



Building a Europe
for and with children
Construire une Europe
pour et avec les enfants



Strasbourg, 14 October 2022
CDENF(2022)27

Steering Committee for the Rights of the Child (CDENF)

Proposal for a methodology to conduct implementation reviews of Committee of Ministers' Recommendations

Document prepared by the CDENF Secretariat and examined by the Bureau at its 9th meeting (26 September 2022) for review and approval by the CDENF at its 6th Plenary meeting (15-17 November 2022).

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Background and CDENF Bureau action required

1. Under its current [Terms of Reference \(2022-2025\)](#) the CDENF is instructed by the Committee of Ministers to review the implementation of the following Committee of Ministers' recommendations:

- [Recommendation CM/Rec\(2019\)11](#) on effective guardianship for unaccompanied and separated children in the context of migration, by 31/12/2023;
- [Recommendation CM/Rec\(2009\)10](#) on Council of Europe policy guidelines on integrated national strategies for the protection of children from violence, including the development of model prevention approaches, by 31/12/2024
- [Guidelines on child-friendly justice](#) (and development of further guidance), by 31/12/2025
- [Recommendation Rec\(2005\)5](#) on the Rights of children living in residential institutions, by 31/12/2025.

2. Other Committee of Ministers' Recommendations also foresee the examination of their implementation at periodic intervals. That is the case of [Recommendation CM/Rec\(2018\)7](#) of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment, which foresees an implementation review every five years.

3. With the aim of streamlining the process of implementation review and follow-up of national action taken in fulfilment of Council of Europe standards, the following methodology is proposed. The present document includes a draft outline, illustrating the steps to be followed for conducting implementation reviews of Committee of Ministers' Recommendations and should serve as a guide for the CDENF to carry out implementation reviews, while remaining flexible and adaptable to the specific subject matter and procedural features of each Recommendation. As appropriate, the CDENF may have recourse to external consultants to support this process (subject to the provisions of the resolution Res(2004)25[3] on service contracts of consultants and within the limits of budgetary appropriations).

Draft generic outline for the review of the implementation of Council of Europe standards

- I. **Executive Summary**
- II. **List of Annexes**
- III. **Introduction and background of the review**
 - a. Brief description of the Recommendation
 - b. Importance of the review: time passed since adoption, relevance of the topic, etc.
 - c. Instruction by the Committee of Ministers to undertake the implementation review
 - d. Methodology to be followed (options: questionnaire/survey, desktop research, literature review, thematic CDENF hearings, fact-finding visits, structured interviews etc.)
 - e. Objectives of the review
- IV. **Impact assessment of the implementation of the principles of the Recommendation in member States** [the content of this assessment will vary according to the specific Recommendation]
 - a. Concepts and terminology
 - b. Overarching implementation measures (reforms to the legal and policy framework)
 - c. Promising practices from member States or other stakeholders in implementing the Recommendation (taking into account in particular geographical distribution, and, where relevant, legal systems)
 - d. Obstacles and limitations in the implementation of the Recommendation
 - e. Stakeholders and professionals involved in the implementation
 - f. Cross-cutting issues: gender-equality, anti-discrimination, and child participation
 - g. Transnational co-operation
 - h. Capacity-building measures and procedures developed at national level to support practitioners
 - i. Impact of the Recommendation based on evidence
 - j. Others
- V. **Conclusion and next steps**
 - a. Recommendations for law and policy makers at national, regional and local levels to improve the implementation of the Recommendation in member States
 - b. Recommendations for further action at the Council of Europe level [where relevant]
 - c. Suggestion of options for collaboration with civil society
- VI. **Annexes** (with responses to the questionnaires, tables compiling information, etc.)