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CONSEIL DE L'EUROPE

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Steering Committee for the Rights of the Child (CDENF)

Opinion by the Steering Committee for the Rights of the Child (CDENF) on PACE Recommendation 2256(2024) on the “Situation of the children of Ukraine”

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1. Following the adoption, at the 1st part of its 2024 Session (Strasbourg, 22-26 January 2024), of [Recommendation 2256\(2024\)](#) on the “Situation of children of Ukraine” by the Parliamentary Assembly (PACE), the Committee of Ministers agreed, at its [1489th meeting of the Ministers’ Deputies](#) on 14 February 2024 “*to communicate it to the Steering Committee for the Rights of the Child (CDENF), [...] for information and possible comments by 22 March 2024*”.
2. The CDENF examined Recommendation 2256(2024), as approved by its Bureau, in written proceedings following the procedure set out in Article 13 b) of Appendix 1 to Resolution CM/Res(2021)3 and adopted the following opinion concerning those aspects of the Recommendation which fall under the scope of its mandate.
3. The CDENF appreciates the PACE’s support for the Council of Europe Consultation Group on the Children of Ukraine (CGU), which has been set up as a follow-up to the Declaration on the situation of children of Ukraine, prepared by CDENF and adopted by the Heads of State and Government of the Council of Europe at their 4th Summit as Appendix II of the [“Reykjavik Declaration – United around our values”](#). The CGU acts as a multilateral operational cooperation platform between Council of Europe member States, the EU, and relevant international organisations and civil society organisations, to discuss legal and policy issues affecting children of Ukraine in Council of Europe member States. The three priority areas identified for the beginning of its mandate are: 1) transnational procedures and cooperation, 2) effective guardianship, and 3) psychological support and trauma-informed care of children of Ukraine.
4. The CDENF agrees with the PACE’s recommendation to give “due consideration to the specific educational, medical, and social needs of Ukrainian children” and in particular to support the Ukrainian authorities in fulfilling their commitment to move from a system based on institutional care to one which seeks to ensure every child’s right to be raised in a family environment. This request is fully in line with the [Council of Europe Strategy for the Rights of the Child \(2022-2027\)](#), which, under its Strategic Objective 2 “Equal opportunities and social inclusion for all children”, calls for “protecting children without parental care and/or living in alternative care by continuing promoting de-institutionalisation(…)” In this context, the CGU closely follows the Better Care Initiative implemented by Ukraine, supported by the European Commission and UNICEF, all of which are closely engaged in the work of the CGU.

Annex

Recommendation 2265 (2024)

Situation of the children of Ukraine

Parliamentary Assembly

The Parliamentary Assembly refers to its [Resolution 2529 \(2024\)](#) “Situation of the children of Ukraine”. It welcomes the setting-up of the Council of Europe Consultation Group on the Children of Ukraine, whose mandate covers unaccompanied and separated minors arriving in the member States of the Council of Europe, children evacuated from residential care facilities and accompanied by adults and children accompanied by a parent or caregiver.

The Assembly recommends that the Committee of Ministers establish a mandate of special rapporteur on the situation and return of Ukrainian children deported and forcibly transferred by the Russian Federation and Belarus. The rapporteur’s mission should include proposals to facilitate the return of all children of Ukraine, considering their best interests, especially orphans and children deprived of parental care, including siblings, and all unaccompanied children who are currently under the control of the Russian Federation.

The Assembly recommends that the Committee of Ministers create and ensure the functioning of a joint registry of individuals who have been included in the sanctions lists of Council of Europe member States, as well as in the European Union’s sanctions list, in connection with their involvement in the deportation, forcible transfer or unjustifiable delay in repatriation of Ukrainian children, and in the unlawful adoption or establishment of guardianship over Ukrainian children. The aims of such a registry would be to harmonise sanctions policy and to monitor and enhance the effectiveness of the imposed restrictive measures.

The Assembly recommends that the Committee of Ministers give due consideration to the specific educational, medical and social needs of Ukrainian children. It recognises Ukraine’s commitment to transitioning from a system based on institutional care to one which seeks to ensure every child’s right to be raised in a family environment. It recommends that, when implementing the Council of Europe Development Bank’s (CEB) Strategic Framework 2023-2027, the Council of Europe member States that are Parties to the Partial Agreement on the Council of Europe Development Bank consider the establishment of a comprehensive joint programme between Ukraine and the CEB aimed at addressing the individual needs of Ukrainian children in the arrangements for their rehabilitation, reunification with families or placement in family-based care, and their reintegration into their home country, implemented by the competent Ukrainian authorities in accordance with relevant international standards.

Assembly debate on 25 January 2024 (5th sitting) (see Doc. 15901, report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Ms Olena Khomenko); and Doc. 15902, opinion of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Ms Sandra Zampa). *Text adopted by the Assembly* on 25 January 2024 (5th sitting).