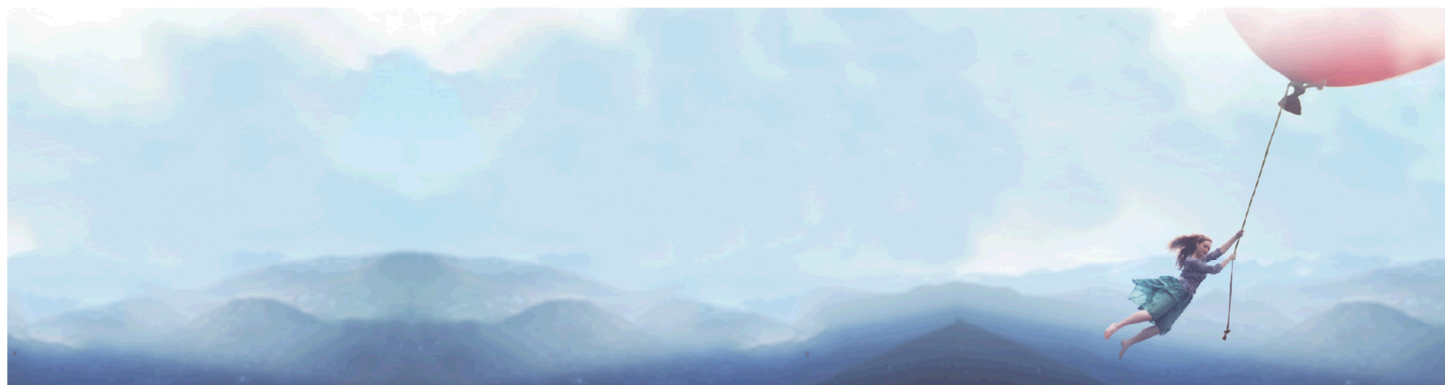




Reaching the heights for the rights of the child

Council of Europe Strategy for the Rights of the Child 2016-2021

High-Level Launching Conference

Sofia, 5-6 April 2016

Statements

Mr Nils Muižnieks

Commissioner for Human Rights
Council of Europe

I welcome the adoption of a new Council of Europe strategy on children's rights, which focuses on key issues for the protection of children's rights (equal opportunities for all children, participation, ensuring a life free from violence, access to child-friendly justice, rights of children in the new digital environment). The Council of Europe continues to play a key role in establishing standards and guidance for member states on children's rights, such as the Guidelines on child-friendly justice, but also in raising awareness and promoting cooperation on main issues that deserve the attention of governments, through the Strategy.

I have focused on children's rights in five out of the nine reports I published in 2015, following country visits (Bulgaria, France, Norway, Serbia and Slovakia). Several of the challenges I have raised during these country visits are covered in the Strategy. Allow me to go through some of these:

Human rights of children in migration and asylum: we have all seen dreadful images of children on boats in the Mediterranean or sleeping rough on their way to Northern Europe. We have recently heard from Europol that around 10 000 unaccompanied migrant children are estimated to be missing after arriving in Europe. This situation highlights a number of gaps in the legislation and policies of member states that need to be urgently filled:



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- providing protection to refugee children on the move, notably shelter, food, health care; protecting these children from violence and revictimisation;
- access to asylum procedures: children need to be recognised as subjects of asylum and other migration procedures; there is a need to train staff of migration and asylum administrations
- The need for providing more support to the work of child rights ombudspersons and other independent human rights institutions involved in protecting children's rights;
- Unaccompanied minors: guardianship and other protection and support systems must be strengthened; age-assessment procedures must be more respectful of human rights;
- Detention: children should never be placed in detention on grounds of their or their parents' migratory status;
- Statelessness: a large number of refugee children, especially Syrians, born on the way to countries of refuge face a high risk of becoming stateless. Measures should be taken in the country of refuge or those of transit to prevent statelessness of these children

The next stage for refugee children is **integration in the countries of asylum**: this question is going to be a major challenge for member states in the near future. One key tool to promote effective integration is education. Migrant and refugee children need to have access to quality education on an equal footing with all other children. Inclusive education should urgently be promoted to promote integration of foreign children but also enhance the capacity of non-migrant children to live in and cope with an increasingly diverse society. I have since 2012 insisted on the need to end school segregation of entire groups of children, in particular children of Roma origin and children with disabilities and promote their inclusion in mainstream education. The importance of developing truly inclusive education system is even more urgent now that many refugee children are going to enter education systems.

Another issue of deep concern to me is the persisting high rates of **institutionalisation of children** in several member states, on grounds of a disability, lack of parental care, socio-economic background and even ethnic origin in some cases. Growing in an institution is not in the child's best interests, contrary to what has long been stated by many. It condemns children to a life of segregation, marginalisation from society and stigmatisation. Moreover, it prevents them from acquiring early on life skills that one develops through contact with others, be it at school or any other daily life situation. I have dealt with this issue in several of my country visits and ensuing reports, including during my visit to Bulgaria in early 2015. Here I found out that, despite policies aimed at limiting institutionalisation of children, too many children with disabilities, children deprived of parental care or Roma children are still placed in institutions. Their parents are still too often told that it is in the best interests of the child. In Bulgaria, like in many other countries, evidence shows that the primary reason for admission to institutions is poverty. However, I was also concerned to learn that Roma children are much more vulnerable to separation from their parents and ensuing institutionalisation than other children. I welcome the fact that the Bulgarian authorities closed down, two months ago, the last of its large institutions for children with disabilities where so many human rights of children have been violated. I strongly encourage the authorities to continue to effectively implement their national strategy for

deinstitutionalisation while, at the same time, stepping up efforts to avoid the risk of re-institutionalisation of children in smaller residential settings, notably by strengthening the child protection system and reinforcing support to families.

Lastly, I would like to highlight an issue with which I started my mandate in 2012: **the impact of the economic crisis and austerity measures on human rights**, and in particular on the rights of children. My reports on Portugal, Spain, Estonia and the Netherlands were partly devoted to this topic. More recently, I raised this issue in Cyprus, during a visit which took place in December 2015: According to a UNICEF Report of 2014, the child poverty rate in the country increased from 14% in 2008 to 16.7% in 2012, placing Cypriot children among the most severely materially deprived in Europe. Consequently, one in four children was at risk of poverty or social exclusion in 2014. In Spain, this rate is of one in three children and child poverty continues to increase. According to national data of 2014, the age group 0-17 is the most affected by poverty while public investments in childhood policies have decreased by almost 15% since 2010. In Portugal, a 2015 report by Caritas indicates that about 25% of children are at risk of poverty and social exclusion and that public expenditure to support families with children has decreased by 30% since the beginning of austerity measures. This issue deserves serious attention by governments. They cannot only rely on economic recovery to remedy child poverty. There is a need for proactive policies addressing child poverty, and children in general, so as to strengthen protections against poverty and exclusion. Education systems have also suffered from severe budgetary cuts, which can but have very negative effects in the long-term. The setting up of inclusive educational system, to which all children can equally have access, also requires stronger and better resourced policies.

I will continue to devote particular attention to these and other child rights challenges.

I encourage all of you to support, in your respective capacities, the implementation of the new strategy for the rights of the child. I wish you a fruitful conference.