

# COUNCIL OF EUROPE STRATEGY FOR THE RIGHTS OF THE CHILD (2016-2021)



” First report

[www.coe.int/children](http://www.coe.int/children)

Building a Europe  
for and with children





# **Council of Europe Strategy for the Rights of the Child (2016-2021)**

1st implementation report

**French edition:**

*Stratégie du Conseil de l'Europe sur les droits de l'enfant  
(2016-2021) - Premier rapport sur la mise en oeuvre  
CM (2017) 114 - final*

All requests concerning the reproduction or translation of all or part of this document should be addressed to the Directorate of Communication (F-67075 Strasbourg Cedex ou [publishing@coe.int](mailto:publishing@coe.int)). All other correspondence concerning this document should be addressed to Directorate General of Democracy.

Cover: © Zev Hoover

Cover and layout : Council of Europe

This publication has not been copy-edited by the SPDP Editorial Unit to correct typographical and grammatical errors.

© Council of Europe, 17 October 2017  
Printed at the Council of Europe

# Table of contents

---

<b>1. EXECUTIVE SUMMARY</b>	<b>5</b>
<b>2. DELIVERING THE STRATEGY FOR THE RIGHTS OF THE CHILD IN MEMBER STATES</b>	<b>6</b>
1. STRONGER POLITICAL IMPETUS FOR THE CHILD RIGHTS' AGENDA	6
2. INCREASED INVOLVEMENT OF RELEVANT STAKEHOLDERS	7
2.1. INTERNAL CO-ORDINATION OF WORK ON THE RIGHTS OF THE CHILD	7
2.2. STRATEGIC PARTNERSHIPS AND CO-OPERATION WITH OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS AND STAKEHOLDERS	7
3. MAKING THE STANDARDS WORK FOR CHILDREN	8
3.1. MAINSTREAMING CHILDREN'S RIGHTS	8
3.2. REINFORCING CO-OPERATION AND CAPACITY BUILDING	9
3.3. COMMUNICATING CHILDREN'S RIGHTS	10
<b>3. PROGRESS IN THE IMPLEMENTATION OF THEMATIC PRIORITIES</b>	<b>12</b>
1. IN FOCUS: CHILDREN'S RIGHTS IN THE DIGITAL ENVIRONMENT	12
1.1. PROTECTING AND MAKING PROVISION FOR CHILDREN'S RIGHTS IN THE DIGITAL ENVIRONMENT	12
1.2. CHILD PARTICIPATION: WHAT DO CHILDREN THINK?	14
2. PRIORITY AREA 1: EQUAL OPPORTUNITIES FOR ALL CHILDREN	15
2.1. GUARANTEEING CHILDREN'S SOCIAL RIGHTS	15
2.2. COUNTERING DISCRIMINATION	16
3. PRIORITY AREA 2: PARTICIPATION OF ALL CHILDREN	18
3.1. PROMOTING CHILDREN'S RIGHT TO PARTICIPATE	19
3.2. REACHING OUT TO CHILDREN	19
3.3. STRENGTHENING PARTICIPATION IN AND THROUGH SCHOOLS	19
4. PRIORITY AREA 3: A LIFE FREE FROM VIOLENCE FOR ALL CHILDREN	20
4.1. PROMOTING AN INTEGRATED APPROACH TO PROTECTION FROM VIOLENCE	20
4.2. COMBATING SEXUAL EXPLOITATION AND SEXUAL ABUSE	21
4.3. ELIMINATING CORPORAL PUNISHMENT	21
4.4. PROTECTING CHILDREN FROM VIOLENCE IN VARIOUS SETTINGS AND FORMS	22
5. PRIORITY AREA 4: CHILD-FRIENDLY JUSTICE FOR ALL CHILDREN	23
5.1. PROMOTING CHILD-FRIENDLY JUSTICE	23
5.2. PROTECTING CHILDREN IN THE CONTEXT OF DEPRIVATION OF LIBERTY	24
5.3. CHILDREN'S RIGHTS IN THE FAMILY	25
<b>4. CONCLUSION: CHALLENGES AND TAKING IMPLEMENTATION FORWARD</b>	<b>26</b>
<b>APPENDIX I. LIST OF ACRONYMS</b>	<b>29</b>

---



# 1. EXECUTIVE SUMMARY

---

1. On 3 March 2016, the Committee of Ministers adopted the Council of Europe Strategy for the Rights of the Child (2016-2021) (hereinafter the Strategy), reaffirming its commitment to protect and promote the rights of the child in line with international and European standards.

2. The Strategy, which was formally launched during a high level conference in April 2016<sup>1</sup>, sets out a robust agenda for the Organisation's contribution to strengthen the protection and promotion of children's rights and of child protection systems in Council of Europe member States, through five priority areas for action:

- ▶ 1. Equal opportunities for all children;
- ▶ 2. Participation of all children;
- ▶ 3. A life free from violence for all children;
- ▶ 4. Child-friendly justice for all children;
- ▶ 5. Rights of the child in the digital environment.

3. This first report gives an overview of the Organisation's activities, developments and achievements under each thematic area, from the Strategy's adoption date up to June 2017<sup>2</sup>. Particular attention is paid to realising the rights of the child in the digital environment, an area in which several sectors of the Council of Europe join efforts to address the wide range of challenges that member States face in this area.

4. Important progress has been achieved in each of the five priority thematic areas of the Strategy, through the continuous engagement with member States, the strategic partnerships with other regional and international organisations and civil society, as well as by involving and consulting children. Actions illustrate the transversality of this Strategy, and the impact of the coordination and mainstreaming efforts both within the Organisation and in member States, under the leadership of the Ad hoc Committee for the Rights of the Child. The Organisation's work on children's rights is also supporting States and the international community in their efforts to implement the 2030 Agenda for Sustainable Development and meet the Sustainable Development Goals related to children.

5. Finally, the report also sets out a number of challenges that lie ahead in each of the thematic areas, which are likely to impact on the implementation of the Strategy, intending to give an opportunity to examine what could be done to further protect, respect and promote the rights of the child in Council of Europe member States, in line with the priorities set out under the Strategy, as complemented by other Council of Europe thematic action plans.

---

1. See Report on the high-level launching Conference, presented to the Committee of Ministers on 1 June 2016 (CM(2016)71).

2. A comprehensive list of implemented activities is regularly updated and examined by the CAHENF at each meeting. The latest version is available at: <http://www.coe.int/en/web/children/children-s-strategy>

## 2. DELIVERING THE STRATEGY FOR THE RIGHTS OF THE CHILD IN MEMBER STATES

---

### 1. STRONGER POLITICAL IMPETUS FOR THE CHILD RIGHTS' AGENDA

6. The Council of Europe's action in this field has received substantial support from the successive chairmanships of the Committee of Ministers, with children's rights being high on the agendas of the Bulgarian, Estonian and Czech Chairmanships. Bulgaria hosted the Strategy launching conference in Sofia on 4-5 April 2016, drawing political attention to its objectives and enabling the successful start of its implementation. Estonia organised a conference on children's rights in the migration crisis and the digital environment on 3-4 November 2016, providing a platform for sharing good practices on these two burning issues. All these events were marked by high-level political representation and the very active participation of children and young people.

7. Several important events are being organised by the Czech chairmanship of the Committee of Ministers (May-November 2017) to discuss the protection of children and human rights issues arising in the context of detention (in child welfare institutions, or as a result of migration policies) and to mark the 10th anniversary of the opening for signature of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)<sup>3</sup>.

8. Upcoming chairmanships are also considering including children's rights in their listed priorities, which will also contribute to accelerating progress in the implementation of the children's rights agenda both in member States and at European level.

9. Fresh impetus is also expected in the parliamentary dimension of the work on children's rights following the creation of a new Sub-Committee on Children by the PACE Committee on Social Affairs, Health and Sustainable Development (AS/Soc). Chaired by Baroness Doreen Massey (United Kingdom, SOC), the Sub-Committee will support the Strategy through action involving and aimed at parliamentarians, in particular by inviting them to translate European standards into national legislation and policies. The terms of reference of the Sub-Committee foresees regular participation in and contribution to activities by the Ad hoc Committee for the Rights of the Child CAHENF and the Lanzarote Committee, as well as the development of its own specific activities, such as the organisation of parliamentary seminars dedicated to children's rights.

10. The Organisation is also putting its work on children's rights in the context of the UN 2030 Agenda for Sustainable Development, becoming a forum where member States discuss how to use European standards and the results of monitoring processes to achieve specific Sustainable Development Goals. The Council of

---

3. [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016807105c5](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016807105c5)



Europe expertise is highly appreciated at the UN level and in other regional organisations. An increased participation in global processes allows the Organisation to connect the European and the global agendas, thus supporting both national and international efforts in the context of Agenda 2030<sup>4</sup>.

## **2. INCREASED INVOLVEMENT OF RELEVANT STAKEHOLDERS**

11. The implementation of the Strategy depends on many actors: member States, international organisations, civil society, ombudspersons for children, professionals working for and with children, academic networks and actors, the private sector, and children.

### **2.1 Internal co-ordination of work on the rights of the child**

---

12. The Ad hoc Committee for the Rights of the Child (CAHENF) plays a key role in guiding and overseeing the implementation of the Strategy. In March 2016, the Committee of Ministers decided to set up this inter-governmental committee, to accompany the Council of Europe's work on children's rights. The committee met twice during the reporting period, on 29-30 September 2016 and on 29-31 March 2017. It has elected its Bureau<sup>5</sup>, and appointed two Gender Equality Rapporteurs<sup>6</sup> and two Rapporteurs for Roma Children<sup>7</sup>.

13. The CAHENF is tasked with developing standards under its current terms of reference (2016-2017) in two areas: children's rights in the digital environment and on children's rights and migration. It also acts as a platform to assess progress, exchange good practices and identify ways to address the ever-evolving challenges to the effective protection of children's rights. Furthermore, it follows the implementation of the Strategy and ensures mainstreaming of children's rights within other bodies and committees in the Organisation.

14. All relevant Council of Europe bodies, in particular the PACE, the Congress, the Office of the Commissioner for Human Rights and the Conference of INGOs, take part in the work of CAHENF. CAHENF representatives actively participated in the work carried out by the Gender Equality Commission (GEC), the Ad hoc Committee on Roma Issues (CAHROM), the Council on Penological Co-operation (PC-CP), the Ad hoc Committee of Experts on the Rights of Persons with Disabilities (CAHDPH), the Committee of Experts on Administrative Detention of Migrants (CJ-DAM) and the Steering Committee for Human Rights (CDDH).

15. Most Council of Europe bodies and over 30 administrative entities contribute to the implementation of the Strategy. Internal coordination and cooperation is led by the Children's Rights Coordinator together with the Children's Rights Division and facilitated by an Inter-Secretariat Task Force on the Rights of the Child. The Task Force met four times during the reporting period, allowing colleagues to share information, obtain insight from experts, agree on action, join forces and address specific issues. Topics addressed during this period included children's rights in the migration and refugee crisis, and the marking of the 2nd edition of the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse. As a result of this transversal and coordinated work, the Organisation gains in coherence, efficiency and impact.

### **2.2 Strategic partnerships and co-operation with other international and regional organisations and stakeholders**

---

16. The relationship with the European Union is characterised by a regular exchange of information and mutual participation in events. Highlights during the reporting period were the participation of the European Union Agency for Fundamental Rights (FRA) Director Michael O'Flaherty in the Strategy launching conference in Sofia and of the Special Representative of the Secretary General (SRSG) on Migration and Refugees in the EU Forum on the Rights of the Child in Brussels in June 2016. Close co-operation with the EU institutions and agencies takes place at the working level, for instance in the area of migration.

17. Close ties are being kept with relevant UN bodies, including UNICEF, the United Nations Special Representative of the Secretary General on Violence against Children (UNSRSG VAC), the UN Special Rapporteur (UNSR) on the sale and sexual exploitation of children, the Office of the UN High Commissioner on Human Rights (OHCHR), the Office of the UN High Commissioner on Refugees (UNHCR), the International Telecommunications

---

4. Ending all forms of violence against children by 2030: the Council of Europe Contribution to the 2030 Agenda and the Sustainable Development Goals at <http://rm.coe.int/ending-all-forms-of-violence-against-children-by-2030-the-council-of-e/1680732f2d>

5. The Committee elected Ms Ina Verzivolli (Albania) as Chair, Mr Alexis Rinckenbach (France) as Vice-Chair, and Ms Christel de Craim (Belgium), Ms Satu Sistonen (Finland) Ms Gabriela Coman (Romania) as members of the Bureau.

6. Ms Petra Kalenská (Czech Republic) and Mr Kyrylo Dombrovskiy (Ukraine).

7. Ms Petra Kalenská (Czech Republic) and Mr Alexis Rinckenbach (France).

Union (ITU), UNESCO, and the World Health Organisation (WHO). In addition to regular exchanges of information and mutual attendance at events, often at a very high level, a number of events were organised jointly between the Council of Europe and UN bodies. A joint side event was organised, for instance, on the occasion of the 31st session of the Human Rights Council together with the UNSR on the sale of children, child prostitution and child pornography in co-operation with the Permanent Mission of Lithuania (Geneva, 7 March 2016). The event outlined concrete measures to be taken by the public and private sectors to tackle the demand for sexual exploitation of children.

18. On 18 September 2016, in the run-up to the UN Summit for Refugees and Migrants, Secretary General Thorbjørn Jagland took part in the high-level event “Carry Light for Children” co-organised by UNICEF, the Estonian Mission to the UN and the Council of Europe. The event brought together Heads of State, goodwill ambassadors, youth speakers and civil society representatives and raised awareness about the perilous condition of children during flight and migration, and the urgent need to assist them. It also served to sensitise world leaders of the importance of putting children first in their response to the refugee and migrant crisis.

19. Bilateral meetings between the Council of Europe Co-ordinator on the Rights of the Child and the OHCHR Secretariat in March 2016 resulted in reinforced co-operation with the UN Committee on the Rights of the Child. The Children’s Rights Division also provides the UNCRC with country-specific findings of Council of Europe monitoring bodies to support its periodic country reviews.

20. Regional organisations, such as the Council of Baltic Sea States (CBSS) and the International Organisation of La Francophonie (OIF), as well as key NGOs also take an active part the Council of Europe’s activities, and more specifically in the work of the CAHENF.

### **3. MAKING THE STANDARDS WORK FOR CHILDREN**

#### **3.1 Mainstreaming children’s rights**

---

21. An important part of the work of the Children’s Rights Division at policy level in 2016-2017 has been the continued mainstreaming of children’s rights in newly developed standards, strategies/ action plans and cooperation projects, in line with the priorities of the Strategy, which resulted in:

- ▶ a more consistent use of the international and Council of Europe standards and monitoring bodies to identify and address children’s rights violations in the member States;
- ▶ a more efficient use of monitoring reports with a view to developing Council of Europe activities in the children’s rights field, drawing upon the conclusions and recommendations of the different monitoring mechanisms (such as GRETA, the Lanzarote Committee, ECRI, CPT, etc.) and of tailor-made co-operation projects and tools for member States focusing on the implementation of relevant European standards;
- ▶ wider knowledge of monitoring mechanisms, and increased recourse and/or cooperation in Council of Europe processes by the non-governmental organisations active in the field of children’s rights (i.e. the Lanzarote Committee, the European Social Charter);
- ▶ an improved access of children to justice and an understanding by professionals of child-friendly justice.

22. Strong synergies with other Council of Europe thematic strategies and action plans have thus been built, notably through mainstreaming of children’s rights aspects and joint implemented actions under the:

- ▶ Gender Equality Strategy (2014-2017);
- ▶ Council of Europe Action Plan on Building Inclusive Societies (2016-2019);
- ▶ Council of Europe Thematic Action Plan on the Inclusion of Roma and Travellers (2016-2019);
- ▶ Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019);
- ▶ Council of Europe the Internet Governance Strategy (2016-2019);
- ▶ Council of Europe Action Plan on the fight against violent extremism and radicalisation leading to terrorism (2015-2017);
- ▶ Council of Europe Strategy on the Rights of Persons with Disabilities (2017-2023)
- ▶ The European Partial Agreement on Sports (EPAS).

### 3.2. Reinforcing co-operation and capacity building

---

23. To make the objectives set out in the Strategy a reality for children in Europe, the Council of Europe conducts co-operation projects, predominantly supported by the European Commission, EEA/Norway Grants and other Voluntary Contributions from member States.

24. Starting in 2017, the Children's Rights Division is implementing projects on the protection of children against violence, including sexual violence, in Ukraine and Georgia and is exploring the feasibility of developing new projects in a number of additional member States.

25. The EU/Council of Europe Joint Programme "Human Rights and Democracy in Action" has reached its 4th cycle (2016). This cycle is funding and supporting the implementation of four international co-operation projects: two projects are focusing on promoting the Charter for Democratic Citizenship Education and Human Rights Education, the other two projects are focusing on promoting the Framework of Competences for Democratic Culture. The following projects are being implemented in 2017:

- ▶ Democratic school governance for inclusion: a whole community approach (Bulgaria, Greece, Hungary, Montenegro, Poland and Romania).
- ▶ Baltic Partnership for Human Rights Education (HRE) and Education for Democratic Citizenship (EDC) (Estonia, Latvia and Lithuania).
- ▶ Instruments for implementation of the Framework of Competences for Democratic Culture (Andorra, Croatia, Georgia and Slovakia).
- ▶ Democratic Culture in Action – Democratic Competences in the digital era (Armenia, Belarus, Bulgaria, Croatia, Czech Republic, Romania and Serbia).

26. A new project "Strengthening Democratic Culture in Basic Education" is being implemented from June 2017 to July 2020 in Turkey. The Action aims to enhance the institutional capacity of the Turkish Ministry of National Education and schools and individual capacity of its personnel for teaching democratic values and human rights and democracy and promoting competences for democratic culture, and to increase public awareness of democratic values and human rights and democracy.

27. In accordance with the Neighbourhood Partnership priorities established with the Hashemite Kingdom of Jordan, Morocco and Tunisia to further promote and protect children's rights in the region, specific activities were conducted, building also on the Strategy. In Tunisia, media representatives were trained on child violence media coverage, the Arabic version of Kiko and the Hand has been distributed in all the schools of the country and a training programme for the child monitor inspectors has been developed on "A life free from violence for all children." Among other key activities within the Partnership:

- ▶ to expand participation of all children, a seminar was organised in Morocco to raise awareness of national and regional actors;
- ▶ to promote the rights of the child in the digital environment, technical assistance was provided to the Moroccan authorities to define the strategy and its action plan for the implementation of the national children and new technologies policy, and
- ▶ to facilitate equal opportunities for all children, support was made available to draft legislation (draft child right law in the Hashemite Kingdom of Jordan), formal and informal networks were initiated (children umbrella organisation strengthening in Tunisia) and delegations from the Hashemite Kingdom of Jordan, Morocco and Tunisia were invited to participate in events organised by the Council of Europe (Sofia, Strasbourg).

28. The Council of Europe Development Bank (CEB) provided financing for loans and technical assistance for investment projects targeting vulnerable groups such as children in different sectors of action. Children of all ages are the main beneficiaries in projects financed under "Education and vocational training". They often also benefit from investment projects undertaken in other sectors such as "Aid to refugees, migrants, displaced persons and other vulnerable groups", "Social housing for low-income persons", "Improving living conditions in urban and rural areas" or "Health". In the reporting period, the CEB approved 9 projects for an overall amount of €765.7 million in the sector of action "Education and vocational training". Most of these funds will be used by CEB member countries to part-finance the construction and renovation of educational facilities. Children enrolled in these schools will benefit from access to modernised and less crowded facilities. The renovated and newly built schools should also cater for refugee children and migrants facilitating their social integration.

### 3.3. Communicating children's rights

---

29. More efforts have been put into the development of online and audio-visual communication tools, including the website [www.coe.int/children](http://www.coe.int/children).

30. The Directorate of Communications of the Council of Europe has integrated a child rights concept into its media and public relations work, especially when promoting monitoring reports of Council of Europe bodies dealing with discrimination, national minorities, regional and minority languages, human trafficking and prisons. The new Human Rights Channel created by the Directorate of Communications prominently features children's rights, including on its main page, and in the sections on combatting sexual abuse of children through education and on ensuring diversity in education. A special article on migrant children was placed on the Human Rights Channel in Autumn 2016. The Council of Europe YouTube playlists contain several lists covering children's rights and activities carried out under topic headings such as «End Child Sex Abuse Day 18 Nov. 2016», the anti-corporal punishment campaign "Raise your Hand against smacking", and "Austerity Bites: children's voices".

In 2016, video news on children issues (for instance, on migrant children in March 2016 and on the introduction of the new competences tool for civic education at schools) had also been featured in *The Journal*, a video bulletin of the Council of Europe.

31. Public statements and press releases were prepared on a number of occasions, and generated substantial media coverage. The press releases and statements focused, for example, on the Secretary General's proposals for priority actions to protect refugee children (March 2016), the need to ban web addresses promoting sex crimes against children (June 2016), the appeal to the Russian government not to adopt the legislation decriminalising domestic violence (December 2016), the call of the Council of Europe on member States to protect refugee children (March 2016, September 2016, November 2016), to respect the rights of all irregularly present migrants (May 2016), for states to invest in alternatives to migrant detention (and to abolish detention of migrant children) (January 2017 and March 2017) with specific calls on the topic made to Italy (March 2017), and to Hungary (March 2017 and June 2017). The ad hoc report of the Lanzarote Committee on the protection of refugee children from sexual abuse (March 2017) and accompanying video and infographics were well received by the media and internet users.

32. An op-ed by the Secretary General was published in one of the key Bulgarian newspapers. A factsheet on the new Strategy, created before the Sofia Conference, was used throughout and after the conference. Media work was also carried out on the occasion of the Tallinn Conference on Children's Rights in Migration Crisis and Digital Environment; this event as well as many others were actively promoted through the Council of Europe social media channels.

33. Many translations of child rights legal standards and recommendations, audio-visual and printed materials have been completed and made available in non-official languages on the Children's Rights website<sup>8</sup>, including the most recent products on "KIKO and the Hand" and "Tell someone you trust." The key aim of investing in the non-official translations is to allow as many member States as possible to convey the child rights agenda and its core messages to their national professionals, parents and children. Member States are invited to make the translations in their national languages available.

34. Concerning publications and materials available, the Children's Rights Division produced or collaborated in the production of the following (non-exhaustive list of) new publications or additional language versions in 2016-2017:

- ▶ Council of Europe Strategy for the Rights of the Child (2012-2015): Implementation report;
- ▶ Council of Europe Strategy for the Rights of the Child (2016-2021);
- ▶ The best interests of the child: a dialogue between theory and practice;
- ▶ Challenges to children's rights today: what do children think?;
- ▶ Children's rights and social services: Report on the implementation of the Council of Europe Recommendation on children's rights and social services friendly to children and families;
- ▶ Child participation assessment tool: indicators for measuring progress in promoting the right of children and young people under the age of 18 to participate in matters of concern to them;
- ▶ Child participation assessment tool: Implementation Guide;

---

8. <https://www.coe.int/en/web/children/language-versions>

- ▶ Venice Commission report on the protection of children’s rights: international standards and domestic constitutions;
- ▶ Equal opportunities for all children: non-discrimination of lesbian, gay, bisexual, transgender and intersex (LGBTI) children and young people;
- ▶ Study on the Rights of Children in Biomedicine; Practical Guide: Monitoring places where children are deprived of liberty (DCI-Belgium);
- ▶ Catalan version of the brochure “Tell someone you trust”;
- ▶ Ending all forms of violence by 2030: The Council of Europe’s contribution to the 2030 Agenda and the Sustainable Development Goals (Information Note, July 2017).

35. Council of Europe instruments and publications on children’s rights in 42 other languages have been published on the website. This now provides more targeted information worldwide to people accessing the site. Over the current Strategy cycle, there was an average of just under 6,000 unique visitors to the site per month, mostly based in France, Ukraine, the United States, the United Kingdom, Spain and India.

36. Around 150 events (either organised, co-organised or attended) were logged until Summer 2017. There are now over 500 people registered to receive the Quarterly Newsletter which provides a detailed account of the most recent updates from the Children’s Rights Division and its partners illustrating the impact of the work undertaken in favour of the rights of the child in the Council of Europe member States. Four issues of the Newsletter have been produced since the adoption of the current Strategy.

# 3. PROGRESS IN THE IMPLEMENTATION OF THEMATIC PRIORITIES

---

## 1. IN FOCUS: CHILDREN'S RIGHTS IN THE DIGITAL ENVIRONMENT

### 1.1. Protecting and making provision for children's rights in the digital environment

---

37. The digital environment evolves rapidly and is reshaping children's lives in numerous ways. Children are embracing digital technologies and take them for granted as part of the infrastructure of their everyday life. They often don't differentiate between their online and their offline existence and the average age at which they start using the Internet has fallen dramatically. The current structures of governance and policy have difficulties coping with this rapidly evolving technological environment, led by a combination of global companies, new business models and niche innovators, and shaped by the interests and behaviours of individual users<sup>9</sup>. Schools and parents struggle to provide children with adequate guidance in this constantly changing world.

38. Member States recognised this challenge when deciding to make children's rights in the digital environment one of the five priority areas of the Strategy for the Rights of the Child. This work is based on the rights guaranteed by the United Nations Convention for the Rights of the Child, the European Convention on Human Rights, the European Social Charter, the Convention on Cybercrime, the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and other relevant legal standards. Furthermore, actions concerning children's rights online are also guided by the Council of Europe the Internet Governance Strategy (2016-2019) and co-ordination among the relevant sectors of the Organisation is regularly ensured. Recognising the interdependence between the two strategies, an exchange of views was held on 6 July 2017, upon the invitation of Ambassador Corina Călugăru, Permanent Representative of the Republic of Moldova and Thematic Coordinator on Information Policy. The Council of Europe Co-ordinator for the Rights of the Child updated the TC-INF on the initiatives and actions which contribute to the implementation of both Strategies at this exchange of views<sup>10</sup>.

---

9. CAHENF(2016)6, Policy guidance on empowering, protecting and supporting children in the digital environment, Background report led and prepared by Ms Sonia Livingstone, London School of Economics and Political Science.

10. TC-INF(2017)4 and DD(2017)785.



### ■ *Standards, policy guidelines and implementing tools*

39. The CAHENF, with the support of its Drafting Group of Specialists on Children and the Digital Environment (CAHENF-IT)<sup>11</sup> is expecting to finalise its work on policy guidelines for member States to respect, protect and promote children's rights in the digital environment in November 2017, with a view to submitting the Guidelines for consideration shortly after by the Committee of Ministers. 200 children, including children in vulnerable situations, have been involved in the drafting process of the Guidelines, through focus group consultations organised in April 2017 in 8 member States<sup>12</sup>, in co-operation with national and local non-governmental organisations. The drafting process involves consultations with other key stakeholders, including other Council of Europe bodies and committees (i.e. PACE, the Steering Committee on Media and Information Society, the Consultative Committee of Convention 108 on Data Protection, etc), relevant civil society actors and the private sector.

40. This work takes into account the findings of a background report offering a coherent, child rights-focused and evidence-based approach to the opportunities and risks created by the digital environment. This report included selected case studies from a representative range of countries, whereby national strategies and policies on child rights and information and communication technologies (ICTs) have proven to be effective in comprehensively addressing children's rights in the digital environment at national level.

41. A complementary standard-setting process is underway on digital citizenship education. Based on multi-stakeholder consultations, a survey with children, and exchanges of good practice, policy guidelines and a set of descriptors for digital citizenship competence are being developed. In 2016, the Ad hoc Expert Group on Digital Citizenship Education, comprising experts from the Internet Governance and Children's Rights Programme, media and data protection and the Education Department, focused its work in two main areas:

- ▶ a review of existing literature on the concept of digital citizenship, current digital education policies and contemporary digital education practices and challenges in schools. The literature review also addressed the radicalisation of young people on social media, and the risk of fake news and hate speech;
- ▶ multi-stakeholder consultations regarding the place of digital citizenship education projects and programmes in school settings (curricula and school organisations) and mapping the administrative and legal responsibilities for school leaders, teachers, students and parents.

42. These reports will be published in 2017 and form the basis for the development of a Digital Citizenship Handbook to be used by governments, the civil sector, industry and academia. A conference will also be held in Strasbourg on 21-22 September 2017 to review the outcomes of the first two years of the project and provide additional direction to the Handbook's content and the project's future focus.

43. PACE Resolution 2144 (2017), adopted in January 2017 recognised that children and young people are particularly vulnerable to the negative effects of cyber discrimination and online hate and as such recommended States to ensure that "they are educated at an early age about both the exceptional possibilities and the challenges of online exchanges; also ensure that online competences are included as an essential element of school curricula". On June 1, 2017, the Committee on Social Affairs, Health and Sustainable Development approved a declaration committing to implement six concrete actions to promote the rights of the child in the digital environment and relevant Council of Europe conventions and standards within their respective countries<sup>13</sup>.

### ■ *Convention-based monitoring: addressing new trends*

44. On 12 May 2017, the Lanzarote Committee adopted an Interpretative Opinion affirming the applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of ICTs and committing Parties to use all relevant tools, measures and strategies to effectively prevent and combat sexual offences against children which are facilitated through the use of ICTs.

45. The Lanzarote Committee's second monitoring round focuses on the specific challenges that have to be met by Parties to ensure the protection of children against the criminal exploitation of child self-generated sexual content (in particular sexually explicit images and videos).

11. This working group met twice during the reporting period, bringing together experts on children's rights and the digital environment from government authorities, data protection authorities, academia, intergovernmental and non-governmental organisations.

12. Croatia, Cyprus, Czech Republic, Germany, Hungary, Italy, Romania, Ukraine

13. Baku declaration at <http://website-pace.net/documents/19855/3127051/20170601-BakuDeclaration-EN.pdf/fc472b0f-54b5-4f71-baba-462b2fc8f557>.

### ■ *Advocacy and awareness-raising actions*

46. As part of the Estonian Chairmanship of the Committee of Ministers, a conference on Children's Rights in the Migration Crisis and the Digital Environment was held on 4 November 2016 in Tallinn, organised in co-operation with the Estonian Ministry of Human Rights and the Estonian Institute of Human Rights. The conference, attended by 200 participants from over 15 countries and 40 organisations, shared good practices among international and national experts and enabled children to participate alongside leaders in the field, and present their own messages and thoughts on the issues under discussion.

47. The No Hate Speech Campaign<sup>14</sup> run by the Council of Europe's Youth Sector continues in 2017, having extended its reach to 44 countries/territories. The three thematic priorities for 2016-2017 are: sexist hate speech, anti-Semitic hate speech and hate speech targeting refugees and asylum-seekers.

48. A Declaration condemning the registering of web addresses which advertise or promote child sexual abuse material or any other offences established in accordance with the Lanzarote Convention was adopted by the Lanzarote Committee in June 2016, urging Parties to take all necessary measures to prevent and prohibit such web addresses, and calling upon competent authorities and bodies at national and/or international level (Governmental Advisory Committee/ ICANN) to take necessary measures to ensure that no new addresses of this kind are registered.

49. This message was reinforced at the European Dialogue on Internet Governance (EuroDIG 2016), where the Secretary General Thorbjørn Jagland called for governments and internet bodies to prevent web addresses being registered which openly refer to child sexual abuse.

50. As regards the parliamentary dimension, on the occasion of its 27th and last meeting (Florence, December 2016), the PACE Network of Contact Parliamentarians to stop sexual violence against children adopted the "Florence declaration"<sup>15</sup> providing a roadmap for collective action in the coming years.

51. The newly established Sub-Committee on Children of the PACE Committee on Social Affairs, Health and Sustainable development is active in the field of protecting and empowering children in the digital environment, having organised a parliamentary seminar on this issue (Baku, 31 May 2017) and an exchange of views on the draft policy guidelines with the Chair of the CAHENF (Strasbourg, June 2017).

### ■ *New awareness-raising tools for children, parents, educators and other stakeholders*

52. Two new awareness-raising tools are in the making and will be launched in 2017. A fully revised version of the Council of Europe Internet Literacy Handbook offers users of all age groups the knowledge needed to navigate today's digital world. Targeting children of elementary school age, the tablet application "Online with the Websters" familiarises young players and their families with the main risks they can face on the Internet and how to avoid them.

53. A success story in the Council of Europe's efforts to raise awareness of opportunities and risks in the online world is the online game "Through the Wild Web Woods". The game was launched exactly 10 years ago and is still being played by children across Europe and beyond. In January 2017, the game hit the mark of 5 million registered. Available in 27 languages, the top five countries of origin of players are Turkey, United Kingdom, Greece, Ukraine, and France.

54. The 2017 edition of the European Day for the Protection of Children from Sexual Exploitation and Sexual Abuse, marked annually on 18 November, will focus on strengthening the digital skills of parents to accompany their children in navigating safely and respectfully in the digital environment. To this end, a series of online digital parenting tutorials will be produced and launched on the occasion of the European Day. Member States will be invited to actively participate in the celebration of the Day by organising events and taking initiatives at national, regional and local level.

## **1.2. Child participation: what do children think?**

---

55. Over the past few years, a large number of studies, projects and programmes on children's views in the digital environment have focused mostly on experiences, opportunities and risks that children encounter online. In order to ensure that the Council of Europe's actions take into account the current needs of children, a mapping of children's views about their rights in the digital environment has been undertaken through desk research and data collection. Despite challenges due to limited publically available data reflecting children's

<sup>14</sup> [www.nohatespeechmovement.org](http://www.nohatespeechmovement.org)

<sup>15</sup> <http://website-pace.net/documents/19855/2463558/20161201-DraftFlorenceDeclaration-EN.pdf/ddb0b2e3-b6bd-4bc2-9ae9-c9b34b0f6155>



own views, in particular from non-European Union countries, the preliminary findings provide useful guidance for the work ahead. Some of the key findings are highlighted below, and are expected to be further refined following additional consultations:

- ▶ an increasing number of children consider access to the Internet as a fundamental right. As they expect to have free, unrestricted access to the Internet to learn and share, they have made suggestions to increase and improve access to internet, including high quality and high-speed connectivity;
- ▶ children requested support and education about the Internet, with the understanding that education should not just concentrate on how to use the technology, but also on how to use it responsibly, and that it should also involve parents and teachers. Given the importance of the Internet as a source of knowledge and information available, they have emphasised the need for better quality online content, particularly for the youngest;
- ▶ children stressed the importance of being allowed to express and share their opinions freely on the Internet in a safe online environment and that they should have their say on how the digital environment is shaped and what services it provides;
- ▶ children are aware that the rights they enjoy in relation to the digital media come with responsibilities. While they know that “online abuse” has real offline consequences, they also expect cases of bullying, racism or other discrimination to be easily reported and that service providers could ensure a rapid response and reinforce the message of “online respect” on their websites;
- ▶ children consider that action should be taken to improve the user-friendliness of terms and conditions for signing up to social media sites, downloading apps or using other the Internet services;
- ▶ while children want to be able to protect their data and privacy online, and think they may know how to do so, few are aware of the extent to which their data is collected, shared or sold, and feel that “do not collect or share” should be a default setting. They also underlined the importance of their information being kept safe, as the possibility of them becoming victims of fraud or identity theft undermined their confidence in the Internet.

56. Children consider that the main players who can act to protect their rights, with varying degrees of participation and in no particular order, included the children themselves, parents, teachers, policy-makers, experts, technology companies, schools, governments, non-government organisations (NGOs) and local communities.

57. Furthermore, a two year research project initiated by the Organisation in March 2017 will examine the opportunities and risks for children with disabilities in the digital environment with the objective to provide guidance to governments, the digital business sector, parents, and professionals working with children with disabilities. Children with disabilities themselves will be involved in the design of the research framework and in the analysis of findings.

58. Allowing children to share their views on issues that directly affect them and on how to remedy or take action on those issues provides a clearer idea of their expectations and needs. Child consultation with effective participation provides a means for policy-makers to become aware of the impact of policy and regulation on important aspects of children’s rights. The Council of Europe research in this area will thus build on the identified recommendations from children to policy makers to support the work of the CAHENF and of the Ad hoc Committee of Experts on the Rights of Persons with Disabilities (CAHDPH).

## **2. PRIORITY AREA 1: EQUAL OPPORTUNITIES FOR ALL CHILDREN**

59. In line with relevant global and European standards, the Council of Europe’s actions under this priority area aim at guaranteeing children’s social rights and protecting and promoting the rights of children in vulnerable situations such as children with disabilities, children on the move or otherwise affected by migration, children from minorities, Roma children, LGBT and intersex children.

### **2.1 Guaranteeing children’s social rights**

60. The European Social Charter (ESC) is promoted as a key set of minimum standards safeguarding the rights of families and children. The European Committee of Social Rights (ECSR) published in January 2016 its Conclusions and Decisions with respect to provisions relevant to the rights of children. These findings were presented at the launching Conference of the Strategy (April 2016) and at the first meeting of the CAHENF (28-29 September 2016). The monitoring highlighted several problems and situations of non-conformity of

States Parties to the Charter, varying in scope, severity and impact. One of them is the continued existence of child labour in Europe, whether due to lax or imprecise rules on the types of (light) work that children can be engaged in or, more frequently, due to inadequate monitoring of child labour in practice. Another recurrent problem concerns remuneration of young workers and apprentices and the inclusion of time spent on training in working time and remunerating it as such.

61. Targeted actions to follow-up monitoring, to raise awareness about the ESC and strengthen capacities at national level have been undertaken, involving members of national parliaments and non-governmental organisations. In October 2016, members of national parliamentary committees dealing with social rights and social affairs reflected on ways of addressing the issues raised by the ECSR conclusions and via the collective complaints mechanism (in particular with respect to violations concerning child labour or inappropriate working or employment conditions of children) within their national parliaments and also on removing possible obstacles to accepting and implementing relevant articles.

62. In December 2016, national child rights NGO coalitions from 20 member States have been trained on the work of the ECSR and the collective complaints procedure. This training was organised by the Children's Rights Division in partnership with Eurochild, a network of over 190 child rights organisations in 33 countries. As a follow-up, Eurochild developed a summary of Council of Europe instruments including a regularly updated calendar of upcoming monitoring visits which is expected to facilitate the involvement of NGOs in the respective monitoring mechanisms, in line with their rules of procedure.

63. The European Social Cohesion Platform, established within the 2016-2017 Programme of activities, began its work focusing on the rights of children and youth, notably through follow-up to Recommendation CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhood to social rights. The Joint Council on Youth adopted a strategy in March 2016 setting out the combined work and co-operation envisaged in this context between public authorities in member States, youth organisations and the Council of Europe and foreseeing regular reviews of measures adopted every 3-4 years. Several training and support activities are planned in 2016-2018 under the Enter! Project, involving representatives of municipalities and local public bodies with a mandate to implement policies related to youth and social rights, representatives of youth work structures, youth organisations and other civil society entities working at the local level with young people to support their access to social rights.

## **2.2. Countering discrimination**

---

64. Protecting and fulfilling children's right to non-discrimination lies at the core of Council of Europe actions on child rights in the reporting period, with numerous actions having focused on children in vulnerable situations.

65. Support to children with disabilities includes efforts to protect their rights and to address discrimination. Synergies are being built between actions planned under the Strategy for the Rights of the Child and under the Council of Europe Strategy on the Rights of Persons with Disabilities – "Human Rights: A Reality for All". The latter, adopted on 30 November 2016, mainstreams children's rights across its five priority areas and in particular those on equality and non-discrimination, accessibility, freedom from exploitation, violence and abuse.

66. As regards children deprived of parental care, a noteworthy achievement in this area was the conclusion in 2016 of a 2-year EU-funded project on Training Care Professionals, through which SOS Children's Villages International developed trainings and recommendations based on the publications "Securing Children's Rights" and "Discover Your Rights", jointly developed by the Council of Europe and SOS Children's Villages. A training module tested with more than 900 care professionals in seven partner countries (Bulgaria, Estonia, France, Hungary, Italy, Lithuania and Romania) was presented during the Conference "Children's Rights in Alternative Care: Walk the Talk!" (Paris, 8-9 November 2016). The next step will be for member States to follow up the successful pilot trainings with a view to integrating them into the on-going training curriculum of care professionals.

67. The Organisation has taken swift action to address the rights of children on the move or otherwise affected by migration. At the Sofia Conference, international organisations and the Council of Europe were called upon to foster good practices and to promote capacity building and institutional actions to safeguard the rights of children on the move. This implies providing support for an integrated child protection system, and addressing the legal and implementation gaps with respect to guardianship. Effective inter-agency co-operation, in

particular of child protection agencies in a cross-border context, and the provision of adequate funding to a range of relevant stakeholders and projects, were considered essential.

68. Relevant Council of Europe bodies have actively contributed, within their own mandates and through their expertise, to ensure that the rights of children in the context of migration are respected (see also Section 5.2 - Protecting children in the context of deprivation of liberty).

69. The European Commission on Racism and Intolerance (ECRI) published in 2016 its General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination. This Recommendation notably covered safeguarding unaccompanied children's access to protection, age-appropriate social services, and education. It also covered access to health care, and the possibility of reporting acts of racist violence without the risk of personal data being passed on to immigration authorities.

70. The work undertaken by Ambassador Tomáš Boček, SRSO on Migration and Refugees, has enabled a sharpened focus to be given to the Council of Europe's role in supporting member States in this area, including within the CAHENF and the Programme "Building a Europe for and with Children". The reports issued by the SRSO on Migration and Refugees' in 2016 paid particular attention to the situation of children. A report on the situation in Greece and "the former Yugoslav Republic of Macedonia" noted, inter alia, implementation issues concerning age-assessment procedures, a need to reform the guardianship system for unaccompanied children, and the need to provide educational activities in camps and on sites where children are accommodated. In the Calais and Grande-Synthe camps in northern France, and in Italy, the extreme vulnerability of unaccompanied children was exposed, and actions recommended improving the asylum and guardianship systems, ensuring access to education for children, preventing and addressing violence, as well as taking effective steps to ensure that the best interests of the child are taken into account in all decisions concerning them. In Turkey, the report emphasised the need to tackle child labour, encourage school attendance and improve the precarious living conditions of those outside refugee camps.

71. A thematic report on migrant and refugee children based on the fact-finding missions carried out by the SRSO on Migration and Refugees was released in March 2017 which laid the ground work for the organisation-wide Action Plan on Protecting Refugee and Migrant Children in Europe (2017 – 2019) adopted in May 2017. The Action Plan focuses on three key pillars to ensure the better protection of children:

- ▶ ensuring access to rights and child-friendly procedures;
- ▶ providing effective protection;
- ▶ enhancing the integration of children into host societies.

72. The Congress of Local and Regional Authorities focused its action on the role of local and regional authorities facing migration, with representatives from 34 national associations of local and regional authorities exchanging views on the topic on 19 September 2016. The continuation of activities on this subject saw the publication at its 32nd Session (28-30 March 2017) of a report on the role of local and regional authorities in managing migration, and a high-level debate on the situation of child migrants.

73. The CAHENF was tasked by the Committee of Ministers with developing European standards to provide immediate care to refugees and asylum-seeking children, notably in the areas of guardianship and age assessment<sup>16</sup>. To fulfil this task, the CAHENF set up a Drafting Group of Experts on Children's Rights and Safeguards in the context of migration (CAHENF-Safeguards) to support its work in this area which is planned to be completed in 2018. At its first meeting in February 2017, experts discussed key issues that should be covered by the standards on guardianship, including a draft outline of the legal instrument. It also prepared a survey on "gathering of examples of age assessment policies, procedures and practices in Council of Europe member States which are respectful of children's rights in the context of migration", which will form the basis for a background report to be issued in the second half of 2017.

74. Eight out of the ten goals for 2018-2028 include concrete actions for Roma children<sup>17</sup>. Exemplifying actions undertaken in 2017 include:

16. See Decisions of the 126th Session of the Committee of Ministers, Item 2c/ Follow up (25 May 2016).

17. "10 for 10": (1) No Roma and Traveller children without identity papers; (2) Infant mortality rate among Roma and Travellers reduced by half; (3) Roma and Traveller children have vaccination rates similar to the majority population; (4) School drop-out rate of Roma and Traveller children reduced by half, (5) Four times more Roma and Traveller youth will have a secondary school diploma; (6) Three times more Roma youth will obtain vocational qualifications; (7) No child marriage in Roma and Traveller communities in Europe, (8) Number of Roma living in abject poverty reduced by half, (9) Unemployment rates for Roma and Travellers reduced by half, (10) Number of Roma and Traveller elected representatives in local or regional councils and national or international parliaments doubled.

- ▶ schools as engines of social inclusion will be piloted from 2017 in ROMACT countries (Bulgaria, Czech Republic, Italy, Romania and Slovak Republic);
- ▶ Roma children from Bucharest were involved in the launching of the joint campaign “Stop anti-Gypsyism” at the opening ceremony of UEFA games in Romania in September 2016. Cooperation was initiated between UEFA and the Council of Europe merging their respective “Respect” and “Dosta!” campaigns. T-shirts were produced and the campaign was supported by prominent political figures in Romania and in international organisations;
- ▶ trainings of juvenile prison staff on non-discrimination with a specific focus on Roma were organised in two juvenile prisons in Bulgaria in 2016 and February 2017.

75. Council of Europe relevant bodies and committees have also taken action to protect and promote the rights of Roma children:

- ▶ in January, the PACE adopted Resolution 2153 (2017) on ‘Promoting the inclusion of Roma and Travellers’, which calls on member States to actively promote equal access to employment for Roma and Travellers and genuine access to quality education for all Roma and Traveller children;
- ▶ ECRI continued to promote the General Policy Recommendations on combating racism and intolerance against Roma/Gypsies (GPR No. 3) and on combating anti-Gypsyism and discrimination against Roma (GPR No. 13). Focusing more specifically on education, ECRI stressed that increasing the enrolment, attendance and completion rates of Roma children in pre-school, primary and secondary education remains of crucial importance for improving the situation of Roma communities. ECRI thus adopted a GPR on combating Racism and Discrimination in and through education (GPR No.10). Considering that education is the best tool for tackling racism and discrimination, ECRI’s guidelines recommend that children be taught early about equality, respect and tolerance;
- ▶ the Ad hoc Committee on Roma Issues (CAHROM) adopted a thematic report on child marriages within Roma communities in 2016, which was followed up by an international seminar on combating early/child and forced marriage (Strasbourg, 12-13 December 2016);
- ▶ other CAHROM thematic reports examined during the reporting period address (1) trafficking of human beings within Roma communities, with a focus on street children and prostitution, (2) schooling of Roma migrant and Traveller children, and (3) testing systems and diagnoses for Roma children with allegedly mild mental disabilities.

76. Another important area of mainstreaming is gender equality and the promotion of equality between girls and boys. In many areas tackled in the Strategy, the specific issues of girls and boys are different, and so should be the solutions offered. It is therefore crucial to have gender questions in mind from the very first steps in data collection and research, to the consultation stage and the final standard, policy or other tool developed. This approach is being practiced by the CAHENF, including through its two Gender Equality Rapporteurs, as well as within the drafting groups.

77. Based on CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation and gender identity, a research has been conducted which identified three central issues which prevent LGBTI children from fully realising and enjoying their human rights: a) prejudice and discrimination, b) resistant educational systems, and c) the targeting or negation of the work of civil society organisations. The report “Equal opportunities for all children: Non-discrimination of LGBTI Children and Young People” which was issued in November 2016, maps existing challenges, gaps and opportunities in the field of human rights of LGBTI children and young people. It includes a collection of good practices and policies to guide states’ actions to combat discrimination against children on the grounds of sexual orientation and gender identity, including practices driven by young people as well as information on the role of key actors in protecting children’s rights and providing support and access to services.

### **3. PRIORITY AREA 2: PARTICIPATION OF ALL CHILDREN**

78. Child participation is one of the core principles of the Convention on the Rights of the Child. Children and young people have the right to freely express their views and to have them heard and taken into consideration in decisions affecting them, both as individuals and as a group.

### **3.1. Promoting children's right to participate**

---

79. The CM Recommendation on participation of children and young people under the age of 18, adopted in 2012, provides comprehensive guidance to countries on how to embed child participation in practice. To further support governments in their efforts to measure progress towards fulfilling the rights of children to participate, a Child Participation Assessment Tool was designed and piloted in Estonia, Ireland and Romania. The evaluation conducted has shown that the Tool has helped states to gain thorough information on usually neglected areas of children's participation such as health and immigration procedures. The outcomes of the process are relevant for countries' reporting to the UN Committee on the Rights of the Child (CRC). Last but not least, the process brought together a wide range of actors at national level, who are all concerned about children, but rarely interact, such as health, education, and law enforcement.

80. In 2016, Bulgaria, Latvia and Italy volunteered to use the Tool to evaluate the level and quality of children's participation at national level, with the Council of Europe's support. The objectives of the one-year self-assessment process are to provide a baseline assessment of the implementation of children's right to be heard and to help identify measures needed to achieve further compliance. Throughout the evaluation process, the Assessment Tool will be used across government ministries, local authority administrations, within the courts and judicial systems, with relevant professionals working with children, with academic and civil society partners, and with organisations of children and young people. The evaluation process is expected to be completed in all three member States by the end of 2017.

### **3.2. Reaching out to children**

---

81. Throughout the reporting period, the Council of Europe's work was not exclusively devoted to promotion, but also ensured meaningful participation and representation of children on a wide range of different topics.

82. A highlight was the active participation as speakers and rapporteurs of 10 young delegates (14-17 years old) at the launching Conference of the Strategy, The group of young delegates, which had been supported by the umbrella NGO Eurochild, included a young person from alternative care, a former refugee child and an LGBTI youth who brought to the conference and working groups their experiences and impressed participants by their competence and enthusiasm.

83. The seminar on Education for Democratic Citizenship and Human Rights Education in preschools in June 2017 addressed the question of young children's participation in decisions affecting them, and held a specific case study session entitled "Children have a say – do we understand them?".

84. In addition, the Council of Europe, through the CAHENF, is continuing to involve children and give due respect to their views in the development of the policy guidelines for member States to respect, protect and promote children's rights in the digital environment. Consultations were held in 2017 with the participation of children in vulnerable situations, such as children with disabilities, children living in poverty, children in care, Roma children and migrant children.

### **3.3. Strengthening participation in and through schools**

---

85. The adoption of the Charter on Education for Democratic Citizenship and Human Rights Education (EDC/HRE) in 2010, prepared by the Education and Youth sectors, recognises the role of youth organisations and non-formal learning in implementing human rights education.

86. In 2017, a collection of good practices on Human Rights Education has been released which also includes examples of work relevant for children<sup>18</sup>. Furthermore, work has been initiated to update and improve COMPASITO, the Manual on Human Rights Education for Children.

87. Youth and children's organisations were invited to debate the conclusions of the Council of Europe Report on the State of Human Rights and Democracy Education at the Conference on "Learning to Live Together - A Shared Commitment to Democracy" (Strasbourg, 20-22 June 2017). The participants proposed recommendations for the Organisation and its member States, for civil society organisations and for education institutions for future work in this area, including active participation of children and young people in the evaluation of relevant education policies and practices.

---

<sup>18</sup>. Human rights education in practice: Practices of Human Rights Education with and by young people (2017).



## 4. PRIORITY AREA 3: A LIFE FREE FROM VIOLENCE FOR ALL CHILDREN

88. The Strategy on the Rights of the Child is designed to allow states and other stakeholders to achieve a number of goals that are crucial to children, in particular the elimination of all forms of violence against children. The Strategy's goal is very much aligned with Target 16.2 of the Agenda for Sustainable Development which calls for the elimination of all forms of violence against children by 2030.

### 4.1. Promoting an integrated approach to protection from violence

---

89. The need for an integrated and strategic approach to protect children from violence was addressed at several high-level events, notably at the Strategy launching conference in Sofia (April 2016) and the Sixth High-Level Cross-Regional Roundtable on the prevention and elimination of violence against children (Stockholm, May 2016). Both events demonstrated that the Council of Europe is a regional driver in promoting a culture of zero tolerance of any form of violence against children, as underlined by Ms Marta Santos Pais, Special Representative of the United Nations Secretary-General on Violence against Children (UNSRSG VAC) on several occasions.

90. The Children's Rights Division and the PACE, jointly with Wilton Park, organised an international conference on "Protecting children from violence: next steps for effective strategies". (United Kingdom, 9-11 November 2016). The event brought together 50 parliamentarians and senior stakeholders at local, regional, national and international level from 18 countries to discuss the strategic focus of actions needed to protect children from violence. In addition to taking stock of advances made in combating violence against children in the past 10 years and considerations of challenges ahead, thematic discussions included the wide spectrum of the Organisation's actions in the area, namely: corporal punishment, sexual violence, alternative care, over-sexualisation of children, female genital mutilation, forced early marriage, violent extremism and radicalisation leading to terrorism, and violence in the digital environment<sup>19</sup>. It also enabled the identification of outstanding challenges, opportunities and the strategic focus of further actions to accelerate the implementation of commitments at state level, while making a meaningful contribution to the follow-up to the UN Sustainable Development Goals (SDG) in the area of violence against children.

91. A first thematic exchange on national strategies to protect children from violence: implementing mechanisms and evaluation of the effectiveness of national strategies to protect children from violence was held by the CAHENF (29-31 March 2017). France, Italy and Norway shared their experience in developing national strategies to protect children from violence and monitoring their impact and implementation. Experts stressed the need for member States to strengthen their strategic focus on implementing the SDGs targets to end violence against children and emphasised the important role that the CAHENF could have in supporting them in their efforts to meet the SDGs in this area.

92. The Council of Europe has developed close synergies and co-operation at global level. The Organisation supports in various ways the High Time Initiative to End Violence against Children, which offers at global level one platform for governments, organisations, institutions, children and adults to express their commitment to children's freedom from violence and support initiatives to prevent and respond to violence. The Secretary General of the Council of Europe is a "Time Raiser", while the PACE is an active member of the Global Campaign to End Immigration Detention of Children, which is one of the "Time Givers".

93. The Organisation contributed actively to the Annual Day Meeting on the Rights of the Child on the "Protection of the rights of the child in the implementation of the 2030 Agenda for sustainable development (34th session of the Human Rights Council, 6 March 2017) as well as a Side Event during the High-Level Political Forum (New York, 18 July 2017), focusing on the intersection between ending poverty and violence against children and their crucial contribution to the achievement of the SDGs. Participation enabled awareness to be raised and underlined the direct relevance of Council of Europe's key legal instruments and action to the implementation by States of the 2030 Agenda, and the contribution made by our Organisation, through its sectors and bodies, to support member States in the implementation of relevant specific targets, in particular Target 16.2.

---

19. <https://www.wiltonpark.org.uk/wp-content/uploads/WP1472-Report.pdf>

## 4.2. Combating sexual exploitation and sexual abuse

---

94. Actions in this area address the promotion, monitoring and support being provided to the implementation of the treaties aimed at preventing and addressing various forms of sexual violence against children. During the reporting period, four additional Council of Europe member States ratified the Lanzarote Convention (Czech Republic, Denmark, Estonia, Slovakia), bringing the total number of ratifications to 42, and Tunisia expressed interest, in January 2017, to accede.

95. Highlights of the work undertaken by the Lanzarote Committee in the reporting period include:

- ▶ follow-up to the 1st implementation report initiated by the Parties monitored on the protection of children against sexual abuse in the circle of trust. Further information is planned to be delivered in 2017 when the 2nd implementation report<sup>20</sup> on the same theme is expected to be examined.
- ▶ Given the high risk that many migrant children who arrive in Europe have or may become victims of sexual violence, the Lanzarote Committee launched an urgent monitoring round in 2016 on protecting children affected by the refugee crisis from sexual exploitation and sexual abuse. A special report was adopted on 3 March 2017 putting forward a number of recommendations to support the implementation of the Convention with a focus as regards data collection, prevention, protection and co-operation. It also identifies promising practices to meet the challenge of better preventing and protecting children affected by the refugee crisis from sexual exploitation and sexual abuse.
- ▶ the preparation of a visit in July 2017 by a delegation of members of the Lanzarote Committee to Hungary, to assess the situation of children in the transit zones of Röske and Tompa in the south of the country, following the call made in March 2017 by the Council of Europe for Hungary to reconsider a new law that risks exposing unaccompanied asylum-seeking children to sexual violence.

96. The second edition of the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse (18 November 2016) was an opportunity for Council of Europe partners to raise awareness on this issue. Activities were carried out in 16 countries with 70 video and written statements delivered by key personalities in 23 different languages. On this occasion, 29 delegations<sup>21</sup> of the Committee of Ministers have acceded to the statement issued by the delegations of Andorra, Luxembourg, Monaco and Slovenia and reiterated their firm commitment to continuing to fight against sexual exploitation and sexual abuse so that all children can grow up safely in a healthy environment<sup>22</sup>. In Strasbourg, the Council of Europe hosted the Global Survivors' Forum organised by ECPAT International, an exhibition of drawings and testimonies of children, survivors of sexual exploitation or sexual abuse and a debate on "How to respond to a suspicion of sexual violence against a child and what happens next: how it works in France".

97. A joint side event on the occasion of the 31st session of the Human Rights Council (Geneva, 7 March 2016) organised by the UN Special Rapporteur on the sale of children, child prostitution and child pornography, in co-operation with the Council of Europe and the Permanent Mission of Lithuania, outlined concrete measures to be taken by the public and private sectors to tackle different levels of demand for sexual exploitation of children.

## 4.3. Eliminating corporal punishment

---

98. The Council of Europe's promotion of a ban on corporal punishment in all settings yielded mixed results during the reporting period. Slovenia banned corporal punishment of children in the home in October 2016 and thus became the 30th member State to ban corporal punishment of children in all settings. Part of this success can be attributed to the European Social Charter (revised) (ECSR). In March 2015, the ECSR published a decision where it found Slovenia to be in breach of the ESC as the corporal punishment of children was not prohibited in a sufficiently clear, binding and precise manner, contrary to Article 17 of the Charter. A violation of the same Article was also found with respect to Belgium, the Czech Republic, France and Ireland. In February 2017, Lithuania fully banned corporal punishment and became the 31st Council of Europe member State to ban corporal punishment.

---

20. The findings of the 1st monitoring round are the subject of two implementation reports. The 1st report, adopted in December 2015, focused on "The Framework", whilst the 2nd, will be on "The Strategies" to prevent and protect children from sexual abuse in the circle of trust.

21. Albania, Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Lithuania, Republic of Moldova, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine.

22. Doc. DD(2016)1295

99. In the framework of promoting the implementation of the ESC, the PACE held a seminar on the right of children and young people to social, legal and economic protection on 28 October in Paris, which included an exchange on possible follow-up of the above-mentioned decisions by the ECSR.

100. Following an intense societal debate on this issue in France, the French Parliament voted in December 2016 in favour of an amendment to the Bill on Equality and Citizenship, which stipulated that parents should raise their children without the use of “corporal violence”. The provision was however annulled in January 2017 by the Constitutional Council claiming that the amendment had no link, even indirect, with the original text of the Bill.

101. To support governments in their efforts to promote positive and non-violent parenting, the Council of Europe set up an online repository compiling more than 50 videos, publications, campaigns, and parenting programmes from 13 member States.

#### **4.4. Protecting children from violence in various settings and forms**

---

102. The issue of violence in schools is being addressed in a transversal manner, notably on the basis of the Charter on Education for Citizenship and Human Rights Education, by strengthening the role of the education sector. Sustainable means for addressing and preventing violence in schools have been identified in the final report of the project “Addressing Violence in Schools through Education for Democratic Citizenship and Human Rights Education”, implemented until 2016 in Greece, Hungary, Montenegro, Poland and Romania in the framework of the Council of Europe/EU Joint Programme “Human Rights and Democracy in Action”. In 2016, ECRI launched its GPR No. 15 on combating hate speech which stressed the importance of education in undermining the misconceptions and misinformation that form the basis of hate speech and of the need for such education to be directed in particular at the young.

103. Council of Europe independent monitoring mechanisms in-depth assessments have identified important gaps but also good practices aimed at protecting girls and boys against violence, covering issues related to violence against girls, domestic violence, female genital mutilation and forced marriage. In its first (baseline) evaluation procedure which has just begun, the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is addressing the situation of children who witness domestic violence, paying particular attention to the psycho-social support available to children in such situations in States Parties to the Convention. The information obtained from the first four reporting states (Albania, Austria, Denmark and Monaco) led to the examination of the issue of custody and visitation rights and the risks inherent in any arrangements made that involve the abusive parent.

104. As regards trafficking of children, the second evaluation round of the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA) paid particular attention to measures taken by States Parties to address the vulnerability of children to trafficking. Its country reports contain specific sections on measures to prevent of trafficking in children (examining awareness-raising and education programmes, training of relevant professionals, measures to ensure the registration of all children at birth, etc.) and the identification and assistance to child victims of trafficking. They refer inter alia, to the appointment of legal guardians, age assessment procedures, the availability of safe accommodation and services designed to assist the reintegration of child victims of trafficking. GRETA also carried out an urgent monitoring procedure in Italy, which revealed gaps in the detection of victims among newly-arriving migrants and unaccompanied children, and urged the authorities to mainstream prevention of trafficking in the training of all staff working with unaccompanied and separated children. GRETA’s 6th General Report (2017) dedicated a thematic section on the issue of child trafficking, based on the findings from its second round country evaluation reports which highlighted important gaps in the prevention of trafficking in children and in the identification and protection of child victims of trafficking.

105. Progress has also been made through actions addressing specific forms of violence, which involve or are directed towards children and young people, or professionals working for/with them:

- ▶ **Bullying:** the Video Clip Beat Bullying went viral with over 2 million views (English, French, Georgian and Russian versions). The Albanian version is being produced in 2017. A publication on Bullying: perspectives, practice and insights was also released in 2017.
- ▶ **Homophobic bullying:** a thematic discussion on “Ensuring the Human Rights of LGBTI children and young people” was held during the 17th meeting of the European Governmental LGBTI Focal Points Network with sessions on combating homophobic and transphobic violence and bullying, on children



in rainbow families, on young LGBTI refugees, as well as human rights challenges of intersex and transgender children and young people.

- ▶ Hate speech: the “We CAN!” manual was launched in March 2017, for educators and youth workers working with young people from the age of 13 to provide for communicative and educational approaches and tools for youth and other human rights activists to develop their own counter and alternative narratives to hate speech. Based on the principles of human rights education and youth participation, it complements the manual *Bookmarks - A manual for combating hate speech online through human rights education*, whose edition was revised in 2016. At the end of 2016, the manual was published in 13 languages and four regional training activities for activists and teachers were organised in co-operation with youth Ministries. In addition, five regional training courses of campaign partners received educational and material support. The user-generated “Hate Speech Watch” repository has also integrated new features to post arguments to counter hate speech reported through the reporting tool on [www.nohatespeechmovement.org](http://www.nohatespeechmovement.org)
- ▶ Hate speech targeting refugees and asylum-seekers: a series of educational and awareness-raising events were organised by National Campaign Committees in member States and online in connection with International Refugee Day on 20 June 2016. The campaign raised awareness of Islamophobia and other forms of religious intolerance with short articles and social media posts. In 2017, the topic will be addressed through an Action Day for countering Islamophobia and xenophobia targeting refugees on 21 September. A seminar held in May 2017 addressed anti-Semitic hate speech through human rights education, and preparations are underway for the Action Day against anti-Semitic Hate Speech (9 November).
- ▶ Sexist hate speech: an on-line background paper and a factsheet on this subject, including standards, benchmarks and indicators, have been published after a seminar on “combating sexist hate speech” (10-12 February 2016). Visibility for the Campaign around International Women’s Day (8th March) was assured in 2016 and 2017 through publication of articles and other media activities giving visibility to the work of campaign partners on countering sexism. National campaigns continue to address sexist hate speech through national and regional awareness-raising events and training courses.
- ▶ Female genital mutilation and forced marriage: in addition to the monitoring conducted by GREVIO on these issues, specific focus has also been given to the issue of female genital mutilation, through the adoption in October 2016 by PACE of Resolution 2135 (2016) on Female genital mutilation in Europe which contains a series of recommendations to ban and prevent this practice, as well as to protect women and girls. A Guide to good and promising practices aimed at preventing and combating female genital mutilation and forced marriage was adopted by the CDDH in June 2017.
- ▶ Violence in sports, including sexual violence: The Project Pro Safe Sports (PSS) of the Enlarged Partial Agreement on Sport, carried out in close co-operation with the International Olympic Committee, was recognised as a model of good practice and brought together important actors of this field who developed a tool available online and off line on a USB key “Your pass to safe sport”. A Joint project co-financed by the European Union was launched in April 2017 with the aim of raising awareness and empowering key stakeholders in the field of sport to prevent and address sexual violence against children in sport. To further the implementation of the Recommendation on the protection of child and young athletes from dangers associated with migration and support member States, EPAS is widening its network towards the countries of the South, football confederations, and the other stakeholders to organise a preparatory meeting in 2017 before a North/South Conference in 2018.

106. The Conference of INGOs of the Council of Europe brought together some 300 INGO delegates and experts during its winter session, (23-27 January 2017) to discuss several issues including education for active democratic citizenship and its impact in the struggle against radicalisation.

## **5. PRIORITY AREA 4: CHILD-FRIENDLY JUSTICE FOR ALL CHILDREN**

### **5.1. Promoting child-friendly justice**

---

107. The Council of Europe Guidelines on child-friendly justice have been actively promoted since their adoption in 2010 by the Council of Europe. To increase awareness on the Guidelines among legal professionals, the Council of Europe HELP Programme (Human Rights Education for Legal Professionals) in co-operation with the Children’s Rights Division finalised in June 2017 the development of an online training course on child-friendly justice. The course, which addresses, among others, non-judicial proceedings, deprivation of liberty, violence

against children, and migration and asylum, will be piloted in several member States under the co-operation frameworks.

108. Other organisations have also been actively promoting the Guidelines on Child-friendly justice, inter alia the European Commission and the EU Fundamental Agency (FRA). The FRA launched a report in February 2017 on 'Child-friendly justice – Experiences and perspectives of children' which examined responses from children and young people who have been victims, witnesses or parties to judicial proceedings. This report complements an earlier report "Child-friendly justice – perspectives and experiences of professionals".

109. A regional seminar "Hearing of the child in civil proceedings", organised under the auspices of the European Committee on Legal Co-operation was also held in co-operation with the Ministry of Justice in Portugal (Lisbon, 25 November 2016). This seminar provided professionals with the opportunity to exchange views and information about good practices in this respect.

110. To date, 20 Council of Europe member States have ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Albania, Andorra, Belgium, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Ireland, Italy, Liechtenstein, Luxembourg, Monaco, Montenegro, Portugal, Slovakia, Spain and Ukraine).

## **5.2. Protecting children in the context of deprivation of liberty**

---

111. International and European standards set out positive obligations for States to protect children against arbitrary detention, and set out additional measures specifically designed to safeguard their specific needs as vulnerable persons. There remain however numerous concerns about the conditions and treatment of children deprived of liberty, as set out in reports issued by the Human Rights Commissioner and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) during the reporting period. The Commissioner for Human Rights conducted a series of visits in 2016 that led to recommendations issued on the more effective protection of the human rights of children in the migration context. Advocacy for the end to the immigration detention of children was a constant theme of this period.

112. Relevant Council of Europe bodies and committees have extensively addressed in their work issues pertaining to migrant children's rights. In March 2017, the CPT restated its position in a fact sheet that every effort should be made to avoid resorting to the deprivation of liberty of an irregular migrant who is a child, and stated that member States should not detain unaccompanied or separated children.

113. With a view to ensuring effective oversight and monitoring of places where children are detained, the Council of Europe contributed to the development of two specific tools:

- ▶ the first European Guide on monitoring places where children are deprived of their liberty, prepared under the EU-funded Project "Children's Rights Behind Bars" coordinated by Defence for Children Belgium. It is also involved in the follow-up project on promoting this Guide;
- ▶ a practical training guide for parliamentarians on visiting places where children are deprived of their liberty as a result of migration procedures, in the framework of the PACE Campaign to End Immigration Detention of Children (joint project PACE / Children's Rights Division).

114. Efforts have also been directed towards the promotion of alternative measures to detention. In January 2017, the Commissioner issued a statement stressing that it is high time for states to invest in alternatives to migrant detention. He presented a five-step plan to abolish migrant detention, one key action being to set a deadline for the elimination of detention of migrant children<sup>23</sup>. A number of additional actions have been taken at parliamentary level, under the PACE Campaign to End Immigration Detention of Children. The Campaign raised awareness among parliamentarians about the damaging effect of administrative detention on children and promoted the adoption of alternative measures, which were discussed at the inter-parliamentary and national level. Parliamentary seminars were organised in the Netherlands and Switzerland, and good practices were promoted through dialogue with parliamentarians and civil society. The extension phase of the Campaign broadened activities to include the intergovernmental sector, through a joint project with the Children's Rights Division, which led to the development of a pilot training for parliamentarians and ombudspersons.

115. The Drafting Group on Migration and Human Rights (CDDH-MIG) set up by the Steering Committee for Human Rights (CDDH) analysed the legal and practical aspects of effective alternatives to detention in the context of migration, covering inter alia, the existing standards on alternatives to immigration detention as

---

<sup>23</sup> Human Rights Comment (31 January 2017) - High time for states to invest in alternatives to migrant detention, at <http://www.coe.int/en/web/commissioner/-/high-time-for-states-to-invest-in-alternatives-to-migrant-detention>.

well as other legal and practical aspects with a particular focus on vulnerable persons, especially children. The International Conference organised under the Czech Chairmanship on “Immigration detention of children: Coming to a Close?” (Prague, 25-26 September 2017) aims at raising awareness on human rights standards in this field and exchange know-how and good practices on alternatives to detention.

116. Nearly two million children in Europe have a parent in prison. Many of these children experience trauma stemming from a violent separation from their parent, social stigmas, and prejudices associated with having incarcerated parents, and violations of their rights especially to maintaining family relations. The Council of Europe Council on Penological Co-operation (PC-CP) has made progress in drafting a Recommendation on the rights of children of imprisoned parents, which is expected to be finalised by the end of 2017, together with a report describing the current situation in Europe and containing more information and data on this issue.

### **5.3. Children’s rights in the family**

---

117. Particular attention is also being paid to the assessment process of the best interests of the child in family matters. Based on a conference organised in the framework of the Belgian Chairmanship of the Committee of Ministers in December 2014, the Council of Europe published in early 2016 the book “The best interests of the child – a dialogue between theory and practice”. Featuring in this publication are different viewpoints on the concept of the best interests of the child, with a focus on its application in family law. Through the interpretations of its 21 contributors, the publication offers a solid contribution to the understanding of the concept of the best interests of child. Furthermore, the PACE is currently preparing a report on “Striking a balance between the best interest of the child and the need to keep families together”.

118. Responding to growing concerns about children’s rights in the field of biomedicine, the Committee on Bioethics (DH-BIO) took forward work to analyse the relevance of existing international and European legal principles to address the challenges posed to the rights of the child by scientific and technological developments in biomedicine. This led to the publication of a first study on *The Rights of Children in Biomedicine: Challenges posed by Scientific Advances and Uncertainties* (January 2017), followed by a complementary second study *From law to practice: towards a roadmap to strengthen children’s rights in the era of biomedicine* (June 2017), which proposes possible avenues for further actions. Both studies will contribute to the preparation of the international conference marking the 20th anniversary of the Oviedo Convention (24-25 October 2017), organised under the Czech Chairmanship of the Committee of Ministers.

## 4. CONCLUSION: CHALLENGES AND TAKING IMPLEMENTATION FORWARD

---

119. This first report provides an insight into main actions and progress to date in the implementation of the Strategy, illustrating the transversality of this Strategy and the impact of the coordination and mainstreaming efforts both within the Organisation and in member States. In the reporting period, there were clearly a number of developments and areas where the respect and implementation of children's rights fall short of the obligations set out under global and Council of Europe standards. This calls for increased efforts to be undertaken by the Organisation in co-operation with member States, in line with the priorities set out under the Strategy, as complemented by other Council of Europe thematic action plans.

### ■ *Equal opportunities*

120. The rights of children to appropriate social, legal and economic protection and support continue to be negatively affected by the economic crisis and austerity measures in member States. Child poverty is a risk factor for many other issues addressed in the Strategy such as violence, lack of participation, access to education and access to justice. The effective enjoyment of social rights provides the basis for ensuring the respect of a child's human dignity. The European Social Charter (revised) provides clear benchmarks in protecting the social rights of children and their families. Its ratification and effective implementation as well as the wider acceptance of the collective complaints procedure would therefore be an important step in erasing child poverty and with it, many other violations of children's rights. In order to provide states with tools to support the fight against child poverty, it is proposed in the terms of reference for the next biennium that the CAHENF develops work in the area of child budgeting and child impact assessment.

121. As regards discrimination of children, a key challenge both for the Council of Europe and for member States is to avoid "departmentalisation" and thinking in silos of vulnerable groups. Rather, a reciprocal mainstreaming approach should be taken by those working on children's rights as well as by those working on the rights of specific groups that are subject to discrimination. In the field of disability, for instance, this would mean to "put the children's rights glasses on" in all work regarding disability issues and to bear potential disability issues in mind in all work concerning children. Concretely, this means for example that children with disabilities should be represented in all participation activities where children are directly involved. In addition, the special needs of children with disabilities need to be kept on the radar, for example, in the work regarding refugee children, violence against children and children's rights in the digital environment.

122. Bearing in mind recent reports on serious abuses of children in care in several member States, it is important for the Organisation to support states in upholding the human rights of children without parental care, whether in foster care, a residential institution or other types of care, and in particular, to devote special attention to the situation of children with mental health issues or disabilities.

### ■ *A life free from violence*

123. In this area, the gap between legal frameworks and reality remains wide, as evidenced by existing research, and outcomes of relevant monitoring bodies. State accountability needs to be at the centre of any strategy to tackle such violence. This includes action in areas where the State has direct responsibility, such as in schools – where corporal punishment still remains legal in some countries and practised in others, or in residential institutions; in systems of juvenile justice. A strengthened focus should be placed on its accountability in responding to violence in the family, with efforts made to shed light on this issue, and challenge the social norms, behaviours and attitudes that condone and play a role in perpetuating such violence.

124. CAHENF's work in this area, building on the outcomes of the relevant monitoring bodies, could have a real added value. Furthermore, CAHENF should explore in the next biennium how Council of Europe standards and tools, such as the Policy Guidelines on Integrated National Strategies to protect Children from Violence, can help member States to design actions, set benchmarks and agree on indicators for their efforts to achieve SDG Target 16.2 to end abuse, exploitation, trafficking and all forms of violence and torture against children and support them in the implementation of actions to end all forms of violence against children by 2030.

125. The Strategy identified radicalisation of children and youth as an issue of concern taking into consideration also the role of the Internet and the social media to advocate hate speech, radicalisation and terrorism among young people. It stressed the need for action to prevent children from being recruited by extremist groups, and to identify measures aimed at providing for the prevention of radicalisation leading to terrorism of children and young adults in general, and as necessary the de-radicalisation of such persons, paying particular attention to the children of returned foreign terrorist fighters, or young adults who have themselves gone abroad for the purpose of terrorism and since returned. In line with the measures set out in the Action Plan "The fight against violent extremism and radicalisation leading to terrorism", further actions will be considered and activities implemented to strengthen the education for tolerance, respect for human rights and intercultural dialogue.

### ■ *Child-friendly justice*

126. The Action Plan on Protecting Refugee and Migrant Children in Europe (2017-2019) includes a large number of actions to protect and safeguard children's rights in migration. Its review will coincide with the mid-term review of the Strategy for the Rights of the Child. Securing adequate extra-budgetary funding for the action plan will be crucial in order to deliver it, and as such have a meaningful contribution towards the objectives of the Strategy.

127. Further advocacy actions are necessary in a number of member States to improve access to rights and procedures for children in migration, coupled with targeted capacity building measures aimed at relevant professionals working with and for children, including legal professionals. Specific attention should be given to the situation of unaccompanied teenagers who as such constitute a vulnerable group. Children whose age is being disputed are frequently arbitrarily detained in immigration detention centres. Limited access to asylum procedures, including due to lack of adequate information, often results in the extension of detention periods, while many such cases remain unreported or unchallenged. For all children fleeing conflict, including those who are escaping persecution, trafficking or sexual exploitation, this is an extremely damaging experience. Broadening the scope of the PACE campaign to end immigration detention of children to involve more actively governments and reach out to other stakeholders seems therefore timely. Work in this field could also contribute to the United Nations global study on children deprived of liberty.

### ■ *Rights of the child in the digital environment*

128. As regards children's rights online, the Council of Europe stands strong on standard setting, monitoring, and awareness-raising. A worrying development in Europe is the use of digital social media for anchoring stereotypes and hate speech impacting children. This concerns in particular children who are perceived as "different" such as children with disabilities, children with migration background, children from minorities, Roma children, LGBTI children, or children in conflict with the law. Stereotyped reporting in the media and the viral spreading of unchecked information and fake news through social networks and regular media can negatively impact the way in which these children are treated and increase society's resistance to invest in the protection of those children.

129. Furthermore, it will be important to closely follow new technological developments and how they affect children's rights, in particular privacy issues arising as a result of processing and collection of personal data, but also through the monitoring of children's Internet use at schools or through the collection of health-related data for insurance purposes.

130. Efforts to support the effective implementation and use of existing standards are clearly necessary. Given the important challenges in areas such as digital citizenship education, digital parenting and child safety online, more targeted co-operation activities could be undertaken in the future to effectively protect children's rights online. Co-operation with and outreach to the private sector will also be crucial in the coming years.

#### ■ *Participation*

131. An important challenge in the area of child participation is to ensure the representation of children from various backgrounds, geographic regions and ages. For obvious practical reasons, the Council of Europe's direct engagement is usually with children who can speak English or French, have a good educational background, and are between 12 and 17 years old. It has usually been possible to ensure a wide geographic distribution and the inclusion of children with disabilities, from alternative care or with migration background. However, younger children and children who do not speak one of the official languages have so far not been directly involved. More efforts need therefore to be undertaken to reach out to children wherever they are located, ideally through national or local bodies and organisations. The mid-term evaluation of the Strategy in 2019 will constitute a timely opportunity to do so.

#### ■ *Delivering the strategy*

132. The Organisation is committed to deliver this Strategy through a continued focus on implementation of existing standards, partnerships, communication and evaluation. Resources have been concentrated on the implementation of existing standards, with a focus on the practical implementation of legal and political commitments, as well as the promotion of the understanding of child rights as a horizontal issue, impacting on all policy agendas, and requiring multi-level co-operation between relevant stakeholders in order to deliver results.

133. The work of the CAHENF and other committees demonstrated that there remains a need to develop more opportunities for good practice sharing and peer to peer support between member States in the area of child rights. Practical support to mainstream children's rights at the operational level and strengthen the level of expertise and capacity in member States should be a priority for the co-operation activities, including through extra-budgetary resource mobilisation.

134. The progress of this 6 year Strategy will be evaluated against its objectives, with reference to the expected impact, outcome and output set for each priority area. The CAHENF will play a key role in the mid-term evaluation which should be carried out after three years, under the guidance of member States and other relevant stakeholders, including children.

## APPENDIX I. LIST OF ACRONYMS

■ CAHENF	Ad hoc Committee for the Rights of the Child
■ CAHENF-IT	Drafting group of specialists on children and the digital environment
■ CAHENF- Safeguards	Drafting Group of Experts on Children’s Rights and Safeguards in the context of migration
■ CAHROM	Ad hoc Committee on Roma Issues
■ CBSS	The Council of Baltic Sea States
■ CEB	Council of Europe Development Bank
■ The Congress	Congress of Local and Regional Authorities of the Council of Europe
■ CRC	UN Committee on the Rights of the Child
■ DCE	Expert group on Democratic Citizen Education
■ DH-BIO	Committee on Bioethics
■ ECSR	European Committee for Social Rights
■ ECRI	European Commission on Racism and Intolerance
■ EPAS	Enlarged Partial Agreement on Sport
■ FRA	Fundamental Rights Agency of the EU
■ GRETA	Group of Experts on Action against Trafficking in Human Beings
■ GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
■ HELP Programme	Council of Europe Human Rights Education for Legal Professionals
■ ICT	Information and Communication Technologies
■ LGBTI	Lesbian, gay, bisexual, transgender and intersex
■ PC-CP	Council of Europe Council on Penological Co-operation
■ SRSG	The Special Representative of the Secretary General

[www.coe.int](http://www.coe.int)

