Consultation Group on the Children of Ukraine (CGU)

2nd Plenary Meeting (Online)

26 – 27 March 2024

Summary Note

- The opening of the **2nd plenary meeting** by the Secretariat included welcoming words and outlined the rationale, mandate, and objectives of the **Council of Europe Consultation Group on the Children of Ukraine (CGU)**. It was highlighted that the CGU is a unique intergovernmental body comprising 40 member States, international organisations and international, European and national civil society organisations, working as a non-political expert group with the rights and best interests of children of Ukraine at the centre of its work.

- The first day of the meeting was devoted to the review of the work of the three Thematic Dialogue Groups, established by the CGU following its 1st Plenary Meeting. The second day was devoted to the thematic area identified by the CGU as one of the top priorities for discussion, namely access to education (schooling) for Ukrainian children in the Council of Europe member States. This was followed by a special update on the reform of the Ukrainian child protection and alternative care system, to achieve deinstitutionalisation and a move towards family-based care. Each session was followed by rich discussions.

1) Debrief from the Chairs on the work of the three Thematic Dialogue Groups and discussions on the proposed deliverables

a. Dialogue Group on Transnational procedures and cooperation

- Discussions revealed that there was still no consensus on the status of Ukrainian children in CoE member States. More specifically, the interplay between the refugee declaratory status and specificities of the EU Temporary Protection Directive was discussed, underscoring the complexity of the issue and the different positions on the matter. There was, however, strong support for the fact that Ukrainian children in CoE member States are displaced children fleeing Ukraine due to grave risks to their safety resulting from a full-scale Russian war of aggression against Ukraine.

- The Dialogue Group proposed the following possible deliverables:

- Development of a Compendium/Repository/Mapping[1] of existing tools and guidelines (possibly in the form of a user-friendly Matrix), outreach activities, including training, to promote the said Compendium; a Gap analysis will complete the process, highlighting not only possible gaps in legal frameworks governing these situations, but also in the practical implementation thereof;
- Preparation of a practical Guide for CoE member States providing Q & A style / scenario-based guidance drawing on existing standards and practices (a questionnaire will be developed and addressed to CGU members to identify the most pressing issues to be addressed in such a Guide).

b. Dialogue Group on Guardianship

- The CGU Facilitator reminded the Group of the role and importance of the guardian to protect all rights of children, including their right to participate. Guardians are responsible for ensuring the protection and safety of children and ensuring that children remain in contact with their families and have access to services. He highlighted that when equipped with relevant skills and information, guardians perform their role better;
- The DG on Guardianship agreed in its first meeting that the best interest of the child and the proper consultation of children must remain guiding principles in any event;
- The DG on Guardianship has a revolving chairmanship, consisting of the CGU representatives of the European Guardianship Network (EGN), the UN Committee on the Rights of the Child, and UNHCR;
- The Dialogue Group proposed the following possible first deliverables:
  - Development of a Compendium of relevant international standards and national practices on the guardianship systems specifically as regards the situation of children of Ukraine, identifying challenges and producing, in a second step, a Gap analysis (concrete practical needs);
  - Development of an easily accessible Information note on national practices as relates specifically to Ukraine.

c. Dialogue Group on Psychological Support and Trauma-informed Care

- The Chair of the Thematic Dialogue Group on Psychological Support and Trauma-informed Care emphasised that the network of mutual learning and exchange created within CGU will be very useful for the future as well as for better responding to the needs of children of Ukraine today;
- During the first DG meeting, discussions turned around the main risks that the children of Ukraine are facing that have a very real impact on their psychological well-being, such as feeling isolated, missing out on formal education and social activities. As regards the main gaps identified by the Group, the lack of national strategies for identifying children in need of support, the insufficient number of trained professionals, general stigma in relation to the mental health needs, and language barriers, were highlighted;
- The Dialogue Group proposed the following possible first deliverables:
  - Development of a Compendium to identify the strategies put in place and related assessment tools for *identifying the children in need* of psychological support and trauma-informed care, and a resulting Gap analysis (identification of concrete needs);
  - Developing a Compilation on promising practices/initiatives/resources employed to address the psychological support and trauma-informed, including national approaches, which could be implemented into other national contexts;
  - Developing a child-friendly Guidance (Handbooks) note pulling together all relevant tools (helplines, apps, etc.), initiatives that children could use for strengthening their self-resilience and to address their psycho-social needs in Ukrainian language;

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[1] These terms are interchangeable.

> ➢ Exploring possibilities for inter-country cooperation on related issues (resource centres, models of delegation of services, evaluation tools of quality of services provided to children, homologation of front-line responders, etc.), and promising practices to address the psycho-social and psychological needs of children;
> ➢ As a methodology, ensuring the participation of the children from Ukraine to understand their own perception of their needs and experiences.

🞢 The CGU observed that the deliverables proposed by each Dialogue Group follow the same logic and aim to achieve the most practical benefits without duplicating existing work.

2) Understanding access to education for children of Ukraine in CoE member States

🞢 The Council of Europe Language Policy Division presented several tools that are relevant to upholding children of Ukraine's access to education, such as the Language Support for Migrants Toolkit, designed to guide teachers and volunteers working with migrants, Resilience Toolbox (EDURES), the European Centre for Modern Languages (ECML), and Schools for Democracy project in Ukraine;

🞢 Under international law, primary and secondary education shall be free and compulsory for all children, regardless of their status in the country where they live (International Covenant on Economic, Social and Cultural Rights (Article 13), Convention on the Rights of the Child (Article 28), European Social Charter (Article 17);

🞢 The presentations and interventions by CGU members revealed that there are varying practices among member States as regards schooling of Ukrainian children, with different models having been presented: 1) compulsory schooling in host states 2) a hybrid system where children are following both the host state curriculum and Ukrainian curriculum, the latter either online or in schools, 3) an online Ukrainian distance education only;

🞢 The CGU received conflicting information about how many children are enrolled in the school system. For instance, while some noted that up to 90% of Ukrainian children are integrated in the education system in host states, a CGU participant noted that less than half of Ukrainian children in Europe are enrolled in national education systems in host countries. One of the reasons of this may be that under the EU Temporary Protection Directive, Ukrainian children are considered temporary residents and are not subject to the same compulsory education system as asylum seekers and refugees, the latter category of children who must be enrolled within 3 months of their arrival. The fact that the war is protracted is adding complexity and urgency to the discussion. What was initially foreseen as a short-lived response, is now turning into a more durable situation, requiring long-term approaches;

🞢 The exchange also revealed innovative approaches by member States (including training Ukrainian teachers to integrate the host country education system in order to better support Ukrainian children's integration while allowing them to remain connected to their identity, language and culture).

🞢 The CGU took note of all the challenges identified during the meeting, notably:

> ➢ a continued resistance on the part of Ukrainian children and/or their parents, despite the protracted situation, to enrol in the host country's education system because they hope to return to Ukraine as soon as possible;
> ➢ ensuring the quality of education when Ukrainian children are frequently moving between Ukraine and other European countries;
> ➢ insufficient number of Ukrainian-speaking teachers in host countries to support Ukrainian children;
> ➢ difficulties for Ukrainian children to manage to follow two education curricula/systems simultaneously as well as difficulties for Ukraine and hosting states to achieve the proper balance between competing interests, notably allowing children to retain their link to their linguistic and cultural origins on the one hand (with the risk that exclusively relying on

online distance learning creates social isolation, especially for young children), and facilitating their interaction with the host state through social contacts with their peers, vital to their development, on the other;

➢ the lack of systematic training in trauma-informed care of educational teams;

➢ continued difficulties, on the part of some host countries, to adapt administrative procedures and share information between families and schools, as their systems do not work without an electronic personal identification number, which cannot be obtained by persons under the EU Temporary Protection regime;

➢ lack of clarity about how the education of Ukrainian children in their host countries will be recognised in Ukraine and what kind of documents should be provided to the children;

➕ Given the foregoing, the CGU decided, as a follow-up action, to undertake a mapping exercise documenting national practices and challenges faced so as to identify the specific needs and propose some possible solutions based on promising practices.

3) Special Update on the Ukraine's "Better Care Initiative" supported by the European Commission and UNICEF

➕ The Ministry of Social Affairs of Ukraine and UNICEF ECARO briefed the CGU on the progress of the reform of the Ukrainian child protection and alternative care system called "Better Care Initiative". They emphasised that despite the many challenges faced during such a comprehensive reform, the step-by-step approach used in implementing the plan has already yielded results. Ensuring coordination between relevant ministries was one of the challenges that has been overcome in the current stage of the project. The current focus of work has shifted to coordination and capacity building at the regional level to ensure a gradual, safe, and human rights-based transition from institutional childcare to family-based alternative care.

4) Next steps discussed by CGU :

➕ To ensure the efficiency of the work, the CGU decided to follow a phased approach in the production of deliverables, committing to a few deliverables at a time. The idea is to develop a Compendium/Gap analysis so as to understand the gaps both in the law and in practice, and conceptualise guidance notes, and/or other deliverables to meaningfully and effectively fill these gaps.

➕ Participants emphasised the importance of child participation in the work of the CGU. Different ways of engaging with children were discussed and possible risks and child safeguarding issues were highlighted (n.b. the Dialogue Group on psychological support and trauma-informed care will examine this at its next meeting in April 2024).

➕ Participants also underscored the importance, where possible, of planning the implementation, dissemination, and evaluation phases of each deliverable before starting production.

Appendix: Resources and events shared during the meeting:

o Council of Europe, Expert Report on Remedies and Redress Mechanisms for War-Affected Individuals in Ukraine (EN / UKR)

o European Commission, European School Education Platform (multiple language options)

o Hope and Homes for Children, Key recommendations on the reform of Ukraine's child protection and care system (EN)

o International Social Service, Manifesto for Ethical Intercountry Adoption (EN)

o International Social Service, Ukraine Crisis & International Standards Factsheet (EN)

o Ireland, Department of Education, Documents on educational supports for students from Ukraine (EN / GLE/ RU / UKR)

o Ireland, Department of Education, Supporting the Wellbeing of Young People from Ukraine in your School: Guidance for Post-Primary Schools (EN)

o ISPCAN SWEDEN meeting, Working together in times of crisis, 81-21 August 2024, Uppsala / Sweden (EN)

o ITLA Children's Foundation, Practical Handbook for Consulting Children (FIN / SWE)

o Ministry of Education and Science of Ukraine, Frequently Asked Questions for Parents (UKR)

o Ministry of Education and Science of Ukraine, Information on the Ukrainian curriculum (UKR)

o Ministry of Education and Science of Ukraine, Information on the recognition of grades of Ukrainian children that have studied abroad (UKR)

o Ukraine Recovery Conference, 11-12 June 2024, Berlin / Germany (EN)

o UNESCO, Mapping education responses for Ukrainian refugees (EN, FR)

o UNHCR Slovakia, Help Page for Children (EN / SLO / RU / UKR)

o UNHCR, Displacement Patterns, Protection Risks and Needs Of Refugees From Ukraine - Regional Protection Analysis (multiple language options)

o UNHCR, Education on Hold: Addressing barriers to learning among refugee children and youth from Ukraine – challenges and recommendations (multiple language options)

o UNHCR, Technical Guidance on Child-friendly Procedures (EN, AR, FR, SPA, TR)

o UNHCR, UNHCR Policy on Adoption of Refugee Children (EN)