

Fifth regional meeting of NGO children's rights coalitions in Europe Outcome Document



28-30 October 2008, Bucharest, Romania



GVERNUL ROMÂNIEI



Outcome Document

Fifth Regional Meeting of NGO Children's Rights Coalitions in Europe

Bucharest, 28-30 October 2008

Nigel Cantwell , General Rapporteur

Table of contents

PREFATORY NOTE	3
BACKGROUND TO THE MEETING	3
1 ORGANISATIONAL CHALLENGES	5
2 POSSIBLE NATIONAL-LEVEL ACTION SPHERES FOR COALITIONS	7
2.1 Securing the incorporation of the CRC in national legislation	7
2.2 Towards the abolition of corporal punishment	7
2.3 Towards the establishment of an ombudsman office or the refining of the status or mandate of an existing ombudsman	8
2.4 Promoting local monitoring of CRC compliance	8
3 INITIATIVES AT THE EUROPEAN LEVEL.....	9
3.1 Working within the Council of Europe framework.....	9
3.2 Working within the EU framework	10
3.3 Bridging the EU-Council of Europe gap.....	11
3.4 Other European initiatives.....	11
4 INITIATIVES AT THE INTERNATIONAL LEVEL	12
4.1 Working with the CRC Committee	12
4.2 Contributing to the Universal Periodic Review	14
4.3 CRC+20	15
5 CONSIDERATIONS ON CHILD PARTICIPATION IN COALITION WORK.....	16
ANNEXES	I
Annex 1: Agenda	i
Annex 2: List of Participants.....	iv
Annex 3: Kids Count: a project on local children's rights.....	viii



PREFATORY NOTE

This report seeks to pinpoint, and set out in the most succinct and practical manner possible, the major outcomes of the presentations and discussions in Bucharest that can help shape and orient future efforts by national coalitions, working individually or together. In no way, therefore, does it intend to be an account of the proceedings of the meeting, nor could it purport to reflect every element of the presentations made and the rich debates that took place there.

BACKGROUND TO THE MEETING

Following the entry into force of the Convention on the Rights of the Child (CRC), the number of national coalitions of NGOs working for children's rights increased steadily in the Nineties. This growth was largely in response to the opportunity offered for NGOs to submit information to the UN Committee on the Rights of the Child when it was to consider the governmental report of their respective countries. At their initial regional meeting in Berlin in 1998, those in Europe decided to create a periodic forum where they could share their experiences, discuss how they could best promote implementation of the CRC in their countries and at European level, and strategise to maximise cooperation.

The Bucharest meeting was the fifth such encounter, following Berlin (1998), Stockholm (1999), Vilnius (2002) and Brussels (2005). It was organised locally by *Salvati Copiii* (Save the Children Romania) and prepared by an informal steering committee composed of: EURONET, Save the Children Sweden, Save the Children Romania, UNICEF and the national coalitions in Belgium (Flemish coalition), Germany, Spain and UK. Delegates from 25 coalitions took part, as did representatives from EURONET and UNICEF.

The meeting was opened by Ms Gabriela Alexandrescu, Executive President of Save the Children Romania, Ms Gabriella Tonk, State Secretary on child rights, delegated by the Romanian Prime Minister and Ms Britta Ostrom, European Programmes Director at Save the Children Sweden. An underlying theme of the consultation was how to gear up coalition activities for 2009, the 20th anniversary of the adoption of the Convention, and beyond. Participants were privileged to have two major advocates for children's rights as keynote speakers to set the scene for these discussions: Thomas Hammarberg, the Council of Europe's Commissioner for Human Rights, and Lothar Krappmann, member of the UN Committee on the Rights of the Child.

The next coalitions meeting is scheduled for 2010 in Italy.



1 ORGANISATIONAL CHALLENGES

National coalitions in Europe vary greatly on every front: size, structure, formality, inclusiveness, breadth of aims, and resources. However, all should consider the relevance of the following issues in developing their activity planning:

Coalitions are composed, to varying degrees, of both post-CRC NGOs and organisations founded much earlier with a welfare and protection perspective, that have been more or less successful in transforming their programmes to a rights-based approach during the course of the past 20 years. The consequently differing levels of rights awareness within coalitions is compounded by another development: the tendency towards a “professionalisation” of staff rather than reliance on well-intentioned volunteers. These elements have often contributed to confusion as to what “working for children’s rights” entails, which has in turn led to the children’s rights field being marginalized from the mainstream human rights community.

Coalitions must therefore try to ensure that they promote children’s rights within the global human rights framework – notably avoiding, for example, statements or actions that are akin to projecting the human rights of children as being more important, or deserving of higher priority, than the human rights of other groups. Where necessary, they should then reach back out to human rights and professional groups, including those whose involvement and support were critical to securing the CRC as a human rights instrument and to enabling children’s issues to be considered thenceforth within a human rights framework.

While coalitions should ideally be as inclusive as possible, relying largely on “self-selection” in constituting their membership, certain basic ground-rules for optimal operation as well as conditions for membership (including whether or not an appropriate fee should be demanded as evidence of commitment) need to be drawn up. **The meeting set up a small task force (Italy, Romania, Scotland and Spain) to review the issues involved – most of which were brought up in the discussions and are therefore covered in the present document – and to propose guidelines on minimum conditions for consideration at the 2010 Forum in Italy.**

Most coalitions operate on a shoe-string, with the result that devising “projects” to be carried out by the coalition for which funding can be sought may seem an attractive proposition. **Recourse to project coordination is, however, an extremely risky step for a coalition to take:** a coalition is invariably in a far less favourable position to undertake such a task than one of its members.

Coalitions are organised more or less formally. Some concerns were expressed about the implications of setting up formal, legally-recognised structures: procedures that are “set in stone” and complicated decision-making processes regarding policy and campaigns, for example. However, the general feeling was that some degree of formalisation is necessary, with membership applications duly considered and a number of basic rules to be respected, even if this did not go as far as official registration. Legal recognition would nonetheless be highly desirable, and possibly compulsory, if the coalition is to handle monetary contributions and outlays. While some coalitions might be structured as networks, it was emphasised that the concepts are in principle somewhat different. “Networks” focus essentially on the internal exchange of information, whereas campaigning and advocacy would usually require explicit commitment of a formal nature on the part of the NGOs involved – as a “coalition”. It was noted, moreover, that a network-style operation organised

around a “hub” may be ineffective in creating a collaborative climate: there can be a **serious lack of feedback on what the centre produces and little or no spontaneous inputs to the centre.**

Many coalitions are dominated *de facto* by one or two large (and usually relatively well-resourced) NGOs, whose own priorities and policies may hold undue sway over those of the coalition as a whole. There is, moreover, an expectation from outside that a coalition and its members will “speak with one voice” on issues within its remit, so smaller organisations may find it difficult to make their voice heard. **Coalitions need to determine how the smaller members can be enabled to play a more active and influential role. One way is to ensure a division of responsibilities among members, so that no one member plays “the” key role. The possibility of allowing ad hoc “sub-coalitions” to be established to work on specific issues that some members consider a priority might also be examined, for example, especially if the coalition has a large and diverse membership.** Moves such as these would reflect the necessary level of mutual trust among the membership for the coalition to be a viable body. **It was felt that this trust can be stimulated by creating, where feasible, a physical space where as many coalition partners as possible can work together or in close proximity.**

Experience has shown that the **determination of coalition goals and activities** has often been fraught with problems and created rivalries and discord. A basic rule of thumb is that any goal or activity needs to be defined precisely as to its scope and timescale, needs to be achievable, and in particular is something that cannot be achieved as well or better by any individual coalition member (e.g. advocating for the establishment of an ombudsman, or working at European level). **Each member organisation has to feel that it is advancing its agenda more effectively by contributing to the coalition effort** than by gaining visibility through taking on the activity alone (the NGO Group initiative to influence the drafting of the CRC was one of the clearest examples of how this principle works in practice). While the membership should decide on specific goals and activities for the coalition, including those on which an individual member has requested the coalition’s involvement, the coalition should never attempt to appropriate for itself an initiative taken by one of its members.

When it is decided to carry out a joint advocacy effort or campaign, it is vital to determine the potentially most effective and “do-able” form this should take (public, targeted, “quiet diplomacy”, etc.) rather than assuming that the widest possible publicity is the best guarantee of results. **The coalition must ensure that it has the required expertise within its ranks or that it has agreed access to that expertise from outside.**

There is too often a reliance, year after year, on the same limited range of “traditional” activities to promote the CRC and the rights it contains, with little or no attention to assessing their impact or appropriateness. This is especially the case as regards “awareness campaigns” and initiatives involving “child participation” (see section 5 below). **Whatever activities are carried out, it is essential to foresee and undertake an evaluation of their effectiveness, on the basis of pre-established measurable indicators.**

2 POSSIBLE NATIONAL-LEVEL ACTION SPHERES FOR COALITIONS

The meeting gave special attention to four possible (and non-exclusive) areas in which it was felt that national coalitions might have an advocacy role to play.

2.1 Securing the incorporation of the CRC in national legislation

The need and feasibility of developing an initiative in this respect varies greatly from country to country, according to the status of international conventions, the legal system in place, etc.

If the basic need and feasibility, in principle, are established, the strategy to be developed must take account of the lengthy investment time (many years) that will be required. The strategy should include, on the one hand, an objective assessment of the precise needs and of what is deemed to be “do-able” and, on the other, the likely significance of the impact on children if the objective is achieved.

This is a highly specialised sphere, and would demand the appointment of a fully-qualified coordinator as well as, invariably, the identification of an academic partner to carry out an analytical study of all legislative aspects.

2.2 Towards the abolition of corporal punishment

Although most countries in Europe have still not prohibited corporal punishment under all circumstances, this has been a high-profile issue on the regional agenda for some time. Indeed, some would argue that advocacy on this question has been allowed to drown out concerns about other forms of violence against children in a variety of settings, including alternative care and correctional facilities, which may be of no less significance and more difficult to tackle.

Against this background, coalitions should examine carefully the need for their involvement, in their own countries and possibly jointly at European level. If a coalition determines that it can play a useful role, it will have to decide notably i) whether the message it wants to put over is one of persuasion or of repression and ii) whether it should direct its efforts to the authorities or directly to the general public – bearing in mind, it was remarked, that many governments seem happy to leave public advocacy to the NGO sector. Useful campaigning materials are available from the Council of Europe¹ and EURONET, with the latter also having developed a toolkit for NGOs². Save the Children Romania – Banning Corporal Punishment of Children³.

¹ http://www.coe.int/t/dc/files/themes/chatiments_corporels/default_en.asp

² <http://www.stopcorporalpunishment.org>

³ www.salvaticopiii.ro

2.3 Towards the establishment of an ombudsman office or the refining of the status or mandate of an existing ombudsman

There is dissatisfaction not only with the fact that a children's ombudsman or similar function in keeping with the Paris Principles does not exist in a number of countries but also that, where such offices have already been set up, the Paris Principles are not always respected. Advocacy in these regards would seem in principle to be exactly the kind of initiative that needs to be undertaken by a coalition of NGOs – and potentially, therefore, by standing children's rights coalitions such as those represented at this meeting.

A number of considerations were identified as needing to be addressed when a coalition is envisaging the launch of an advocacy initiative in this respect:

- Securing hard evidence of the need for an ombudsman: cases or situations that have gone unattended or unresolved; calls from the CRC Committee; standards in the Paris Principles, etc.
- Determining where the resistance or obstacles lie: among parliamentarians? elsewhere?
- Examining the grounds on which resistance or obstacles are based: refusal of the concept? denial of the need? lack of priority?...
- Determining the best and most realistic form to push for – a separate “children's office” or a specialist department within the office of a general human rights ombudsman – which will depend largely on the realities of the country concerned
- Identifying certain non-negotiable characteristics of the office to be promoted, in accordance with the Paris Principles (<http://www2.ohchr.org/English/law/parisprinciples.htm>) and the CRC Committee's General Comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child⁴, and taking account of information available from ENOC⁵
- Looking at how the involvement of civil society and children in the selection process might be secured
- Defining the ombudsman's monitoring role vis-à-vis the State and NGOs
- Where necessary and appropriate, securing the active support of ombudsmen in other countries and international experts, such as the Council of Europe Commissioner for Human Rights and CRC Committee members (to speak at conferences, address the media, meet with resistant groups, etc.)

It was also suggested that consideration be given to examining the desirability of setting up local children's rights ombudsmen to deal more specifically with issues at municipality/provincial level.

2.4 Promoting local monitoring of CRC compliance

There is increasing interest in promoting the establishment of sub-national monitoring programmes, and some – maybe many – coalitions could be in a good position to foster such initiatives.

⁴ http://www2.ohchr.org/english/bodies/crc/docs/GC2_en.doc

⁵ <http://www.ombudsnet.org/enoc/training/index.asp>

The arguments in favour of setting up monitoring systems at any level below central government, in addition to enhancing regional and local accountability and thereby improving the children's rights protection system, include:

- Facilitating the direct participation of children and NGOs in the monitoring process
- Setting, and then monitoring, local standards and plans, such as in the context of child friendly cities.
- Enabling local data to be double-checked
- Highlighting regional and local disparities
- Providing indications of what works well in given environments as well as what does not

It was pointed out that such monitoring exercises do not have to be comprehensive either geographically or substantively, but their gradual extension would of course be expected to be beneficial. Foreseeing an established mechanism whereby local findings would feed into the national monitoring and reporting process would be an additional positive outcome.

The "Kids Count" initiative in the Netherlands, with its specific participative methodology and indicators, could be a significant inspiration for local monitoring efforts of this kind (see Annex 3).

3 INITIATIVES AT THE EUROPEAN LEVEL

Much emphasis was placed on both the desirability and the opportunities for coalitions in Europe to seek influence at the regional level.

3.1 Working within the Council of Europe framework

There was broad agreement that the potential afforded by activities within, or linked to, Council of Europe structures and programmes was far from being optimally exploited, and that it would be more than worthwhile to examine how the importance accorded to them could be enhanced. The following were mentioned as being among the possible ways in which the Council of Europe can be used to promote the children's rights agenda:

- **Information resources**, e.g. country visit reports, issue papers (Human Rights Commissioner);
- **Programmes and initiatives**, e.g. "Building a Europe for and with children", campaign to ban corporal punishment;
- **Procedures**, e.g. European Court of Human Rights; Committee on Social Rights (for collective complaints).
- **Materials**, e.g. legal instruments, handbooks, recommendations etc

Many children's issues are among the Council of Europe's areas for reform:

- Juvenile justice
- Corporal punishment
- Institutional care
- Minorities and migrants
- Human rights education
- Child participation and the best interests of the child
- Quality and goals of education

A wide range of directly relevant issues are therefore ripe for cooperation with coalitions, and can build on and contribute to the work of the Council of Europe.

Finally, it can be noted that a number of coalitions participating at the Forum are not located in EU States, nor are all members of EURONET or of its sister-organisation Eurochild. This is a further incentive for seeking opportunities to work more constructively within the wider Council of Europe framework.

3.2 Working within the EU framework

Most national coalitions have indeed focused joint activities and advocacy carried out to date more especially on the EU and European Parliament, rather than on Strasbourg. The same has so far applied to EURONET, as well as to Eurochild.

Undoubtedly much remains to be accomplished specifically within the EU framework, including in particular at the present time the necessary effort to **ensure that the proposed EU Strategy on Children's Rights is the strongest possible document**.

In this respect, **a draft issues paper on the Strategy** was circulated among steering group members in October 2008. At present, there is concern that the "clusters" of rights dealt with in the text do not include reference to "general measures of implementation" (cf. the CRC) and it is felt that priorities are somewhat lost in the mass. **Coalitions will have a role to play in the consultation round** with all stakeholders (including children) that is due to be launched at the Forum on Children's Rights in December 2008 on the basis of a revised draft. The aim is to finalise the text by mid-2009, but more time may be needed. If the Strategy is finalised by the current Commission (whose mandate ends during 2009), it would be up to the Commission's new membership to formally adopt it – in principle before the end of 2009 – and in due course it may therefore be necessary for coalitions to **advocate** in favour of this.

There was agreement that national coalitions should look at the possibility of **seeking discussions with the authorities of their respective countries**, since governments in the EU member States have so far demonstrated little enthusiasm for becoming involved in the development of the Strategy. It was suggested that coalitions might use the CRC+20 anniversary as leverage for such discussions. At the same time, it has to be recognised that, as a show of hands demonstrated, few coalitions currently seem to have "privileged" contacts with governmental interlocutors, which may jeopardise the potential success of such an initiative.

Elections to the European Parliament are to be held in June 2009, and EURONET is developing a manifesto in this respect. It was suggested that coalitions consider **lobbying MEP candidates** for commitment on children's rights and the CRC, inviting them to visit projects, together with the press, and seeking their support for the inter-party group on children's rights at the European Parliament. A lobbying campaign would also be a good **opportunity to enable children to express their concerns** to MEPs.

3.3 Bridging the EU-Council of Europe gap

In addition, the meeting devoted significant time to considering **how linkages between EU-focused work and initiatives related to the Council of Europe might be fostered.**

Thus, for example, it was pointed out that the 9-point programme adopted in February 2008 for the EU Fundamental Rights Agency (FRA), due to run for the coming 5 years, has one item devoted to “the rights of the child, including the protection of children” [NB: it can also be noted that at least two of the other items – viz. “discrimination” of all kinds, including against persons belonging to minorities, and “asylum, immigration and integration of migrants” – are of direct relevance to children]. **Clearly, there is much overlap between these topics and those identified as the Council of Europe’s areas for reform (see 3.1. above). There is therefore considerable room and justification for connecting work on the two, something to which coalitions, individually and at European level, could contribute significantly.**

Similarly, possibilities should be examined for **linking more closely work on the EU Strategy on Children’s Rights with the Council of Europe’s “Building a Europe for and with children” initiative.** Furthermore, the “Kids Count” methodology could be very usefully promoted in this context, given its participative nature and research focus.

Coalitions should be aware of the potential for **influencing the agendas of the rotating presidencies** of the EU and Council of Europe, but need to initiate efforts in good time (18-24 months beforehand). Of special current interest regarding linkage between EU and Council of Europe programmes is the fact that, having served as Chair of the Council of Europe’s Committee of Ministers in the last half of 2008, Sweden is preparing to take on the EU Presidency as of July 2009, raising the hope that it will try to ensure that children’s rights issues addressed in Strasbourg are taken up in Brussels.

Finally, it was noted that EURONET is in the process of obtaining consultative status with the Council of Europe, which should position it well for promoting and facilitating the Brussels-Strasbourg link.

3.4 Other European initiatives

The following ideas were tabled without apparent opposition, and need to be followed up for decision and possible action:

- The need for further reflection and discussion on the idea of **creating the office of a European Ombudsman for Children**, bearing in mind the above-mentioned Council of Europe initiative, the EU Strategy and the fact that the Fundamental Rights Agency (FRA) does not deal with individual cases. This should enable an evaluation to be made of the desirability and realistic possibility of such a post being established at the EU or Council of Europe level.
- Organise a **European regional workshop on the implementation of the CRC**
- In 2009 – when no meeting of national coalitions is scheduled – organise a **European meeting for children’s coalitions**

- Discuss how to **ensure that EURONET is the strongest possible hub** for children's issues at the European level
- Discuss options for **aligning the child rights advocacy agendas in EU member states**, bringing the agenda vis-à-vis the EU closer to national agendas on issues that are relevant across several individual member states
- Review the need for **comparative research** in additional areas. Such a review should bear in mind FRA's mandate to "collect, analyse and disseminate objective, reliable and comparable information on the development of fundamental rights in the EU; [and] develop methods and standards to improve the quality and comparability of data at EU level". In addition, it was agreed that the comparative approach has its limits: aiming to demonstrate countries' relative performance in a league table format (i.e. direct comparisons) can be useful on certain topics and for certain purposes, but in many cases it may be more important and fruitful to set indicators for measuring each country's progress over time. This approach makes it possible to highlight more especially the level of political will and the degree of self-criticism in each country.

4 INITIATIVES AT THE INTERNATIONAL LEVEL

Consideration was given not only to coalitions' work in relation to the UN Committee on the Rights of the Child (CRC Committee) but also on a wider plane within the UN, and notably as regards the Universal Periodic Review process at the Human Rights Council. Some related more specifically to marking CRC+20 in 2009.

4.1 Working with the CRC Committee

Discussion on this topic took place against the background of a most encouraging statement: that the 7th Inter-Committee meeting (the coordination forum for UN treaty bodies) in June 2008 had recognised cooperation between the CRC Committee and NGOs as "exemplary". This acknowledgement set the tone for constructive debate on how such cooperation might be further enhanced.

Reporting to the CRC Committee

The Committee's main need from civil society as the State reporting process advances (many States are – or should be – already at the stage of their third periodic report) is no longer an "alternative" report as such, i.e. a comprehensive mirror-image of the State report from an NGO standpoint. Increasingly, **the Committee seeks a document that focuses on the most crucial issues** that NGOs feel are – or may be – missing or misrepresented in the State report: key issues are often drowned in a welter of less significant information. The contents of the report must enable the Committee to substantiate fully any consequent criticisms that it would want to make. This involves above all providing **hard data, precise recommendations and, wherever necessary and feasible, consideration of consequent budgetary issues**.

Coalition reports should therefore be drawn up as – and indeed probably entitled – **"supplementary" rather than "alternative"**. They could reflect not only concerns but also the responses and contributions to which civil society felt it necessary to proceed in order to secure better compliance with CRC obligations.

Ideally, this would result from **a continuous monitoring process** by coalition NGOs during the 5-year period between State reports, with a designated monitoring focal

point and regular consultations. In this way, priority concerns could be gradually determined and relevant NGO inputs mobilised. Attempting to do this only at the moment the report needs to be planned and produced risks being fraught with a variety of problems that could jeopardise effective cooperation.

The NGO “supplementary report” needs to be submitted in good time if the Committee is to be in a position to take full account of it in preparing its list of questions for the State Party and its subsequent formal consideration with the latter’s delegation.

Making the most of the relationship with the Committee

Coalitions should examine how, given their particular realities and specific contexts, they can publicise and maximise potential use of:

- their own supplementary reports
- the Committee’s Concluding Observations regarding their country (including, for example, a public media-based response to the COs)
- the Committee’s General Comments whenever a situation arises in a sphere covered by a GC, or more generally bringing them to the attention of the competent authorities as a “preventive” measure

They should also consider how they can lobby their government to **support the re-introduction of the two-chamber system in the Committee**. This had been financed for a 2-year period and allowed the Committee to eliminate a significant backlog of State Party reports submitted. Since that time, however, the backlog has grown again and now means that at least two years will elapse between the moment a State submits its report and the time it is considered at a Committee session.

The proposed Third Optional Protocol

There is hesitation in many quarters – governmental and non-governmental alike – over the need, viability and potential usefulness and impact of the proposed Optional Protocol that would set up an individual complaints mechanism accessible by victims of alleged violations of CRC rights.

The arguments against are not negligible. Regarding need, it can be asserted that children’s cases are already admissible through similar mechanisms set up under optional protocols to other human rights treaties. As far as viability is concerned, the all-encompassing scope of the CRC can be seen as too vast for such a mechanism to be feasible. In addition, it would clearly require an NGO or similar entity to identify the alleged victim and initiate proceedings: a child will not be in a position to do so. The reality of similar mechanisms under other treaties shows that children would be most unlikely to effectively obtain redress – to the extent that their application is upheld – during their childhood, let alone within an objectively reasonable time. Proof must be shown not only of the violation but also of unsuccessful attempts to secure redress through national courts up to the highest level, implying a long-term commitment to pursue the case at national level. Usefulness to the child concerned as a response to a specific violation is therefore likely to be little or none, in the short- or medium-term at least.

Coalitions are nonetheless invited to look on this initiative in a positive manner, and this for three main reasons. The first is to some extent symbolic: in the same way that the CRC does little more, in many cases, than (necessarily) reiterate rights

already granted by general human rights instruments, reaffirming the child's right to potential individual redress through a complaints procedure would echo the justification for much of the content of the CRC. The second is that more States have ratified the CRC than any other human rights instrument, and that they may be more inclined to agree to an OP to a child-focused treaty than to one attached to a more general convention (children's issues often having proved to be a successful entry point to wider human rights questions). The third is the most practical: decisions, however much delayed, through such an individual complaints procedure would generate jurisprudence that can be of prime importance for addressing future violations. Overall impact, therefore, can be significant.

Supporting the OP initiative clearly requires not only being convinced of its overall benefit but also being well-versed in the arguments that can be aligned to counter objections. It was suggested that, where this is the case, **coalitions begin by urging the inclusion of the most positive reference possible to the OP in the "omnibus resolution on child rights"** that is routinely considered and adopted by the UN General Assembly each year, and primarily negotiated by the EU and "GRULAC" (Group of Latin American/Caribbean countries).

4.2 Contributing to the Universal Periodic Review

This review (known as UPR) is one of the innovations stemming from the advent of the Human Rights Council. The human rights record of all UN member States (not just those in the Council itself) is henceforth subject to assessment by the Council, every four years, essentially based on three documents and with the representatives of three States (the "troika") selected as rapporteurs for each country review. The three documents are: a report of max. 20 pages prepared by the State itself; a compilation of relevant UN documents produced by the OHCHR; and a compilation of information – maximum 10 pages – received from other "stakeholders" (including NGOs), also put together by the OHCHR.

Coalitions are in principle very well-positioned to provide input to the last of these documents, because they can bring together through a single input the concerns of a wide section of civil society: the 10-page limit on the overall OHCHR document means that individual submissions stand far less chance of being reflected therein.

Coalitions also have at least two excellent reasons for providing this input:

i) it produces results – while the "outcome reports" for all countries to date have contained at least one recommendation (out of 21) on children's rights, that number has been as high as 7 in cases where NGO input on children's issues has been the best;

ii) recommendations on children's issues stemming from the UPR process can be used to good effect by the CRC Committee.

In addition, States are encouraged to consult with civil society in drawing up their own report, so **coalitions can reasonably request involvement in that exercise as well.**

The key points for coalition involvement are the following:

- Find out when your country will be the subject of UPR in the first four-year cycle⁶
- Convene coalition members and determine no more than 2 or 3 priority issues in the children's rights field for consideration in the document (the 10-page document to which this exercise contributes is to cover all human rights questions, so there is simply no choice for coalition members but to narrow key children's rights issues down drastically if they are to be considered)
- Develop a report of no more than 5 pages on these issues, using only hard facts and tightly-worded commentary to underscore concerns and recommendations (the more succinct, clear and concrete the text, the more likely it is that it, or parts of it, will be incorporated in the OHCHR document)
- Submit the report to OHCHR (the NGO Group in Geneva can facilitate this) and, if possible and appropriate, disseminate it to key countries, including those of the "troika"
- Once the UPR process is completed, States have the opportunity to express their acceptance or rejection of each recommendation made in their regard: find out what official declarations were made in that context – whether positive or negative, they can be extremely important elements for coalitions' advocacy, providing that the inclusion of children's issues in the review was assured at the start...

A full "tool-kit" for contributing to UPR is available from: ngo-crc@tiscalinet.ch

4.3 CRC+20

The meeting focused perhaps less than expected on the specific question of how coalitions, individually and collectively, might mark 2009 as the 20th anniversary of the adoption of the CRC, and what the aim(s) of their initiatives might be. No definite decisions or recommendations were made.

While there was general agreement that related events should not be simply "celebratory" in nature, a range of non-exclusive options for major overall focus were proposed and will need further consideration by coalitions individually and collectively:

- reviewing achievements to date and requirements for the future
- promoting awareness-raising on the human rights of children
- reaching out to children through, inter alia, the production of child-friendly information on rights issues
- a special opportunity to push hard for the OP on an individual complaints mechanism
- a reason to analyse the take-up of general measures of implementation, and to identify gaps that might require joint action

When deliberating the purpose and content of their CRC+20 activities, coalitions should previously ensure that they are aware of any relevant initiatives that may be launched or promoted by the CRC Committee.

⁶ see <http://www.ohchr.org/EN/HRBodies/UPR/Documents/uprlist.pdf>

In determining activities and strategy, account should also be taken of other pertinent factors that could be built upon in this context, such as:

- Save the Children studies on examples of how the CRC can be used as a tool for change, and on the potential impact of the Committee's Concluding Observations
- EURONET's foreseen initiatives vis-à-vis the European Parliament
- the up-coming Swedish presidency of the EU
- etc.

The meeting did, however, agree that a draft letter to the High Commissioner for Human Rights be circulated for the consideration and approval of coalitions, requesting her to designate, or promote the designation of, 2009 as an International Year for Children's Rights.⁷

The meeting also agreed that a letter offering cooperation be sent to the CRC Committee in relation to the latter's possible intention of organising a CRC+20 conference (instead of the usual Day of General Discussion) on 8-9 October 2009.

5 CONSIDERATIONS ON CHILD PARTICIPATION IN COALITION WORK

An ever-present issue throughout the meeting and in relation to virtually all topics discussed was, not surprisingly, the degree and forms of "child participation" that should be encouraged and/or taken on board directly by national coalitions.

It is not that the general principle of involving children in efforts to secure recognition and implementation of children's rights was put into question. The idea was rather to look objectively at the extent to which coalitions are well-placed themselves to ensure the effective and constructive (for the children concerned as much as for achieving the aims of the activity) involvement of children.

In broad terms, the point at issue is whether a coalition should concentrate more on "reaching out" to children, through its membership and possibly other entities, in order to secure their views and information, or whether it should rely more on bringing in "child representatives" to take a direct part in the conception and realisation of coalition activities.

There is no black-and-white, "all-weather" response to this question, of course. Country realities differ widely throughout the region. Coalitions are organised in diverse ways, have varying experiences of "child participation" and have devoted different levels of attention to assessing the real impact of the results.

At the same time, the discussion that took place on how children can be involved in the CRC reporting process provided excellent examples of the kind of points that deserve consideration for their wider ramifications in this respect, including:

⁷ This was subsequently sent to the High Commissioner, in time for the 19th anniversary of the CRC on 20 November 2008. As at 11 December 2008, no reply had been received.

- *Developing the text of the NGO “supplementary report”*: if the results of consultation with children are to be reflected validly in the report, is it best to try to secure this through having a small group of children intimately involved in the drafting process (and if so, how are these children selected and how can marginalized children be represented?) or should there be more reliance on information from coalition members and other organisations that are in direct contact with large numbers of children in a wide variety of situations (e.g. youth organisations; associations of professionals that work with children without parental care, children in conflict with the law, children from minority groups, those in early childhood...) in order to gain a wider perspective?
- ***One or two reports***: should children be encouraged to produce their own separate report (and again, therefore, which children?) or should their inputs simply be reflected in a single coalition report? While a separate report by children might be said to highlight the value of their contributions, which is gratifying for the young authors, it may also be perceived as implying that the coalition report does not take adequate account of consultation with children.
- ***Children’s contact with the CRC Committee***: is it more effective to bring selected children to Geneva to take part in the pre-sessional meeting with the Committee, or to ensure that the Committee’s country rapporteur(s) visits beforehand and is able to have discussions with a wider range of children in more child-friendly settings?

Responses on the above are not necessarily mutually exclusive – combinations may be possible – but the important point is that coalitions should ask themselves questions such as these and should consider their reactions from an objective standpoint rather than on any pre-conceived approach towards what the practical implications of “child participation” might be.

One point underlined was that in any case children should be well-prepared for their role (provided with all appropriate information on the CRC, for example, and made aware of the expectations they might realistically harbour) and given ample time to carry out their tasks (launching their involvement earlier). **Coalitions were also invited in the future to share what they consider to be other “good practices” on consultation with children, and not only within the reporting process.**

Nigel Cantwell

General Rapporteur

Geneva, 11 December 2008

ANNEXES

Annex 1: Agenda

Monday 27 October

Participants' arrival and hotel check – in

Tuesday 28 October

9:00 – 10:00 Registration and coffee

10:00 – 10:30 **Opening session: Setting the stage - Child Rights in Europe**, chaired by Gabriela Alexandrescu, Executive President, Save the Children Romania

Opening Statements

Gabriela Alexandrescu, Executive President Save the Children Romania

Gabriela Tonk, Deputy Secretary of State, National Authority for the Protection of Child's Rights

Britta Öström, Regional Representative for Europe, Save the Children Sweden

10:30 – 11:00

Key issues regarding child rights today

Key Note Speaker –Lothar Krappmann, Member and Rapporteur of the UN Committee on the Rights of the Child

11:00 – 11:30

Coffee break

11:30 – 12:00

Child rights in Europe

Key Note Speaker – Thomas Hammarberg, Council of Europe Commissioner for Human Rights

12:00 -12:30

Panel discussion with key note speakers

Chair: Nigel Cantwell

12:30 -13:00

Introduction to working groups – Monitoring, Working in coalitions and Advocacy

Chair: Nigel Cantwell

13:00 –14:30

Lunch

14:30 – 16:30

Session 2. Monitoring Children's Rights

4 parallel working groups on monitoring

1. Reporting to the UN Committee on the Rights of the Child

Chair: Lothar Krappmann, Member and Rapporteur of the UN Committee on the Rights of the Child

Presenter: Aleksandar Gubaš, NGO coalition in Serbia

2. Reporting to other international and regional monitoring mechanisms, including the Universal Periodic Review (UPR)

Chair: Shushan Khachyan, NGO Group
Presenter: Jennifer Grant, Save the Children UK

3. Monitoring child rights at local level

Chair: Séverine Jacomy - Vité, Unicef Regional Office for CEE/CIS

Presenter: Kristina Stepanova, Save the Children Lithuania

4. Children's active participation in monitoring children's rights, including reporting to the CRC Committee

Chair: Thomas Burke, Children's Rights Alliance for England

Presenter: Cezar Gavriiliuc, Child Rights Centre Moldova

16:30 -17:00

Coffee break

17:00 -18:00

Plenary session: Reporting back from the workshops

Chair: Nigel Cantwell

Presenters: Rapporteurs from working groups

19:00 -

Reception / Dinner hosted by the Government of Romania

Wednesday 29 October

9:00 -11:00

Session 3. Working in coalitions

3 parallel working groups on working in coalitions

1. Strengths, problems and challenges when working in coalitions

Chair: Leila Zohrie, Kinderrechtencoalitie Vlaanderen, Belgium

Presenter: Norwegian coalition – TBC

2. Celebrating the 20th anniversary of the CRC – joint European event

Chair: Eva Geidenmark, Save the Children Sweden

Presenter: Jörg Maywald, NGO Coalition in Germany

3. Developing and working with indicators for monitoring child rights

Chair: Helmut Sax, NGO Coalition in Austria

Presenter: Jan – Pieter Kleijburg, NGO Coalition in Netherlands

11:00 -11:30

Coffee break

11:30 – 12:30

Plenary session: Reporting back from the workshops

Chair: Nigel Cantwell

Presenters: Rapporteurs from working groups

12:30 - 14:00

Lunch

14:00 -16:00

Session 4. Child rights advocacy.

3 parallel working groups on advocacy

1. Common campaign goals for coalitions – the example of banning corporal punishment

Chair: Arianna Saulini, EURONET (Save the Children Italy)
Presenter: Gabriela Alexandrescu, Save the Children Romania

2. Advocacy for a children's ombudsman

Chair: Karin Fagerholm, Save the Children Sweden
Presenter: Miralena Mamina, Save the Children Romania

3. Advocacy for incorporating the CRC in national legislation

Chair: Jens Matthes, UNICEF
Presenter: Helmut Sax, NGO Coalition in Austria

16:00 -16:30 Coffee break

16:30 -17:30 Plenary session: Reporting back from the workshops

Chair: Nigel Cantwell
Presenters: Rapporteurs from working groups

Thursday 30 October

9:00 -10:00 **Session 5. EU and Child Rights**
Update and plenary discussion on Child Rights in the EU
Mieke Schuurman, Secretary General of EURONET

10:00 -10:30 Coffee break

10:30 – 12:00 **Session 6. Future Challenges of National Coalitions**
Panel discussion: Working in coalitions – challenges ahead

Chair: Eva Geidenmark, Save the Children Sweden
Panel: Jörg Maywald, NGO Coalition in Germany
Arianna Saulini, NGO Coalition in Italy
Aleksandar Gubaš, NGO Coalition in *Serbia*

12:00 – 13:00 **Conclusions of the Forum and closing words**
Nigel Cantwell, Forum Rapporteur
Gabriela Alexandrescu, Executive President, Save the Children Romania

Annex 2: List of Participants

Participants from National Child Rights Coalitions			
1	Austria	Helmut Sax	National Coalition for the implementatino of the UN Convention on the RC in Austria
2	Belgium	Leila Zohrie	Flemish Children's Rights Coalition
3	Bosnia & Herzegovina	Bjorn Hagen	Save the Children Norway SEE Regional Office
4	Bosnia & Herzegovina	Andrea Žeravčić	Save the Children Norway SEE Regional Office
5	Croatia	Gordana Šimunković	Centre for Social Policy
6	Denmark	Signe Højsteen	Disabled Peoples Organisations
7	Finland	Pirjo Pietilä	Central Union for Child Welfare
8	Germany	Claudia Kittel	National Coalition for the implementation of the UN Convention on the RC in Germany
9	Germany	Joerg Maywald	National Coalition for the implementation of the UN Convention on the RC in Germany
10	Iceland	Halldora Sigurdardottir	Save the Children Iceland
11	Italy	Arianna Saulini	Save the Children Italy
12	Kosovo	Genta Gagica	Kosovar Youth Council
13	Lithuania	Kristina Stepanova	Save the children Lithuania
14	Lithuania	Rasa Dicpetriene	Save the children Lithuania
15	Moldova	Cezar Gavriliuc	Child Rights Information Center (CRIC)
16	Montenegro	Rajka Perović	Child Rights Centre
17	Montenegro	Jelena Gluscević	Child Rights Centre
18	Netherlands	Jan Pieter Kleijburg	Defence for Children International Netherlands
19	Norway	Marianne Hagen	Save the Children Norway
20	Poland	Dorota Gajewska	Nobody's Children Foundation
21	Poland	Maria Keller	International Society for Prevention of Child Abuse and Neglect

22	Romania	Gabriela Alexandrescu	Save the Children Romania
23	Romania	Miralena Mamina	Save the Children Romania
24	Romania	Daniela Gheorghe	FONPC
25	Romania	Luciana Georgescu	SOS Children's Villages
26	Serbia	Aleksandar Gubaš	Serbian NGO Coalition
27	Spain	Gabriel González-Bueno Uribe	UNICEF, Plataforma de Organizaciones de Infancia
28	Sweden	Britta Öström	Save the Children Sweden
29	Sweden	Concetta Taliercio - Mohlin	Save the Children Sweden
30	Sweden	Eva Geidenmark	Save the Children Sweden
31	Switzerland	Cristina Weber	Network Child Rights
32	Switzerland	Imhof Sandra	Terre des Hommes - aide á l'enfance
33	United Kingdom	Jennifer Grant	Save the Children UK
34	United Kingdom	Thomas Burke	Children's Rights Alliance for England
35	United Kingdom	Sara Boyce	Save the Children Northern Ireland
36	United Kingdom	Douglas Hamilton	Scottish Alliance on Children's Rights
37	Ukraine	Mariia Aliksieienko	Women's Consortium of Ukraine

Participants not affiliated to National Child Rights Coalitions and Guests		
1	Thomas Hammarberg	Council of Europe Commissioner for Human Rights
2	Lizette Vosman	Office of Council of Europe Commissioner for Human Rights
3	Lothar Krappmann	Member and Rapporteur of the UN Committee on the Rights of the Child
4	Gabriela Tonk	Deputy Secretary of State, National Authority for the Protection of Child's Rights
5	Irina Cruceru	High Level Group for Romania's Children
6	Alina Mândroiu	General Secretariat of Romanian Government

7	Shushan Khachyan	NGO Group for the Convention on the Rights of the Child
8	S��verine Jacomy - Vit��	UNICEF Regional Office for CEE / CIS
9	Jens Matthes	UNICEF Private Fundraising and Partnership Division
10	Nigel Cantwell	Independent consultant - Forum Rapporteur
11	Karin Fagerholm	Save the Children Sweden
12	Mieke Schuurman	European Children's Network - EURONET
13	Edmond McLoughney	UNICEF Representative in Romania
14	H.E. Mr. Robert Barnett	The Royal Embassy of the United Kingdom of Great Britain and Northern Ireland in Romania
15	Gaia LaCognata	The Embassy of the Republic of Italy in Romania
16	H.E. Mr. Mats O. Aberg	The Royal Embassy of Sweden in Romania
17	Norma Ni�escu	The Royal Embassy of the Netherlands
18	Stefanie Steinbr��ck	The Embassy of the Federal Republic of Germany
19	Damir Mr�sic	The Embassy of the Republic of Bosnia & Herzegovina

Organizers		
1	Adina Turcu	Save the Children Romania
2	Ana Dumitru	Save the Children Romania
3	Catalina Silea	Save the Children Romania
4	Cristina Adam	Save the Children Romania
5	George Roman	Save the Children Romania
6	Ina Lolescu	Save the Children Romania
8	Lavina Varodi	Save the Children Romania
9	Mihaela Manole	Save the Children Romania
10	Adina Clapa	Save the Children Romania

11	Geia Manole	Save the Children Romania
12	Mihaela Maracine	Save the Children Romania
13	Raluca Popescu	Save the Children Romania

Steering Committee Members		
1	Gabriela Alexandrescu	Save the Children Romania
2	Conchi Ballesteros	Plataforma de Organizaciones de Infancia, Spain
3	Karin Fagerholm	Save the Children Sweden
4	Jef Geboers	Kinderrechtencoalitie Vlaanderen, Belgium
5	Jens Matthes	UNICEF Private Fundraising and Partnership Division
6	Esther van der Velde	UNICEF Private Fundraising and Partnership Division
7	Andreea Rusu	Save the Children Romania
8	Mieke Schuurman	The European Children's Network (EURONET)
10	Kirsten Schweder	National Coalition Germany
11	Carolyne Willow	Children's Rights Alliance for England – CRAE

Annex 3: Kids Count: a project on local children's rights

Kinderen in Tel: International rights of the child as basis for local youth policy

Kinderen in Tel (KIT) is a project where data is collected on a national, regional and community level to track the status of children in the Netherlands. By providing policymakers and citizens with benchmarks of child-well-being, KIT seeks to enrich local, and provincial and national discussions, concerning ways to secure better futures for all children. The data book uses 12 key measures of child well-being to rank jurisdictions within the Netherlands:

- Child mortality: number of deaths age group 1-24
- Infant mortality: number of infants 0 to 1 year deaths per 1000 live births
- Percent of 12- to 21-years old appearing for the judge because of an offence
- Percent youngsters 6 to 24 year looking for work
- Percent 0-to17-years old with an indication for professional psychosocial assistance
- Percent 0- to 17-years old living in a marginal neighbourhood
- Percent 0- to 17-years old living from social security
- Percent of reported cases of child abuse and neglect (0 to 17-years)
- Number of truants as percentage of the total number of students 5 – 17 years
- Percent 4- to 12-years old in primary education with a learning of language deficiency
- Number of 0- to 17-years old per hectare play area
- Percent of teenage mothers (15- to 19 years)

These measures give useful information for the different youth interest groups which are united in Kids Count. With the Dutch Kids Count there is a new instrument which activates and clusters organizations trying to influence the Dutch local and national government. KIT is a Dutch version of Kids Count, a project of the Annie Casey Foundation. Kids Count Data Book is published each year since 1990 and gives data of the overall child well being in the U.S.

Unique aspects of KIT are: that it is an initiative of several Child advocacy organizations. It is funded by non governmental organizations, like Unicef or Child's help. And it is based on the International Children's rights. The aim of KIT is not collecting the data, but improving children's lives and improving youth policies that affect children and families within the Netherlands. Therefore, the release of the KIT data book is a part of a larger publicity campaign of data dissemination, communication and policy advocacy.

The aim of KIT is a data based advocacy. KIT is an initiative of several Child advocacy organizations in the Netherlands. They use the data to raise public awareness and accountability for the condition of kids and families by: 1) measuring and reporting on the status of children, and 2) using that information creatively to inform public debate and strengthen public action on behalf of children and families within the communities of provinces.

The first two data books were published in 2006 and 2007. The data show great differences in areas in the status of children. The results has lead to lot of discussion with local and national politicians, municipal official, people working with children, like youth workers, and last but not least the citizens themselves.