



Council of Europe Strategy for the Rights of the Child (2022-2027)

Children's rights in crisis and emergency situations

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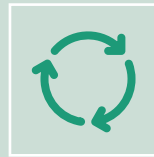
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What is new in our Strategy?



IMPLEMENTATION



INNOVATION

Six strategic objectives

1. Freedom from violence
2. Equal opportunities and social inclusion
3. Access and safe use of technologies
4. Child-friendly justice
5. Giving a voice to every child
6. Crisis and emergency situations



A close-up photograph of a young boy with dark hair, looking through a magnifying glass. He has a slight smile and his eyes are focused on the lens. The background is dark and out of focus, showing another child in a light-colored shirt. The text "Some examples of our latest and upcoming deliverables..." is overlaid in white, sans-serif font across the center of the image.

Some examples of our latest and
upcoming deliverables...

1. Freedom from violence for all children

IMPLEMENTATION

- Lanzarote Convention – fight against sexual exploitation and sexual abuse
- Latest Implementation Report: **child self-generated sexual images and/or videos**

INNOVATION

- CDENF-GT-VAE: Recommendation on Strengthening **reporting systems** on violence against children
- Comprehensive and age-appropriate **sexuality education**

2. Equal opportunities and social inclusion

IMPLEMENTATION

- Migrant and refugee children:
 - **Guardianship** recommendation to be reviewed in 2023
 - **Age assessment:** Recommendation and EM adopted by the CDENF, pending CM

INNOVATION

- Children's access to quality **mental health** services
- Mapping study across Europe

3. Access to and safe use of technologies

IMPLEMENTATION

- Continuous implementation of the **Guidelines** to respect, protect and fulfil the **rights of the child in the digital environment**

INNOVATION

- **Artificial intelligence**
 - Study to understand the risks and benefits of AI systems for children
 - Draft Framework convention on AI and HR

4. Child-friendly justice for all children

IMPLEMENTATION

- Continuous implementation of the **Guidelines on child-friendly justice**
- Promotion of **Barnahus**
 - Co-operation projects
 - Mapping study

INNOVATION

- **CJ/ENF-ISE**: best interests of the child in:
 - **Parental separation**
 - **Care proceedings**

5. Giving a voice to every child

IMPLEMENTATION

- Recommendation on the participation of children and young people under the age of 18
- Child Participation Assessment Tool (CPAT)

INNOVATION

- Children acting as **human rights and environmental defenders**

In focus...

6. Children's rights in Crisis
and emergency situations



In focus...

What do we mean by “Crisis and Emergency Situations”?

- War, armed conflict and terrorism
- Migration and forced displacement
- Health and economic crises
- Natural disasters including climate change
- Other unforeseen events hampering children’s human rights



In focus...

All priority areas are relevant. Children in crisis and emergency situations need support to:

- Be protected from violence
- Have access to equal opportunities and social inclusion
- Have access to technologies in a safe and equal manner
- Have access to justice and child-friendly proceedings
- Have their voices heard and their opinions taken seriously



6. Children's rights in crisis and emergency situations

IMPLEMENTATION

- Standards on children in migration
- Exchange of good practices on responses to crises
- Right to an education with respect for nature, raising awareness of natural hazards and environmental risks

INNOVATION

- Strong child protection systems
- Children's rights during a public health crisis
- Emergence of new vulnerable situations
- Children in armed conflicts and child returnees
- Human right to a safe, clean, healthy and sustainable environment
- Access to justice against environmental harm
- Poverty caused by environmental degradation and conflict
- Access information and participate in relation to the environment
- Human rights and environmental defenders



Shedding light on the key issues at the Rome conference

The war in Ukraine

Plenary session and dialogue: *A Strategy adapted to a new reality: children in crisis and emergency situations (debate involving the Polish government, UNICEF and La Strada)*

- 7.5 million children in immediate danger
- Children affected as refugees or IDPs, missing, kidnapped or sexually abused
- Urgent need of psychological support and counselling
- Children in institutions
- Each child in a host country should be documented
- Long-term investments in child protection systems
- Co-operation between international stakeholders
- NGOs should adapt their activities to the current context and train professionals



The ongoing aggression in Ukraine compels us to ask what we can do to protect children in armed conflicts - and to ensure the rights of all those children who have become migrants as a result of the violence.

Marija Pejčinović Burić
Council of Europe Secretary General



Shedding light on the key issues at the Rome conference



Children's environmental rights

*Theme 1: Strengthening child protection systems in the face of crisis situations:
Recognising and enforcing children's environmental rights*

Children are key players:

- Power to act, but should be empowered
- Children can trigger positive developments
- Children should express their concerns and their anger and stand up for their rights

Governments should:

- Frameworks with a child-rights approach
- Create safe spaces for children to express themselves
- Ensure access to justice for children in climate cases
- Ensure that environmental education happens at all levels
- Raise awareness to induce new behaviours and mind-sets



And last but not least: a lot is going on at the Council of Europe already...

Various bodies have started working on environmental rights....

Steering Committee for Human Rights (CDDH) Council of Europe Parliamentary Assembly (PACE)

- 3rd edition of its Manual on Human Rights and the Environment
- Draft recommendation on human rights and the protection of the environment transmitted to the Committee of Ministers for adoption (by November 2022).
- Since 1999 the PACE has recommended several times to the Committee of Ministers to draw up an additional Protocol to the ECHR on the right to a safe, clean, healthy and sustainable environment.
- Recommendation 2211 (2021) and Resolution 2396 (2021) on “Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe”
- Recommendation 2219 (2022) “Inaction on climate change – a violation of children’s rights”
- Creation of a Network of Contact Parliamentarians for a healthy environment
- #EnvironmentRightNow initiative
- Parliamentary Network for a Healthy Environment.



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Other Platforms/Intergovernmental groups:

- 9th World Forum for Democracy: “Can Democracy change the Environment?": Children and youth leading the fight against climate change
- INGO conference Thematic Committee on Environment and Climate Change, Heritage & Health
- HELP online course on The Environment and Human Rights
- EUR-OPA Major Hazards Agreement on “climate change impact”
- The Council of Europe Landscape Convention
- European Committee on Crime Problems (CDPC): Study on the feasibility and appropriateness of modernising the Convention on the protection of environment through criminal law or of preparing a new instrument
- Joint Council on Youth (CMJ): Guidelines or draft Recommendation on the climate crisis, young people and democracy (2023)



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European Court of Human Rights (ECtHR):

- ECHR does not specifically include the right to a healthy environment (*“Neither Article 8 nor any of the other Articles of the Convention are specifically designed to provide general protection of the environment as such; to that effect, other international instruments and domestic legislation are more pertinent in dealing with this particular aspect”* Kyrtatos v. Greece, 2003).
- It does not protect the environment but the effects of its degradation on people.
- ≈ 300 complaints related to this topic have been decided by the ECtHR (arts. 2, 3, 6, 8, 10, 11 ECHR and art. 1 P.1). See Factsheet on the environment and the ECHR and Factsheet on the execution of ECtHR judgments
- López Ostra v. Spain (1994). Children and the right to a healthy environment (smells and nuisance): *“Naturally, severe environmental pollution may affect individuals’ well-being and prevent them from enjoying their homes in such a way as to affect their private and family life adversely, without, however, seriously endangering their health”*

Relevant cases pending before the Grand Chamber and related to people in vulnerable situations:

- Duarte Agostinho and others v. Portugal & other 32 States → Climate change and children’s rights
- KlimaSeniorinnen v. Switzerland → Climate change and elderly people



Conclusion

- Ombudspersons for children to contribute as key players
 - National jurisdiction
 - At European level
- Maintain our long-standing partnerships
- Stand up for children in crisis and emergency situations and suffering from climate change





Thank you for your attention!

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