

Newsletter



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ENOC expressed support to its colleague in Moscow

On April 15th, the Moscow City Duma adopted a law establishing the institution of "Ombudsman on Human Rights in the city of Moscow". Thus, the new law overturned the one that has established the Ombudsman for Children. While it is not clear whether the institution of the Ombudsman for Children will simply disappear as of October 1st 2009 or will be absorbed by the new institution but with decreased competencies, ENOC expressed deep concern about the situation raised by the new law. In its letter of support to the Ombudsman for Children in Moscow, Mr Alexei Golovan, sent to the Mayor of Moscow who has not approved yet the new law, ENOC called upon the Mayor of Moscow to take a decision by which children's rights will continue to be given due priority and which will be in accordance with Russia's commitments to the UN CRC.

ENOC Annual Conference and General Assembly

Dear ENOC members,

We hope you all received the full set of the Conference related documents containing a registration form, information on the proposed hotels, an invitation letter and a draft proposed programme together with a map on the different means of transport (M & RER).

We would be grateful if you could send us back your registration form by **30th of June**. Please make sure that you book your hotel room as soon as possible. In most of the proposed hotels availability and rates are no more guaranteed after **15th of July**.

We would also be grateful to receive your proposals for contribution at the different workshops of the Conference no later than **30th of June**.

CRONSEE Conference Dubrovnik

The Office of the Ombudsman for Children in Croatia supported by ENOC, Save the Children Norway, SEE and EUNOMIA hosted the Annual meeting of CRONSEE on 19-20 May in Dubrovnik and organized a Conference on "Children and disputed divorces. Access for children to national, international and European justice". While the Conference brought together many distinguished invitees i.e. Ms Yanghee Lee, Chair of the UN CRC, Ombudspersons for Children from all across Europe, a memorandum of cooperation has been signed between south eastern countries' Ombudspersons for Children thus creating their own regional network.

On the same occasion, Mr Peter Newell presented the preliminary results of the ENOC survey on "children and disputed divorces" where he underlined the lack of harmony between legislation and practice and the discrepancy between desires and reality where more states still have a problem understanding children as holders of rights. He mentioned once again that in this sensitive issue the best interest of the child remains a primary concern, however most often only adults interpret what the child best interest is, which always leaves room for manipulation and abuse.

The ENOC Sub-Group on "*International justice for children: How can Children's Ombudspersons disseminate information and assist children, regarding their access to international justice; considering and promoting child friendly justice principles*" met for a first time, supported by the project of EUNOMIA, managed by the Greek Ombudsman, under the auspices of the Office of the Council of Europe Commissioner for Human Rights. Participants discussed in groups and were asked to submit their ideas and proposals about the content of a set of **Guidelines** to be produced by ENOC. A synthesis of proposals made by members of the 3 working groups of the workshop has been prepared.

For further information on the synthesis you may contact the ENOC Secretariat.

Launch of the Council of Europe Platform on Children's Rights

New Commissioner for Children & Young People in Scotland

On April 22nd the Scottish Parliament approved the nomination of Mr. Tam Baillie as the New Commissioner for Children & Young People in Scotland. The New Commissioner took over his functions as of May 18th thus succeeding to Ms Kathleen Marshall.

The ENOC family welcomes our new Scottish colleague and looks forward for a fruitful cooperation.

New member joined ENOC

We would like to warmly welcome a new member institution that officially joined ENOC: the Parliamentary Advocate for Children's Rights in Moldova, Ms Tamara Plamadeala.

ENOC's support for CRC communications procedure

In a letter addressed to the UN Human Rights Council, ENOC joined with other networks of human rights institutions for children to urge States at the current session of the Human Rights Council to initiate the process of drafting an Optional Protocol to the UN Convention on the Rights of the Child to provide a communications procedure for the Convention and hopes that the Council will adopt a resolution to establish an open-ended Working Group for this purpose.

On 2-3 June, the Council of Europe held a high-level Conference in Strasbourg to discuss integrated national strategies for the protection of children against violence, as well as child-friendly services and ways of building a culture of children's rights. The Platform comprises a network of governmental focal points and representatives of civil society, ombudspersons, international organisations, and researchers. *Thomas Hammarberg*, Council of Europe Commissioner for Human Rights, *Marta Santos Pais*, UN Secretary-General's Special Representative on Violence against Children and *Jaep Doek*, former Chair of the UN Committee on the Rights of the Child were among the conference key speakers.

Deputy Secretary General *Maud de Boer-Buquicchio* spoke at the opening ceremony on 2 June. She presented the Council of Europe top priority areas at the children's rights field: the 1st priority area is **child friendly justice** where a group of specialists has started working on the drafting of guidelines for child friendly justice at national level; the 2nd priority area is **child participation** where another group of specialists - based on CoE's experience in the youth sector - will start working soon to promote a real culture of child participation at national level; the third priority area is the **eradication of all forms of violence against children**.

Here, the CoE is investigating in the strategic, integrated approach through the guidelines which are expected to be endorsed by the Committee of Ministers in November 2009. ENOC was represented by two members: Mr George Moschos, Deputy Ombudsman for Children in Greece and Ms Marie Anne Rodesch-Hengesch, President of the Ombuds-committee for the rights of the child in Luxembourg. Mr Moschos chaired a round table dedicated to Integrated National Strategy against violence-the institutional framework where he delivered the key note speech on "Completing and understanding the institutional puzzle". Ms Rodesch-Hengesch made a presentation on the role of Ombudspersons for Children in the framework of the national strategies against violence. In her presentation she referred to the cruelest cases of violence in which her institution has been sought to intervene. Ms Rodesch underlined that the use of new technologies and of internet facilitates the spread of violent images and gave the example of the diffusion on "facebook" and "youtube" of images of sexual abuse and violence on a young girl by boy mates that happened in a class room.

Update on member institutions' activities

Northern Ireland Commissioner for Children & Young People pledged to continue efforts to stop children being hit

NORTHERN Ireland Commissioner for Children and Young People, Patricia Lewsley, pledged to continue efforts to effectively protect children and young people from all kinds of physical punishment.

The Commissioner stated that the court action she took was not about criminalising parents but it was and continues to be about protecting children. She pursued that the law as it stands makes it illegal to hit a child, but a defence is available to parents to a charge of *common assault of a child*. The latter is unclear, confusing for parents, and needs to be reformed. She underlined that it should be clear that there is to be no more hitting of children in Northern Ireland.

The Commissioner stated that she will not be pursuing further legal action at this time because of current financial constraints but will continue with efforts to persuade Government to remove any defence there is for an assault on a child, no matter the circumstance.

Referring to dozens of countries worldwide which have banned physical punishment of children, to the position of the UN CRC, of the Royal College of Paediatrics and Child Health, and of fellow commissioners in England, Scotland, Wales and the Republic of Ireland, Commissioner Lewsley wants the message to be clear that hitting is wrong.

"In the same way as hitting adult partners was made illegal and without any defence, I am confident that one day there will be no defence for hitting a child. In the meantime I will focus efforts to help parents consider alternative and better ways to discipline their children," added Ms Lewsley.

(continues)

Children's Commissioner for England published a report on the arrest and detention of children subject to immigration control

On 27 April 2009, Sir Albert Aynsley-Green, Children's Commissioner for England, published its report on *The arrest and detention of children subject to immigration control: A report following the Children's Commissioner for England's visit to Yarl's Wood Immigration Removal Centre*.

Commissioner said that since his visit to Yarl's Wood, his colleagues and he have shared their findings and worked closely with the Government and the UK Border Agency to improve the treatment of children and families during arrest and detention. In the light of this dialogue, welcome changes are highlighted at the end of each chapter in the report.

"We now look forward to continuing our work with the Government, its agencies and asylum, refugee and immigration organisations to create an asylum system that is fully compliant with international human rights standards, that acknowledges children's needs and places their best interests at the heart of policy" said Sir Albert Aynsley-Green.

A copy of this report is made available at www.11MILLION.org.uk (click [here](#) to download).

Upcoming Events

- ❖ **16-17 June 2009:** Council of Europe Conference of Ministers responsible for Family Affairs on the theme of "*Public policies supporting the wish to have children - societal, economic and personal factors*", Vienna, Austria.
- ❖ **18 June 2009:** *EU Forum on the Rights of the Child*, Brussels
- ❖ **18-19 June 2009:** The 29th Council of Europe Conference of Ministers of Justice on the theme "*Breaking the silence-united against domestic violence*", Tromsø, Norway
- ❖ **25-27 June 2009:** "Ombuds-8" meeting and General Conference on *the impact of the climate change and the financial crisis on the rights of the child*, Nuoro, Sardinia, Italy
- ❖ **6-7 July 2009:** 11th Annual EU-NGO Forum on Human Rights dedicated to "*Violence against children*", Stockholm, Sweden
- ❖ **20-23 July 2009:** Global Conference organized by the Global Child Welfare Organization (GCWO), New York, USA

The ENOC website needs your input to continue to grow. Send us information about new web resources, research or data related to Children's Rights.

If you have any suggestions or if you would like to include any information or upcoming events in our newsletter please send the details to secretariat@ombudsnet.org (Re: ENOC Newsletter).

JUNE 2009

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