

**GROWING** with children's rights  
**GRANDIR** avec les droits de l'enfant  
**ODRASTANJE** uz prava djece



# **GROWING with children's rights**

A Conference on the implementation  
of the Council of Europe Strategy for the Rights  
of the Child 2012-2015

## **Final Report**

Dubrovnik, Croatia,  
27-28 March 2014

## I. Executive summary

This report gathers the main outcomes of the Conference on the implementation of the Council of Europe Strategy for the Rights of the Child 2012-2015, "Growing with Children's Rights", which took place in Dubrovnik, Croatia on 27-28 March 2014. The conference, which marked the midway stage of the Strategy for the Rights of the Child, was organised by the Council of Europe with the purpose of providing visibility to both the achievements made so far and the obstacles that lie in the way of successful completion of the Strategy. The main objectives pursued during the conference were: firstly, to take stock of the progress achieved during the first two years of implementation of the Strategy; secondly, to identify and propose priority actions for the two remaining years in view of fully completing the Strategy, as well as to strengthen the impact of those actions through increased national and international cooperation; and thirdly, to identify persisting and emerging challenges that could lie at the heart of Council of Europe action beyond 2015.

With the upcoming 25<sup>th</sup> anniversary of the United Nations Convention on the Rights of the Child (CRC), the Dubrovnik Conference also offered an excellent opportunity to reflect upon children's rights in a broader perspective, looking back at how the world has changed for children over the last 25 years, but also looking forward towards how the world of our children could be shaped for the future. The conference brought together more than 200 participants from Council of Europe member states and beyond, with the participation of the Holy See and Mexico, which both have observer status with the organisation.

Key stakeholders working with and for children from all sections of society – national and local governments, NGOs and civil society movements, youth and grassroots groups – contributed with their experiences as well as their concerns, allowing for a truly interdisciplinary consultation exercise to take place, with one common goal at heart: setting the priorities right and building the Europe for and with children that the Council of Europe has envisioned.

The main issues discussed during the conference were:

- a. Implementing children's rights through law and policy
- b. Creating child-friendly health and social services
- c. Ensuring child-friendly justice systems and providing viable alternatives to detention
- d. Tackling sexual violence and gender-based violence against children
- e. Alternative care and reaching children in vulnerable situations
- f. Making child participation a reality
- g. Strengthening international cooperation and partnerships to increase impact

The structure of the report is based upon the above-mentioned issues, all of which pertain to the Council of Europe's Strategy for the Rights of the Child 2012-2015. Each section ends with a set of recommendations drawn from the discussions of the Dubrovnik Conference, which could guide the Council of Europe in its continued work to complete the current Strategy as well as in its future activities.

In the discussions on the implementation of children's rights through law and policy (section III in the present report), important outcomes included the commitment to close the remaining gaps between children's rights in theory and their enforcement in practice, as well as the key role to be attributed to monitoring bodies. From the session on child-friendly health and social services (section IV) the need for concerted action and investment by all stakeholders, including central and local authorities, even in times of economic austerity, was brought to the forefront. With regard to child-friendly justice and alternatives to detention (section V), the principle of using detention only as a measure of last resort was reiterated and attention drawn to the need to look beyond juvenile justice and focus also on children who come into contact with the justice system as victims and/or witnesses. Two conference sessions addressed sexual and gender-based violence against children (section VI), during which the Lanzarote and Istanbul Conventions, and ways to increase

the impact of these instruments, were discussed. Equally relevant were the debates on alternative care and children in vulnerable situations (section VII), which highlighted the need to listen to children's voices and shaping responses based on their own viewpoints, as well as the importance of family-based solutions. In the framework of these discussions, the significance of increasing efforts to reach the most marginalised children was also raised. Child participation (section VIII in this report) represented another fundamental point for debate and consultation, as the participants looked closer into how a "culture of child participation" could be developed across the Council of Europe member states, with child participation systematically included in decision-making processes. Lastly, international cooperation (section IX) was a topic for discussion, and new ideas on how to strengthen both institutional partnerships and how to build stronger multilateral networks between stakeholders on the governmental and non-governmental levels were introduced. Some of the most recurrent issues raised throughout the conference were the crucial need for training of professionals working with children and the absolute necessity to ensure that children's voices are heard and genuinely taken into account on a systematic basis. Therefore, these aspects have been included in the recommendations of several sections of the present report.

The Dubrovnik Conference also allowed for the identification of important issues currently not included in the Council of Europe Strategy for the Rights of the Child. The wish was expressed that the Council of Europe take the lead on three particularly compelling issues in the future. The first regarded the current economic situation in Europe and the consequences that the economic crisis has had, and is having, on children and families across the Council of Europe member states. It was emphasised that a strong reference to economic issues needs to be inserted into any future strategy on children's rights. Secondly, the increased use of new technologies and the risks and threats – but also the opportunities – that come with this evolution is something that the Council of Europe should pay more attention to. More information and expertise are needed in this area, and the Council of Europe could play an important role in supporting and coordinating research and development of skills on these emerging issues. Thirdly, the "hyper-sexualisation" of today's society, which has brought sexual images and language into every sphere of public life, was raised as an issue of concern. The solutions suggested to tackle this problem were, for instance, to develop rules and regulations in this area, as well as to involve the media through education and awareness raising.

Alongside these "new" areas in which the Council of Europe could take a leading role, it was also underlined that already existing strategic areas, such as the ones mentioned in this report and recommendations, continue to present important challenges to the Council of Europe member states and must not be abandoned.

This report has been prepared by Dr Susanna Greijer, independent expert, Luxembourg.

## **II. Introduction**

1. In November 2011, at the Monaco Conference “Building a child-friendly Europe: Turning a vision into reality”, the Council of Europe Strategy on the Rights of the Child 2012-2015 (hereinafter the Strategy) was presented. The Committee of Ministers adopted the Strategy in early 2012, thus showing the strong commitment of the Council of Europe member states to protect and promote the rights of the child and to improve legislative and policy frameworks in order to make children’s rights a tangible reality.

2. The Strategy was adopted in response to the needs expressed by governments, professionals working with children, civil society and children themselves, who all asked for more efforts to be made in implementing existing standards. The Strategy set out four strategic areas on which the Council of Europe should focus during the period from 2012 to 2105:

1. promoting child-friendly services and systems;
2. eliminating all forms of violence against children;
3. guaranteeing the rights of children in vulnerable situations;
4. promoting child participation.

3. Since the adoption of the Strategy, the Council of Europe has made significant progress toward the fulfilment of its objectives. To mention only a few concrete steps, the Lanzarote Committee has begun its work to monitor the implementation of the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention), a “Child participation assessment tool” has been developed, and a “Guide for professionals working in alternative care” published. Furthermore, the Council of Europe Convention on preventing and combating violence against women and domestic violence, which specifically addresses certain forms of violence against girls, will enter into force this coming August. Nevertheless, much remains to be done and the midpoint of the Strategy proved a timely occasion to gather and look back at the level of implementation achieved to date, as well as to look ahead and ensure that the right priorities are set for the time that remains.

4. The Dubrovnik Conference “Growing with Children’s Rights”, was organised in March 2014 precisely to mark this midway stage of the Strategy. The conference aimed at assessing the progress achieved in the first two years of its implementation, but also to identify and propose priority actions for the two remaining years. Furthermore, the conference served as a venue to strengthen existing partnerships and forging new synergies, with the aim of increasing the impact of coming actions. The conference also allowed for the identification of persisting and emerging challenges that the current Strategy does not address sufficiently, and which would need the Council of Europe’s attention in the coming years.

5. At a time when the UN Convention on the Rights of the Child (CRC) celebrates its 25<sup>th</sup> anniversary, the Dubrovnik Conference represented a pivotal opportunity to look at the state of children’s rights in and beyond Europe and to reflect upon how to further promote an integrated culture for the rights of the child. While it was acknowledged and celebrated that progress has been made and that Europe today is better equipped to protect children, it was also recalled that such progress is not an excuse to turn a blind eye to the many challenges that still persist, and the conference participants were asked to critically assess the current state of play in Europe. The remaining challenges identified throughout the conference were indeed numerous.

## **III. Implementing children’s rights through law and policy**

6. The law is the strongest means to define what is permitted or not in a society, and the starting point to guarantee that children’s rights are upheld is to ensure that they are properly defined in legal standards. Therefore, it is only natural that the Dubrovnik Conference commenced with a retrospection on the existing legal frameworks, both at the European and at national level. It

was underlined already at the conference opening that without adequate legislation children's rights cannot be properly safeguarded.

7. While the international and European legal standards for children's rights are solid and comprehensive, it was acknowledged that many of the Council of Europe member states still need to make efforts in transposing the international legal framework into their domestic legal systems, as well as in adopting national laws that guarantee a sufficient protection to all children. Several state representatives indicated that their countries had done far too little for far too long to guarantee children's rights – whether on paper or in terms of implementation. Nevertheless, clear statements to commit further followed such observations, and a number of positive recent examples of laws aimed at strengthening children's rights were presented. For instance, Montenegro presented its recent national action plan for children 2013-2017, which aims at bringing the country's laws in line with all international standards. Azerbaijan referred to a number of newly adopted laws to increase the protection of children, and Croatia mentioned its soon-to-be adopted Family Act and gave an excellent example of a new national campaign to encourage more foster families for children in need of care, thus avoiding placing children in institutions. As mentioned by the Croatian Deputy Prime Minister and Minister of Social Policy and Youth, children's rights are a matter of defining national priorities.

8. To ensure that children's rights are a concrete reality and not only a theoretical concept, they must be an integral part of a state's legal and policy frameworks. The broad array of existing children's rights instruments – both binding and non-binding – are of little use if states do not implement them properly. Indeed, as shown by, for instance, Norway and Iceland, even in those states in which the legal framework is in place, child rights violations continue to occur and new ways to address such violations must still be sought. In this regard, it was reiterated that prevention is the best long-term investment to be made.

9. A recent review of the constitutions of the Council of Europe member states, carried out by the Venice Commission<sup>1</sup> as a contribution to the Council of Europe Strategy for the Rights of the Child 2012-2015, showed that 43 of the 47 member states make some mention of children's rights in their constitutions. Nevertheless, the most common approach taken by these states is to focus merely on children's need for protection, while very few represent children as the rights-holders as the CRC defines them. Among the most frequent constitutional provisions relative to children's rights are the right to education and the right to be protected from harm, while core articles from the CRC such as the best interest of the child (article 3) and the right to be heard (article 12) are present only in two and three constitutions respectively<sup>2</sup>. The results of this highly relevant study may also be indicative of where the states' priorities in terms of children's rights have been laid in the past few decades, and help understand why, for instance, child participation is one of the focal areas of the Strategy where progress is not yet sufficiently sustainable.

10. A total of 25 Council of Europe member states have, to this day, adopted laws that prohibit all forms of corporal punishment of children. Another 11 have stated their intention to do so, leaving only 11 without any form of commitment. Yet, the Council of Europe expects all its member states to ban corporal punishment in their national laws, and has stated this viewpoint for years. As Mr Peter Newell reminded participants during the Conference, already 13 years ago, the European Committee of Social Rights stated that: "The Committee does not find it acceptable that a society which prohibits any form of physical violence between adults would accept that adults subject children to physical violence". Indeed, violence against children remains a real challenge in Europe, and despite many states having included provisions relative to children's rights and child protection in their constitutions, as shown by the above-mentioned study by the Venice Commission, laws are often fragmented and poorly enforced, and progress is too slow to make a real change for children.

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<sup>1</sup> European Commission for Democracy through Law (Venice Commission) "*Report on the Protection of Children's Rights: International Standards and Domestic Constitutions*", adopted by the Venice Commission at its 98<sup>th</sup> Plenary Session (Venice, 21-22 March 2014). The report is available at: [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2014\)005-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2014)005-e)

<sup>2</sup> Ibid. p.21.

11. This was also underlined by the Chairperson of the CRC Committee, Ms Kirsten Sandberg, who spoke about the need to set up one national coordinating body in each member state, to avoid the fragmentation that continues to pervade children's rights and to ensure a coherent approach where all children are treated equally and benefit from the same protection. Indeed, several presentations, such as one from Switzerland, showed how laws are rarely applied in a harmonised manner, leading to children being treated differently and enjoying different rights depending on which part of the country – or even which part of a canton or region – they happen to be in.

12. One of the solutions to this problem is to put in place national integrated children's rights strategies. This is something that the Council of Europe has strongly advocated and it was the focal issue at the European Conference "Stepping up Progress in Combating Violence against Children" held in Ankara in November 2012.<sup>3</sup> This solution is strongly supported also by the Special Representative to the UN Secretary-General on Violence against Children, Ms Marta Santos Pais. Moreover, the same suggestion was underlined by the Regional Director of UNICEF CEE-CIS, Ms Marie-Pierre Poirier, during the Dubrovnik Conference, as the need for a holistic approach that involves all stakeholders was emphasised.

13. Another solution suggested during the Dubrovnik Conference was to continue to grant further importance to monitoring bodies, which can follow up on how states implement the treaties that they have signed and ratified and make appropriate recommendations on how states can better protect children's rights within their national contexts. It was suggested that the Council of Europe should place stronger emphasis on the monitoring of children's rights, and ensure that all relevant monitoring bodies look further into children's rights. This could contribute to creating a stronger impact of existing legal instruments on the ground. It was also suggested that the Council of Europe take the lead in promoting an open and honest national debate in each member state on a yearly basis, in order to identify the real challenges in each specific context. National focal points on the rights of the child, such as ombudsmen for children's rights, could lead such initiatives at national level. It was agreed that an effective child protection system places the child at the centre of law and policy.

14. Remaining challenges include:

- a. Bridging remaining gaps in legislation and ensuring that all Council of Europe member states' legislation are in line with international legal instruments;
- b. Prioritising the design of national integrated strategies to protect children from violence in all Council of Europe member states, with a clear legal mandate for setting up a national coordinating body;
- c. Encouraging Council of Europe monitoring mechanisms to continue to focus specifically on the implementation of children's rights;
- d. Intensifying work towards the achievement of a full legal ban of corporal punishment in all Council of Europe member states in parallel to promoting policies for positive parenting;
- e. Encouraging states to hold yearly national debates on children's rights in all Council of Europe member states, led by national actors such as children's rights' Ombudsmen with the aim of identifying obstacles to the realisation of children's rights and finding ways to overcome them.

#### **IV. Creating child-friendly health and social services**

15. The importance of protecting the right of all children to adequate and child-friendly health and social services is often stressed, but questions are still raised on what is really meant by "child-friendly" in this context and how the Council of Europe has contributed to making health and social services in its member states more child-friendly. This issue was at the core of the first

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<sup>3</sup> Report available at: [http://www.coe.int/t/dg3/children/Source/RapportAnkara\\_en.pdf](http://www.coe.int/t/dg3/children/Source/RapportAnkara_en.pdf)

roundtable at the Dubrovnik Conference, and its participants discussed what progress has been made and what the main challenges are to improve health and social services for children in all settings.

16. At a Council of Europe meeting in Strasbourg in September 2009<sup>4</sup>, experts on children's rights and social services provided a clear definition of child-friendly services. These must be: appropriate, adequate, and ethical; taking into account important factors such as age, gender, religious and cultural background; designed with the active participation of children in the research process; and, above all, services that are readily accessible to all children without restrictions or obstacles of any kind. When health and social service systems fail to see to the needs of children, the risk of child rights violations increases. This can, in turn, lead to a lack of trust in institutions and service providers. Professionals working in health and social services sometimes manifest the same lack of trust in the institutions they work for, and are not sure how to address child rights violations, or whether they can or should do so.

17. Health and social services are part of public administration and need to be placed in a broader framework, which looks at how the states' administrative systems take children and their rights into account. The current economic situation in Europe has, in many countries, led to cuts in public expenditure. This has had an undeniable impact on health and social services in general, as well as on the accessibility of such services for all children. Enhancing the child-friendly nature of services requires resources, and those resources are currently hard to come by. Despite this situation, it is a fact that creating and safeguarding child-friendly services requires not only concerted action on the part of those who promote human rights, but also a continued engagement and investment by central and local authorities. Moreover, resource cuts in areas such as health and social services are typical signs of a short-sighted approach that focuses exclusively on immediate outcomes, while ignoring the increased costs that the consequences of such decisions will cause society in the future.

18. The Council of Europe Guidelines on child-friendly health care, adopted on 21 September 2011, place children's rights, needs and resources at the centre of health care activities, taking into account their own opinions and evolving capacities. However, translating these principles into practice and turning them into standard procedure remains a challenge in most states. As an example of how this can be done, a good practice from Spain aimed at improving the emotional wellbeing of children during their contact with the health system, and which involved seven major Spanish hospitals, was presented during the Dubrovnik conference. It showed how health services can indeed become more child-friendly through the promotion of dialogue and exchange between health providers, experts, children and families. The discussion that followed also highlighted the need to take into account children's voices in the many processes that are at stake in health and social services for instance through evaluation or consent procedures.

19. In order to achieve child-friendly health and social services, the participants of the roundtable agreed that training of professionals is fundamental. In this regard, "professionals" must be defined in the broad sense, meaning that all professionals working in health and social services ought to be trained, not only those who currently work specifically with children. Training should start at an early stage, and be included in university curricula as well as in the formal training curricula of certain professions. The professional groups that the participants identified as in need of special training to ensure child-friendly health and social services were broader than those working specifically in these fields, and also included education, legal and law enforcement professionals, as well as persons working in the media.

20. Two other issues were raised during the roundtable: first the problem of access to health and social services in general. It was underscored that children in vulnerable situations, such as

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<sup>4</sup> Informal meeting of experts on children's rights and social services, Strasbourg, 10 - 11 September 2009, report available at: [http://www.coe.int/t/dg3/familypolicy/Source/Meeting\\_report\\_EN.pdf](http://www.coe.int/t/dg3/familypolicy/Source/Meeting_report_EN.pdf)

migrant or Roma children, have particularly limited access to health and social services. The socio-economic barriers that prevent children from such disempowered groups to enjoy their rights have been one of the issues addressed by the Council of Europe Parliamentary Assembly. Second, it was pointed out that some children, such as children in care, separated children, or young people in detention, represent groups that depend highly on social services, and who suffer particularly when such services are not child-friendly. The Children's Ombudsman from Ireland gave an example of how a national investigation into state compliance can highlight the flaws and lead to changes in the system, improving the services for particularly at risk children.

21. Lastly, it was agreed that the consequences of government cuts or restrictions on child-friendly health and social services are much greater than most policy makers seem to understand, and will affect both children and society at large in the long run.

22. Remaining challenges include:

- a. Making policy makers aware of the long-term negative impact of austerity measures and cuts on child-friendly services, and ensuring that children's rights and welfare are not compromised in times of economic crisis;
- b. Taking children's views into account in all processes and decisions that concern them in the field of health and social services;
- c. Ensuring that children's rights are integrated in public policies to ensure a child-friendly and a child rights respectful approach.

## **V. Ensuring child-friendly justice systems and providing viable alternatives to detention**

23. While child-friendly health and social services were discussed by one group of conference participants, another group addressed child-friendly justice systems and juvenile justice. First of all, it was recalled that the deprivation of liberty of children should always be a measure of last resort. This principle, established through article 37 of the CRC and reiterated in a series of European and international instruments<sup>5</sup>, is not, however, respected in all Council of Europe member states, as shown by the European Committee for the Prevention of Torture's (CPT) ad hoc visits to detention facilities. It was thus agreed that the most immediate goal in this area of work should be the reduction of the number of children in prison, in particular by making sure that international standards such as the European Rules for juvenile offenders subject to sanctions or measures<sup>6</sup> and the Guidelines on child-friendly justice<sup>7</sup> are implemented. With this in mind, the participants further discussed viable alternatives to justice as well as how the justice system, when required, should be holistic, child-friendly and sensitive to individual needs.

24. When children are detained, the return of the child into community should be a priority. But in order for this to be possible, work is also needed to improve the life skills of children who are detained and to prepare them for this return. Existing standards should be consolidated in order to ensure that all professionals working for and with children in detention are trained on child-friendly justice measures. It was affirmed during the conference, that prisons are not appropriate for children. Education and social pedagogy are fundamental to ensure that the right decisions are made for children in conflict with the law.

25. While it is important to have a child-friendly justice system, it is also crucial to promote and support alternative mechanisms so that children may not have to come into contact with the justice

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<sup>5</sup> For instance the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Rules).

<sup>6</sup> Recommendation CM/Rec(2008)11 of the Committee of Ministers to member states on the European Rules for juvenile offenders subject to sanctions or measures (Adopted by the Committee of Ministers on 5 November 2008 at the 1040<sup>th</sup> meeting of the Ministers' Deputies).

<sup>7</sup> Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice (Adopted by the Committee of Ministers on 17 November 2010 at the 1098<sup>th</sup> meeting of the Ministers' Deputies).

system in the first place. Even if a justice system is child-friendly, it cannot be neglected that contact with the justice system still represents a potentially difficult experience for a child, and may repeatedly victimise him or her. It was argued that in order to implement alternatives to detention a multi-level approach that combines: appropriate legislation on alternative measures; the existence and/or creation of alternatives; and decision-making is required. Laws and policies should be founded on research and evidence. Moreover, research on decision-makers' and authorities' perceptions of alternative measures should be undertaken. When a decision is made to deprive a child of his or her liberty, follow-up visits should be made to see how the sanctions imposed affect the child in question. This would most likely contribute to a change of perceptions and attitudes regarding detention. In relation to this observation, it was also underscored that there is a need to evaluate all decisions concerning children in conflict with the law after a period of time, in order to determine whether these were indeed appropriate. Currently, no real concern for the long- and mid-term impact of decisions exists.

26. Some examples of alternatives to detention, such as parental custody, report to social services, diversion mechanisms, house arrest, electronic monitoring, and conditional suspension were mentioned. A method called "multidimensional treatment foster care" (MTFC) was presented in more detail, highlighting the importance of a multi-disciplinary team working with young persons and their families during a placement with specially trained foster carers who can encourage and reinforce positive behaviours. The need to divert young persons in conflict with the law from delinquent peers was also highlighted by this model, which aims at re-educating young persons through the use of a particular type of foster care that focuses on behaviours to assess risks and adopts an individual tailor-made approach. Attention was also drawn to children under the age of criminal responsibility. It was argued that special action should be taken to address the situation of those children so that the right can be elaborated early on responses can be initiated and recidivism effectively prevented.

27. Another important point raised during the Dubrovnik Conference with regard to child-friendly justice concerned the need to look beyond juvenile justice and focus also on children that come into contact with the justice system as witnesses and/or victims. Indeed, the Council of Europe Guidelines on child-friendly justice also promote this broader notion of justice, taking into account children as perpetrators, as victims, and as witnesses, and setting out standards for criminal, civil and administrative justice systems. Nevertheless, in practice, few child victims and witnesses have access to a child-friendly justice system today, and therefore run a high risk of being repeatedly victimised by the system. Courts must learn to be more pedagogical and to take into account children's needs and views. To enhance a truly child-friendly justice system in Europe, a call was made on governments, the Council of Europe, the EU, and the UN to join hands in their efforts.

28. The imminent entry into force of the third optional protocol to the CRC on a communications procedure (OPIC)<sup>8</sup> was also mentioned as a positive development for children seeking justice. The OPIC allows for children from states that have ratified to bring complaints about violations of their rights directly to the UN CRC Committee if they have not found a solution at national level. However, as pointed out by the chairperson of the UN CRC Committee, Ms Kirsten Sandberg, cases should be solved mainly within the country in question, leaving complaints to the OPIC as a true measure of last resort. For this reason, it is required that all national instances be exhausted before a procedure can be initiated through the OPIC. Children should have a clear complaints mechanism at national level, and should not require parental assistance or permission to go to court. In most European legal systems today, bringing a case in the name of a child is usually not the problem, but in a number of states the parents can actually prevent children from taking a case to court. Only with a child-friendly justice system, in which mechanisms are clearly explained and shaped also for the children, can children's full and equal access to justice come true.

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<sup>8</sup> [https://treaties.un.org/doc/source/signature/2012/ctc\\_4-11d.pdf](https://treaties.un.org/doc/source/signature/2012/ctc_4-11d.pdf) The OPIC entered into force on 14 April 2014.

29. Remaining challenges include:

- a. Supporting and promoting the Council of Europe Guidelines on child-friendly justice together with all stakeholders and developing training programmes and education materials for children to better understand their rights;
- b. Enhancing the role and capacity of independent legal monitoring bodies in order to ensure better compliance with existing conventions, guidelines and rules;
- c. Increasing multi-stakeholder training and strengthening the pedagogical skills of all professionals working in the justice system;
- d. Ensuring that all children have the possibility to seek justice for violations of their rights, without the need for parental approval.

## **VI. Combating violence, including sexual violence against children**

30. Sexual violence and abuse are crimes that are particularly horrendous when carried out against children. Yet child sexual abuse is not a minor occurrence in our societies: at least 10% of boys and 20% of girls are victims of (physical) sexual abuse at least once before the age of 16. This major issue represents one of the core priorities for the Council of Europe, and was the topic of two workshops during the Dubrovnik Conference, one of which paid particular attention to sexual violence against girls and gender violence.

31. First of all, an important achievement was recognised in the adoption and entry into force of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention). This Convention, which today counts 31 states parties<sup>9</sup>, is an international legal instrument of a unique nature. It is child-friendly, placing the best interest of the child at the heart of the matter, and it is comprehensive, in that it addresses all forms of sexual violence against children, and in that it covers the aspects of prevention, protection and prosecution. The Lanzarote Convention is monitored by a committee whose mandate is to evaluate the implementation of the Convention, as well as to support member states in this obligation. To complement the Lanzarote Convention in protecting children from violence, a reporting mechanism must exist for children, with clear indications on how and where children can turn for help. Training of relevant professionals is, here again, a prerequisite for ensuring full implementation of policies and standards. The work of the Lanzarote Committee has increased steadily during the current Strategy, and the first round of monitoring has been carried out.

32. Despite this significant progress, children continue to be victims of sexual violence and ratifications alone will not protect them. A strong suggestion made during the conference was to find ways to disseminate the Lanzarote Convention more efficiently across member states, and to increase knowledge and understanding of this instrument among professionals working with children. Along with this suggestion, the need for a child-friendly version of the Lanzarote Convention, which would facilitate making this instrument known to the children at risk themselves, was also emphasised.

33. Another important instrument that was discussed – per se as well as in relation to the Lanzarote Convention – is the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), adopted in 2011. This Convention, which will enter into force on 1 August 2014, introduces specific criminal offences for forms of violence that overwhelmingly affect young girls, such as forced marriage and female genital mutilation. Like the Lanzarote Convention, its provisions advocate for prevention and protection from and prosecution of violence, while focusing specifically on the gender-based dimensions of violence.

34. To support and complement the legal steps that have been taken and to make sure that people all over Europe know about the issue of sexual violence against children, the Council of

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<sup>9</sup> The most recent state to ratify the Lanzarote Convention was Andorra on 30 April 2014.

Europe ONE in FIVE Campaign has been launched in close to 20 member states. This awareness raising campaign is aimed at equipping children, their families and societies at large with knowledge and tools to prevent and report sexual violence against children. During the Dubrovnik Conference, strong support for the idea of prolonging the ONE in FIVE Campaign until the end of 2015 was expressed, including by the Council of Europe Secretary-General, Mr Thorbjorn Jagland, who also underlined that violence against children should be included in the post 2015 UN agenda. In a similar fashion, the idea of launching a European Day or annual or biannual event against child sexual abuse was greatly supported by many conference participants.

35. Indeed, one of the main issues discussed during the two roundtables was the fact that sexual violence against children remains an extremely difficult issue to talk about. Taboos, feelings of shame and guilt, social stigma: these are only a few of the reasons why children and adults are still reluctant to report and speak out about sexual violence. When it comes to violence against young women and girls, there is also a worrying social acceptance of this phenomenon, and one of the most important goals of the Council of Europe's work should be to change the attitudes toward violence and sexual violence. In that regard, both roundtables raised the importance of addressing the roles of men and boys in today's society, taking into account elements such as masculine stereotypes, peer pressure and the "hyper-sexualisation" of public space, including through the media. It was also underscored that men and boys need be fully involved and play an active role in the fight against sexual and gender-based violence.

36. It was strongly felt that reporting mechanisms should exist for children, and that clear indications must be given on how and where children can turn for help, wherever they are. But in order to actually have people ready and able to help, training of professionals was, yet again, identified as one of the key factors that needs to be strengthened. It was pointed out that it is sometimes difficult to get professionals, such as judges, to "get back on the school bench" once they are in their careers. One solution to this would be to include obligatory courses on children's rights and pedagogy in a broad range of university curricula, ensuring that all future legal, health, education and social professionals have a basic set of skills already before they begin to exercise their professions. Furthermore, all persons who go on to work with or in contact with children need to receive training on how to detect abuse and how to communicate with children in an appropriate manner. Lastly, social workers, teachers and other professional groups need to know clearly what their rights and obligations are, and be reassured that reporting abuse cases is the right thing to do.

37. It was acknowledged that the lack of data and adequate data collection represents an important obstacle to fully understand and tackle sexual violence against children. Hope was expressed that the Lanzarote Committee and the future monitoring committee for the Istanbul Convention will be able to contribute positively in that matter, and make sure that any data collected is made visible and is used to guide new policies. Related to this point is also the difficulty of reaching children in vulnerable situations. Indeed, attention was drawn to the fact that children who are the most at risk are not gaining the most attention, but rather the opposite. Greater efforts and allocation of resources must be drawn to reach children with disabilities, poor children and children living in ghettos, Roma children, to mention only a few. Lastly, it was suggested that institutions of every type, shape or form, whether committees or courthouses or service delivery agencies, should be adapting to the needs of children and not the other way around. One of the current good practices in Europe for doing so is the children's houses ("Barnahus") which places children at the centre of the system.

38. Remaining challenges include:

- a. Promoting the establishment and strengthening of mechanisms to report abuse and violence against children in all Council of Europe member states, placing the child victim in the centre of all processes, and ensuring that children know their rights and receive adequate information about what they can do and where to ask for help;

- b. Ensuring that all professionals working in positions that could bring them into contact with children receive education and training on children's rights and pedagogy, and are given the basic knowledge that would increase their chances to detect abuse and react appropriately;
- c. Supporting the prolongation of the Council of Europe ONE in FIVE Campaign to stop sexual violence against children until the end of 2015 and to subsequently launch an annual or biannual event to continue to provide all stakeholders with an opportunity to take action;
- d. Paying increased attention through the relevant Council of Europe bodies to children in vulnerable situations and the greater risk they face in falling victim to sexual violence;
- e. Exploring the challenges children face in relation to grooming and seeking common solutions to support parents and educators in navigating through the challenges of bringing up modern digital citizens;
- f. Developing child-friendly versions of the Lanzarote and Istanbul Conventions.

## **VII. Alternative care and reaching children in vulnerable situations**

39. The difficulty to reach children in vulnerable situations was highlighted throughout the Dubrovnik Conference, both in plenary and in most roundtable sessions. Although much progress has been made in favour of children's rights in Europe, Ms Marie-Pierre Poirier (UNICEF CEE-CIS) underscored the fact that far too many children are still left behind, even in the high- and middle-income countries. It is, in particular, children in vulnerable situations such as Roma children, children in migration, in detention and in institutions who are left behind, and who are often invisible in the statistics.

40. Children in alternative care make up a group of particularly vulnerable children, and one of the roundtables at the Dubrovnik Conference was tasked with addressing this specific issue. Firstly, the existing legal and policy instruments that cover alternative care were examined, such as the Council of Europe's Recommendation on the rights of children living in residential institutions<sup>10</sup> and the UN General Assembly Guidelines for the Alternative Care of Children (2009), as well as the CRC, which establishes certain measures that states must take to ensure alternative care for children deprived of their family environment (article 20). The participants highlighted that priority should always be given to efforts that would enable the child to remain in the care of his or her family, and possibilities for family-based care should be examined before consideration is given to placement in an "appropriate" or "suitable" institution.

41. Some good practices aimed at supporting families so that children can stay with their family, as well as initiatives to move children from institutions to foster families were illustrated in Dubrovnik. For instance, a new Croatian campaign including a commitment to end institutional care of children under the age of 3 and a Georgian project to diminish institutional placement and increase foster care and family-like group homes were presented. A problem in achieving these goals, as pointed out also by Ms Kirsten Sandberg, Chair of the CRC Committee, is that the number of available foster families is, generally speaking, too low and resources to attract more families are insufficient. Thus, the use of institutions still represents a common "solution" – which risks causing other, more long-term problems further down the road. Moreover, institutional placement is sometimes used without a proper assessment regarding the necessity and suitability of such measures for the child, and there is limited understanding of the real institutional harm. In accordance with the existing international instruments, residential placement should be decided only when the care it offers is felt to correspond best to the child's needs, and not simply because of a lack of other options. When such placements are used, they should, to the greatest extent possible, maintain openness to the outside world and allow for contact with parents or other family

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<sup>10</sup> Recommendation Rec(2005)5 of the Committee of Ministers to member states on the rights of children living in residential institutions (Adopted by the Committee of Ministers on 16 March 2005 at the 919<sup>th</sup> meeting of the Ministers' Deputies).

members or close persons. There should also be adequate monitoring of compliance with rules and children's rights standards.

42. The conference participants welcomed the newly published "Securing children's rights": a Guide for professionals working with children in alternative care"<sup>11</sup>, the result of collaboration between the Council of Europe and SOS Children's Villages International. The Guide was developed to assist persons working with children in alternative care in understanding and supporting these children and their rights. Participants at the Dubrovnik Conference expressed the wish for the guide to be widely disseminated and used as a basis for training staff working with children, together with the previously published Council of Europe guide "Discover your rights!"<sup>12</sup> dedicated to children and young people in care.

43. Another good practice presented in Dubrovnik was the experience from Finland, where children placed in out-of-home care were asked to participate and to talk about good and bad experiences in alternative care. Some of the main points expressed by those children were the importance of continuity in relationships and of the interaction with adults to build trust. Children also want information about their own "case" and the decisions being taken, and wish to be treated as "whole persons" and with less prejudice. One important factor that was mentioned was the safeguarding and nurturing of hope for the future. The views of the children were presented to decision-makers, institutions, and social workers in the form of a report. One of the main challenges detected in this initiative were the attitudes of the adults, showing just how important it is that the Council of Europe continue to work towards changing attitudes and raising awareness of the general public and, in particular, of all adults working in professions that come into contact with children.

44. Other vulnerable groups of children mentioned during the conference were, for instance, children with disabilities. It was pointed out that an adapted curriculum for inclusive education is often lacking, and that no systematic training of all teachers exists. In this area, more work needs to be done by the Council of Europe to develop further expertise and to guide the member states in setting up solid systems for inclusive education. The fact that the Council of Europe has not paid much attention to these areas, and in particular children's mental health issues, was pointed out as a concern and a suggestion for future action.

45. Concern for migrant children and children belonging to ethnic minorities was also manifested during the Dubrovnik Conference, and the problem relative to the frequent detention and lack of respect for the rights of migrant children was underlined. It was clearly felt that in today's Europe with economic hardship and austerity measures, children in vulnerable situations are even further marginalised instead of brought under the protection that they are entitled to as children. The European Network of Ombudspersons for Children (ENOC) has paid particular attention to the increased need to protect migrant children.

46. Last but not least, the numerous obstacles to reaching the most vulnerable and marginalised children in Europe was reiterated in Dubrovnik, and it was not without concern that the current inability of European institutions to penetrate the most hidden and dangerous places for children was admitted. To face this reality, suggestions were made from many of the NGOs participating at the Conference to invest more resources in grassroots work, involving persons who know the contexts and specificities of hard to access places and who may have greater chances of reaching the most vulnerable children.

47. Remaining challenges include:

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<sup>11</sup> Securing Children's Rights, a Guide for professionals working with children in alternative care, Council of Europe, December 2013. Available at: [http://www.coe.int/t/dg3/children/publications/SecuringChildrensRights\\_GBR.pdf](http://www.coe.int/t/dg3/children/publications/SecuringChildrensRights_GBR.pdf)

<sup>12</sup> Children and Young People in Care – Discover your rights!, Council of Europe, 2009. Available at: [http://www.coe.int/t/dg3/children/childrenincare/C&YP%20IN%20CARE-ANGLAIS\(web\).pdf](http://www.coe.int/t/dg3/children/childrenincare/C&YP%20IN%20CARE-ANGLAIS(web).pdf)

- a. Ensuring that family-based solutions are prioritised whenever possible, and reducing institutional placement in favour of foster family- or family-like alternatives that can increase the chances for relationships based on trust and continuity;
- b. Supporting a broad dissemination of the Guide “Securing children’s rights”, and its use as a basis for the training of persons working with children, together with the Council of Europe Guide “Discover your rights!” dedicated to children and young people in care;
- c. Encouraging models based upon children’s own experiences and views, and making sure that the child is informed and consulted during the decision-making processes and continuously throughout alternative care;
- d. Developing expertise and guidance for the Council of Europe member states in setting up solid systems for inclusive education;
- e. Strengthening the efforts to reach children in vulnerable situations, and assisting grassroots movements which can penetrate places that are hard to access and where the poorest and most marginalised children live;
- f. Intensifying exchange of practice on how care institutions can be better monitored to foster compliance with rules and children’s rights standards.

### **VIII. Making child participation a reality**

48. Child participation is one of the four strategic areas of the 2012-2015 Strategy and, indeed, children were consulted during the very process of drawing up the Strategy. Throughout its work, and as set forth in its recommendation on the participation of children<sup>13</sup>, the Council of Europe has continuously promoted a “culture of child participation” in which children are recognised as full rights holders and as citizens with the right to participate in every democratic society, underscoring that children’s participation means the right of children to be heard and involved in decision making, whether at home, in the general life of the community, at school or in individual legal and administrative matters that concern them. This principle is also firmly established in the CRC through its article 12 on the right of the child to be heard, and has been defined by the CRC Committee as a general principle of children’s rights.

49. While the importance of child participation has been increasingly recognised in the Council of Europe member states, and while there are a growing number of interesting examples of how child participation can be enhanced, the greatest challenge in this area is to ensure the systematic inclusion of children’s voices in decision-making processes. Indeed, to this day, experiences with child participation have often been based on *ad hoc* initiatives or unstructured approaches, and much more rarely included in regular procedures. In a nutshell, the “culture of child participation” that the Council of Europe promotes means that children’s participation should be the rule, not the exception.

50. Furthermore, the conference participants raised two main issues regarding to existing experiences of child participation. Firstly, even where children are involved, feedback and follow-up is almost always lacking once a decision has been made. But in order for children’s participation to be meaningful, children also need to be informed about which decisions were made and why, and how their views were taken into account. Moreover, it needs to be clearly defined who should be responsible for providing such information to the children. In relation to this, it was also underscored that adults must be accountable to children. Empowering children is not charity, and child participation is not something that should be done to “be nice to children” – it is a legally binding general principle firmly established in the CRC and reiterated in a number of other international instruments.

51. Secondly, the point was made that, although a growing number of examples exist in which children are being more directly and actively involved in decision-making processes, there are still

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<sup>13</sup> Recommendation CM/Rec(2012)2 of the Committee of Ministers to member States on the participation of children and young people under the age of 18 (Adopted by the Committee of Ministers on 28 March 2012 at the 1138<sup>th</sup> meeting of the Ministers’ Deputies).

very few means to measure the impact of such participation. It is crucial to find a way to assess the actual importance of participation of children in different aspects of society. This would allow for a deeper understanding of how to best ensure meaningful forms of participation, and of how to promote effective and systematic child participation models. Measuring impact would also allow us to move away from the many “token mechanisms” that exist today, through which children are invited to participate in a merely symbolic manner but where the views of children are not truly taken into account by the decision makers, and move towards real child participation, as intended by the CRC.

52. These highly relevant issues have drawn the attention of the Council of Europe, and are one of the reasons why resources have been made available to develop a “Child participation assessment tool”<sup>14</sup>. The novelty of this tool is that it is the first of its kind to provide a method to facilitate and support the implementation of child participation in European countries. The tool, which was presented at the Dubrovnik Conference, contains 10 indicators that have been drawn up as a first step to harmonise and achieve a common ground for child participation in the Council of Europe member states, which all have different legal and social contexts. The tool was developed with the participation of international organisations, civil society, academia and, of course, children, and will be tested as a pilot project in a few countries during 2014.

53. While the Dubrovnik Conference as a whole addressed a large number of child protection issues, by which children are the victims of different forms of violence and abuse, the conference participants were also mindful of the fact that children are not only victims – they are also a crucial part of the solution. When children are allowed to express their views, they know very well how to find good solutions and are able to influence decisions in a way that is positive for them, both in terms of process and in terms of outcome. As an example of this, a young participant at the Conference, member of ECPAT International’s Child Youth Advisory Committee, spoke about how peer-to-peer approaches to support children who are victim of sexual exploitation can be very successful. Children, including children who have themselves been victims of such crimes, are trained to develop skills to support and assist other children and are encouraged to take the lead in shaping their own futures.

54. A key feature of enhancing child participation is making children know and understand their own rights, and treat them as bearers of those rights. A very interesting presentation on this issue focused on the education system as a priority venue to promote and enhance child participation. The presentation underlined how schools have a duty to teach children how to participate, and pointed out the very important but oft-forgotten fact that the provisions of the CRC are actually part of the legal system of schools. Teachers should be proud to play an essential role in the implementation of the CRC on the ground. However, the reality in many of today’s education systems is that, too often, teachers teach without being aware of this. Moreover, with current economic hardship and cuts in public expenditure, the education systems have suffered much, and teachers are often under considerable strain with fewer staff combined with ever-growing classes. Teaching children how to be able to think for themselves and form and express a proper opinion needs to become a priority, because these are skills that have to be learned, they are not automatic. This is the way forward in order to have children’s rights through, with and for children.

55. Ensuring that children know and understand their own rights and treating them as bearers of such rights also means ensuring that children have somewhere to turn to when their rights are not respected. This discussion brought the thoughts back to complaints mechanisms for children, and it was pointed out how such mechanisms are often made for adults more than for children. Indeed, complaints mechanisms are frequently difficult to understand and to access for children without the help of their parents or guardians, yet children should not need the support of such persons to be able to go to court. Clearer structures must be developed through which children can easily receive expert advice and assistance from independent and impartial persons. It was also underscored that the new Optional Protocol to the CRC on a communications procedure (OPIC)

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<sup>14</sup> Available at: [http://www.coe.int/t/dg3/children/participation/Child\\_participation\\_AssessmentTool\\_en.pdf](http://www.coe.int/t/dg3/children/participation/Child_participation_AssessmentTool_en.pdf)

should ideally function as an instance of last resort, not replace national complaints mechanisms for children.

56. Remaining challenges include:

- a. Creating or reinforcing the legal framework and institutional structures at national level to ensure that child participation is an obligation, and strengthening the status of children in this framework;
- b. Reinforcing accountability and evaluation mechanisms for children and ensuring that children always get feedback on which decisions were taken and how their views on the matter were taken into consideration in the decision-making process;
- c. Increasing training and capacity-building and building up human resources that would enable the setting up of meaningful participation models for all matters concerning children;
- d. Supporting states in using and benefitting from the “Child participation assessment tool”.

## **IX. Strengthening international cooperation and partnerships to increase impact**

57. Fundamental aspects of a successful implementation of children’s rights, cooperation and partnerships represented important points for discussion during the Dubrovnik Conference. Indeed, the conference itself was an important example of the cross-sectoral and multi-stakeholder work that the Council of Europe promotes and coordinates to enhance the rights of the child across its member states. The conference brought together over 200 participants from national, regional and local governments, civil society and grassroots movements, education, health and justice professionals, as well as representatives from other international organisations – all of whom contributed in a crucial manner to the work carried out and without whom the progress achieved would never have been possible.

58. However, in order to make sure that children’s rights are further strengthened and that violations of children’s rights can be effectively prevented, cooperation must continue to grow, both at the international level and within member states. Serious coordination is needed at all levels of society and across all sectors that work for and with children. Within the member states, efforts to set up national integrated strategies for children’s rights and to grant a strong and clear mandate to one coordinating body must be continued. Internationally, major child rights organisations such as the UN, UNICEF, the Special Representative of the UN Secretary General on Violence against Children, the Council of Europe and the EU must continue to identify concrete ways to join efforts in the future and mutually reinforce each others’ work and draw from each others’ experiences. In this regard, an interesting suggestion was made by the CRC Committee’s chairperson, Ms Kirsten Sandberg, on how the Committee and the Council of Europe could strengthen their cooperation and ensure dialogue and follow-up with European states on their implementation of UN recommendations. The need for the Committee to be fully informed of recommendations made by Council of Europe monitoring bodies that have a dedicated child focus was also expressed. The proximity of the Council of Europe to its member states and the existing knowledge on national contexts would represent a great contribution and assist the CRC Committee to ask the right questions and provide states with country-specific advice and guidance.

59. The UN Special Representative on Violence against Children, Ms Marta Santos Pais, underscored the importance of a cooperation that makes sense also to the children, and that takes into consideration how they can be partners in the change that we want to see in our society. In order to make this possible, we must first ensure that children understand the legal instruments that concern them and that they know what their rights are. Child-friendly versions of legal instruments are one way to contribute to this, and the Council of Europe has proven very important in that regard.

60. Together, all stakeholders working for children's rights must come together and promote full ratification of existing legal instruments and make serious efforts to implement such instruments. The Council of Europe member states need to step up their commitments to the UN and the Council of Europe and turn words and symbolic commitments into reality, for the sake of their children and for the sake of their societies. Coming together and sharing good practices, pinpointing success stories and boosting their visibility is also a way to encourage states that lag behind to increase their efforts. As Ms Santos Pais put it, "we need to find ways of being contagious, and spread the good things". Indeed, the Dubrovnik Conference highlighted a large number of remaining challenges, but through cooperation and partnership much has also been accomplished, and this needs to be acknowledged and serve as a basis for further inspiration and encouragement.

61. Lastly, it was pointed out that the 2012-2015 Strategy establishes that "the Council of Europe will seek to build bridges between donors and NGOs as implementing partners". While the conference participants praised this idea, it was clearly felt that more needs to be done in that regard. In particular in this time of economic austerity, the Council of Europe could play a major role in connecting different actors and laying the ground for new and innovative partnerships to enhance children's rights even further.

62. Remaining challenges include:

- a. Continuing to support and strengthen cross-sectoral and multi-stakeholder initiatives to increase the knowledge sharing and the harmonisation of approaches;
- b. Empowering children by developing child-friendly versions of international conventions and guidelines on children's rights to ensure that children understand the legal instruments that concern them and that they know what their rights are;
- c. Intensifying the co-operation and co-ordination with the CRC Committee and support the Committee in its monitoring work at European level;
- d. Reinforcing the co-ordination between Council of Europe activities and those of other international stakeholders such as the EU, UNICEF, the CRC Committee, the Special Representative of the UN Secretary General on Violence against Children and the World Health Organisation (WHO) to avoid overlaps and increase joint impact;
- e. Promoting partnerships and networks between NGOs and donor organisations and support stakeholders in the Council of Europe member states in building stronger bridges between one another.

## **X. Conclusion: looking ahead and beyond 2015**

63. The Dubrovnik Conference "Growing with Children's Rights" marked the midway stage of the Council of Europe 2012-2015 Strategy for the rights of the child, and one of the questions asked during the Conference was whether Europe is really "growing with children's rights" or whether we are "just growing old"? Beside the rhetoric in that question, a word of caution that Europe must not grow tired of the process was expressed. This hint was not unfounded, because some arguments regarding reporting fatigue and the difficulty for some states to ratify and implement international legal instruments did indeed come up during the Conference. On a more positive note, the Dubrovnik Conference really demonstrated that there is much conviction and determination to continue to make Europe a better place for children, and to involve children in that process.

64. The challenges identified in Dubrovnik were many, and despite the work being done and the presentation of new practical tools, important issues that are not included in the current Strategy were also discussed. Among such issues, the most recurring one in the different conference sessions was that of economic austerity and increasing child poverty and social exclusion. Several participants pointed to how the consequences of the economic crisis in Europe have been devastating for large groups of children, and how an increasing number of families are

unable to provide for the needs of their children. It was emphasised that child poverty is not a matter of lacking a gadget or a toy, but that economic instability at home increases the risks for distress and violence against children, reduces self-confidence and provokes feelings of shame and insecurity.

65. At a more general level, economic hardship pushes children's rights off the list of priorities and the impact of austerity measures on children is often greater than on other groups of individuals. It was asserted that human and financial resources are currently inadequate to reach the objectives that the Council of Europe has set forth for children's rights, and that this needs to change. While it was acknowledged that poor countries have a harder time to provide their children with the same services as richer countries, the participants generally agreed that among the European states it is absolutely unacceptable and unjustified that an increasing number of children are stripped of their rights and protection. Politicians must be made aware of what the long-term effects of austerity measures will be, and how child poverty and distress will affect society at large. On that issue, it was highlighted that a strong reference to economic issues needs to be put into any future strategy on children's rights.

66. Other important issues that were raised and on which the Conference participants wished to see the Council of Europe take action were, for instance, the use of new technologies and the risks and threats – but also the opportunities – that come with this evolution. Children's exponentially increased use of the Internet and other new technologies needs to be accompanied by empowerment and protection. Current responses are often driven by fear and censorship, due to a lack of knowledge among adults. In order to give children the right support, parents and teachers also need help to develop the necessary skills and learn how to navigate through the numerous challenges of bringing up modern digital citizens. It was pointed out that, while it seems to be generally recognised that children need protection from online threats, such as grooming, hate speech or online bullying, the repercussions of such threats and challenges need to be further explored and understood. Moreover, there is a strong need to recall that children also have privacy rights, and that such rights might clash with parental rights. More information and expertise are needed in this area, and the Council of Europe could play an important role in supporting and coordinating research and development of skills on these emerging issues.

67. But threats to children's wellbeing come also from more traditional forms of technology, such as the media. It was argued that the hyper-sexualisation of today's society has brought sexual images and language into every sphere of public life, and pornographic images, or images displaying gender- or sexual violence have increasingly been perceived as portraying "normality". These images are everywhere, whether it is in TV series or commercial spots, or on advertising billboards on the streets, in public transport or elsewhere. It was claimed that this hyper-sexualisation pushes children into a sexuality that is not their own and impresses upon them a set of artificial sexual ideals, ignoring children's needs and natural development processes. The solutions suggested to tackle this rising problem were, for instance, to develop a wider array of rules and regulations and to focus on educating the media and professionals working in the communications and advertisement sectors.

68. An issue that kept returning session after session throughout the Dubrovnik Conference, and one that has been reiterated in the different sections of the present report, was the imperative need to train professionals working in contact with children. Whether in university curricula or in continued training programmes, it was strongly agreed that education and training in children's rights and pedagogy must become compulsory for a broad range of professions, such as health and social services personnel, legal professionals, and teachers at all levels. Knowledge of children's rights, as well as pedagogical skills to communicate with children of different ages, are fundamental to allow for the development of a child-friendly society in which health-, social-, and justice-systems can respond adequately to the needs also of its youngest citizens. Continuing to build on the work of the Council of Europe Pestalozzi Programme and further develop and support high quality training programmes in the member states would be an essential contribution of the Council of Europe to the realisation of children's rights, and a very important step towards effective

implementation of existing laws, recommendations and guidelines. In relation to this, the Council of Europe was also commended for its role in developing child-friendly material and child-friendly versions of legal instruments, in order to allow also for children to be informed and trained on their own rights. The wish to see this exercise continue was expressed by a number of participants.

69. Education is not everything, and cannot replace legislation – this would be equal to denying children’s rights to be treated equally and to receive adequate protection. The above-mentioned Venice Commission Report has shown that the CRC is not yet effectively incorporated into the domestic legal orders of the Council of Europe member states, and that the most common way to refer to children in the constitutions is still as objects of protection, not as bearers of their own rights. This shows that, despite the existence of a broad and comprehensive framework of international instruments for children’s rights, states have still not fully embraced these instruments at national level. Even the CRC is referred to mainly in relation to a few specific provisions, while the remainder of the Convention is often forgotten or set aside. In that regard, it was pointed out that, 25 years after its adoption, efforts must still be made to work with the CRC as a whole. This instrument continues to be the most comprehensive and broadly ratified children’s rights document in the world, and is truly the pillar on which 25 years of international, national and local work to strengthen children’s voices rests.

70. In the concluding moments of the conference, the thoughts of the participants were directed towards the future and the important work that lies ahead. In the spirit of truly building a Europe for and with children, it was hoped that children could be even more involved in the next Council of Europe Strategy for the Rights of the Child. To make this happen, old and new partners must come together, taking a shared responsibility for making it possible for children to be active members of society. This will not only benefit children, but society as a whole. Indeed, caring about children means caring about the future of our societies.