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Construire une Europe  
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COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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## **Steering Committee for the Rights of the Child (CDENF)**

**Eight plenary meeting  
Meeting Report**

*Strasbourg, 14-16 November 2023*

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 8<sup>th</sup> plenary meeting in Strasbourg (France) on 14-16 November 2023, with Rosário Farmhouse (Portugal) in the Chair.
2. The Chair welcomed all members, participants and observers to the meeting, and invited new members of the CDENF to introduce themselves.

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

3. The CDENF adopted its agenda as it appears in Appendix I.

### 3. Statement of the Chair and Secretariat

4. Irena Guidikova, Head of the Children's Rights and Sports Values Department, welcomed Delegations on behalf of the Secretariat and emphasised the importance of the deliverables to be finalised during this meeting. She also informed that the project "Protecting children from human rights violations of all forms and in all settings" is coming to an end in December 2023, and thanked all donors (Andorra, Cyprus, Hungary, Iceland, Ireland, Liechtenstein, Luxembourg and Slovenia) who made it possible, through their voluntary contributions, to develop important activities, thus directly supporting the implementation of the Strategy for the Rights of the Child (2022-2027).

5. The Secretariat further informed the CDENF about the creation of a new multilateral project "Promoting children's rights, including through the Children's Rights Strategy 2022-2027" to continue supporting the implementation of the Strategy until 2027 (VC 3556). Delegations interested in supporting this project financially, as well as Delegations interested in participating in a potential activity of adapting existing trauma-informed based materials for psychologists to assist children of Ukraine into other national languages, were invited to contact the Secretariat.

6. The CDENF took note of and welcomed the adoption, on 6 September 2023, of Recommendation CM/Rec(2023)8 of the Committee of Ministers to member States on strengthening reporting systems on violence against children and the publication of a Mapping study on multidisciplinary and interagency child-friendly justice models responding to violence against children "Barnahus: a European journey", produced with the support of the Icelandic Presidency of the Committee of Ministers.

### 4. CDENF workplan: Overview of main activities, priorities and meetings

7. The CDENF took note of and approved its workplan and upcoming priorities, subject to the adoption of its new Terms of Reference for 2024-2027 by the Committee of Ministers.

### 5. Implementation of the Council of Europe Strategy for the Rights of the Child (2022–2027) – First implementation Report of the Strategy (2022-2023)

8. The CDENF took note of and exchanged on the first implementation report of the Council of Europe Strategy for the Rights of the Child (2022-2027), which covers the period 2022-2023, and reflects the transversal approach adopted throughout all priority areas. The report has been prepared by the Secretariat based on information provided by member states by means of a questionnaire circulated over the summer of 2023. It addresses the overall impact of the Strategy as well as progress towards the specific strategic objectives in member states, and also includes action taken by other Council of Europe sectors, as well as synergies with other international and regional partners. The CDENF instructed the Secretariat to integrate last contributions in the report before circulating it to the CDENF for information.

9. The CDENF exchanged on the modalities for following the further implementation of the Strategy, notably its mid-term review, possibly in the format of a Conference to be held in 2025. Delegations also suggested to explore possible technical options of facilitating the continuous collection of data through an appropriate online tool.

10. The CDENF took note of the information provided by the Secretariat on the availability of the child-friendly version of the Strategy in English, French, North Sami, South Sami, Lule Sami, German, Italian, and Ukrainian, as well as progress made towards its publication in Norwegian and Spanish.

### **5.1 Strategic Objective 1: Freedom from violence for all children - Committee of Experts on the prevention of violence (ENF-VAE)**

11. The CDENF took note of the information presented by Maria Vargová (Slovakia), Chair of ENF-VAE, on the progress achieved by the Committee of Experts. She informed that the draft feasibility study on age-appropriate comprehensive sexuality education to strengthen responses for inter alia preventing and combatting violence against children, including sexual violence and harmful behaviour, would be submitted for written comments by CDENF Delegations after the meeting of ENF-VAE in March 2024, in view of its first examination by the CDENF at its 9<sup>th</sup> Plenary meeting.

12. The CDENF agreed on the questionnaire aimed at collecting data for the review of the implementation of 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, and instructed the Secretariat to circulate it to CDENF Delegations for replies by 31 January 2024.

### **5.2 Strategic Objective 2: Equal opportunities and social inclusion for all children - Mapping study on children's access to quality mental health care**

13. The CDENF took note of the information provided by the Secretariat on progress achieved with regard to the preparation of a mapping study on children's access to quality mental health care, which would now be finalised in 2024.

### **5.3 Strategic Objective 3: Access to and safe use of technologies for all children - Draft report on the rights of the child and artificial intelligence**

14. The CDENF took note of the update provided by the Secretariat on progress achieved with regard to the preparation of a report on the rights of the child and artificial intelligence, to be finalised in 2024 and proposed next steps, notably through the possible development of a specific child rights impact assessment tool, with a view to complementing the eventual work of the Committee on Artificial Intelligence (CAI) on the methodology for the Risk and Impact Assessment of AI Systems from the point of view of Human Rights, Democracy and Rule of Law (HUDERIA).

### **5.4 Strategic Objective 4: Child-friendly justice for all children – Committee of Experts on the rights and best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE) – Draft Recommendation on the protection of the rights and the best interests of the child in parental separation proceedings**

15. The CDENF held a joint session with the European Committee on Legal Co-operation (CDCJ) in order to approve the draft Recommendation on the protection of the rights and best interests of the child in parental separation proceedings and adopt its draft Explanatory Memorandum as prepared by their joint committee of experts, the Committee of Experts on the Rights and the Best Interests of the Child in Parental Separation and in Care Proceedings (CJ/ENF-ISE). Following a final reading and amendments, the CDENF approved the Recommendation and adopted its Explanatory Memorandum, and so did the CDCJ.

16. The CDENF decided, jointly with the CDCJ, that this draft Recommendation should be submitted for adoption by the Committee of Ministers together with the future draft Recommendation on the protection of the rights and best interests of the child in care proceedings which will be finalised by the end of 2024, given the proximity of the two recommendations. This would also coincide with the completion of the implementation tools still to be prepared for both recommendations.

17. Following a request made by the Delegation of Türkiye, a written statement of the Ministry of Family and Social Services of the Republic of Türkiye referring to certain aspects of the draft Recommendation on the protection of the best interests of the child in parental separation proceedings, the draft Guide to Children's participation in Decisions about their Health, and the draft Report on children as defenders of human rights, has been attached to this meeting report (see Appendix II).

## **5.5 Strategic Objective 5: Giving a voice to every child**

18. The CDENF heard a presentation by Nuria Fernández, Head of the National System for the Integral Development of the Family (SNDIF) of Mexico, on the Mexican methodology of the child consultation "Can you hear me? 2022".

### **5.5.a) Draft Guide to good practice concerning the participation of children in the decision-making processes on matters regarding their health (BIO/ENF-CP)**

19. The CDENF took note of the information provided by Joost Van Haelst (Belgium), Co-Chair of the Drafting Group BIO/ENF-CP, on the drafting process leading to the elaboration, jointly with the Steering Committee for Human Rights in the field of Biomedicine (CDBIO), of the guide and adopted the Guide to children's participation in decisions about their health, in view of its subsequent adoption by the CDBIO. The CDENF also took note of and welcomed a presentation by the CDBIO Secretariat of an online version of the guide, which would be made available on the Council of Europe website following its adoption by both Committees.

20. The CDENF exchanged on the possible follow-up to be given to the Guide; notably through the possible development of appropriate child-friendly materials and agreed to explore options for translation of the guide into other national languages. The CDENF extended its warm thanks to the CDBIO on the excellent collaboration on this important work.

### **5.5.b) Report on children as defenders of human rights**

21. The CDENF took note of a presentation by Agnès Gracia Corberó, Head of Programmes of Child Rights Connect, consultants, on the content and conclusions of the report and held an exchange of views on the conclusions and the follow-up to the report, including a possible contribution to the ongoing work by the UN Special Rapporteur on Human Rights Defenders on the issue of children who are human rights defenders.

22. The CDENF revised and approved the Report on children as defenders of human rights in view of its publication, subject to integration of last comments by the Secretariat. Two Delegations (Hungary, Türkiye) made a reservation to the report concerning the simultaneous use of the terms "sexual orientation" and "gender".

## **5.6 Strategic Objective 6: Children's rights in crisis and emergency situations**

### **5.6.a) Thematic exchange on Children's rights and the Environment**

23. The CDENF held a thematic exchange on Children's rights and the environment, with online participation of the following experts:

- Velina Todorova, Member of the UN Committee on the Rights of the Child;
- Aoife Nolan, President of the European Committee of Social Rights (ECSR);
- Nicola Wenzel, Vice-Chair and Rapporteur of the Drafting Group on Human Rights and Environment (CDDH-ENV) of the Steering Committee for Human Rights (CDDH);
- Natalia Kobylarz, Senior Lawyer at the Registry of the European Court of Human Rights (in person).

24. The CDENF exchanged with the experts on a number of pertinent issues, including the relationship between future generations and children's rights, the connection between efforts being made under International Environmental Law and International Human Rights Law, and the role of the Council of Europe in relation to the right to a healthy and sustainable environment. Delegations also provided an update on national activities regarding children's rights and the environment.

25. While all the experts underlined the importance of the recent adoption by the UN Committee on the Rights of the Child of General Comment No. 26 on children's rights and the environment with a special focus on climate change, as a milestone in recognising and clarifying the right to a clean, healthy, and sustainable environment, they also highlighted the several actions taken at the European level that will complement the implementation of this ground-breaking instrument. These include the implementation of the European Social Charter (ESC) as well as the jurisprudence of the ECSR, which plays a central role in efforts to develop a Europe-specific roadmap for identifying and addressing the negative impacts of environmental harms on children's rights.

26. Similarly, the extensive work at the intersection of human rights and the environment pursued by the CDDH, in particular through its drafting group CDDH-ENV, constitutes reinforcement of efforts at European level, largely in response to the threats posed by environmental degradation and the ongoing triple planetary crisis (pollution, climate change and loss of biodiversity), as highlighted in the Reykjavík Declaration adopted at the 4<sup>th</sup> Council of Europe Summit of Heads of State and Government. In this regard, further collaboration between ECSR, CDDH and CDENF as well as other stakeholders was expressed as a much-welcomed step, signifying a potential for harnessing the main human rights instruments such as the European Convention on Human Rights and the ESC for work around children and the environment in the Council of Europe context.

### **5.6.b) Implementation review report on Recommendation CM/Rec(2019) on effective guardianship for unaccompanied and separated children in the context of migration**

27. The CDENF took note of a presentation by Paloma Torres López and Isabel Diez Velasco, MEDUSA Human Rights Law and Consulting Firm, on the first results stemming from the survey carried out among national delegations to review the implementation of Recommendation CM/Rec(2019)11 on effective guardianship for unaccompanied and separated children in the context of migration and exchanged on key themes for the upcoming implementation review report, exchanged on key points for the upcoming implementation review report, to be adopted in 2024, including promising practices applied in decentralised systems.

28. The CDENF took note of the information provided by the Secretariat on the methodology developed for the targeted child consultations to feed into the implementation review, and of the option for interested Delegations to still join this exercise, with consultation to be carried out in the beginning of 2024.

## **6. Transversal issues**

29. The CDENF took note of the information provided by the Secretariat regarding the transversal approaches applied in all its activities, as reflected in the first Implementation Report of the Council of Europe Strategy for the Rights of the Child (2022-2027), also contributing to the UN Sustainable Development Goals Agenda 2030.

## **7. Co-operation with relevant Council of Europe bodies and other organisations**

30. The CDENF took note of the following presentations by representatives of relevant Council of Europe bodies, and other organisations:

- a. Jennifer Schuetze-Reymann, Secretariat of the Consultation Group on the Children of Ukraine (CGU), explained the context, mandate, objectives and thematic scope of the Consultation Group;
- b. Naomi Trewinnard, Secretariat of the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee), shared an update on the new monitoring round on child sexual exploitation and sexual abuse in the circle of trust, and the upcoming European Day on the Protection of Children against Sexual

Exploitation and Sexual Abuse (18<sup>th</sup> of November), focusing on learning from victims and survivors of childhood sexual violence to inspire policy change;

- c. Eleni Tsetsekou, Head of the Roma and Travellers Team pointed to deliverables of the Committee of Experts on Roma and Traveller Issues (ADI-ROM) concerning children, notably the Draft Recommendation on equality for Roma and Traveller women and girls;
- d. Marie-Cécile Rouillon, Coordinator for the Rights of the Child of the European Commission, updated on ongoing work, including the Commission Recommendation on integrated child protection systems, the revised Directive on trafficking and the planned review of the 2011 Directive on Child Sexual Abuse, the progress achieved on the European Child Guarantee and the EU children's participation platform; and
- e. Leo Ratledge, Child Rights International Network (CRIN) informed about ongoing work on children's rights and the environment, and notably about the impact of hazardous chemicals on children, as well as on accountability and justice regarding sexual violence against children, including by collaborating with survivors.

31. The CDENF also heard a presentation by Ovidiu Majina, Council of Europe Children's Rights Division Co-operation Unit, on the on-going 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 the best interests of the child in civil court proceedings in Slovenia (2023-2026);
- d. Different project implementing the Barnahus-model in Croatia, Ireland, Finland and Spain; End Online Child Sexual Exploitation and Abuse@Europe Plus (EndOCSEA@Europe+) (2023-2025);
- e. Protecting the Rights of Ukrainian Children during and in post-war context (2023-2024);
- f. Combatting Violence Against Children in Republic of Moldova (2022-2024); and
- g. Combatting Violence Against Children in Georgia (2022-2023).

## **8. Evaluation of completed activities / Annual exchange of views to evaluate its activities and to advise the Committee of Ministers on future priorities in its sector, including possible new activities and those that might be discontinued**

32. The CDENF took note of the information provided by the Secretariat on completed activities, and welcomed the adoption, on 6 September 2023, of Recommendation CM/Rec(2023)8 of the Committee of Ministers to member States on strengthening reporting systems on violence against children; the approval, jointly with the European Committee on Legal Co-operation (CDCJ) of the draft Recommendation on the rights and the best interests of the child in parental separation proceedings and the adoption of its accompanying Explanatory Memorandum; the adoption of the Guide on children's participation in decisions about their health, prepared jointly with CDBIO; and the finalisation of the Report on children as defenders of human rights.

33. 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).

## **9. Opinions requested by the Committee of Ministers**

34. The CDENF reviewed and adopted its opinions on PACE Recommendation 2262 (2023) – “Preventing addictive behaviours in children” and 2263 (2023) – “Mental health and well-being of children and young adults” and instructed the Secretariat to submit the adopted opinions to the Committee of Ministers.

## **10. CDENF Working methods**

35. The CDENF entrusted its Bureau, with the support of the Secretariat, to follow up on relevant activities of other Council of Europe Committees and bodies in view of ensuring CDENF contributions and representations as appropriate.

## 11. Elections to the Bureau

36. The CDENF elected Solvor Bäcklund (Norway) and Alfredo Ferrante (Italy), as members of the Bureau for a second term of office of two years, and Marjo Malja (Finland) for a first term of office of two years, renewable once, starting on 1 January 2024; and thanked the outgoing Bureau member, Joost van Haelst (Belgium) for his dedicated support of the work of the Committee during his term of office.

## 12. Any other business

37. Joost Van Haelst (Belgium) informed the CDENF about the initiative Belgium took in the framework of the upcoming Belgian EU-presidency (spring 2024) to put the European and international policy agendas on Children, Youth and Children's rights on the agenda of the Council of ministers for youth. Belgium therefore will provide the Council with a new updated state of the art. An Expert seminar on European and international policy agendas on children, youth affairs and children's rights will be organised on 21-23 January 2024 in Leuven (Belgium)."

## 13. Date and place of next meetings

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

### CDENF

- 28-30 May 2024, Strasbourg, 9<sup>th</sup> CDENF plenary meeting
- 3-5 December 2024<sup>1</sup>, Strasbourg, 10<sup>th</sup> CDENF plenary meeting

### CDENF Bureau meeting

- 11-12 April 2024 (venue tbc)

## 14. Approval of the abridged meeting report

39. The CDENF adopted the abridged report of the meeting at the end of the meeting.

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<sup>1</sup> Note by the Secretariat: The Date for the 10<sup>th</sup> CDENF plenary has been agreed by the CDENF Bureau after the 8<sup>th</sup> plenary meeting.

**Appendix I****Agenda**

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1. **Opening of the meeting**

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

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

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  4. **CDENF workplan: Overview of main activities, priorities and meetings**

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  5. **Implementation of the Council of Europe Strategy for the Rights of the Child (2022–2027)  
First Implementation Report of the Strategy (2022-2023)**  
*Main task (ii)*

#### **5.1 Strategic Objective 1: Freedom from violence for all children**

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

- a. **Draft feasibility study on age-appropriate comprehensive sexuality education to strengthen responses for inter alia preventing and combatting violence against children, including sexual violence and harmful behaviour**
- b. **Implementation review of 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**

*Main deliverables 8, 10*

#### **5.2 Strategic Objective 2: Equal opportunities and social inclusion for all children**

##### **Mapping study on children's access to quality mental health care**

*Main deliverable 5 and main task (xiv)*

#### **5.3 Strategic Objective 3: Access to and safe use of technologies for all children**

##### **Draft report on the rights of the child and artificial intelligence**

*Main deliverable 16*

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

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

##### **Draft Recommendation on the protection of the best interests of the child in parental separation proceedings**

*Main deliverable 2*

- for approval, joint session with CDCJ –



**5.5 Strategic Objective 5: Giving a voice to every child**

- a. **Draft Guide to good practice concerning the participation of children in the decision-making processes on matters regarding their health (BIO/ENF-CP)**

- for adoption -

*Main deliverable 4 and main task (xiv)*

- b. **Report on children as defenders of human rights**

- for approval -

*Main deliverable 6*

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

- a. **Thematic exchange on Children's rights and the Environment**

*Main task (iv)*

- b. **Implementation review report of Recommendation CM/Rec(2019)11 on effective guardianship for unaccompanied and separated children in the context of migration**

*Main task (viii) and main deliverable 7*

**6. Transversal issues:**

- a. Transversal approaches as promoted by the Strategy (gender-sensitivity, anti-discrimination, child participation)
- b. Contribution to the UNSDG Agenda 2030

*Main task (xxi)*

**7. Co-operation with other relevant Council of Europe bodies and other organisations (and other institutions)**

- a. Council of Europe bodies and sectors
- b. International organisations
- c. INGOs

**8. Evaluation of completed activities / Annual exchange of views to evaluate its activities and to advise the Committee of Ministers on future priorities in its sector, including possible new activities and those that might be discontinued**

*Main task (xvii)*

**9. Opinions requested by the Committee of Ministers****10. CDENF Working methods****11. Elections to the Bureau****12. Any other business****13. Date and place of next meeting****14. Approval of the abridged meeting report**

**Appendix II**

**"Written Statement of the Republic of Türkiye Ministry of Family and Social Services for the Meeting Report of 8th Plenary Meeting of Steering Committee for the Rights of the Child (CDENF)"**

The Republic of Türkiye has historically placed special importance on the protection of human rights and children's rights. Presently, the Republic of Türkiye is among the countries that are most party to the international human rights documents of the United Nations (UN). Türkiye has become a party to 16 out of the 18 human rights documents of the UN. In addition to the UN, Türkiye actively participates in the work carried out in the field of children's rights by international bodies such as the Council of Europe and the Hague Conference and becomes a party to the documents prepared by these institutions.

As expressed in the human rights documents prepared by the UN, the family is the foundation of society and an indispensable institution for the upbringing of children. While Türkiye is a strong advocate for international efforts in the protection of children's rights, it believes that recent changes in the institution of the family will have negative consequences for children. In this context, we request the Secretariat to reflect Türkiye's opposing stance on the following issues in the documents prepared and adopted by the Council of Europe:

1. The Republic of Türkiye does not accept the use of terms such as LGBTQI, sexual orientation, LGBT children, and LGBTQI+ youth in documents related to children's rights, as it believes that the activities conducted under these concepts normalize non-traditional sexual relationships and harm the concept of biological sex. Türkiye is against any form of discrimination in people's access to services. However, it opposes the inclusion of LGBTQI, gender, and sexual orientation concepts in the definition of discrimination.
2. Gender and its derivatives (gender identity, gender equality, etc.) are not internationally agreed-upon concepts. The Republic of Türkiye recognizes only the concepts of woman and man in relation to gender. Türkiye does not accept the use of gender and its derivatives in documents prepared on children's rights.
3. Some documents prepared under the coordination of the Council of Europe make reference to agreements to which Türkiye is not a party (e.g., the Council of Europe Convention on preventing and combating violence against women and domestic violence). Türkiye declares that it is not bound by agreements to which it is not a party and by recommendation decisions it opposes (e.g., "Draft Guide to Children's participation in Decisions about their Health" (CDBIO(2023)3\_CDENF(2023)14), Children as defenders of human rights: a study on Council of Europe member states (draft), Committee of Experts on the Rights and the Best Interests of the Child in Parental Separation and in Care Proceedings).
4. Türkiye values consulting children's opinions and giving importance to children's participation. However, it does not accept bringing conceptualizations related to LGBTQI and gender other than male and female into the agenda of children under the guise of consulting children's opinions. In this context, Türkiye opposes the 2nd question (how do you identify yourself; answer choices: female, male, other, and prefer not to say) and the 3rd question (if you are comfortable telling us,

which of the following statements is true for you; answer choices include being a member of the LGBTI community) in the document titled "Children as Human Rights Advocates."