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Declarations

Decl(11/03/2020)

11 March 2020

Declaration by the Committee of Ministers on “strengthening the rights of the child as the key to a “future-proof” Europe”

*(Adopted by the Committee of Ministers on 11 March 2020
at the 1370th meeting of the Ministers' Deputies)*

The Committee of Ministers of the Council of Europe,

Recalling that all children in Council of Europe member States are entitled to enjoy the human rights safeguarded by instruments such as the United Nations Convention on the Rights of the Child (UNCRC) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and their protocols;

Welcoming the progress achieved in the protection of the rights of the child 70 years after the foundation of the Council of Europe and 30 years after the adoption of the UNCRC;

Recalling the Council of Europe's Programme “Building a Europe for and with children” and its Strategy for the Rights of the Child (2016-2021), which are based on the UNCRC and affirm the Organisation's commitment to protect and promote the rights of the child in line with global and European standards;

Concerned by the persistent violations of the rights of the child in all Council of Europe member States across all five priority areas of the Council of Europe Strategy for the Rights of the Child (2016-2021);

Welcoming the mid-term evaluation report on the Council of Europe Strategy for the Rights of the Child (2016-2021) and noting its findings showing that progress has been achieved and that governments, intergovernmental organisations, independent human rights institutions, civil society, parents, children, as well as the volunteers and professionals working with them, are much better equipped today to protect and promote the rights of the child;

Noting that, while the visibility of the rights of the child has increased, they are not yet fully perceived as being part of the human rights corpus and progress towards their full protection is still slow and fragmented;

Aware of the fact that some social norms, stereotypes and traditions condone, tolerate or perpetuate discrimination and violence against children and that they are obstacles to the consideration of children as fully-fledged rights holders and agents of change;

Noting that, when facing the challenges arising from the rapid evolution of technology, the economic, environmental and migration crises, and the rise of violent extremism, States and society at large are at risk of overlooking or compromising on the rights of the child, in particular the rights of children who are in a situation of vulnerability, as stressed in the Strategy for the Rights of the Child;

Convinced that, while child protection has traditionally been a subject for families and the State, and acknowledging their fundamental roles concerning child protection, there is an urgent need to recognise the whole array of children's social, political, economic and cultural rights as well as the role and responsibilities of other non-State actors, in particular professionals working with children in the private sector and civil society;

Convinced that more efforts should aim at empowering and mobilising key stakeholders to secure the implementation of these standards, as called upon by the 2030 Agenda for Sustainable Development;

Determined to guarantee a sustainable, “future-proof” Europe for all by unleashing the untapped potential of all governmental and non-governmental actors to make the transformative changes that children and society need;

1. Renews its firm commitment to promote, protect and fulfil the rights of the child and calls upon member States to:

- a. ratify and fully implement the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201), the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210) and the Optional Protocols to the UNCRC;
- b. achieve full prohibition of corporal punishment, including through the promotion of non-violent, positive parenting;
- c. scale up efforts in the implementation of children's rights standards via action taken at national, regional and local levels, in particular with a view to:
 - i. guaranteeing children's access to child-friendly justice^[1] at national, European and international levels, by establishing child-friendly justice systems and by developing and strengthening reporting and referral mechanisms as well as access to effective remedies;
 - ii. ensuring that the best interests of the child shall be a primary consideration in decisions affecting them, in particular when children are in conflict with the law and when they are without parental care, including in the context of parental separation, child-care proceedings, migration and violent extremism;
 - iii. properly addressing the root causes and the impact of child poverty and social exclusion, by defining clear objectives, indicators and time frames to measure progress and by allocating sufficient resources;

- iv. taking all necessary legal, policy and awareness-raising measures to change social norms, traditions, prejudices and stereotypes that condone or contribute to perpetuating violence and discrimination on any ground;
- v. promoting business and human rights principles, engage with the private sector and fulfil the obligation to hold non-State actors accountable for violations of children's rights, paying particular attention to the role and responsibilities of the private sector in the fields of media, advertising, technology (including artificial intelligence), provision of services, sports, tourism, transport and entertainment;^[2]
- vi. ensuring the full realisation of the rights of the child by securing a safe and healthy environment and protecting children from the impact of the activities of all sectors in this context;
- vii. addressing violence and harmful behaviour displayed by children towards others, including their peers, taking into account children's maturity and evolving capacities and the need to protect all children's rights, in particular the right to education, including education on consent and healthy relationships, the right to legal, therapeutic, health and social assistance and the right to participate in the development of prevention and protection measures;

d. include the protection of the rights of the child more visibly in their efforts to achieve the UN Sustainable Development Goals, using Council of Europe standards and the results of its monitoring work to further and measure progress, and promoting these through national parliaments to stimulate debates and induce essential legislative changes;

e. promote and respect the rights of children to fully participate in all matters that affect them, which entails empowering and protecting children, child-rights defenders, whistle-blowers and activists and addressing their concerns, ensuring their safety and including their calls for measures to stop violence against children, to protect the environment and to guarantee access to quality education in a safe learning environment;

f. foster a culture of children's rights by investing in education, training, capacity building and awareness raising to empower and unleash the potential of all key stakeholders to make lasting and positive changes.

2. Encourages all Council of Europe sectors, bodies and committees to continue, to mainstream the rights of the child in their work and to continue contributing to the implementation of the Council of Europe Strategy for the Rights of the Child (2016-2021) and to the identification of emerging challenges, taking into account the results of the mid-term evaluation, and underlines the need to:

a. embrace the political opportunities to challenge and address taboos and blind spots in the protection and promotion of the rights of the child through the Organisation's strategies for the rights of the child, and where appropriate, other relevant strategies, action plans and projects;

b. continue facilitating the co-ordination of the Council of Europe's work in this field, investing in communication to make results easily available;

c. further strengthen strategic partnerships, in particular with the United Nations, the European Union, other regional organisations, civil society and other non-State actors such as academia and the business sector;

d. strengthen and embed engagement with children for the purpose of ensuring that efforts to enhance the rights of the child are sustainable and reflective of children's needs and views, bearing in mind the need to ensure robust safeguards for child protection in this work.

^[1] Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, adopted by the Committee of Ministers on 17 November 2010.

^[2] Recommendation CM/Rec(2016)3 of the Committee of Ministers to member States on human rights and business, adopted by the Committee of Ministers on 2 March 2016; Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment, adopted by the Committee of Ministers on 4 July 2018.

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