Consultation Group on the Children of Ukraine (CGU)

First meeting, 30 November – 1 December 2023

(Agora, Room G06 and online)

Agenda

Thursday, 30 November	
09:30	*Opening remarks:* - *Jeroen Schokkenbroek, Director, Anti-discrimination Directorate, Directorate General of Democracy and Human Dignity (DGII)*
09:40	**Brief introduction of purpose of first meeting** - *Regína Jensdóttir, Head of Children's Rights Division and Council of Europe Coordinator for the Rights of the Child, DGII*
09:50	**Brief recap of CGU mandate, priority thematic topics for 2023-2024 (Roadmap) and draft working methods** - *Jennifer Schuetze-Reymann, Special Advisor to the Council of Europe Consultation Group on the Children of Ukraine (CGU)*
10:00 - 10:30	*Coffee break*
10:30 - 12:30	**Confronting challenges in the registration, reception and care of unaccompanied children from Ukraine** 1. **Transnational procedures and cooperation** ➢ Navigating in the maze of concurrent international, European and national laws: which laws apply *in concreto* to children of Ukraine in Council of Europe member States, notably unaccompanied and separated children?

⬥ Giving effect to measures of protection put in place in Ukraine prior to the displacement of children (ex. Guardianship): what the law says
- *Philippe Lortie, First Secretary, Hague Conference on Private International Law*

- *Haldi Koit, Legislative Officer, European Commission (DG JUST)*

⬥ The role of Memoranda of Understanding and other bilateral cooperation agreements between Ukraine and Council of Europe member States
- *Iryna Postolovska, Deputy Minister of Social Policy for European Integration, Ukraine*

- *Giedrė Mikalauskienė, Senior Advisor of Family and Child Rights Protection Group, Ministry of Social Security and Labour, Republic of Lithuania*

⬥ Recognising the authenticity of official documents (ex. child's health status for disability pension benefits) from Ukraine: an administrative conundrum in navigating the maze and possible solutions
- *Mstyslav Banik, Director of the Department of Electronic Services of the Ministry of Digital Transformation of Ukraine*

- *Piotr Kłysz, Chief Specialist/Prosecutor, Family and Minors' Affairs, Ministry of Justice of Poland and Katarzyna Ziółkowska, Legal Expert, Digital Identity Team, Central IT Unit, Ministry of Digital Affairs of Poland*

- *Nicolas Nord, Secretary General, International Commission on Civil Status (ICSS)*

Open discussion

Preliminary remarks about relevant case-law of the European Court of Human Rights by Pavlo Pushkar, Head of Division, Department for the Execution of Judgments of the European Court of Human Rights, DGI, who will also moderate the session

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❓ Some questions to guide the discussion:

▪ Can you mention some real-life situations under this heading which illustrate challenges your country is grappling with?
▪ Does your country give effect to measures of protection put in place in Ukraine prior to displacement? If the answer to your question is yes, which measures (ex. guardians from Ukraine)? What challenges does your country face in this regard?

	- What challenges does your country face with regard to the applicable laws and jurisdiction? - How does your country assess the status of unaccompanied and separated children from Ukraine as regards the 'habitual residence' criterion? Is this decided in a general manner or on a case-by-case basis? If so, please give details. - Does your country have any additional bilateral cooperation agreements, notably a Memorandum of Understanding in place with Ukraine?
12:30 - 14:00	**Lunch break**

14:00 - 16:00	**2. Guardianship issues**
	
	➢ How to ensure effective guardianship in Council of Europe member States? Update on the implementation report of the _CM Recommendation CM/rec(2019)11_ _on effective guardianship for unaccompanied and separated children in the context of migration:_ some promising state practice
	   - _Paloma Torres, CDENF expert_
	
	➢ The main challenges of temporary guardianship: findings and possible solutions
	   - _Monica Gutierrez Arques, Expert on Children's Rights and Migration, EU Agency for Fundamental Rights (FRA)_
	   - _Henrik Ingrids, Child Protection Specialist, UNICEF ECARO_
	
	➢ Showcasing promising practices:
	  ✚ The Netherlands
	   - _Frouke Adema, Legal Guardian/Coordinator Ukraine, NIDOS_
	  ✚ The ProGuard Assessment System
	   - _Rebecca O'Donnell, Policy Adviser, European Guardianship Network and Director, Child Circle_
	  ✚ The role of legal clinics in providing (free) legal aid both within Ukraine and other Council of Europe member States
	   - _Zuzana Zalanova, Director of Europe Office, Raoul Wallenberg Institute_
	
	Open discussion
	
	Session opened and moderated by Angela Marie Moore, Senior Community-Based Protection Officer, UNHCR Regional Bureau for Europa, Geneva
	
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	❓ *Some questions to guide the discussion:* ▪ Can you mention some real-life situations under this heading which illustrate challenges your country is grappling with? ▪ Is there guardianship system in place in your country addressing the specific situation of children of Ukraine? If so, what is the model for guardianship in your country? ▪ Is there an identifiable Guardianship authority that is mandated to supervise guardians? ▪ Is this model effective according to you? Why or why not? ▪ Is there scope within the guardianship system to address the specific needs and vulnerabilities of the children of Ukraine? ▪ Does your country recognise the authority of Ukrainian guardians accompanying children from Ukraine? If not, on what basis? If yes, does it make a difference whether it is an individual in his/her personal capacity or a representative of an institution (ex. a director of an orphanage as the guardian)? ▪ In light of the protracted war in Ukraine, is your country addressing the need for a transition from temporary guardianship to a more durable solution? If so, how? ▪ What is the role of a guardian appointed in your country when the child leaves your country?
16:00 - 16:20	**Coffee break**
16:20 - 17:00	**Interim Stocktaking of discussions so far: ideas for potential deliverables (2023-2024) and ways forward** *Session moderated by Regína Jensdóttir, Jennifer Schuetze-Reymann and Jean Claude Legrand, Independent Child Rights Expert*
17:30	***Joint Reception with the Council of Europe Network of Focal Points on Migration at the Portuguese Embassy***
Friday, 1 December	

9:30 - 11:30	3. **Post-trauma psychological support and assistance to children and child victims of crime**
	
	  ✚ Scaling up existing training manuals for psychologists supporting children of Ukraine "Combating violence against children in Ukraine"
	    - *Zaruhi Gasparyan, Head of Cooperation Unit, Children's Rights Division, DGII*
	
	  ✚ Trauma-informed capacity building in child protection

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- *Laura Korhonen, Professor of child and adolescent psychiatry, Director of Barnafrid, the Swedish National Centre on Violence Against Children*

🔸 Helplines in Council of Europe member States supporting children of Ukraine: how do they work, what can be achieved?
- *UNICEF Child Helpline International initiative*

- *Kateryna Cherepakha, President, La Strada Ukraine*

🔸 Raising awareness of the need to support child victims of war:
  🔸 *The Girl Who Kept Her Eyes Open* Campaign/EU Victims' Rights Platform on child victims
   - *Marie Delplace, International Relations Officer, Unit 01: Ukraine country desk, European Commission*

🔸 Compassionate & Trauma Informed Support for Migrant Children in the Justice System
   - *Nantina Tsekeri, Founder & CEO, Defence for Children International - Greece*

Open Discussion

Session opened and moderated by Benoit Van Keirsbilck, UN Committee on the Rights of the Child

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❓ *Some questions to guide the discussion:*

- Can you mention some real-life situations under this heading which illustrate challenges your country is grappling with?
- How does your country respond to the psychological needs of children arriving from Ukraine?
- Is a psychological assessment made? If yes, at what stage following the child's arrival in your country?
- Is this carried out on a systematic or on an *ad hoc* basis? Is it only conducted for unaccompanied or separated children or all children of Ukraine (even with parents)?
- Which authority is this assessment made by?
- Is this model effective according to you? Why or why not? What according to you could be improved?
- Is there a promising practice? / a tool that your country uses?

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<td>**11:30 - 12:00**</td>
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Special Update:

Progress of the reform of the Ukrainian child protection and alternative care system: Ukraine's "Better Care Initiative" supported by the European Commission and UNICEF

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	- *Iryna Postolovska, Deputy Minister of Social Policy for European Integration, Ukraine* - *Marie Delplace, European Commission* - *Henrik Ingrids, UNICEF ECARO* 🔸 *Showcasing promising practices:* - *Bulgaria (Marga Stoyanova, State Agency for Child Protection)* - *The Republic of Moldova (Anastasia Gruzin, Ministry of Labour and Social Protection)* ***Open Discussion*** *Session opened moderated by Jean Claude Legrand, Independent Child Rights Expert* ***** ❓ ***Some questions to guide the discussion:*** ▪ Is your country currently engaging in /or has it in the past engaged in a reform of the child protection and alternative care system by way of a deinstitutionalisation process? ▪ What were the main elements of the reform? ▪ Is there a specific focus on the age of children concerned by the reform (zero to three years for example)? ▪ How was/will decentralisation be addressed (minimum set of services per municipality, role of municipalities, etc.?) ▪ What type of new services were/will be created? type of trainings put into place? Type of coordination put in place?, etc. ▪ What are/were the greatest challenges your authorities faces/faced in carrying out this reform and how will they be/were they overcome? Can the solution be transposed to other states?
13:00 - 14:30	**Lunch break**
14:30 - 15:00	**Progress of the reform of the Ukrainian child protection and alternative care system cont'd**
15:00 - 15:45	**Discussion of CGU Roadmap, working methods and dates of future meetings** - *Regína Jensdóttir, Jennifer Schuetze-Reymann and Jean Claude Legrand*
15:45 - 16:30	**Stocktaking: concrete takeaways and proposed way forward** - *Irena Guidikova, Head of the Children's Rights and Sport Values Department, CGU Secretariat*