

# Newsletter

## Launching of the ENOC Network of Young Advisors-ENYA

In early 2010 ENOC launched a new project called "ENYA" (European Network of Young Advisors). 17 out of 37 of its members representing a large diversity of countries expressed interest to participate in the project and currently 15 of them are involved in the new electronic Forum which has been set up on four selected topics (violence, health, education and internet). While the Forum has been open for discussions on April 7<sup>th</sup> to date 119 young people have been registered with a writing access. All member institutions even those which are not participating in ENYA have been provided with a reading access. Each participating member institution nominated an ENYA Coordinator. A first ENYA Coordinators' meeting has been held at the end of February in Paris while a 2<sup>nd</sup> one will be held in Malta on 4-5 June 2010. A short presentation of the ENYA project is made available under: <http://www.crin.org/enoc/resources/infodetail.asp?id=22486>

## Update on International and European activities in the children's rights field

### ENOC participated in the European Commission's expert meetings on violence in schools and in the cyber area, and on invisible children

On 25 February and on 11 March 2010, the European Commission held two expert meetings on violence in schools or the so called "school bullying" phenomenon and on cyber bullying and a 2<sup>nd</sup> meeting treating the situation of "invisible" children. Invited experts were requested to provide information as to the root causes and potential harmful effects of the phenomenon of school and cyber bullying, while experts on "invisible" children were asked to identify gaps in information, data, knowledge and policy pertaining to the invisible children. ENOC has been represented in the two meetings by Ms Stephanie Chesnay, a representative of the ENOC Chair who submitted to the expert groups written contributions copies of which are made available under: <http://www.crin.org/enoc/resources/publications/>

### EU strengthens actions against trafficking in human beings and the EC wants stronger sanctions against child sexual abuse, sexual exploitation and child pornography

On 29 March 2010 EC proposed new rules to step up the fight against trafficking in human beings, a large number of which are minors. The proposed rules would oblige the Member States to act on the 3 fronts of prosecuting criminals responsible for trafficking human beings, protecting the victims and preventing the offences. On the same day the EC proposed new rules obliging EU countries to impose more severe punishment on those who sexually abuse children. For further information: <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/379&format=HTML&aged=0&language=EN&guiLanguage=en>

### European Commission 2010-2014 plan to deliver justice, freedom and security to citizens

Among the 10 main initiatives of the European Commission's plan for 2010-2014 in the justice, freedom and security area, the EC pays special attention under the "migration" initiative to the treatment and the need for a special care to be provided to unaccompanied minors in the migration process.

Within the 10 initiatives, one of the actions to be taken is about the protection of children and their parents when travelling within EU. This concerns a situation where children and/or parents need to be able to call help quickly and free of charge in cases of missing children. *continues*



## Inside this issue

Launching of ENYA	1
Update on European & international activities:	1-2
EU/EC/FRA updates	1-2
Council of Europe updates (PACE, Commissioner for Human Rights)	1-2
ENOC Chair's participations	2
Update on member institutions	2-3
Upcoming events	3
New Ombudspersons for Children Appointed	3

## Consultation of children and young people on "child friendly justice"

The Council of Europe group of experts in charge of drafting European Guidelines on Child Friendly Justice organized a child consultation exercise via a questionnaire. The questions put forward to children and young people aimed to see how children perceive their rights in the justice system and to what extent the justice system can be considered as "child friendly". While the questionnaire has been largely disseminated, at ENOC level, 13 out of 37 member institutions have massively contributed to the consultation of children and young people while the other members have contributed to its dissemination.

Results and analyses of the child consultation will be presented at the upcoming meeting of the expert group which will be held on 25-28 May 2010 in Strasbourg.

## PACE hearing on education against violence at schools

The Committee on Culture, Science and Education of the Parliamentary Assembly of the Council of Europe (PACE) organized on March 10<sup>th</sup>, 2010 in Paris an exchange of views on education against violence at school. Mr. Hugues Feltesse, Chief Executive of the French Ombudsperson for Children office, as representative of the ENOC Chair presented to the parliamentarians the different initiatives undertaken by Ombudspersons for children offices within ENOC on violence and school bullying but also samples of adopted measures to prevent and stop this phenomenon. Copy of the PPT is made available under: <http://www.crin.org/enoc/resources/infodetail.asp?id=22285>

## The ENOC Chair, Dominique Versini, on live on RIA Novosti

On the invitation of “the Russian Children in need” foundation, functioning under the auspices of the Russian Ministry for Health and Social Affairs, Ms Dominique Versini, the ENOC Chair participated on 27<sup>th</sup> April in a multimedia video conference organized by the news agency “RIA Novosti”. On live from the news agency’s Moscow and Paris studio, recognized Russian experts in the children’s rights field and Ms Dominique Versini discussed and exchanged their experience and views on the right to the child to be protected from violence. All participating experts raised their voice against physically punishing children especially in a family environment and defended the view that beating children can in no way be considered as a measure of discipline.

The Commission plans to propose a Regulation on EU hotlines for missing children in 2012.

## EC Action Plan on “Unaccompanied minors” on the way to be adopted

After having organized an experts meeting with the different stakeholders in which ENOC has participated, the EC has identified 10 principles and a number of measures for a common EU approach to deal with the challenges of the growing number of unaccompanied minors seeking a new life in the EU. In its new Communication to the European Parliament and to the Council, “Action Plan on Unaccompanied Minors (2010 - 2014)”, the EU Commission presents a list of concrete actions which might be taken in the coming years.

<http://www.statewatch.org/news/2010/may/eu-com-action-plan-unaccompanied-minors-com-213-3-10.pdf>

On the same issue, the EU Fundamental Rights Agency published on 30 April 2010 a summary report on separated, asylum seeking children in EU member states thus sharing its findings on the shortcomings and the deficiencies in the care provided to separated, asylum seeking children in the EU.

The summary report is made available under: [http://fra.europa.eu/fraWebsite/news\\_and\\_events/infocus10\\_3004\\_en.htm](http://fra.europa.eu/fraWebsite/news_and_events/infocus10_3004_en.htm)

## Council of Europe Committee of Ministers adopted a recommendation on the deinstitutionalisation of children with disabilities

In line with the Council of Europe policy in the field and the Council of Europe Commissioner for Human Rights’ (see viewpoint December 2009) continuous efforts to push governments to accelerate the process of de-institutionalisation of large scale institutions for orphans and children with disabilities, the Council of Europe Committee of Ministers adopted in February 2010 a recommendation enumerating the number of required quick actions to be taken and the alternatives to institutional forms of care. The recommendation is available:

[https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec\(2010\)2&Language=lanEnglish&Ve=original&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383](https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec(2010)2&Language=lanEnglish&Ve=original&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383)

## The Parliamentary Assembly of the Council of Europe adopted a resolution on children who witness domestic violence

While eradicating all forms of violence against children is on the top of the agenda of the Council of Europe Programme “Building a Europe for and with children”, the PACE paid a special attention to children who are indirect victims since witnesses of violent behaviours amongst their parents. The full text of the resolution and the recommendation is made available under:

<http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta10/ERES1714.htm>

## Council of Europe Commissioner for Human Rights, Thomas Hammarberg’s published a HR comment on: “Children coming alone as migrants should not be automatically returned”

The comment, published on 20 April 2010, focused on growing concerns about some European country policies related to separated children. A number of countries have indeed the intention to return these children in institutions in their home country including in Afghanistan or Iraq. Recalling States’ obligations vis à vis the CRC and reminding that immigration control should never override the best interest of the child, Thomas Hammarberg calls upon member states to stop sending automatically back these children without considering the consequences of such decisions. The full text of the HR comment: [http://commissioner.cws.coe.int/tiki-view\\_blog.php?blogId=1](http://commissioner.cws.coe.int/tiki-view_blog.php?blogId=1)

On 28 April 2010, on the occasion of an exhibition and an event organized by the Council of Europe Programme “Building a Europe for and with children” together with the Swedish Government to celebrate the 30<sup>th</sup> anniversary of the Swedish ban on corporal punishment of children, CoE Commissioner Thomas Hammarberg published a Human rights comment on “Time to give smacking a beating-children deserve total ban against adults hitting them”.

## Update on member institutions’ activities

### Children’s Commissioner for England published in February 2010 a follow-up report to: The arrest and detention of children subject to immigration control

After having paid three visits to Yarl’s Wood Immigration Removal Centre in Bedfordshire where the majority of some 2 000 children are being detained for administrative purposes for immigration control, the Commissioner called upon the Government to ensure that “detention genuinely occurs only as a last resort and for the shortest possible time following the application of a fair, transparent

decision-making process". This follow-up report sets out the children's perspective of their experiences following any changes arising from Commissioner's previous report (2009) and a number of recommendations. The full report is made available under: [http://www.11million.org.uk/content/publications/content\\_394](http://www.11million.org.uk/content/publications/content_394)

### The Parliament of Lithuania rejected a draft law forbidding physical punishment of children

At end of March, Seimas' Human Rights Committee proposed an amendment to the Children's rights law in order to bring Lithuania's legislation in line with UN Committee on the Rights of the Child's recommendations on forbidding all forms of physical punishment and violence against children.

### France ratified the UN Convention on the rights of Persons with Disabilities and its Protocol

On 18 February 2010, France ratified the UN Convention on the rights of persons with disabilities and its protocol on individual and collective complaints. Last November, for a first time in its history, the EU gave a formal accord to accession to the Convention on the rights of persons with disabilities while the Council of the EU conditioned the ratification of the Convention by EU upon ratification by all its member states. To date, only 13 EU member states have ratified the Convention and/or its Protocol.

## Upcoming Events

- ❖ **20-21 May 2010:** CRONSEE Annual Conference on the theme of "*Children have the right to protection from sexual abuse and exploitation. Did we do enough to protect them?*", Banja Luka, Republic of Srpska
- ❖ **20-21 May 2010:** International Conference organized by the Council of Europe and the Austrian Ministry for Youth and Family on "*National Strategies on Violence against Children*", Vienna, Austria. The ENOC Chair will make a contribution on behalf of ENOC
- ❖ **25-28 May 2010:** last meeting of the Council of Europe group of experts on child friendly justice, Strasbourg, France
- ❖ **3 June 2010:** meeting of the Steering Group on children's rights, European Commission, Brussels, Belgium
- ❖ **4-5 June 2010:** 2<sup>nd</sup> ENYA Coordinators meeting, Rabat, Malta
- ❖ **6-7 June 2010:** ENOC Seminar on "*The specific role of Ombudspersons for children in Europe to make children's voice heard and their rights enhanced*", Rabat, Malta

### New Ombudspersons for Children

We are taking this opportunity to warmly welcome the newly elected Children's Rights Ombudsman in Lithuania, **Ms Edita Ziobiene**, and the new Deputy Ombudsman for children's Rights of Catalonia, **Ms Maria Jesús Larios**.

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](mailto:secretariat@ombudsnet.org) (Re: ENOC Newsletter).

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