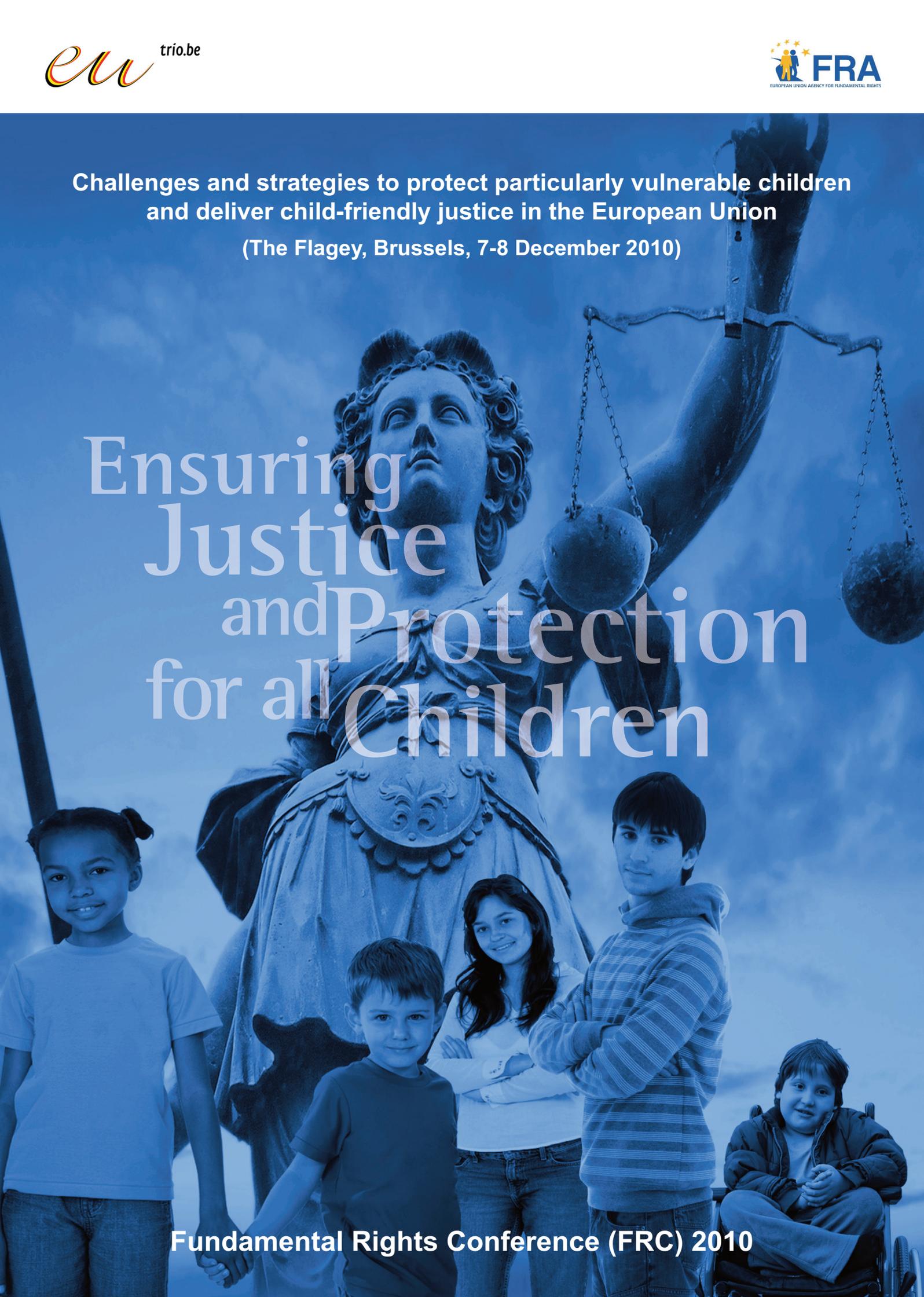


Challenges and strategies to protect particularly vulnerable children  
and deliver child-friendly justice in the European Union

(The Flagey, Brussels, 7-8 December 2010)



# Ensuring Justice and Protection for all Children

Fundamental Rights Conference (FRC) 2010

# Ensuring Justice and Protection for all Children

## OBJECTIVE

The FRC 2010 focuses on **PRACTICE, INNOVATION** and **IMPACT** by:

- **developing practical proposals** to address challenges faced by particularly vulnerable children in the EU in realising their rights and to ensure that primary consideration is given to the best interests of the child in judicial and administrative practice concerning children;
- **sharing 'good practice'** on child-friendly approaches applied by State authorities at all levels and learning from innovative practices that contribute to a better protection of vulnerable children and coordination of the systems that protect children;
- **strengthening impact** by promoting an integrated and evidence-based approach to the implementation of policies and strategies related to the rights of the child in the EU.

The FRC is a key networking opportunity for actors responsible for the protection of children's rights at EU, international, national and local level as well as at the grass roots. It will bring together 250-300 stakeholders, including EU and Member State officials, local authorities and intergovernmental organisations, social services and legal practitioners, national human rights institutions, equality bodies and children's ombudspersons, victim support and child rights non-governmental organisations.

The FRC is not intended to produce formal or agreed outputs. The FRA will summarise the proceedings, propose elements for follow-up and integrate outcomes into its own work.

## BACKGROUND

Vulnerable children may face violations of their rights in the EU, as evidence from many organisations shows. The EU has recognised this and placed emphasis on the protection of vulnerable children, inter alia through the Stockholm Programme. Child-centred practice, approaches and mechanisms offer ways to protect children and help realise their rights. FRA reports, for instance, have identified challenges in ensuring the fulfilment of the rights of children who have become victims of trafficking or have fled from their country of origin. These reports made proposals for further action to ensure that children enjoy the guarantees provided under the UN Convention on the Rights of the Child, particularly regarding their protection from various forms of neglect, abuse and exploitation.

At the same time, this year important progress is being made in strengthening the legislative and policy framework to address the challenges faced by vulnerable children, including:

- **A stronger emphasis on the rights of the child, including in child protection services**, with the entry into force of the Charter of Fundamental Rights and the Lisbon Treaty, making the protection of the rights of the child a priority for the Union and strengthening its possibilities to act.
- **EU policy and legal developments**, including the work to develop an EU Strategy on the Rights of the Child; the Action Plan implementing the Stockholm Programme with a number of measures related to the rights of the child (including an action plan on unaccompanied minors in the migration process); and the proposals for Directives on combating sexual abuse, sexual exploitation of children and child pornography, and on trafficking of human beings.
- **Intergovernmental cooperation** on developing additional common rules and standards, including the work on the Council of Europe Guidelines on Child-Friendly Justice; the entry into force of the Council of Europe Convention against Sexual Exploitation and Sexual Abuse; the establishment of an Open-ended Working Group to explore the possibility of an optional protocol to the UN Convention on the Rights of the Child; and finally the ongoing ratification of the UN Convention on the Rights of Persons with Disabilities, where children are a specific target group.

## DESCRIPTION

Against this background, the FRC will explore avenues for State authorities to better protect vulnerable children, by following an integrated approach to child protection services and justice and involving civil society and children themselves. The focus will be on promoting and safeguarding the protection, provision and participation rights enshrined in the UN Convention on the Rights of the Child. The FRC will discuss the practical implementation of all these rights when a vulnerable child comes into contact with State authorities as a victim or witness.

The FRC will examine this by considering in particular the situation of:

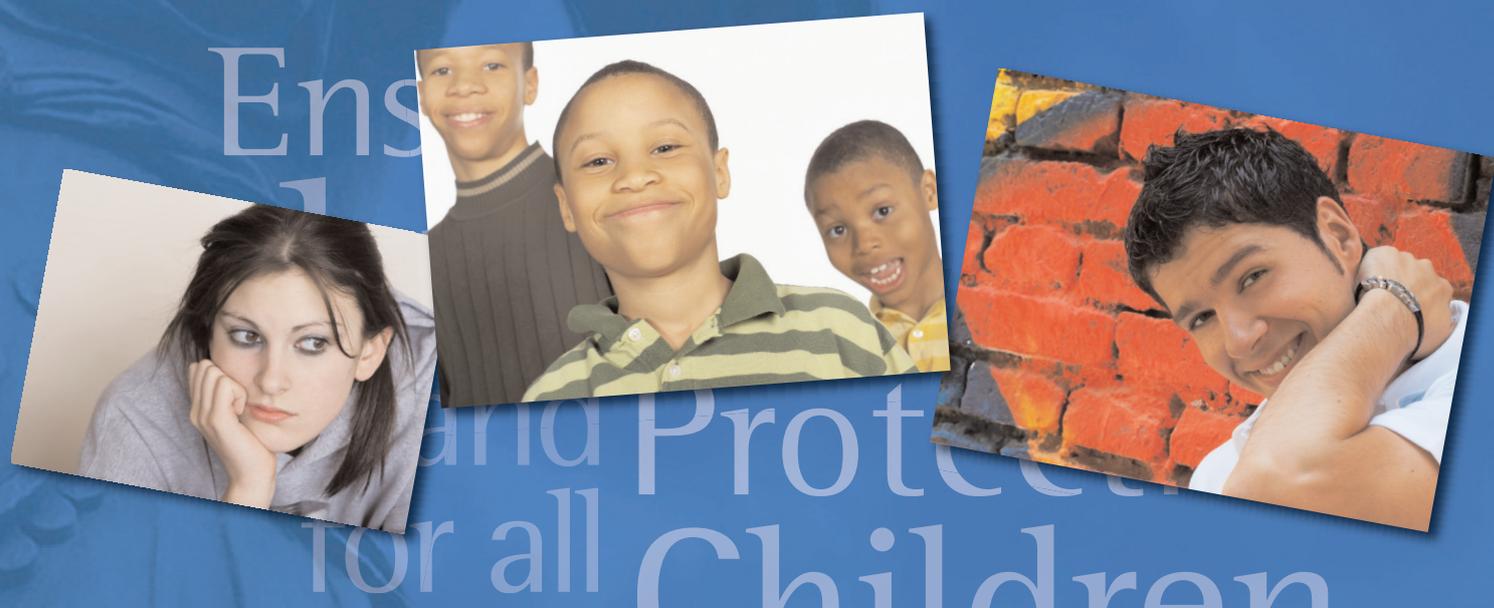
- **Child victims of domestic violence**
- **Separated and unaccompanied, asylum-seeking children**
- **Child victims of trafficking**
- **Children with intellectual disabilities**

In their handling by the authorities, all these categories of children are at risk to be subject to restrictions of their rights – whether not receiving appropriate education or medical care, having no access to legal counsel or specialist services for victims, or being deprived of contacts with parents or other primary caregivers, family and friends. In the case of a separated, asylum-seeking child for instance, this could concern the type of placement and accommodation he or she is provided with; whether and when a legal guardian is appointed, or whether he or she receives free legal representation and of which quality.

There has been a growing realisation in recent years that problems of fulfilling children's rights are complex and inter-related, and that an issue-based approach focusing on specific groups alone results in fragmented responses that do not provide comprehensive and sustainable solutions. A shift towards more integrated, systems-based approaches in the areas of child protection and justice is emerging.

The FRC 2010 seeks to explore how children with particular vulnerabilities can benefit from such integrated approaches. Special attention will be paid to the need for coordination between justice and child protection systems, which ultimately benefits all children. Participants are encouraged to reflect on the various components of coordination needed for a comprehensive approach to child protection systems, i.e. legislation and other regulation, policies, structures, institutions, procedures, practices, capacities, training, data collection and measurement. In discussing these issues, the focus will be on the following sub-themes:

- **Child-friendly judicial and administrative procedures**
- **Participation of vulnerable children and access to support and complaints mechanisms**
- **Joined-up governance to ensure coordination and referral between authorities**
- **Measuring the protection of the rights of the child in the area of justice**



## MONDAY 6 DECEMBER

**19.30** Welcome reception hosted by the European Union Agency for Fundamental Rights (Sheraton Brussels Hotel, Place Rogier 3)

## TUESDAY 7 DECEMBER

**08.30 – 09.15** **Registration**

**09.15 – 09.30** **Opening ‘Children have their say’**

Report from children’s workshop, held in cooperation with Eurochild

A children’s workshop will take place before the FRC and will bring together children from Belgium, Bulgaria, Cyprus, Malta and the UK. The focus of the workshop will be to discuss the issue of ensuring justice and protection for separated and unaccompanied, asylum-seeking children. The group will involve children who have themselves lived through this experience, but also children active in national participation structures which have debated issues of integration and access to services.

**09.30 – 09.40** **Welcome**

- **Ilze Brands Kehris**, Chairperson of the Management Board, European Union Agency for Fundamental Rights (FRA)

**09.40 – 10.30** **EU perspectives on justice and the protection of the rights of the child**

- **Viviane Reding**, Vice-President of the European Commission, responsible for Justice, Fundamental Rights and Citizenship
- **Roberta Angelilli**, Vice-President of the European Parliament
- **Morten Kjaerum**, Director, European Union Agency for Fundamental Rights (FRA)

**09.40 – 11.00** **International perspectives**

- **Maud de Boer-Buquicchio**, Deputy Secretary General, Council of Europe
- **Yanghee Lee**, Chair of the Committee of the Rights of the Child, United Nations

**11.00 – 11.30** **Coffee Break**

**11.30 – 13.00** **CHALLENGES in protecting vulnerable children in the EU**

Panel debate and plenary discussion with policy-makers and practitioners

- **Bernard De Vos**, General Delegate of the French Community for the Rights of the Child, Belgium
- **Bernard Boëton**, Terre des Hommes
- **Kate Blewett**, journalist, founder of TBACT - the Campaign for Bulgaria's Abandoned Children
- **Micaela Navarro Garzon**, Councillor for Equality and Social Welfare, Regional government of Andalucía, Spain
- **Imre Nyitrai**, Deputy State Secretary for Social Affairs, Ministry of National Resources, Hungary

**13.00 – 14.30** **Lunch**

**14.30 – 16.30** **MEETING THE CHALLENGE**

**Practical proposals to address the challenges faced by children in situations of particular vulnerability**  
(Parallel working group discussions)

**WG 1: Child victims of domestic violence**

Chaired by **Marta Santos Pais**, Special Representative of the UN Secretary-General on Violence against Children

*Introductions:*

**Peter Adriaenssens**, Child Psychiatrist, director of the confidentiality centre Leuven, Belgium

**Nicole Cochet**, Magistrate, Vice-Chair of the European Committee on Legal Co-operation (CDCJ) - Council of Europe observer at the Ad hoc Committee on preventing and combating violence against women and domestic violence (CAHVIO), France

*Introductions cont:*

**Julie Taylor**, Head of Strategy and Development - Children in High Risk Families, National Society for the Prevention of Cruelty to Children (NSPCC), United Kingdom

**WG 2: Separated and unaccompanied, asylum-seeking children**

Chaired by **Jozef de Witte**, Director of Centre for Equal Opportunities and Opposition to Racism, Belgium

*Introductions:*

**Marjo Mäkelä**, Senior Adviser, Immigration Service, Finland

**Alexandros Anastasiou**, Head of Social Service, Council for Refugees, Greece

**Blanche Tax**, Senior Policy Officer, Office of the United Nations High Commissioner for Refugees

**Kasia Lach**, DG Home Affairs, European Commission

**Maria Amor Estebanez**, European Union Agency for Fundamental Rights

**WG 3: Child victims of trafficking**

Chaired by **Maria Grazia Giammarinaro**, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

*Introductions:*

**Diana-Florentina Tudorache**, Council of Europe Group of Experts on Action against Trafficking in Human Beings, specialised police officer/psychologist in the Romanian National Agency against Trafficking in Persons, Romania

**Alessia Altamura**, International Associate Expert on Child Trafficking for Sexual Purposes, ECPAT

**Gerald Tatzgern**, Head of Central Service for Combating Human Smuggling/Human Trafficking, Criminal Intelligence Service, Federal Ministry of Interior, Austria"

**WG 4: Children with intellectual disabilities**

Chaired by **Jan Pfeiffer, Lumos**, Chair of the Ad Hoc Expert Group on the Transition from Institutional to Community-based Care

*Introductions:*

**Malin Ekman Aldén**, Deputy Director, Division for social services, Ministry of Health and Social Affairs, governmental focal point on the Convention on the Rights of Persons with Disabilities (CRPD), Sweden

**Camille Latimier**, Human Rights Officer, Inclusion Europe, Czech Republic

**Dainius Pūras**, Member of the UN Committee on the Rights of the Child, Associate Professor and Head of the Centre of Child Psychiatry and Social Pediatrics, Vilnius University, Lithuania

For each working group a minimal thematic framework is laid down:

- Identification of children and their particular vulnerabilities
- Availability of initial support and preventive services
- Placement in residential institutions (facilities for asylum-seeking persons, hospitals social care institutions etc.)
- Availability of adequate alternatives to placement in institutions (children's houses, shelters, community-based care etc.)
- Access to and availability of education (e.g. while in a residential institution) and other services (health, psychological support, social workers, interpretation and translation, and other)
- Child participation in judicial and administrative procedures involving or affecting the child and child support mechanisms
- Access to information and advice, access to legal and other forms of redress
- The role of children's ombudspersons, national human rights institutions and equality bodies
- Victim support and referral – the role of civil society, local authorities and other intermediaries

16.30 – 17.30

**SHARING ‘GOOD PRACTICE’**

Marketplace of Ideas: Networking and good practice sharing

**New developments, ground-breaking reports, tools and initiatives in the field -  
Interactive presentations by:**

Amnesty International, Terre des Hommes, Save the Children, Human Rights Watch, UNHCR, UNICEF, Council of Europe, Belgian network of child rights NGOs (La CODE and Kinderrechtencoalitie), FRA

17.30 – 18.00

**Summary of Day 1 and food for thought for Day 2 by  
Lena Karlsson**, Director of Save the Children International’s Child Protection Initiative

20.30

**Reception hosted by the Ministry of Justice, Belgium**  
(BOZAR, the Centre for Fine Arts, Rue Ravensteinstraat 23, Brussels)

## WEDNESDAY 8 DECEMBER

09.30 – 10.00

**LINKING JUSTICE AND CHILD PROTECTION SERVICES**

*Opening by:*

- **Stefaan De Clerck**, Minister of Justice, Belgium

*Keynote address by:*

- **Hilde F Johnson**, Deputy Executive Director, UNICEF

10.00 – 11.00

**ENSURING JUSTICE AND PROTECTION OF RIGHTS for the most vulnerable by ensuring  
justice and protection of rights for all children**

Panel debate and plenary discussion with institutional stakeholders:

- **Kinga Gál**, Vice-Chair of the Committee on Civil Liberties, Justice and Home Affairs, European Parliament
- **Hilde F Johnson**, Deputy Executive Director, UNICEF
- **Ann Power**, Judge, European Court of Human Rights
- **Aurel Ciobanu-Dordea**, Director, Fundamental Rights and Citizenship, European Commission

11.00 – 13.00

**LEARNING FROM INNOVATIVE PRACTICES AND STRENGTHENING IMPACT**

**Identification of proposals for practical action at EU, national and local levels to  
ensure justice for children**

(Parallel working group discussions)

**WG 5: Child-friendly judicial and administrative procedures:**

Identifying and taking account of the best interests of the child and guaranteeing fair and equal treatment of every child from his/her first contact with the respective authorities, the need for specialist staff and training, ensuring access to justice in civil and administrative procedures

*Chaired by* **Justice Renate Winter**, former President of the International Association of Youth and Family Judges and Magistrates, Austria

*Introductions:*

**Ruth Farrugia**, Advocate and Senior Lecturer, Faculty of Laws, University of Malta, member of the Council of Europe Group of Specialists on Child Friendly Justice, Malta

**Till Starke**, Family Judge at District Court, Federal Ministry of Justice, Germany

**Liedewij de Ruijter de Wildt**, legal advisor, Nidos Foundation, The Netherlands

## **WG 6: Participation of vulnerable children and access to support and complaints structures including children's ombudspersons:**

Ensuring that the child can express his/her views freely and that his/her views are given due weight, the need for special provisions (avoiding multiple interrogations, special court rooms, audio-visual equipment, reasonable accommodation, interpretation etc.), access to adequate information and advice, access to support structures, legal counsel and independent complaints mechanisms

Chaired by **Sarah D'Hondt**, President, the National Commission for Children's Rights, Belgium  
*Introductions:*

**Patricia Lewsley**, Northern Ireland Commissioner for Children and Young People, Chair of the European Network of Ombudspersons for Children (ENOC), United Kingdom

**Ursula Kilkelly**, expert consultant for the consultation on the Council of Europe child-friendly justice guidelines, Ireland

**Maria Keller-Hamela**, Director, Nobody's Children Foundation, Poland

## **WG 7: Joined-up governance:**

Linking justice and child protection systems: Cooperation, coordination and referral between authorities to ensure a comprehensive approach to the protection of children's rights before, during and after administrative and judicial proceedings, access to specialised services (e.g. for rehabilitation and reintegration) and other services necessary for children

Chaired by **Ambassador Irma Ertman**, Permanent Representative of Finland to the Council of Europe Thematic Co-ordinator on Children, Council of Europe Committee of Ministers

*Introductions:*

**Bragi Gudbrandsson**, Director General, Government Agency for Child Protection, Iceland

**Susan Gallagher**, Deputy Chief Executive, Victim Support Scotland, United Kingdom

**Ro Kartodirdjo**, manager of the "Safety House", City of Breda, The Netherlands

## **WG 8: Data availability and indicators:**

Supporting an evidence-based approach to policy-making by measuring the protection and fulfilment of the rights of vulnerable children in the area of justice

Chaired by **Arnoldas Abramavičius**, Member of the European Union Committee of the Regions and Mayor of Zarasai District Municipality, Lithuania

*Introductions:*

**Susan Bissell**, Chief of Child Protection, UNICEF

**Cecilia Ljung**, Public Health Strategy Officer, municipalities of Karlskoga and Degerfors, Sweden

**Ioannis Dimitrakopoulos**, Head of Department Equality and Citizen's Rights, FRA

**13.00 – 14.00**

**Lunch**

**14.00 – 14.50**

**Summing up - Interactive panel with working group chairs (Day II)**

Comment and suggestions for way forward by

**Ankie Vandekerckhove**, independent expert on children's rights, Belgium

**14.50 – 15.00**

**Closing Remarks**

**Morten Kjaerum**, FRA Director



## PRACTICAL INFORMATION

Attendance of the conference is only possible for registered participants.  
For more information please contact us at [frc@fra.europa.eu](mailto:frc@fra.europa.eu).

The Conference takes place at the Flagey in Brussels on 7-8 December 2010.

### Address:

Flagey  
Belvédèrestraat 27  
1050 Brussels  
T : + 32 (0)2 641 10 10  
M: [info@flagey.be](mailto:info@flagey.be)  
W: [www.flagey.be](http://www.flagey.be)

The entrance is on the Place Sainte Croix.  
The Flagey is accessible to persons with disabilities. In case you need further assistance, please get in touch with the organisers, who will make any effort to accommodate your needs.

### Public transport

Tram : 81  
Bus : 38 - 59 - 60 - 71



“ENSURING JUSTICE AND PROTECTION  
FOR ALL CHILDREN”