

## **RECOMMENDATION 1286 (1996)**<sup>[1]</sup>

### **on a European strategy for children**

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1. In its [Resolution 1011](#) (1993) on the situation of women and children in the former Yugoslavia, the Assembly urged all the states grouped together in the Council of Europe to subscribe to the principle of "first call for children", to recognise children's rights, their universality and indivisibility and to provide for their essential needs both in Europe and in the rest of the world.
2. The Assembly decided in [Order No. 491](#) (1993) to develop, in co-operation with Unicef, a strategy for children up to the age of eighteen which at European level could serve as inspiration and guidance for policy-makers and all those who actively support children's causes in their respective activities. It would like to pay particular tribute to Unicef, without whose experience and expertise such a strategy would not have been possible.
3. The Assembly notes that the rights of the child are still far from being a reality in our own rich and developed continent of Europe and that children are often the first victims of armed conflicts, economic recession, poverty, and in particular budgetary constraints.
4. Accordingly, it is important for the Assembly that states should be helped to give effect, within their own national situation, to the commitments entered into under the United Nations Convention on the Rights of the Child, to promote a change in the way children, as individuals with rights, are viewed and also to encourage their active and responsible participation within the family and society.
5. Children are citizens of the society of today and tomorrow. Society has a long-term responsibility to support children and has to acknowledge the rights of the family in the interest of the child. Responding to children's rights, interests and needs must be a political priority. The Assembly is convinced that respect for children's rights and

greater equality between children and adults will help preserve the pact between generations and will contribute towards democracy.

6. The Assembly recommends that the Committee of Ministers urge the member states of the Council of Europe:
  - i. to ratify the United Nations Convention on the Rights of the Child if they have not already done so, to withdraw any reservations made and to implement the convention in the letter and the spirit by reviewing and adapting their legislative and regulatory provisions;
  - ii. to ratify all the relevant Council of Europe conventions on the rights and protection of the child, in particular the recent European Convention on the Exercise of Children's Rights.
  
7. The Assembly also recommends that the Committee of Ministers invite the states grouped together in the Council of Europe to make children's rights a political priority by:
  - i. adopting at national and local level a proactive childhood policy which seeks full implementation of the Convention on the Rights of the Child, which will consider the best interests of the child as a guiding principle of all action and which will anticipate situations instead of trying to deal with emergencies or problems that have already arisen;
  - ii. making children more visible through the systematic collection of information, in particular reliable, detailed (by age and gender), comparable statistics which will make it possible to identify their needs and the issues which require priority political action;
  - iii. adopting a comprehensive, consistent and co-ordinated approach to childhood policy, which will encourage multidisciplinary structures to be put in place at all deliberation and decision-making levels, in particular at ministerial level, and foster the creation of national coalitions of all relevant partners;
  - iv. appointing a commissioner (ombudsman) for children or another structure offering guarantees of independence, and the responsibilities required to improve children's lives, and accessible to the public through such means as local offices;

- v. ensuring, especially at policy-making level, that the interests and needs of children are always duly considered and taken into account, for example by introducing practices such as the "child impact statement" which offers a way of determining the probable impact on children of any proposed legislative, regulatory or other measures in whatever field, for example, in the field of legal aid;
- vi. investing in children and giving them budgetary priority by allocating adequate and fair resources in relation to spending on the needs of the other sections of the population at all levels (national, regional, local);
- vii. guaranteeing the present level of their contributions and subsidies to the various national and international organisations involved in child care.

8. The Committee of Ministers should strongly urge these states:

- i. to guarantee, through explicit recognition in their constitutional texts or domestic law, children's civil and political rights, as well as their economic, social and cultural rights, as enshrined in the United Nations Convention on the Rights of the Child;
- ii. to guarantee to all children the right to free and high quality education for pre-school, primary and secondary education;
- iii. to inform children and also their parents of their rights by widely publicising and disseminating the text of the Convention on the Rights of the Child, by all possible means, including the use of the media and by introducing education on children's rights and responsibilities into the school curriculum from primary level onwards;
- iv. to encourage the media, notably visual, to promote children's right to a healthy and balanced development, and in particular in products intended for children, to eliminate violence and to illustrate positive social values;
- v. to inform children about the means and remedies available to them in the event of violation of their fundamental rights and, for example, to extend the provision of free help-lines, specialist advocates and child friendly judicial and administrative systems which recognise the claims of individual children for protection against all forms of abuse;

- vi. to provide specific training in children's rights for all professionals who come into contact with children, including teachers, the various members of the judicial authorities, social workers, etc.;
  - vii. to enable the views of children to be heard in all decision-making which affects them, and to enable them to participate actively, responsibly and in a manner appropriate to their capacity, at all levels of society - in the family, in local communities, in schools and other institutions, in judicial hearings and in national government;
  - viii. to teach children how to act as responsible citizens, to encourage them to take an interest in public affairs and to reconsider the age at which young people can vote;
  - ix. to promote education for the prevention of racism, political and religious intolerance and violence and for the learning of tolerance and peaceful resolution of conflict;
  - x. to pay particular attention to the situation and the specific needs of immigrant and refugee children and minority and marginalised children;
  - xi. to emphasise to parents, families, teachers and all those involved directly or indirectly with children, as they develop into adulthood, that in a civilised society responsibilities and obligations go hand in hand with rights and privileges.
9. The Assembly also recommends that the Committee of Ministers invite these states to give credibility and consistency to the debate on children's rights by making it a reality outside Europe by:
- i. making a commitment to work towards ensuring that the provisions of the Convention on the Rights of the Child are upheld throughout the world, via all appropriate unilateral or multilateral measures to combat the exploitation of children and to protect them from the effects of armed conflicts;
  - ii. promoting international co-operation and in particular by increasing their aid to the developing countries to at least 0,7% of GNP and devoting at least 20% of their aid to basic social services which are indispensable for human development;
  - iii. adopting a more understanding common attitude to the repayment by these countries of the debt incurred with the international development aid organisations.

10. Finally, the Assembly recommends that the Committee of Ministers:

- i. set up, within the Council of Europe, a permanent multidisciplinary intergovernmental structure able to deal with all issues relating to children;
- ii. instruct it, as part of its terms of reference, to draw up an annual report on the state of Europe's children, giving a comprehensive account of the situation and an outline of positive achievements and serving as a measure of what else needs to be done to satisfy the requirements of the Convention on the Rights of the Child, and to submit this report to the Parliamentary Assembly; this report will be the subject of an annual discussion within the relevant Parliamentary Assembly committee;
- iii. involve other competent international organisations, in particular the United Nations Committee on the Rights of the Child, the European Parliament, Unicef, the various relevant non-governmental organisations, and indeed children themselves in the activities of this structure in the appropriate forms;
- iv. transmit the present recommendation to states grouped in the Council of Europe, to the aforementioned organisations and to the closing conference of the Multidisciplinary Project on Childhood Policies to be held in Leipzig in spring 1996.

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[1] Assembly debate on 24 January 1996 (4th Sitting) (see [Doc. 7436](#), report of the Social, Health and Family Affairs Committee, rapporteur: Mr Cox; and [Doc. 7473](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mrs Err).

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