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COUNCIL OF EUROPE



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Steering Committee for the Rights of the Child (CDENF)

Sixth plenary meeting Meeting Report

Strasbourg, 15-17 November 2022

Prepared by the Children's Rights Division

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Meeting Report

1. Opening of the meeting

1. The Steering Committee for the Rights of the Child (CDENF) held its 6th plenary meeting in Strasbourg on 15-17 November 2022, with Rosário Farmhouse (Portugal) in the Chair.

2. The Chair welcomed all members, participants and observers to this meeting, which was the first in-person meeting since the beginning of the COVID-19 pandemic. She welcomed the new members of the CDENF and highlighted that the meeting would be notably dedicated to the examination of the draft Recommendation on strengthening reporting systems on violence against children as prepared by the Working Group on responses to violence against children (CDENF-GT-VAE), providing guidance to the two subgroups, namely the Committee of Experts on the Best Interests of the Child in Parental Separation and Care Proceedings (CJ/ENF-ISE) and the Drafting group on child participation on matters regarding their health (BIO-ENF-CP), and the exchange with consultants on new activities.

2. Adoption of the agenda and order of business

3. The CDENF adopted its agenda as it appears in Appendix I. The list of participants appears in Appendix II.

3. Approval of the draft meeting report of the 5th Plenary meeting (4 – 6 July 2022)

4. The CDENF approved the draft meeting report of its 5th Plenary meeting held on 4-6 July 2022.

4. Statement of the Chair and Secretariat

5. The CDENF took note of the practical information provided by the Chair and the Secretariat. Jeroen Schokkenbroek, Director of Anti-Discrimination, expressed satisfaction regarding the return of in-person intergovernmental co-operation. He reminded the CDENF of the ongoing risks and consequences of the war in Ukraine that is seeing immediate unprecedented effects on the lives of children. He further expressed his gratitude to the Icelandic Presidency of the Committee of Ministers on their decision to host the Council of Europe's fourth Summit of Heads of State and Government on 16 and 17 May 2023 in Reykjavik, which would be an opportunity to reaffirm the mission of the Council of Europe to defend democracy and human rights as Europe's most valuable assets, including in crisis situations. He also welcomed the Icelandic presidency's focus on the rights of children, and their support and promotion of the work of the CDENF, the Lanzarote Committee and cooperation projects, including on the implementation of the Barnahus model.

6. Regina Jensdottir, Head of the Children's Rights Division, informed of the opportunity to second a children's rights expert to join the CDENF Secretariat, with a view of implementing the Council of Europe Strategy for the Rights of the Child (2022-2027), notably in the areas of child-friendly justice and access to and safe use of technologies for children with applications to be submitted before 31 December 2022.

5. Review of progress (updated CDENF workplan)

7. The CDENF reviewed the progress achieved and approved the updated CDENF workplan, subject to any adjustments to be made in view of the joint guidance to be issued by the CDENF and the European Committee for Legal Cooperation (CDCJ) with regard to the work of the Committee of Experts on the Rights and the Best Interests of the Child in Parental Separation and in Care Proceedings (CJ/ENF-ISE).

6. Implementation of the Council of Europe Strategy for the Rights of the Child (2022–2027)

6.1 Presentation of the Promotional Video and of the child-friendly version of the Strategy

8. The CDENF took note of and welcomed the promotional video of the Strategy. It also heard a presentation of the child-friendly version of the Strategy, including the methodology deployed by Zsuzsanna Rutai, the consultant having prepared the document. Through an online format, the CDENF heard directly from the young delegates who were consulted throughout the various stages in the creation of the leaflet, and who briefed the CDENF on their participation, the challenges faced and overcome throughout the consultation, and on their expectations for the future implementation of the Strategy.

9. In the discussion that followed, delegations expressed their appreciation of and congratulated the work conducted by the young delegates, highlighting the importance of child consultations to make the Strategy more accessible and accountable towards children.

6.2 Update on recent developments in member States

10. The Chair warmly thanked CDENF Delegations for the information provided as a reply to the questionnaire on recent developments and noted that it would inform the Children's Rights Division contribution to the Secretary General's upcoming Annual Report on the State of Democracy, Human Rights and the Rule of Law and for the first Implementation Report of the Strategy for the Rights of the Child (2022-2027).

11. The CDENF briefly exchanged on some recent national activities presented by delegations.

6.3 Presentation of implementation tools facilitating the follow-up of and reporting back on the Strategy (“operational documents”)

12. The CDENF took note and expressed appreciation of the operational documents and tools that had been prepared and are in the process of being prepared by the Secretariat, as foreseen by the Strategy, to facilitate its follow-up and reporting on its implementation.

13. The CDENF entrusted its Bureau to reflect on the frequency of questionnaires circulated within the CDENF to inform substantive activities towards the implementation of the Strategy.

6.4 Strategic Objective 1: Freedom from violence for all children

6.4.1 Draft Recommendation and draft Explanatory Memorandum on strengthening reporting systems on violence against children (CDENF-GT-VAE)

15. The CDENF examined and revised the draft Recommendation in the light of comments received before and raised during the meeting, and agreed on a number of changes, notably in order to accommodate the obligations of decentralised local authorities and of private organisations and to strengthen the reference to online forms of violence against children. The CDENF also agreed to include further elaborations in the Explanatory Memorandum on the applicability of sanctions for non-compliant professionals and volunteers; waivers of confidentiality rules and professional secrecy; and round-the-clock access to reporting systems for professionals. Following the deliberation, the CDENF agreed that the draft Recommendation, as revised during the meeting, was mature enough to be sent for approval through written proceedings and instructed the Secretariat to circulate the revised draft with a deadline for approval by 12 December 2022.

16. The CDENF agreed to submit any last comments to the draft Explanatory Memorandum by 12 December 2022 and instructed the Secretariat to finalise the text on this basis and to submit it to the

CDENF Bureau prior its circulation to the CDENF for adoption through written proceedings. Both documents would be later submitted together to the Committee of Ministers in 2023.

6.4.2 Committee of Experts on the prevention of violence (ENF-VAE)

17. The CDENF instructed the Secretariat to launch a call for experts with the competences described in the Terms of Reference the new Committee of Experts on the prevention of violence (ENF-VAE) and entrusted its Bureau to pre-select eight experts following the call, according to criteria of expertise and professional experience, as well as consideration for geographical balance and variety of legal systems, for approval of the list of members of the ENF-VAE by the CDENF at its 7th plenary meeting.

6.5 Strategic Objective 2: Equal opportunities and social inclusion for all children

6.5.1 Initiating the CDENF activity on mental health

19. The CDENF took note of the presentation delivered by Jameson Garland, consultant, outlining the methodology of the upcoming mapping study on children's access to quality mental health care, reflecting on some key areas to be addressed, including the protection of children's rights and access to remedies in healthcare; mental health education in families; digital spaces; the protection of vulnerable groups; and crisis management.

20. The CDENF exchanged with the consultant regarding the scope of the mapping study and of the questionnaire that will be circulated, including on existing good practices, and on pertinent issues relevant to children's mental health. The CDENF agreed on the new provisional timeline of the proposed activity.

6.6 Strategic Objective 3: Access to and safe use of technologies for all children

6.6.1 Initiating the CDENF activity on artificial intelligence

21. The CDENF heard a presentation by Vasiliki Charisi, consultant, on artificial intelligence and children's rights, including on topics such as the metaverse, the impact of artificial intelligence on children's cognitive development and the relevance of consulting children on these issues. The CDENF exchanged with the consultant on the scope of the upcoming study, which will build on existing Council of Europe standards, include national initiatives on the subject matter and explore opportunities for the prevention and better investigation of online child sexual exploitation and abuse. The CDENF agreed on the new provisional timeline proposed for this activity.

6.7 Strategic Objective 4: Child-friendly justice for all children

6.7.1 Committee of Experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE)

22. The CDENF took note of the outcome of:
- a. the international conference "Hear our voices – Rights and determination of the best interests of the child in parental separation and in care proceedings", organised under the auspices of the Irish Presidency of the Committee of Ministers, held in Dublin, Ireland on 3 October 2022;
 - b. the hearing of stakeholders held on 4 October 2022;
 - c. the targeted child consultations carried out in 2022 in three member states (Hungary, Italy and Portugal); and
 - d. the meeting report of the 6th meeting of the CJ/ENF-ISE (CJ/ENF-ISE(2022)PV2) held on 4-5 October 2022.

23. The CDENF heard an update of the current state of play of the draft Recommendation on the protection of the best interests of the child and his/her rights in parental separation and in care proceedings, from the CJ/ENF-ISE Chair, Thomas Knoll-Biermann, and Vice-Chair, Stéphanie Hebrard. In light of the information provided, the CDENF examined the draft Recommendation and agreed that,

considering the individual and unique complexities of both parental separation and care proceedings respectively, in particular, on how the principle of the best interest of the child is engaged, and the different parties and professionals involved, the drafting process under the CJ/ENF-ISE mandate should proceed on the basis of two separate draft Recommendations.

24. The CDENF instructed the Secretariat, subject to the decision to be taken by the CDCJ at its upcoming plenary meeting, to:

- a. Revise the workplan of the CJ/ENF-ISE (and of the CDENF) in view of the joint guidance issued by both Committees, thereby ensuring one draft legal instrument would be finalised by the CJ/ENF-ISE for approval by the Steering Committee by the end of 2023 and the second Recommendation by the end of 2024;
- b. Inform the Committee of Ministers of the need to extend the mandate of the CJ/ENF-ISE until the end of 2024 (to finalise the other deliverables).

25. In case of divergent decisions by the CDENF and CDCJ, the CDENF instructed the Secretariat to prepare a joint meeting of the Bureaus of CDENF and CDCJ to issue joint guidance on a way forward, as requested by the CJ/ENF-ISE.

6.7.2 Mapping study on the implementation and development of Barnahus structures in Europe

26. The CDENF heard a presentation by the Secretariat and Daja Wenke, consultant, on the upcoming mapping study on the implementation and development of Barnahus structures in Europe. The study, prepared thanks to a voluntary contribution by the Icelandic government, aims to consolidate the knowledge on the use of Barnahus or similar structures, in order to create a resource for states that wish to implement the model or to improve their existing structures.

27. The CDENF took note of the forthcoming questionnaire that will be used to gather information on national experiences with Barnahus or other multidisciplinary interagency structures in each member State.

6.8 Strategic Objective 5: Giving a voice to every child

6.8.1 Guide on the participation of children in the decision-making processes on matters regarding their health (BIO/ENF-CP)

28. The CDENF took note of the information provided by the Co-Chair of the group of Experts, Joos Van Haelst (Belgium), on the progress achieved by the Drafting Group on Developing a Guide to good practice concerning the participation of children in the decision-making process on matters regarding their health (BIO/ENF-CP), as presented by Annagrazia Altavilla, consultant, and the Secretariat of the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO). The presentation included information of the methodology and steps undertaken in consultation with a mixed group of children and selected stakeholders. These consultations have highlighted several outcomes, including of children's appreciation for positive reassurance throughout medical processes and procedures, and for medical professionals to ensure children are adequately informed.

29. The CDENF expressed appreciation of the progress achieved by the Drafting Group.

6.8.2 Initiating the CDENF activity on children as defenders of human rights

30. The CDENF took note of the presentation on the upcoming CDENF report on children as defenders of human rights and exchanged with Alex Conte, consultant from Child Rights Connect, on the scope and methodology of the upcoming study, which aims to serve as a baseline for member States on how to respond to the challenges faced by children as human rights defenders. The presentation pointed to the obstacles, reprisals and consequences children face both offline and online as defenders of human rights, and highlighted the need to pay better and careful attention to children's lived experiences as human rights defenders, including through children consultations.

31. The CDENF appreciated the progress achieved in initiating the study and agreed on the new provisional timeline proposed, whereby a questionnaire will be dispersed to delegations in early 2023.

6.9 Strategic Objective 6: Children's Rights in Crisis and Emergency Situations

32. The CDENF instructed the Secretariat to collect, via the next questionnaire on the implementation of the Strategy for the Rights of the Child (2022-2027), information from member States on the situation of children in relation to the current energy and economic crisis occurring in Europe and on the measures that have been taken by governments to counteract the negative effects of the crisis.

6.9.1 Initiating the Implementation review report of Recommendation CM/REC(2019)11 of the Committee of Ministers on effective guardianship for unaccompanied and separated children in the context of migration

33. The CDENF took note of the information presented by the Secretariat and agreed on the general working methods proposed for the implementation review of Committee of Ministers Recommendations.

34. The CDENF instructed the Secretariat to proceed with preparing the review of the implementation of Recommendation CM/Rec(2019)11 on effective guardianship for unaccompanied and separated children in the context of migration on this basis, including by associating relevant partners, and provided further guidance.

7. Transversal Issues

35. The CDENF was reminded that the three transversal dimensions related to the Strategy (gender equality, anti-discrimination, and child participation), would be given the necessary attention throughout the implementation of activities.

8. Co-operation with relevant Council of Europe bodies and other organisations

36. The CDENF heard and took note of the presentations by the representatives of the following bodies and organisations, who gave updates on their respective activities:

- a. Parliamentary Assembly of the Council of Europe (PACE);
- b. Secretariat of the Committee of the Parties on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee);
- c. European Steering Committee on Youth;
- d. EUROCHILD; and
- e. Child Rights international Network (CRIN).

9. Co-operation projects

9.1 Presentation on the Andorran National Action Plan for Children and Adolescents

37. The CDENF heard a presentation on and welcomed the Andorran National Action Plan for Children and Adolescents developed in the framework of a Council of Europe cooperation project as delivered by Jordi Olivé Cadena (Andorra). The presentation highlighted key aspects of the participation process with children, where several consultation activities took place according to different age groups and reflected on the challenges that were faced and overcome during the process. The Action Plan lays out several engagements and commitments by Andorra, including ensuring that children are able to exercise their rights and have their rights protected; are given equal opportunity for growth and development; live in an environment that is safe and secure; and spend quality time with their families and friends.

38. The CDENF warmly thanked the Andorran delegate for his presentation and exchanged on aspects concerning the budgetary and on how the methodology, developed in partnership with the Council of Europe, was adapted for different groups of children throughout the child participation process.

9.2 Update on co-operation projects within the Children's Rights Division

39. The CDENF heard presentations by the Secretariat of the ongoing projects on child participation, child-friendly justice and fighting violence against children, including:

- a. CP4Europe – Strengthening National Child Participation Frameworks and Action in Europe (2021-2023);
- b. Juvenile justice in Slovenia (2021-2023);
- c. Ensuring child-friendly justice through the effective operation of the Barnahus-units in Finland (2021-2024);
- d. Strengthening child-friendly justice through effective co-operation and coordination among different Barnahus-type services in the regions of Spain (2022-2024);
- e. Support to the implementation of the Barnahus model in Ireland;
- f. Norway Grant/EEA Project on Support for Barnahus implementation in Latvia (advisory role by the Children's Rights Division);
- g. Andorran National Action Plan on Children and Adolescents (finalised);
- h. Combatting Violence Against Children in Ukraine (2022);
- i. Combatting Violence Against Children in Moldova (2022-2023); and
- j. Combatting Violence Against Children in Georgia (2022-2023).

10. Evaluation of completed activities

40. The CDENF welcomed the adoption, by the Committee of Ministers, on 23 February 2022, of the Council of Europe Strategy for the Rights of the Child (2022-2027) and its launch at the High-Level Conference in Rome on 7-8 April 2022; the approval of the draft Recommendation on Human Rights Principles and Guidelines on age assessment for children in the context of migration by the CDENF and the adoption of the Explanatory Memorandum of Recommendation CM/Rec(2019)11 on Effective guardianship for unaccompanied and separated children in the context of migration at the 5th plenary meeting.

41. The CDENF emphasised that the future priorities of the Council of Europe should be guided by the Strategy for the Rights of the Child (2022-2027).

11. Opinions requested by the Committee of Ministers

42. No requests for opinions by the Committee of Ministers had reached the CDENF in advance of this meeting.

12. CDENF Working Methods

43. The CDENF instructed the Secretariat to provide an overview and provisional timeline of upcoming questionnaires to be completed by national delegations in the course of 2023, and to try to well coordinate upcoming surveys, so as to avoid an overburden of requests for national delegations.

13. Appointments of Rapporteurs and Representatives

13.1 Appointment of up to four Rapporteurs on mainstreamed perspectives

44. The CDENF appointed Stéfanía Chiru (France) and Panagiota Margaroni (Greece) as Gender Equality Rapporteurs.

45. The CDENF postponed the appointment of a Rapporteur for new technologies, including artificial intelligence, to later appointment possibly in written proceedings.

13.2 Appointment of representatives to external events

46. The CDENF designated Teodora Ivanova (Bulgaria) to represent the CDENF at an event organised by the Council of Europe's Roma and travellers' team under the ROMACT program on 12 December 2022 in Sofia.

14. Any other Business

47. Participants did not raise any additional issues.

15. Date and place of next meetings

48. The CDENF took note of the following dates of the upcoming meetings:

- **10 February 2023** (Paris, tbc): 8th CDENF Bureau meeting;
- **28-30 March 2023** (in person): 7th CDENF plenary meeting, followed by an international Conference on integrated Child protection systems organised by the Icelandic Presidency of the Committee of Ministers in Reykjavík (location tbc).

16. Approval of the abridged meeting report

49. The CDENF agreed to adopt the abridged report by written procedure after the meeting.

AppendixAgenda

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1. **Opening of the meeting**

 2. **Adoption of the agenda and order of business**

 3. **Approval of the meeting report of the 5th Plenary meeting (4 – 6 July 2022)**

 4. **Statement of the Chair and Secretariat**

 5. **Review of progress (updated CDENF workplan)**

 6. **Implementation of the Council of Europe Strategy for the Rights of the Child (2022–2027)**

 - 6.1 **Presentation of the Promotional video and of the child-friendly version of the Strategy**

 - 6.2 **Update on recent developments in member States**
Agenda item for information only, without oral exchange

 - 6.3 **Presentation of implementation tools facilitating the follow-up of and reporting back on the Strategy** (referred to as “operational documents” in the Strategy)

 - 6.4 **Strategic Objective 1: Freedom from violence for all children**

 - 6.4.1 **Draft Recommendation and draft Explanatory Memorandum on strengthening reporting systems on violence against children (CDENF-GT-VAE)**

 - 6.4.2 **Committee of Experts on the prevention of violence (ENF-VAE)**

 - 6.5 **Strategic Objective 2: Equal opportunities and social inclusion for all children**

 - 6.5.1 **Initiating the CDENF activity on mental health**

 - 6.6 **Strategic Objective 3: Access to and safe use of technologies for all children**

 - 6.6.1 **Initiating the CDENF activity on artificial intelligence**

 - 6.7 **Strategic Objective 4: Child-friendly justice for all children**

 - 6.7.1 **Draft Recommendation on the protection of the best interests of the child and his/her rights in parental separation and/or care proceedings (CJ/ENF-ISE)**

 - 6.7.2 **Mapping study on the implementation and development of Barnahus structures in Europe**

 - 6.8 **Strategic Objective 5: Giving a voice to every child**

 - 6.8.1 **Guide on the participation of children in the decision-making processes on matters regarding their health (BIO/ENF-CP)**

6.8.2	Initiating the CDENF activity on children as defenders of human rights
6.9	Strategic Objective 6: Children’s Rights in Crisis and Emergency Situations
6.9.1	Initiating the Implementation review report of Recommendation CM/Rec(2019)11 on effective guardianship for unaccompanied and separated children in the context of migration
7.	Transversal issues Transversal approaches as promoted by the Strategy (gender-sensitivity, anti-discrimination, child participation)
8.	Co-operation with relevant Council of Europe bodies and other organisations a. Council of Europe bodies and sectors b. International organisations c. INGOs
9.	Co-operation projects
9.1	Presentation of the Andorran National Action Plan for Children and Adolescents
9.2.	Update on co-operation projects within the Children’s Rights Division
10.	Evaluation of completed activities
11.	Opinions requested by the Committee of Ministers
12.	CDENF Working methods
13.	Appointments of Rapporteurs and Representatives
13.1	Appointment of up to four Rapporteurs on mainstreamed perspectives
13.2	Appointment of representatives to external events
14.	Any other business
15.	Date and place of next meeting
16.	Approval of the abridged meeting report
