



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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

CDENF/Bu(2020)PV2  
7 July 2020

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

**1 July 2020**

### **Meeting report**

#### **1. Opening of the meeting and adoption of the agenda**

1. The Bureau of the Steering Committee for the Rights of the Child (CDENF) held its second meeting on Wednesday, 1 July 2020. The meeting was held via videoconference, as provided for in its terms of reference.

2. Ms Maria-Andriani Kostopoulou, Chair of CDENF opened the meeting and welcomed the other Bureau members. The list of participants appears in Appendix I. The draft agenda was adopted as it appears in Appendix II.

#### **2. Update by the Secretariat**

3. The Secretariat informed the Bureau that on 23 June 2020, the Rapporteur Group for Social and Health questions (GR-SOC) examined the 2nd report on the implementation of the Strategy for the Rights of the Child (2016-2021) and discussed a number of changes. The report was approved for communication to the Committee of Ministers for adoption without further debate on 1st of July 2020. The Bureau took note of the update and invited the secretariat following the adoption of the report, to inform all CDENF delegations about its adoption.

#### **3. The COVID-19 pandemic, the impact on children and their rights and possible actions to be considered by CDENF – stock-taking from the first exchange of the CDENF and next steps**

4. The Chair warmly thanked the Secretariat for the preparation of this first thematic exchange of views of the CDENF and in particular congratulated Ms Hanna Vseviov from the Bureau for her excellent presentation on the Estonian experience of the COVID-19 pandemic.

5. The Bureau considered that the summary report on the exchange,<sup>1</sup> as complemented by a summary of the information on priority areas for action, would constitute a good basis for further discussion of future proposals, and that it should be examined by the CDENF at its next plenary meeting.

6. The Bureau noted that the “Compilation of replies on the COVID-19 pandemic’s impact on children, their rights and child protection systems and proposals for priority areas and actions by the CDENF”<sup>2</sup> would continue to be updated by the Secretariat to include the latest contributions received.

7. The Bureau discussed the following priority actions for the next months:

- Organisation of a plenary session as a **second virtual CDENF thematic exchange** on the preparation of the new Council of Europe Strategy for the Rights of the Child (2022-2027), including the examination and approval of a questionnaire (17 September 2020);
- On the basis of the updated compilation of responses and the exchange of views, preparation of a **CDENF paper** highlighting key issues, good practices and initiatives, gaps identified and possible recommended actions. This paper could be submitted to the CDENF for approval at the next plenary meeting (16-18 November 2020);
- Preparation of a **draft concept for a series of more specific, practical webinars** for CDENF delegations to be implemented between December 2020 and December 2021 (up to 2 webinars);
- Preparation of a **list of virtual exchanges and webinars**, organised by other sectors of the Council of Europe and partners, which are relevant for the work of CDENF, for communication to CDENF delegations for information and attendance, based on their availability and interest.

7. The Bureau agreed that CDENF delegations should be notified on relevant Council of Europe virtual events and/or webinars on topics relevant for the work of the CDENF, and should receive relevant working documents. They noted the increasing number of available virtual events and considered that proposals developed for CDENF should be based on priority topics of interest, and be very practical, in order to support the main expected deliverables of the Committee.

#### 4. Draft Council of Europe Strategy for the Rights of the Child (2022-2027)

8. The Secretariat presented the proposed work programme, timetable and working methods for the preparatory phase of the next Council of Europe Strategy for the Rights of the Child (2022-2027). A list of relevant Council of Europe bodies and committees and a non-exhaustive list of potential external partners was also presented; most of them would be involved in the development of the new strategy over the next months, according to different working methods (bilateral exchanges or written consultation).

9. The Secretariat informed the Bureau that a Council of Europe audit on strategy development was underway, and should be available in September 2020. The results would be directly relevant and should be taken into account when developing the new draft Strategy. It was recalled that several members and observers of the former Ad hoc Committee for the Rights of the Child (CAHENF) had participated in the audit survey, and that based on the criteria established by the auditors, the current Strategy ranked highly and

<sup>1</sup> See CDENF(2020)14.

<sup>2</sup> “Compilation of replies on the COVID-19 pandemic’s impact on children, their rights and child protection systems and proposals for priority areas and actions by the CDENF” (Working Document CDENF/Bu(2020)INF1 REV 1, Restricted)

could be considered a good practice. The Bureau discussed and agreed on a few changes to be made to the proposed work programme and timetable document, before it could be issued to all CDENF delegations for examination.

## **5. Work of the subordinate committee of experts and of working groups, methodology and working methods**

### **5.1. CJ-ENF/ISE**

10. The Bureau discussed the CJ-ENF/ISE's proposed working methods and reviewed a proposed work programme, as they appear in the working document CDENF/Bu(2020)02 prov.

11. Taking into account the fact that these documents should be agreed by consensus with the CDCJ Bureau, the CDENF Bureau invited the Secretariat to notify the Secretariat and the Chair of the CDCJ about their preference that joint meetings of both Bureaus and secretariats should be organised in the future, in order to efficiently address any planning considerations and important working documents with respect to the work of the CJ-ENF/ISE.

12. The CDENF Bureau considered that the proposed work programme remained ambitious, considering that the first meeting of the committee would only be held in September 2020. They reviewed the proposed elements of the first and second meetings, and underlined that the experts should be informed that at the time of preparation of the feasibility study, the reports should include as much as possible draft elements of a possible legal instrument and a roadmap of possible practical tools as appropriate. A presentation of the typology of legal instruments should be organised, as many experts are not familiar with the Council of Europe's work. Taking into account the experience of the committee in negotiating the approval of draft legal instruments, they underlined that the period of preparation of the feasibility study should be as short as possible, so that more time could be dedicated to the preparation and drafting of the relevant legal instrument and/or practical tools. They also reviewed the proposed draft terms of reference for a consultant or a team of consultants to support the two streams of work (parental separation/ proceedings to limit parental responsibilities or place a child in care) and underlined that the description of the expertise required should not be limited to judicial research but rather to the two areas of work of the committee.

13. Finally, they did not exclude that, taking into account the impact of the COVID-19 pandemic on the intergovernmental work, and following regular updates on progress and review of results achieved by the CJ/ENF-ISE, there may be a need in due course to consider requesting to the Committee of Ministers an extension of the terms of reference of the CJ/ENF-ISE beyond 2021.

14. The Bureau discussed and considered that, in the light of the current situation and working methods applied during the COVID-19 pandemic, it would be preferable that the positions of Chair and of Vice-Chair are held by members who already have a thorough understanding and experience with the work of intergovernmental committees of the Council of Europe, as the main criteria for this nomination process.

15. Taking into account the members selected, the Bureau considered that a proposal could be made for these positions to be held by Mr Seamus Carroll (Ireland) and respectively Mr Ewald Filler (Austria), subject to their interest and availability. It was acknowledged that both experts have an extensive experience with the work of the European Committee on Legal Co-operation (CDCJ) and respectively of the former Ad hoc

Committee for the Rights of the Child (CAHENF), and currently CDENF, and also with the preparation and negotiation of legal instruments in the area of the rights of the child.

16. At the same time, the CDENF Bureau acknowledged that this proposal may be perceived by some as upsetting the criteria of gender balance and trigger relevant concerns. However, it was also noted that the CJ/ENF-ISE was composed of more women (six) than men (four) and that at the time of selection, the Bureau had been mindful of the need to achieve an overall gender balance in the committee. Finally, it was also reminded that in line with CM/Res(2011)24, the terms of office of the Chair and Vice-Chair shall be of one year, and it may be renewed once.

17. The Bureau invited the CDENF Secretariat to communicate these proposals to the CDCJ Bureau, together with the revised working document CDENF/Bu(2020)02 with a view of finalising the processes and initiating the preparatory work as soon as possible.

## **5.2. Working Group on responses to violence against children (CDENF-GT-VAE)**

18. The Chair congratulated Mr Matthew Vella, member of the CDENF Bureau and Chair of the Working Group, for his first meeting in this function from 23 to 24 June 2020.

19. The Chair of the Working Group expressed his satisfaction on the flow and results of the meeting and provided an overview and summary.

20. The Secretariat further informed the Bureau that the meeting had been focused on the two issues of mandatory reporting of violence against children and peer violence (specifically, "harmful sexual behaviours"); the first meeting had been attended by all of the members of the group and several observer organisations. As to the outcomes of the meeting, the group agreed that priority should be given to drafting a recommendation on the issue of mandatory reporting. In light of the sensitive nature of peer violence and sexual abusive behaviour by children, further work should first be conducted to further explore this issue and prepare an in-depth report compiling approaches to the subject matter and relevant good practices from across Europe.

21. The CDENF and its Bureau would be respectively updated on the outcomes of the upcoming CDENF-GT-VAE meetings of 5-6 October and 1-2 December 2020.

## **6. Admission of other observers to CDENF and its subordinate body**

22. The Secretariat informed the Bureau of several informal exchanges with different NGOs which would potentially be interested in making a request for seeking observer status to the CDENF and/or CJ-ENF/ISE.

23. In line with the decision taken by the CDENF Plenary at its first meeting (4-6 February 2020), the Bureau discussed and agreed that the following possible criteria could be applied to a requesting organisation before a decision could be taken in line with Section III, C8 a) of Resolution CM/Res(2011)24<sup>3</sup>:

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<sup>3</sup> **III. Composition/ C. Observers/ 8a** provides : "as a general rule, upon their request to the Secretary General, observers are admitted, to steering and ad hoc committees or any subordinate body answerable to them, on the basis of a unanimous decision by that steering or ad hoc committee; in the event where unanimity is not reached, the matter may be referred to the Committee of Ministers at the request of two-thirds of the members of the committee concerned. The Committee of Ministers shall decide on the matter by a two-thirds majority of all the representatives entitled to sit on it".

- a) demonstrating a broad experience in the areas of competence of the CDENF, or respectively of its subordinate committee (CJ/ENF-ISE);
- b) having the ability to make an effective and high-quality contribution to the CDENF and/ or its subordinate committee (based on its capacity and related human and material resources)
- c) having adequate representation at a Europe-wide, and where relevant a broader, level.

24. The proposed criteria and processes are set out in working document CDENF/Bu(2020)03.

25. The Bureau invited the CDENF Secretariat to communicate these proposed criteria to the CDCJ Bureau and subject to their views and additional proposals, to report back so that consensus could be achieved on a set of objective criteria as regards the possible requests for observers status with the CJ/ENF-ISE; and also a transparent process for screening of applicants.

26. As regards any possible requests for observer status with the CDENF, the Bureau invited the CDENF Secretariat to communicate these proposed criteria to the CDENF for a final decision to be taken in due course.

#### **7. Date of the next Bureau meeting**

25. The Bureau agreed to hold its next meeting by videoconference in the first or the second week of October (*date to be confirmed based on availabilities of members*), and subject to confirmation of its proposal by the CDCJ Bureau, any other additional joint meetings with the latter as required and taking into account both the CDCJ and CDENF Bureau members' availabilities.

#### **8. Any other business**

26. No other business was discussed.

## **APPENDIX I – Agenda**

1. Opening of the meeting and adoption of the agenda
2. Update by the Secretariat
3. The COVID-19 pandemic, the impact on children and their rights and possible actions to be considered by CDENF – stock taking from the first exchange of the CDENF and next steps
4. Draft Council of Europe Strategy for the Rights of the Child (2022-2027)
5. Work of the subordinate committee of experts and of working groups, methodology and working methods
  - 5.1. CJ-ENF/ISE
  - 5.2. Working Group on responses to violence against children (CDENF-GT-VAE)
6. Admission of other observers to CDENF and its subordinate body
7. Date of the next Bureau meeting
8. Any other business

## **APPENDIX II – List of participants**

### **CDENF BUREAU MEMBERS**

Ms Maria-Andriani Kostopoulou (Chair)  
Attorney at Law, Supreme Court, Greece

Ms Ružica Boškić  
Secretary, Ministry of Labour, Family, Social Affairs and Equal Opportunities, Slovenia

Mr Matthew Vella  
Chief Executive Officer, Social Care Standards Authority, Malta

Ms Hanna Vseviov  
Head of Department, Children and Families Department Ministry of Social Affairs, Estonia

### **DGII – Directorate General of Democracy, Children’s Rights Division**

Ms Regina Jensdottir  
Children's Rights Co-ordinator, Head of Division

Ms Livia Stoica Becht  
Secretary to the Steering Committee for the Rights of the Child (CDENF)  
Programme Officer

Ms Maren Lambrecht-Feigl  
Co-Secretary to the Steering Committee for the Rights of the Child (CDENF)  
Programme Officer

Ms Tara Beattie, Programme Advisor

Ms Aroa Fandiño, Policy officer