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Securing the best interests of the child in civil proceedings: comparative study of services, methods and tools

Joint EU-Council of Europe project

“Ensuring the best interests of the child in civil court proceedings in Slovenia”

Roundtable, Ljubljana, 6 June 2025

Daja Wenke, Independent Researcher and Policy Analyst,
Rights of the Child – Implementation of International Standards



REPUBLIC OF SLOVENIA
MINISTRY OF JUSTICE

Building a Europe
for and with children



Scope

International comparative study

- Up-to-date overview of international and European standards concerning the best interests of the child in legal proceedings
- Case studies of services, methods and tools suitable to secure the best interests of the child in civil proceedings

International and European standards of reference

Rooted in international and European standards:

- European Convention on Human Rights (ECHR), 1950
- Revised European Social Charter, 1996
- EU Charter of Fundamental Rights and EU legislation
- UN Convention on the Rights of the Child (UNCRC), 1989
- CRC General Comment on the right of the child to have his or her best interests taken as a primary consideration (2013)
- Council of Europe Guidelines on child-friendly justice (2010)
- Recommendations of the Committee of Ministers on the protection of the rights and best interests of the child in ***parental separation proceedings*** [CM/Rec\(2025\)4](#) and in ***care proceedings*** [CM/Rec\(2025\)5](#)

Case studies

Selection of case studies

- Thematic priorities identified by project team
- Aspiration to identify methods and tools that are
 - based on the rights of the child
 - informed by research and evidence (evaluated where possible)
 - in accordance with the principles set out by Council of Europe standards

Case studies

Specific working methods and tools to secure the best interests of the child in civil proceedings

Main themes

- Guidance and tools for the best interests determination procedure
- Guidance on hearing children in civil proceedings
- Guidance and tools for specific assessments
- Support services for parents and families
- Support services for parents and children concerned by parental separation
- Legal professionals working with children in civil proceedings: training, specialisation and support

→ 30 examples of guidelines and practical tools

Strategic approach

The case studies present examples of practice, which are suitable to

- empower officials and professionals through knowledge, skills and strong methods
- empower children and parents as service users
- strengthen the child protection system and foster a culture of learning

→ combined multi-dimensional action to enhance impact

Proposals for action

Key proposals for action:

- Systemic methods for the best interests determination procedure in service provision and judicial proceedings
- Specialisation of professionals working with children in legal proceedings
- A multidisciplinary and interagency culture in child justice and service provision for children and families as a standard
- Fostering a service culture that engages children and parents as competent service users and strengthens protective environments in communities
- Supporting professional communities of practice
- Using digital platforms to provide information to parents and children, as well as professionals

Thank you!

Daja Wenke

Child Rights
Policy Analysis
Research

Independent Consultant
dajawenke@gmail.com