

Council of Europe's Child Policy

Recommendation (2005) 5 Building a Europe for and with Children

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NOVA
Stockholm, 14 November 2006

Recommendation Rec (2005) 5 of the Committee of Ministers to member States on the rights of children living in institutions

- **Standard setting – Recommended policy to member States**
- **Recommendation/Appendix/Explanatory report**
- **Children in institutions: prevention and alternative care. Report by Mr Bragi Gudbrandsson, Iceland**
- **CoE (2006): Rights of children at Risk and in Care**

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General principles

- Decisions should be based on the best interests of the child
- The child's rights and dignity should be protected and safeguarded.

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Basic principles

- The family is the child's natural environment
- Provide prevention; placements should not be motivated by material circumstances or disability alone
- Placement remains the exception; temporary, periodic reviews, support for and involvement of the family
- Care plan; children's rights to be heard
- Control and disciplin according to public regulations and approved standards
- After care support; ensuring continuity

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Specific rights for children living in residential institutions

- The rights to maintain family and social ties if possible; regular contact with family, placement of siblings together
- The rights to identity, dignity and privacy
- The rights to equal opportunities; health care, education, vocational guidance, active and responsible citizenship
- The rights to participation; in decision making processes, to be informed about their rights, to make complaints to an impartial body

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Guidelines and quality standards

- Small family-style living unit, close to the child's home
- Individual care plan, maintaining contacts with the outside world
- The internal organisation of the institution; stability and sufficient number of qualified staff with high professional standards and adequate salaries. Multidisciplinary, child-centred team work, cooperation with children's parents, work based on code of ethics
- Recognition also of NGOs, religious organisations or other private bodies role concerning children living in institutions.

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Warsaw summit May 2005:

Building a Europe for and with children

"We are determined to effectively **promote the rights of the child** and to fully comply with the obligations of the United Nations' Convention on the Rights of the Child. A child rights perspective will be implemented throughout the activities of the Council of Europe and **effective coordination** of child-related activities must be ensured within the Organisation.

We will take specific action to **eradicate all forms of violence against children**. We therefore decide to launch a three year programme of action to address social, legal, health and educational dimensions of the various forms of violence against children. We shall also elaborate measures to stop sexual exploitation of children, including legal instruments if appropriate, and involve civil society in this process. Coordination with the United Nations in this field is essential, particularly in connection with follow-up to the optional protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography (**Action plan, Warsaw summit 16-17 May 2005**).

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Promoting children's rights

Ensuring the application of European and international standards on the rights and protection of children by

- **Standard setting:** Developing legal instruments and promoting the ratification of relevant conventions
- **Monitoring progress:** Ensuring the effective application of these international instruments, monitoring and assessing their real impact.
- **Awareness raising, training and education:** Producing "handbooks/guidelines of good practices" in various areas

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Promoting children's rights

Putting children's rights into practice in their everyday lives by

- **Manual on Human Rights:** Training young people, school teachers and youth leaders to promote human rights, democracy and citizenship
- The Committee of Ministers' Recommendation (2005)5 on the *rights of children living in residential institutions*.
- Guidelines on the integration of *immigrant children* into the educational system and from school to the labour market
- Guidelines for the implementation of policies of *including young people* in disadvantaged areas in society
- *Roma children's* access to the educational system
- The rights of *children with disability* to community living

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Abolishing corporal punishment

- **2001:** the European Committee of Social Rights observed: that it "*does not find it acceptable that a society which prohibits any form of physical violence between adults would accept that adults subject children to physical violence*"
- **2002:** Seminar on corporal punishment of children in Europe
- **2004:** Debate on emotional abuse of children by adults supposed to care for them
- **2004:** The Parliamentary Assembly called for Europe to become a corporal-punishment-free-zone for children
- **2005:** The Committee of Ministers underlined "its commitment to protect children, a group in need of special protection in society, from all forms of violence"

Publications:

- Protecting children against corporal punishment. Awareness-raising campaigns (2004)
- Eliminating corporal punishment of children (2005)
- Parenting in Contemporary Europe: A positive approach (2006)
- Views on positive parenting and non-violent upbringing (2006)

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Main areas of intervention

Family

Guidelines on positive parenting and a non-violent upbringing: What does the CRC mean for parenting? Alternatives to smacking?
Consultation with children and parents concerning their views on positive parenting and a non-violent upbringing

School

Recommendations and handbooks on the prevention of all forms of violence at school

Society

Best practices on the relationship between the police and young children
Assistance to and protection of children victims of crime (Recommendation)

National and local integrated strategies

Norway & Romania are test countries for the analysis of their National Strategies for the prevention of violence against children

Fight against sexual exploitation and abuse of children

Elaborate measures to stop sexual exploitation and abuse of children, including legal instruments if appropriate, and involve civil society in this process.

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Core activities concerning children:

- **Promote children's rights**
- **Eradicate all forms of violence against children**

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