to the Council of Europe

ICELAND/ISLANDE

Ms Silja Stefánsdóttir Legal adviser Ministry of Social Affairs

IRELAND/IRLANDE

Ms Lara Hynes Principal Officer Family Functioning and Children's Rights Policy Unit Department of Children and Youth Affairs

ITALY/ITALIE

Mr Alfredo Ferrante Coordinator for the promotion of services for the family, international and Community relations Presideny of the Council of Ministers

Ms Ester di Napoli Ufficio Autorità Garante per l'Infanzia e l'Adolescenza Italian independent Authority for children and adolescents

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LIECHTENSTEIN

LITHUANIA/LITUANIE

Ms Kristina Stepanova Head of the Family and Child Rights Protection Group Ministry of Social Security and Labour

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Apologised/excusé

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Ms Blanka Radošević-Marović General Director of Directorate for Improvement and Protection for Human Rights and Freedom Ministry of Human and Minority Rights

NETHERLANDS/PAYS-BAS

Ms Jolande Calkoen-Nauta Juvenile Judge

NORTH MACEDONIA/MACEDOINE DU NORD

NORWAY/NORVEGE

Ms Solvor Backlund Norwegian Directorate for Children, Youth and Family Affairs

Ms Bente Therese Bekkhus Norwegian Directorate for Children, Youth and Family Affairs Department of international services

POLAND/POLOGNE

Ms Klara Wigier Chief Specialist Ministry of Family, Labour and Social Policy

Ms Barbara Moczydlowska Polish Ombudsman for Children's Rights

Mr Adam Chmura Polish Ombudsman for Children's Rights

PORTUGAL

Ms Odete Severino Vice-President National Commission for the Promotion of the Rights and Protection of Children and Young People

Ms Célia Chamiça Head of Unit of International Relations National Commission for the Promotion and Protection of Children and Young People

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Ms Olga Opanasenko Expert Ministry of Foreign Affairs

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Ms Marta Méndez Díaz Human Rights Office Directorate General of United Nations and Human Rights Ministry for Foreign Affairs, European Union and Co-operation

SWEDEN/SUEDE

Apologised/excusée

Ms Jessica Gozzi Head of Section Child Rights Convention Coordination Group Division for Family and Social Services Ministry of Health and Social Affairs

Ms Johanna Aurell Viklund Expert on children and migration Child Rights Convention Coordination Group Ministry of Health and Social Affairs

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M. Jean-Marie Bouverat Affaires internationales Secteur Organisations internationales Office fédéral des assurances sociales

TURKEY/TURQUIE

UKRAINE/UKRAINE

Mr Kyrylo Dombrovskyi Deputy Director of the Department for Protection of Children's Rights and Adoption Head of the Division for Interstate Adoption Ministry of Social Policy

UNITED KINGDOM/ROYAUME-UNI

PARTICIPANTS

Parliamentary Assembly of the Council of Europe (PACE) / Assemblée Parlementaire du Conseil de l'Europe (APCE)

Lord Don Touhig Member of the House of Lords, United Kingdom Member of the Parliamentary Assembly, Committee on Social Affairs, Health and Sustainable Development

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

European Social Cohesion Platform (PECS) / Plateforme européenne de cohésion sociale (PECS)

Ms Rita Skrebiskiene Chair of the European Social Cohesion Platform Director of International Relations Department, Ministry of Social Security and Labour Lithuania

Apologised/excusée

Delegation of the European Union to the Council of Europe / Délégation de l'Union européenne auprès du Conseil de l'Europe

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Ms Astrid Podsiadlowski Head of Sector Rights of the Child Technical Assistance & Capacity Building

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<u>Canada</u>

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Mme Alessandra Aula Secrétaire Générale du Bureau international catholique de l'enfance / Secretary General of the International Catholic Child Bureau

<u>Japan/Japon</u>

Mexico/Mexique

United States of America/Etats Unis d'Amérique

<u>Countries concerned with the Council of Europe policy towards neighbourhood regions / Pays</u> <u>concernés par la politique du Conseil de l'Europe à l'égard des régions voisines</u>

JORDAN / JORDANIE

MOROCCO / MAROC

Apologised / excusé

TUNISIA/TUNISIE

Apologised / excusé

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M. Daniel Pical Président de la Section Européenne

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Ms Yulia Pererva Secretary to the Committee on Social Affairs, Health and Sustainable Development / Secrétaire de la Commission des questions sociales, de la santé et du développement durable /

Ms Victoria Rieber Trainee / Stagiaire

Partial Agreement of the Council of Europe Development Bank (CEB)/ Accord partiel sur la Banque de Développement (CEB)

Mr Timothy Lodder Projects Co-ordinator / Coordinateur projets

Bioethics / Bioéthique

Ms Laurence Lwoff Secretary of DH-BIO / Secrétaire du DH-BIO

Ms Katrin Uerpmann Administrator / Administratrice

Roma and Travellers/Roms et gens du voyage

Ms Chrisoula Arcoudis Seconded official / Fonctionnaire mise à disposition

European Social Charter/Charte Sociale Européenne

Ms Margarita Galstyan Secretary of the European Social Cohesion Platform (PECS) / Secrétaire de la Plateforme européenne de cohésion sociale (PECS)

INTERPRETERS / INTERPRÈTES

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