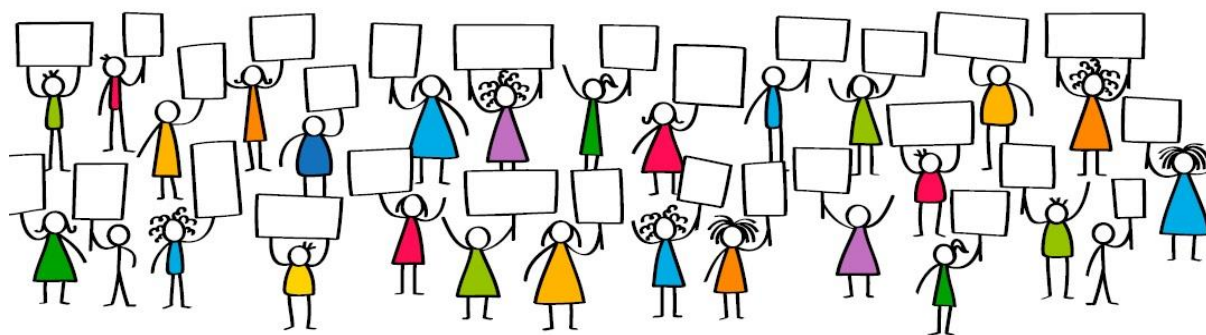


ENOC 27th Annual Conference

“The strength of Independent Children’s Rights Institutions: upholding children’s rights in Europe”

Report



Brussels, Belgium
19-21 September 2023

‘Children should be afforded the necessary protection and assistance so that [they] can fully assume [their] responsibilities within the community’ **UN Convention on the Rights of the Child 1989 – Preamble**

It is widely known that children's full enjoyment of their rights is crucial to their full and harmonious development. However, children are sometimes not aware of their rights and are always under the responsibility and authority of their caregivers. To successfully promote and protect children's rights, consideration of their best interests and opinions on issues that affect them is not sufficient. This year's ENOC Annual Conference focused on how Independent Children's Rights Institutions (ICRIs) in Europe can protect and promote children's rights to the fullest extent, by taking into consideration their special status and possible developments from different perspectives.

The Annual Conference concluded ENOC's annual activities on the topic, which involved collaborative work from experts, ENOC members, and the young people participating in the European Network of Young Advisors (ENYA). All the insights from these parallel activities have been presented and discussed at the Conference, and then reflected in the relevant ENOC policy statement.

The research carried out by the experts provided useful findings for ICRIs to self-examine and discover which powers need to be strengthened to ensure their independence, effectiveness, their visibility and accessibility to children, as well as the meaningful participation of children and young people in their work. Their findings were paired with the expectations of the Young Advisors, who shared their policy recommendations as adopted during the ENYA Forum in July 2023. How should ICRIs function? What powers should they have to ensure they effectively monitor, protect and promote children's rights? What can they do to make themselves more visible, efficient, and accessible to all children from diverse backgrounds? Their insights were presented at the Annual Conference, and included in the ENOC's 2023 position statement, which the ENOC General Assembly endorsed on 21 September 2023.

The Children's Rights Commissioner for Flanders/Belgium, Caroline Vrijens, ENOC Chair-elect (2022-2023), hosted the ENOC 27th Annual Conference in Brussels, Belgium. The event was financially supported by the European Commission and the Flemish Parliament.

The Conference was attended by over 130 participants, including ENOC members, ENYA young delegates, representatives of key European and International Governmental and Non-Governmental Organisations (European Union, Council of Europe, Child Rights Connect, Eurochild), Flemish governmental authorities, professionals, experts, and other stakeholders working in the children's rights field.

Programme: Day 1 of ENOC-27th Annual Conference - 19 September 2023

8.30-9.00: Security screening and ID Registration

9.00-9.30: Conference Registration & Refreshments

9.30-10.00: Welcoming & Opening Session

Moderator: Caroline Vrijens, ENOC Chair-Elect, Flemish Children's Rights Commissioner, and Conference host

Speakers:

Caroline Vrijens, ENOC Chair-Elect, Flemish Children's Rights Commissioner

Liesbeth Homans, President of the Flemish Parliament

Salvör Nordal, ENOC Chair, Ombudsman for Children, Iceland

Ewa Kopacz, European Parliament Vice-President and EP Coordinator on the Rights of the Child

10.00-11.00: ENYA 2023 "Let's Talk Young, Let's Talk about Protecting and Promoting Children's Rights"

Speakers:

ENYA delegates

Suzanne Garcia Imbernon, ENYA 2023 General Coordinator

11.00-11.30: Coffee Break

11.30-12.15: Presentation of the main findings of the ENOC 2023 Research on the Role of ICRIs

Speakers:

Prof. Ursula Kilkelly, University College Cork

Dr. Katrien Klep, Leiden University

12.15-13.15: Panel debate on the critical position of ICRIs in Protecting and Promoting Children's rights

Moderator: Theoni Koufonikolakou, ENOC Past-Chair, Ombudswoman for Children's Rights, Greece

Participants:

Prof. Dr. Ton Liefwaard, Professor of Children's Rights - UNICEF Chair in Children's Rights, Leiden University

Marie-Cécile Rouillon, European Commission Coordinator for the rights of the child

Regina Jensdottir, Head of the Children's Rights Division and Council of Europe Coordinator for the Rights of the Child

Sabine Saliba, Interim Secretary General, Eurochild

Alex Conte, Executive Director, Child Rights Connect

13.15-14.10: Lunch

14.10-14.30: Group photo'

continues

14.30-16.00: Workshops: Updates from ENOC members

Moderators:

Niall Muldoon, Ombudsman for Children, Ireland

Andres Aru, Head of Children's and Youth Rights Department, Office of the Chancellor of Justice, Estonia

Theoni Koufonikolakou, Ombudswoman for Children's Rights, Greece

16.00-16.20: *Coffee Break*

16.20-16.35: Video message UN Committee on the Rights of the Child

Speakers:

Prof. Ann Skelton - Chairperson of the UN Committee on the Rights of the Child

Benoit Van Keirsbilck - Member of the UN Committee on the Rights of the Child

16.35-17.15: The Impact of ICRI in Safeguarding Children's Rights Worldwide

Speaker:

Geert Cappelaere, former UNICEF Representative to the EU institutions, and former Director of UNICEF Partnership Office, Brussels

17.15-17.30: Wrap-up of Day 1

Caroline Vrijens, ENOC Chair Elect, Flemish Children's Rights Commissioner

18.30-01.00: *Dinner & Dance*

Day 1: Welcoming & Opening Session

Caroline Vrijens (ENOC Chair-elect and Conference host), Liesbeth Homans (President of the Flemish Parliament), Salvör Nordal (ENOC Chair), and a representative of Ewa Kopacz (EP Vice-President and EP Coordinator on the Rights of the Child), opened the Conference.

In her opening speech, Caroline Vrijens, the Flemish Children's Rights Commissioner made a case for special protection of children's rights.



“Children's rights are special human rights. It is important to approach their complaints and requests for advice from their perspective and interests, and not from an overly general perspective. I am convinced that this is a common belief of us as ENOC members and that it is a strong driver in the work we do...”
Caroline Vrijens, ENOC Chair-elect and host of the ENOC-conference

Main highlights from the opening speech:

- The well-being of children very often depends on adults who are responsible for them. Caring for children and ensuring their best interests are paramount in this regard. But children's interests are not always aligned with those of their parents, carers or other adults who play a decisive role in children's lives.
- Children's voices are not sought and heard enough. Their views and experiences are not always given due weight. In most countries, children have limited access to complaint mechanisms, to the legal system and to courts to protect or restore protection of their rights. Children cannot vote. They depend largely on adults standing up for them. If adults fail to do so, children's interests risk being overlooked. And yet children and young people are the most common users of public services such as education or youth care.
- Every public policy affects the life of children. If the various public authorities do not sufficiently collaborate and cooperate, if there is too much fragmentation between the various policy areas and services, this may have grave consequences for children and their development.
- Children are more vulnerable to poverty, violence, poor housing conditions and pollution than adults. These problems weigh more heavily on them since children are still developing. These issues affect their lives now and in the future.

*“We [ICRIs] want to be visible for children, we [ICRIs] want to involve children and young people in our work, we [ICRIs] want to pay special attention to children in vulnerable groups and we [ICRIs] want to be independent from our governments so that we could independently, and without fear, investigate, advocate, advise and thus be children's voice.” - **Caroline Vrijens***

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Liesbeth Homans, President of the Flemish Parliament, introduced the institution of the Flemish Children's Rights Commissioner, which commemorated its 25th anniversary in 2022. She informed that the independent institution operating within the Flemish Parliament, actively listens to the concerns of young individuals, parents, and professionals, and investigates complaints related to potential breaches of children's rights. Moreover, the institution offers advice to the Flemish Parliament and government regarding the impact of laws on young people, and amplifies their voices in policy-making. Ms. Homans expressed hope that the Conference would serve as an inspiration, urging participants to create a strong statement that fortifies the protection of children's rights.



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Salvör Nordal, ENOC Chair, Ombudsman for Children, Iceland, highlighted in her welcome speech the importance of the focus of the Conference, emphasising that numerous ICRI's have faced challenges that threaten their missions. Institutions have encountered funding cuts, structural alterations, and criticism, showcasing their vulnerability and the necessity for a robust legal framework safeguarding their work. Moreover, current political changes, global events like the pandemic and wars, underscore the obligation

to uphold children's rights. The ENOC Chair further underlined that ENOC 2023 activities mirrored these issues, and continued addressing the pandemic's impact, the war in Ukraine, and migration crises, which all exacerbate children's vulnerability.

The Chair praised ENYA's work, stating that children's enthusiasm is a strong inspiration for ENOC. While acknowledging the latest improvements in child participation efforts at the ENOC level and internationally, the Chair emphasised the necessity for their meaningful participation in decision-making. Finally, the Chair highlighted that the impact of collective effort within ENOC depends on the work that each of the members invests in the Network.

'Over the next two days, we will reflect together and discuss how to make ICRI's stronger. We are among friends here. We can turn to each other when our mandate comes under pressure. This is why the ENOC - network is so important' **Salvör Nordal, ENOC Chair, Ombudsman for Children, Iceland.**

Salvör Nordal then welcomed the ENYA young people and thanked them for the great work they have done in Malta. She thanked the Bureau members and the ENOC Secretariat for the support she has received over the past year as ENOC Chair.

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Monika Jagiello, representative of EP Vice President & European Parliament Coordinator on Children's Rights, **Ewa Kopacz**, delivered her speech acknowledging the challenges Europe has faced, including the global pandemic, climate change, and geopolitical conflicts. She further recognised the significant progress made in enhancing children's lives, thanks to the tireless efforts and advocacy of Ombudspersons and Commissioners for Children at both national and European levels.

‘Watching over children's rights has never been more necessary. Reflecting and considering how to strengthen and futureproof ICRI, together with and for young people are very important in this regard’

Ms. Kopacz commended the members of the Network for undertaking the crucial task of self-assessment, including examining their activities, structure, and roles. She expressed gratitude to the Network for the excellent cooperation and communication over the past four years, and the opportunity to receive its recommendations to the European Parliament particularly regarding Child Rights Impact Assessment and mental health.

Moreover, Ms. Kopacz recalled with pride the joint initiative focusing on the care and protection of Ukrainian children who fled to Europe. Finally, she addressed the ENYA participants encouraging them to remain courageous, bold, and vocal about issues that are important to them as their testimony and experiences are incredibly powerful tools for change.

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ENYA 2023 “Let’s Talk Young, Let’s Talk about Protecting and Promoting Children’s Rights”



Following the Opening Session, **Suzanne Garcia Imbernon**, ENYA 2023 General Coordinator presented the work completed by the ENYA group in 2023, at the local and national level, and then at the ENYA Forum (Malta, 4-5 July 2023).



Suzanne shared that the main objective of the activities held at the regional and national levels were first and foremost to ensure a better understanding among young people of children’s rights as enshrined in the UNCRC as well as the role of ICRIIs. The ENYA 2023 group was the largest ENOC has ever had, with its 18 participating members, and therefore around 300 young people between 12-17 years old engaged at the regional and local levels.

The activities, held between February and June 2023, supported the young people in developing comprehensive recommendations for ICRIIs, specifically on their *Accessibility, Visibility, Engagement* and *Powers*. Each participating country/region was asked to put forward 8 rights-based recommendations on any of the above-mentioned topics. In July 2023, the ENYA Forum took place in Malta. Along with the drafting and prioritisation of the ENYA recommendations on ICRIIs, the ENYA Forum included many interactive workshops in collaboration with Maltese organisations and experts (e.g. the Maltese national youth agency and children’s rights experts, Dr Ruth Farrugia). A summary of ENYA’s 2023 activities and outcomes can be found [HERE](#).

The 18 Young People present at the Annual Conference quizzed the participants about the work and the purpose of ENYA, shared their experience about participating in the project, and finally introduced the content of their recommendations, before presenting them in detail and in an interactive way on Day 2.

In the interactive part of the session, the young people challenged Conference participants with a Kahoot quiz. In the 15 questions put forward, they polled the knowledge of the participants on the ENYA project, its history, evolvement and way of operating. Among the questions were those related to the ENYA launch year (2010) and funding mechanism (EC co-funding) , the number of participating

ENOC members in last year's project (18), the first ENOC members who participated with young people in an ENOC Annual Conference (France, Ireland and Northern Ireland), and the first ENYA meeting and location (Strasbourg, 2010).

ENYA gives us a chance to engage on a level that exceeds our countries borders. We, young people, as the holders of our rights and also the experts of our lives, we encounter a lot of problems. We want to talk about them, but we also need someone to hear us.

Mariam, Armenia

We should stop using the word 'should' in our recommendations and we must use 'must'. So: the ombudsperson 'must' give children and youth a voice.

Laly, Luxembourg

Presentation of the main findings of the ENOC 2023 Research on the Role of ICRI



Dr Katrien Klep presented the final findings of the ENOC [research](#) '*Independent Children's Rights Institutions: current strategies, approaches and challenges in protecting and promoting Children's Rights*'.

35 ENOC members participated in an online survey conducted by Prof Ursula Kilkelly and Dr Katrien Klep on the role of children's rights institutions in the protection and promotion of children's rights. Nine institutions participated in one-to-one interviews.

The online survey probed the organisational characteristics, mandate, degree of independence and competences of ICRI. During the in-depth interviews, the researchers discussed how Ombudsperson/Commissioners for Children (or similar institutions) handle their powers and what barriers they encounter.

Wide variation between ICRI

There is a great diversity between children's rights institutions in terms of form, structure, size and capacity, Dr Katrien Klep argued during the presentation of the research findings.

Some have a legal or constitutional basis. Many institutions have the power to formulate policy recommendations, represent the interests of children, and some can and do conduct investigations, handle complaints from children, and represent or assist children in court proceedings.

To varying degrees and in different ways, they meet the requirements of the 1993 'Paris Principles', and General Comment no 2 of the UN Committee on the Rights of the Child. Depending on the context, ENOC members deal differently with their powers and set different priorities.

Essential ICRI characteristics

Despite these differences, the experts have identified several characteristics that are key to promoting and protecting children's rights.

For instance, the experts pointed out that the founding legislation, the organisational structure and the way the office holder is appointed are important pillars for the independence of an ICRI. Some ICRI enjoy more autonomy and independence than others – in staffing and budget decision-making, strategic priorities and more practical day to day matters. On the other hand, the study also shows that having legal independence and autonomy, does not provide an absolute guarantee for the continuation of this independence and autonomy. The study concludes that ICRI must remain alert and continue to monitor the various pillars of independence.

The experts noted that visibility, communication and public profiling are very important for ICRI. Children need to know that there is an ICRI that defends their rights and best interests and to whom they can turn to. It is one of the main priorities for ICRI, even when the ICRI is integrated into another general human rights institution. For some ICRI, it is of existential importance in so far as it is linked to a continued necessity to prove their worth. On the other hand, the continuous need to stay in the public eye can present a direct challenge to the long term, more strategic approach.

The survey shows that all ICRI feel their existence is threatened in terms of resources (budget and staff), mandate or impact. On the other hand, ICRI try to deal with these constraints in a creative way, concluded Dr Katrien Klep. This includes 1) a partnership approach to work across the sector on

common goals, 2) leveraging the international children's rights community to support national objectives and 3) the use of strategies to shape the work of the institution. Many ICRI's prioritise by setting a strategic agenda and strategic planning, office holders use their soft powers in addition to the legislative authority vested in the institution. Interestingly, all institutions – no matter the form – experience the limitations of resourcing, prompting a necessary focus on visibility and communication to maintain the relevance and currency of the institution.

Given the challenges ICRI's face, it is important that institutions regularly evaluate their impact and effectiveness (or have them evaluated). Every ENOC member is engaged in a self-reflection, analyses and evaluates its own work, reports on its own activities through annual reports. Yet they should evaluate the institution's effectiveness more systematically. And this at the level of the institution's functioning, its competences and specific topics or aspects. It is important to involve children and young people in this process and to formally embed the participation of children and young people in the functioning of the institution. According to the researchers, a sustainable ICRI is one where the participation of children and young people is embedded in the organisation of the institution, where everything revolves around children's rights, where use is made of international networks and the legal status of the CRC, where the limits of the institution's competences are explored, and successes are shared.

Dr Klep concluded the presentation with 3 action points for ICRI's:

- ICRI's should carefully guard their independence and advocate for more autonomy. Particular attention should be paid to ensuring autonomy in budgetary and personnel decisions, rigour in appointing the office holder and independence in strategy and communication.
- Participation of children should be a priority for every institution, ensuring that the views and experiences of children are embedded in the institution's decision-making processes at every level, including the appointment of the office holder and day to day decisions as appropriate.
- Each institution should consider a process of strategic review, looking at the institution's frequently and less frequently used powers. Consideration should be given to adopting creative approaches, testing the limits of the institution's mandate and partnering with the academic community with a view to creating a space for evaluating the institution's impact and role in the (inter)national landscape.

Panel debate on the critical position of ICRIs in Protecting and Promoting Children's rights

Where are the big challenges for ICRIs in Europe? What do ICRIs mean for European institutions such as the Council of Europe and the European Union? Are ICRIs effective enough in promoting and protecting children's rights? How can ICRIs perform their mission even better?

Theoni Koufonikolakou, former ENOC Chair and Greek Deputy Ombudsperson on Children's Rights, acted as moderator for the session. High-level speakers included the European Commission Coordinator on Children's Rights, **Marie-Cécile Rouillon**, the Head of the Council of Europe Children's Rights Division, **Regina Jensdottir**, the Executive Director of Child Rights Connect – **Alex Conte**, Eurochild Secretary General, **Sabine Saliba**, and Professor of Children's Rights and UNICEF Chair holder at Leiden University, Professor **Ton Liefwaard**.



Among the questions put forward by the moderator were those related to the big challenges ICRIs currently face in Europe from the perspective of International inter-governmental and non-governmental organisations such as the EU, Council of Europe, Eurochild, Child Rights Connect, but also the academia; what do ICRIs mean for these institutions and do they consider ICRIs are effective enough in promoting and protecting children's rights and can they perform their mission even better.

ICRIs and the European institutions



'ICRIs face big challenges. You see respect for children's rights and human rights declining. This ENOC Conference comes at a good time. It is important to regularly screen the functioning of ICRIs, asking whether there is room for improvement in the protection of children's rights, and what is needed to address these challenges' – Regina Jensdottir.

'ICRIs are perfect antennas to European institutions. European institutions are far from children and from the ground. ICRIs detect and report what is going wrong in their countries when it comes to children's rights. ICRIs are key in monitoring compliance of European Union member states with their obligations under the CRC and per consequent in monitoring the state of protection and promotion of children's rights' - Marie-Cécile Rouillon. ICRIs are very important for providing reliable information on the state of implementation of the EU Strategy on the Rights of the Child or the Child Guarantee, but also the Council of Europe Lanzarote Convention, the Convention for the Prevention of Torture, etc.

Regina Jensdottir touched upon the criteria of independence for ICRIs highlighting that ICRIs must be able, without fear, to challenge member states and thus be able to fulfil their mandate in complete independence. They must be able to say what needs to be improved and what is inconsistent with children's rights.

The relationship between ICRI and the European institutions goes both ways. The European institutions need ICRI to know what is going wrong on the ground and what needs to be done. On the other hand, ICRI can use Council of Europe policy recommendations or set standards to strengthen their recommendations to their governments.

Big challenges for ICRI

Sabine Saliba (Eurochild) raised concerns about the growing anti-child rights movement in Europe. *'The anti-child rights movement poses a real threat to children's rights organisations and the children who belong to them'*. Eurochild has more than 200 members across Europe. Members regularly report that minority groups, such as LGBTIQ+ or migrants, are increasingly targeted and threatened. The threats come from various organisations.

Children who stand up for their rights and those of minority group are targeted by members of those organisations. Children's rights also come under pressure from dominant family values in some countries. Children are not regarded as people with rights of their own, but as children of their parents. Their rights are subordinated to family values and the will of their parents.



Alex Conte (Child Rights Connect) fears that children's rights will come under even more pressure in the future and that ICRI will therefore become increasingly important in standing up for children's rights. Governments have not shown themselves to be great protectors of human rights and children's rights in recent years. The pandemic and the policies surrounding it put enormous pressure on children's rights. Their rights to education and play were flagrantly

violated, children lived in isolation, family violence increased and their mental well-being deteriorated drastically. Alex Conte noted that the pressure on children's rights is not limited to those few COVID years. Children who stand up for children's rights and human rights, who stand up for climate justice, who fight against discrimination and poverty, must be protected.

'The partnership between ICRI and children who act as human defenders is very important' Alex Conte, Executive Director, Child Rights Connect

ICRI play a very important role in protecting children who stand up for the protection of human rights. ICRI must support and amplify the voice of these children. Independence as well as autonomy are essential for this, argues Alex Conte. ICRI must be independent to be able to defend children's rights when governments in Europe do not fully respect children's rights. And they need autonomy to keep drawing attention to children's rights.

If ICRI become part of a national human rights structure, they will once again be snowed under, just as they were during the pandemic.

Evaluation makes ICRI better child rights protectors

Prof. Ton Liefaard confirmed that historically, we are indeed at a tipping point in terms of child rights protection. Over the past 30 years, we have seen mostly progress. There was plenty of construction of the infrastructure of children's rights. Children's rights were incorporated into law and children's rights policies were developed in several countries. Now you notice that children's rights are coming

under more pressure. This evolution can be looked at in a negative way, but there is also hope. Compared to 30 years ago, there is now a child rights infrastructure. There are children's rights NGOs, the Council of Europe and the European Union have each outlined children's rights strategies, and the academic world is paying attention to children. ICRIs are also part of this infrastructure. Together with the other actors, they must oversee children's rights and ensure that they can continue to do so. Therefore, ICRIs must be vigilant about their independence and autonomy, they must keep an eye on their budget, they must set the right priorities and use their mandate to ensure children's rights and interests are protected and promoted.

Prof. Ton Liefwaard gave three messages to the attendees. The first is: 'use your mandate'. ICRIs can be seen as a threat by governments. ICRIs' independent mandate ensures they can challenge governments. Secondly: look for ways to hold the government accountable. Governments must assume their responsibility towards children's rights. And the third: make sure that you evaluate your own institutions, take this evaluation into your own hands and involve academics in this evaluation.

“Take your evaluation into your own hands. You have to ask yourself, is what I’m doing really relevant? Is it effective? Do I set my priorities right?” **Prof. Dr. Ton Liefwaard, Professor of Children’s Rights - UNICEF Chair in Children’s Rights, Leiden University**

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Updates by ENOC members



The conference program continued with an **updates session** where members have been divided in three workshops, each moderated by a Bureau member. Each ENOC-member had 5 minutes to share a highlight from their annual activities or to report on a significant progress achieved or challenge faced in their respective country/region in a specific child rights area.

Newly appointed Ombudspersons and Commissioners for Children in Armenia, Belgium/French community, Catalonia, Moldova, Northern Ireland, and Scotland have also been welcomed.



Video message UN Committee on the Rights of the Child

During the afternoon the Chair of the UN Committee on the Rights of the Child, Ann Skelton and a member of the UN Committee on the Rights of the Child, Benoit Van Keirsbilck addressed the Conference via a video message.



In her address, Ann Skelton emphasised the value and importance of ICRI as reliable sources of information that provide insights, guide change and help the Committee on the Rights of the Child assess the state of implementation of the Convention on the Rights of the Child by States parties. ICRI are an important reference for the Committee in the formulation of its recommendations to the States. Ann Skelton stressed the importance of independence of ICRI. She gave the example of the recent warrant for arrest issued by the International Criminal Court against the Presidential Commissioner for Children's Rights in the Russian Federation. What happened in the Russian Federation shows how important the independence criterion is and how relevant and timely the theme of this Conference and ENOC's annual focus currently is.

In his address, Benoit Van Keirsbilck noted ICRI's support for children to use mechanisms like OPIC and expand access to justice, addressing challenges in migration, parental abduction, climate issues, and the digital world. He emphasised the need for increased collaboration among institutions, and expressed the Committee's commitment to partnering with ICRI to defend children's rights, both nationally and internationally, amidst current challenges.

'ICRI are the eyes and ears of the Committee in States Parties' Benoit Van Keirsbilck, member of the UN Committee on the Rights of the Child

Benoit Van Keirsbilck called on ENOC members to work together in protecting children's rights. Child rights violations are increasingly transnational, they are the result of child rights violations on a global scale e.g. in the context of migration, climate, digital world. These are violations that can be addressed when there is more cooperation between different children's rights institutions nationally and internationally. The UN Committee on the Rights of the Child stands ready to work with the various children's rights institutions to address these transnational child rights violations.

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The Impact of ICRI in Safeguarding Children's Rights Worldwide

Geert Cappelaere closed Day 1 of the Conference with a keynote speech addressing the impact of Independent Child Rights Institutions in safeguarding children's rights worldwide.

Geert Cappelaere joined UNICEF in 1999 and held various positions in Africa, the Middle East and Europe. Most recently, he led the development of UNICEF's strategy to further strengthen

engagement in and with Europe and was UNICEF's representative to the EU institutions and director of the partnership office in Brussels. Before joining UNICEF, he chaired the Belgian Royal Commission on Child Abuse and Exploitation and was affiliated to the University of Ghent. He is the author of a number of internationally renowned publications, including 'Children deprived of their Liberty: Rights and realities'. He actively participated in the drafting of several international legal instruments on child protection and children's rights.

'Across the world, it has become much more common to make children's rights part of societal debate, public and privately. The world is a good place to thrive for a slowly growing number of the 2.4 billion children. Child poverty, for example, is estimated to have dropped by half since the beginning of the 21st century' stated Geert Cappelaere.



Mr. Cappelaere stressed the importance of independent Impact Assessments for ICRI's, highlighting that despite progress in reducing child poverty and increasing education and participation, many children still face discrimination and inequalities. He noted the focus on providing access to services like education and healthcare but pointed out the lack of attention to their quality. Challenges like conflict, climate change, and technology further undermine

children's rights. He expressed concern that children are gradually being sidelined from agendas, hindering ICRI's vital work. Mr. Cappelaere urged a significant change in organisations' approaches, emphasising self-awareness, prioritising independence, and genuine collaboration to improve children's situations. He highlighted the necessity of investing in high-quality, accessible information and treating children as partners, not just beneficiaries.

At the end of his career, Geert presented his vision of the future of children's rights. He shared his 5 personal reflections with the Conference participants

- Human rights must always be at the core of all our actions. Timidity or ambivalence are not an option.
- Independence must be ensured;
- If we are serious about reaching to every child, we need to invest in public and private partnerships and behave as a true partner and convenor. We need to ensure that focus and priority is given to children and prioritise those areas of engagement where there is a proven added value. It is crucial to invest in the best global, regional or local expertise, rather than in a plethora of small projects.
- Invest in top quality evidence-based information and awareness raising of what matters most for children. Ensure that information is accessible to all, especially to children.
- Children are fully-fledged partners, not just beneficiaries.

Geert Cappelaere concluded that ICRI's are needed more than ever. And where the most needs are, there are unfortunately the least ICRI's. Less than 10% of ICRI's are based in Africa and Asia. Geert Cappelaere invited each and every ENOC member to advocate before their national or regional authorities for the establishment of ICRI's to become part of development assistance priorities.

"Challenges affecting children and their rights have no borders. Addressing the challenges has no borders either. Solidarity is and remains key" - Geert Cappelaere, former UNICEF Representative to the EU institutions, and former Director of UNICEF Partnership Office, Brussels

Day 2: 20 September 2023

8.30-9.00: Security screening & ID Registration

9.00-9.30: Refreshments

9.30-10.00: Day 2 Opening session

Moderator: Caroline Vrijens, ENOC Chair-Elect, Flemish Children's Rights Commissioner

Speakers:

Caroline Vrijens, ENOC Chair-Elect, Flemish Children's Rights Commissioner

Benjamin Dalle, Flemish Minister for Brussels, Youth, Media, Poverty reduction and coordinating minister for children's rights

10.00-11.30: ENYA Recommendations on the role of ICRIIs

Speakers:

ENYA delegates

Suzanne Garcia Imbernon, ENYA 2023 General Coordinator

11.30-12.00: Coffee Break

12.00-12.30: ENOC 2023 Research: Presentation of the main Challenges for ICRIIs

Speakers:

Prof. Ursula Kilkelly, University College Cork

Dr. Katrien Klep, Leiden University

12.30-12.45: Protecting and Promoting Children's Rights in times of war

Speaker:

Olga Altunina, Representative of the Commissioner for the Rights of Citizens Affected by Armed Aggression Against Ukraine

12.45-14.00: Lunch

14.00-15.30: Workshops on Participation, Monitoring, and Accessibility & Visibility

Speakers:

Jan Raymaekers, Coordinator, Flemish Youth Council – Workshop 'Participation'

Prof. Ursula Kilkelly, University College Cork and Dr. Katrien Klep, Leiden University – Workshop 'Monitoring'

Sibille Declercq, Director, Awel, hotline for children – Workshop 'Accessibility & Visibility'

Moderators:

Niall Muldoon, Ombudsman for Children, Ireland

Andres Aru, Head of Children's and Youth Rights Department, Office of the Chancellor of Justice, Estonia

Theoni Koufonikolakou, Ombudswoman for Children's Rights, Greece

15.30-15.35: Conference Closure by Caroline Vrijens

15.35-15.50: Coffee Break'

16.15-17.00: General Assembly pre-session (ENOC members only)

Day 2: Opening Session

Day 2 of the Annual Conference was opened by the ENOC Chair-Elect and Flemish Children's Rights Commissioner, Caroline Vrijens, and by the Flemish Minister for Brussels, Youth, Media, Poverty reduction and coordinating minister for children's rights, Benjamin Dalle.

“Children's rights are more urgent and more topical than ever. Even here in Europe. Children and young people are under high pressure. For instance, are children being heard when they express their concerns about climate emergency? Do we take their climate actions seriously?” **Benjamin Dalle, Flemish Minister for Brussels, Youth, Media, Poverty reduction and coordinating minister for children's rights**



In his opening speech, the minister addressed, among others, five criteria that he considers essential for ICRI to efficiently carry out their mandate:

- Independence and autonomy – ICRI should be able to speak freely and without fear of being censored or cut financially;
- ICRI should be able to address individual complaints (from children included) and should hold an important advisory function;
- ICRI must be accessible to children and young people. They should be able to reach out to all groups of children and be present in the digital space as this is essentially children's space;
- ICRI should engage for, about, and with young people. It's good to see that ENYA young people are here and that they are part of the event and of the policy-making process at ENOC;
- ICRI should build bridges with other human rights institutions.

As coordinating minister for children's rights, he sees it as his duty to keep reminding his fellow ministers of the impact their policies have on children's lives. Standing up for children's rights is not always easy. You often have to go against the grain and need supporters, such as the Flemish Children's Rights Commissioner and all ENOC members. Strong ICRI are needed to wake up politicians and keep the focus on children's rights.

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ENYA Recommendations on the role of ICRIs

ENYA Young Advisors held an interactive session focused on presenting the recommendations agreed upon at the ENYA Forum (Malta, July 2023). They divided up into four groups, and with different ways to ensure interactivity and engagement from the audience, they presented the recommendations on ICRIs' Accessibility, Visibility, Engagement and Powers.



Under **Accessibility**, ENYA suggested the creation of appropriate safe spaces (digital and physical) where ICRIs can engage in a swift and confidential communication with children, increased presence in schools and remote areas, child-friendly information platforms, and special training of staff for better engagement with all groups of children, especially the most vulnerable ones (children with disabilities, etc.). They also emphasised responsive complaint mechanisms and mental health awareness and increased outreach through creative ways of communication.

Regarding **Visibility**, ENYA proposed, among others, training adults working with children, organising school awareness events, collaborating with media, and creating ICRIs channels on platforms for children.

Engagement recommendations focused on ICRIs being on the ground and close to the reality in which children live, integrating child rights in school curricula, promoting child participation in schools through the establishment of Youth Councils, enhancing cooperation between the different child participative structures to increase representativeness and inclusivity and ensure better impact, and advocating for children's effective participation and engagement with law, policy and decision makers.

Lastly, ICRIs' **Powers** suggestions emphasised binding consequences for non-compliance, impartiality, streamlined interventions, child-friendly access to justice, and inclusive appointments for Children's Rights Commissioners and Ombudspersons, considering prior experience.

Every ombudsperson and -place must be non-political and as neutral as possible. Children don't care if you are left of right. You are there for them, not for you.

Laly, Luxembourg





ENYA group @ENOC 27th Annual Conference, Vlaams Parlement, Brussels



ENYA participants @dinner, 19 September 2023, Brussels

ENOC 2023 Research: Presentation of the main Challenges for ICRI



Based on the research findings, Prof Ursula Kilkelly and Dr Katrien Klep presented seven major challenges for ICRI.

- The first challenge is '**Independence and Autonomy**'. Several areas of tension put pressure on independence and autonomy. For instance: 1) an ICRI needs to be independent from the government and at the same time it should engage with the government, as it is the government that is responsible for the implementation of the Convention on the Rights of the Child; 2) ICRI have an unique identity, it is necessary for them to be separately visible to children, young people and the wider public, and at the same time a lot of ICRI are integrated into another institution which can put pressure on visibility; and 3) both, ICRI and NGOs, stand up for children's rights, yet there is a need to differentiate them from each other.
- The second challenge is '**Staffing and Resources**'. Every ICRI faces a shortage of resources and staff. There is a need for more autonomy to recruit staff i.e. autonomy in setting up the recruitment criteria, the required expertise included. On the other hand, it is also strategically important to check whether the budget is used correctly and whether the desired results have been achieved with the means available.
- The third challenge is the **mandate** and how to fulfill the mandate. ICRI experience deficiency in their mandate when compared with General Comment No.2. And it is a challenge to identify priorities and balance the day-to-day work that needs to be done with long-term goals and priorities.
- Besides these more institutional challenges, there is also the **wider context** that puts pressure on the operation and survival of ICRI. Some ICRI feel it, even if it is not yet a concrete reality. Other ICRI have already experienced this. This evolution is not an isolated event happening only to ICRI. It can be placed within the wider growing tension on children's rights and human rights and democracy that is coming under increasing pressure. It is important to draw lessons from the experiences of institutions that have faced this threat. What have these ICRI done to turn the threat down?
- The experts note that much attention is paid to the institution's **visibility**. On one hand, visibility is critical to carry out efficiently the mandate. On the other hand, for some ICRI, this pursuit of visibility is existential. Through continuous visibility, the value of the institution is demonstrated. This puts tension on the daily work of the institution, the priorities of the institution and possibly also on the independence of the institution. The experts expressed concerns regarding the continuous tension ICRI feel about having to prove themselves on a daily basis. Even though ICRI have an independent mandate, they still feel the pressure of having to prove themselves.

- The sixth challenge is the '**Accountability gap**'. There is a need to reflect on the effectiveness of the institution, on the impact the institution has on the lives of children and young people. There is a need to shift from self-evaluation to a more robust form of evaluation. The experts underlined that this necessity can be sensitive in times of threat, but again, sharing experience is important. Which ICRI have good experience with evaluation? Which evaluation approaches were meaningful?
- And the seventh challenge is **participation of children and young people**. Many ICRI do brilliant work, yet more attention needs to be paid to the participation of children and young people and to do so in an inclusive, diverse and credible way. Further reflection is required on how to mainstream child participation within every aspect of the work of the institution and make it sustainable and efficient. For example, including children and young people in the evaluation of the institution, etc.

Prof Ursula Kilkelly concluded her presentation with the following optimistic words:

"It's remarkable that we have so many well established ICRI embedded in the national and European eco-system of Children's Rights. It's a source of great pride but also a source of important work that has been done" **Prof. Ursula Kilkelly**

Prof Ursula Kilkelly insisted on the solid integration of many ICRI into a strong children's rights community, both nationally and internationally. She reminded that ICRI are active entities that collaborate with a diverse range of actors i.e. academics, politicians, the UN Children's Rights Committee, civil society, etc. It is important to keep these relationships alive. She also stated that ICRI are creative and have very strong expertise in implementing children's rights. The integrity with which Office holders take up their positions radiates to children's rights. They give status to children's rights. Finally, Prof. Ursula Kilkelly pleaded for more visibility for ENOC and the brilliant work ENOC is doing. ENOC is active at the European level, and thanks to ENOC's networking function, ENOC is also making a difference at the national level. The thematic work ENOC sets up every year ensures that ENOC members benefit from each other's experience and expertise but also share the difficulties they face and build up common solutions.

After the presentation, the experts engaged in a dialogue with all participants. There were questions about the accountability gap, the litigation power of ICRI and what impact the litigation power can have on regulations, for example? The difference between integrated and autonomous ICRI was also discussed. An Office holder shared difficulties related to the lack of autonomy in staff management. There were questions and discussions regarding ICRI age remit (<18) and whether there are ICRI that have remit for youth who are 18+. There were some Q/A on evaluation of ICRI and one member suggested the use of a peer review of ICRI as an evaluation tool for ICRI.



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Protecting and Promoting Children's Rights in times of war



Olga Altunina, Representative of the Commissioner for the Rights of Citizens Affected by Armed Aggression Against Ukraine, provided an update on the dire situation of children's rights in Ukraine, emphasizing the challenges caused by the ongoing war. She highlighted the increasing number of war crimes and gross violations against Ukrainian children. There is killing and maiming. Children are recruited into the enemy's armed forces. Children are raped and otherwise sexually abused. They are abducted. Schools and

hospitals are destroyed and their access to humanitarian aid is denied. There are already 1,623 child war victims. 1,123 of them have been injured and 504 have been killed. 1,233 children are missing. 19,546 children have been deported to occupied territories or to Russia. 3,395 educational institutions have been destroyed by bombs and shelling. 1,376 medical institutions have been destroyed. 184 of them are beyond renovation.

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Workshop on ICRI's Child Rights Monitoring Role

ICRIs play an important role in monitoring implementation of the UN Convention on the Rights of the Child. ICRIs also hold a key role in the independent reporting to the UN Committee on the Rights of the Child as part of the regular review process of state parties' compliance with the UNCRC. Different questions such as how ICRIs carry out their monitoring role, what works well and what can be improved, do all ICRIs report to relevant international bodies, etc. have been put forward.

Prof Ursula Kilkelly and Katrien Klep leaned on the research findings to present the different aspects of the child rights monitoring mandate of ICRIs.

- The research shows that most ICRIs have the power to monitor the implementation of the Convention on the Rights of the Child (32 ICRIs out of 35 respondents). 28 ICRIs monitor the Optional Protocols and 29 ICRIs monitor whether concluding observations are followed up.
- 30 ICRIs report to the UN Committee on the Rights of the Child. 12 ICRIs also report to other international bodies such as Council of Europe CPT or ICCPR of the United Nations.

In principle, monitoring children's rights should be a 1) continuous process. It is more than a snapshot; ideally, monitoring should be integrated into ICRIs' work. It is good to 2) reflect strategically on certain child rights priorities highlighted in the report to the UN Committee on the Rights of the Child. For example, some ICRIs manage to get certain child rights priorities directly into the concluding observations. And the 3) CRC should be the common thread in monitoring and reporting. Are the basic principles of the Convention on the Rights of the Child addressed in full? Did children and young people participate in the reporting process?

Workshop participants shared their experience of the monitoring process. For example, strategically, not all ICRIs report everything publicly to the UN Committee on the Rights of the Child, some concerns

are transmitted in confidence to the UN Committee on the Rights of the Child. Some ICRI's collaborate with NGOs and report in a joint report to the UN Children's Rights Committee. There are ICRI's that produce a separate children's report. One ICRI noted that there is an unbalance between the energy that goes to reporting to the UN Children's Rights Committee and the follow-up of the concluding observations afterwards.



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Workshop on Accessibility and Visibility

Many ICRI's are continuously looking for even better ways to increase their visibility, awareness and accessibility for children and young people. Children and young people need to be able to turn to ICRI's. They need to know what an ICRI can do for them. They need to know that they can make a complaint or report to an ICRI's complaints line if needed.

For years, Awel (an NGO based in Flanders) has succeeded in providing a listening ear to thousands of children and young people every year in Flanders. AWEL is the most well-known helpline among children and young people - 90% to 95% of young people know Awel - and manage to maintain this familiarity.



Sibille Declercq, Awel's coordinator, presented Awel's work and way of operation, especially during crisis situations. She spoke about the organisation's efforts to maintain accessibility and visibility for all children, including children in very vulnerable situations or children who do not master the Dutch language and still need help. She also mentioned the main issues for which children and young people seek help.

- Awel works with 400 volunteers. Children and young people can reach them by telephone, chat or email. The nearly 520,000 calls a year are mainly related to children's relationship with their parents or to children's state of mental well-being. Usually a listening ear helps, but sometimes intensive assistance is needed. Awel, with the child's agreement, can connect children directly to intensive assistance through the Chat. If there is an emergency situation, a back-up person can immediately contact the police or ambulance. Awel is currently experimenting with peer-to-peer chat and building a helpline for Ukrainian refugee children with Ukrainian volunteers.

- Awel takes continuous care of its visibility. The organisation makes itself known through many channels: website, Telegram, Tiktok, Smartschool, banner in school diary and maths handbook, Awel's Game, etc. Awel can be reached by phone or chat in the evening until 10pm, from Monday to Saturday, except on public holidays.

During the workshop, participants put forward questions related to Awel's legal basis, funding conditions, confidentiality in case of recorded conversations with children and young people, what they do when children and young people need urgent help, what their impact is and how Awel recruits volunteers.

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Workshop on Children's Participation and Engagement

Listening to and empowering children and young people is essential in the operation of many ICRI's. ICRI's shape the right to participation of children and young people in different ways. The most common is by setting up its own Child Advisory Panel (or Youth Council), which advises and assists the ICRI in formulating recommendations informed by children's views, provides feedback on the functioning of the ICRI and help shaping the ICRI's priorities and strategies. ICRI's strive to ensure Youth Councils are as diverse and inclusive as possible so that they can also capture the views of children and young people growing up in socially vulnerable situations to the maximum extent possible. ICRI's are always looking for ways to give maximum weight to children's opinions.



During the 'Participation' workshop, Jan Raeymakers of the Flemish Youth Council explained how they try to realize the right to participation of young people on a daily basis, how they reach young people and how they take care of the composition of the youth council. Jan Raeymakers is coordinator ad interim of the Flemish Youth Council, the official youth advisory council of the Flemish government. 'We do give a fuck' is the slogan of the Flemish Youth Council. The Council's young people are awake to what is going on with children, young people and youth work, and want the Flemish government to pay attention to it.

The Flemish Youth Council was established by decree. It also sets out the council's tasks, such as advising the Flemish government on new regulations - they get 30 days to do so - and giving its own advice.

The Flemish Youth Council has 16 members aged between 15 and 30. They sit in the Council for 3 years and meet once a month to discuss advice to the Flemish government and take position. They are supported by 7 professionals and get the chance to participate in different ways. Holding the pen of an opinion, devising and developing actions.

Last year, there were 25 youth counsellor candidates. 5,000 children and young people aged between 12 and 30 voted online for one of the 25 candidates at that time.

There are no specific requirements for the candidates, but care is taken to ensure that the council is diverse in terms of age, gender, independent young people and young people from youth work. It used to be difficult to find young people from minority groups. Now, young people from minority groups are eager to participate. They get a chance to stand up for the interests of peers. Diversity by level of education remains difficult.

The topics around which the Youth Council works also involve as many children and young people as possible. 100 young people conduct interviews with their peers to hear what is on their mind, what concerns them. There are 500 one-to-one interviews with young people. They ensure that children and young people from vulnerable groups are also heard.

To elaborate topics and advice, the young people of the council can also count on a broad network of various (youth) organisations with expertise.

They gain impact because they are often given the opportunity to explain their advice through official channels. They also participate in the elaboration of a strategy to ensure their work and advice, informed by the views of their peers, is as impactful as possible.

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CONFERENCE END
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Group Photo: ENOC 27th Annual Conference, 19-20 September 2023, Flemish Parliament, Brussels

Day 3: 21 September 2023 - ENOC 27th Annual General Assembly – ENOC members only

9.00-9.30: Security screening

9.30-10.00: ID checks, General Assembly Registration & Refreshments

10.00-11.30

Moderator: Salvör Nordal, ENOC Chair (2022-2023), Ombudsman for Children, Iceland

Presentation of ENOC annual activities

Presentation and approval of ENOC annual accounts

Election of the new Bureau 2023-2024

11.30-11.45: Coffee & Refreshments

11.45-13.00

Moderator: Caroline Vrijens, ENOC Chair (2023-2024), Flemish Children's Rights Commissioner

Endorsement of ENOC position statement

Appointment of the ENYA 2024 coordination office

Brainstorming on ENOC 2025 annual focus

Any other issue raised by members

13.15-14.10: Lunch

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This event was supported by the Flemish Parliament



This event is co-funded by the European Union's Citizenship, Equality, Rights and Values Programme (CERV)