



EUROPEAN UNION

OSCE Human Dimension Implementation Meeting Warsaw, 19 - 30 September 2016

Working session 16 & 17 (specifically selected topic): Rights of the child

Mr. Moderator,

I am honoured to speak on behalf of the European Union and its Member States.

Our key messages for this session are the following:

-) Protection and promotion of the rights of the child is also one of the objectives of the European Union. All policies and actions with an impact on children must be designed, implemented and monitored in line with the best interests of the child.
-) Children's rights are an inalienable, integral and indivisible part of universal human rights and that all rights recognized by the Convention on the Rights of the Child have an equal importance, although actions to ensure their realization need to be prioritized in the light of specific national contexts;
-) An important principle of the Charter of Fundamental Rights of the European Union is that when decisions are being made on the best interests of children, children may express their views freely and their views shall be taken into consideration on matters which concern them in accordance with their age and maturity.
-) Children on the move in Europe are at risk of unacceptable safety risks, including trafficking, violence, illness, becoming stateless, separation from their parents and even death. Even after arriving in a destination country, children may still face various risks, including the risk of being placed in detention.
-) There is a need to protect children's rights not only in "real" world, but also in the new digital environment.



EUROPEAN UNION

Mr. Moderator,

The European Union is based on the values of democracy, the rule of law and respect for human rights. All civil, political, economic and social rights enjoyed by people within the EU are contained in the Charter of Fundamental Rights of the European Union. The Charter became legally binding across the EU with the entry into force of the Treaty of Lisbon in December 2009.

The Treaty of Lisbon introduced an objective for the EU to promote children's rights. And the Charter of Fundamental Rights of the EU guarantees the protection of children's rights by EU institutions, as well as by EU countries when they implement EU law.

Children are the group that needs extra protection and support. The international community has recognized this by adopting the UN Convention on the Rights of the Child which is the most widely ratified human rights treaty in history. In conjunction with its three Optional Protocols it contains a comprehensive set of legally binding international standards for the promotion and protection of children's rights. Together with other international and regional standards on the rights of the child, including those adopted by the Council of Europe and implemented by the jurisprudence of the European Court of Human Rights (ECHR), these instruments provide a solid foundation for the enjoyment of human rights by all children without discrimination of any kind, while constituting a reference for promoting and monitoring progress in the realization of the rights of the child.

The EU has a three-track approach to the rights of child addressing specific issues like violence against children, children affected by armed conflicts, child trafficking, etc., addressing specific themes like education and health and increasing mainstreaming of children's rights as one of the cross-cutting issues to consider in all programs and projects funded by the European Union.

Although there is comprehensive framework of instruments, standards and commitments on the rights of the child, the daily reality for millions of children worldwide is still in sharp contrast to these commitments and objectives: children still face major threats to survival, lack opportunities for education, proper health and social care. They are victims of



EUROPEAN UNION

child labour, sexual exploitation and abuse, diseases, armed conflicts and various other forms of violence. In particular, children belonging to vulnerable groups are exposed to discrimination, marginalization and exclusion. Girls also face specific risks, for example, they are forced into early marriages and have to endure harmful practices, and thus need our special attention.

There should not be any discrimination on the grounds of gender. We need to promote equality between girls and boys, for that we need to address stereotypes and sexism, notably in media and education.

Based on the information compiled for the report on Safety and Fundamental Rights at Stake for Children on the Move we can conclude that children on the move in Europe are at risk of unacceptable safety risks, including trafficking, violence, illness, becoming stateless, separation from their parents and even death. Several countries report that unaccompanied children go missing from the centres they live in and therefore extra efforts have to be made to avoid the risk of trafficking and exploitation. Comprehensive child protection systems must be in place in countries of origin, transit and destination. Unaccompanied children should be assigned a legal guardian, if these children are not under parental custody or parental custody is suspended.

Also, there is a need to address the rights of children with disabilities. Children and young people with disabilities should not be excluded nor stigmatised. Every effort should be made to end institutionalisation and ensure children with disabilities are fully integrated into society.

One in three users of Information Communication Technologies is a child. These tools offer children excellent learning and social opportunities and they should be able to enjoy these tools and the Internet safely. Children have the right to be protected from all forms of violence, including in the so-called "online world". Online child sexual abuse and exploitation is a gross violation of children's rights, and one with very serious long-term repercussions on the child. It is more challenging for us to tackle these "online" violations. The Internet is largely in



EUROPEAN UNION

private hands and therefore the private sector has a key role in the protection of children online.

Yet, we recognize that children and youth have great potential of shaping our future for the better. In order for this potential to be unleashed, their voices must be heard and - as the international community confirmed in the Preamble of the Agenda 2030 - they must be taken seriously as “critical agents of change”.

Our task is to stand for the rights of the child everywhere and raise public awareness among children, parents, policy makers, in order to recognize the acts of violation and take measures to build a safer future of our children.

Recommendations (according to EU Guidelines for the Promotion and Protection of the Rights of the Child):

-) Raise awareness of children’s rights and of international norms and standards concerning their promotion and protection;
-) Promote the ratification and effective implementation of relevant international instruments on the rights of the child;
-) Promote legislative reform to ensure conformity of national laws with international norms and standards on the rights of the child;
-) Promote the development of national independent institutions on the rights of the child in conformity with the Paris Principles;
-) Promote the effective coordination of cross-departmental activities and of actions between national and sub-national authorities, as well as the allocation of adequate resources with a view to ensuring the promotion and protection of the rights of the child;
-) Advocate engagement of civil society in promoting and protecting the rights of the child;
-) Support measures to eliminate the worst forms of child labour and to implement minimum working age and adequate working condition requirements for children in accordance with ILO core labour standards.



EUROPEAN UNION

-) Prevent the detention of children on the basis of their migration status and seek alternatives to detention wherever children (or their families) are involved, given the negative impact detention has on a child's development and their particular vulnerability to physical and psychological violence.
-) Support measures to preserve refugee and migrant children's family unity and legal identity to avert statelessness and guarantee the child's right to family life.
-) Promote equal access to quality services for refugee and migrant children, such as education, health, shelter, nutrition, water and sanitation and access to legal and psychosocial support.
-) Promote the participation of children in decision making processes for the promotion and protection of their rights. Members of parliaments should more actively include children and young people in the decision-making process so that children can freely and openly voice their opinions and suggest ideas.
-) End all forms of violence against children, it should be a legal, ethical and economic imperative. In order to prevent violence against children every country should build a statutory ground and mechanisms to deal with the cases when rights of the child are violated. Governments must support protection of children by strengthening child protection systems, taking measures to prevent trafficking, and adopting provisions to reduce the vulnerability of children along their migration routes. To prevent violence and sexual abuse, we call all countries to ratify the Lanzarote Convention and Istanbul Convention, and to implement their measures.

Thank you.

The Candidate Countries TURKEY, the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO*, SERBIA* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA, ARMENIA, GEORGIA and ANDORRA align themselves with this statement.



EUROPEAN UNION

* The Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.