



Building a Europe
for and with children

HDIM.IO/0406/16/EN

28 September 2016

OSCE Human Dimension Implementation meeting, Warsaw

Working Session devoted to the rights of the child, 29 September 2016

Contribution by the Council of Europe Children's Rights Division

Working session 16: Council of Europe activities in the field of child participation

The Council of Europe places participation of children at the core of its children's rights agenda. Enabling participation of *all* children is one of the five priority areas of the [Council of Europe Strategy for the Rights of the Child 2016-2021](#). Child participation is also a cross cutting approach that is mainstreamed into the organisation's standard-setting, monitoring and sector specific work.

The [Council of Europe Recommendation on participation of children and young people under the age of 18](#) covers the rights of children and young people to be heard in all settings, including in schools, in communities and in the family as well as at the national and European level. It also contains guidelines member states are encouraged to follow in implementing the Recommendation such as protecting children and young people's right to participate, promoting and informing children and young people about participation, and creating spaces for participation.

The Council of Europe [Child Participation Assessment Tool](#) provides specific and measurable indicators to measure progress in implementing the Recommendation on the participation of children and young people under the age of 18. With the help of this tool, which was successfully tested in Estonia, Ireland and Romania and will be implemented in Bulgaria, Italy and Latvia in 2016 and 2017, governments can ensure that children and young people within their countries can exercise their right to be heard, to be taken seriously and to participate in decision making in all matters affecting them.

Working session 17: Council of Europe activities in the field of alternative care

[The Council of Europe Recommendation CM/Rec \(2011\)12 on children's rights and social services friendly to children and families](#) addresses children's rights in social services planning, delivery and evaluation. Its aim is "to ensure that social services are delivered upon individual assessment of the child's needs and circumstances and take into account the child's own views, considering his or her age, level of maturity and capacity." The Recommendation defines "child-friendly social services" as "social services that respect, protect and fulfil the rights of every child, including the right to provision, participation and protection and the principles of the best interest of the child."

[The Council of Europe Recommendation Rec\(2005\)5](#) on the rights of children living in residential institutions establishes overall guiding principles to be applied whenever a child is placed outside the family, particularly in a residential institution. It underlines that every placement must ensure that the child's human rights are fully respected. According to this Recommendation, placements are justified only when the child is in such danger that it is impossible for him or her to remain in the family environment. The Recommendation sets quality standards for institutions, for example that small family-style living units should be provided.

[The Council of Europe Recommendation CM/Rec\(2010\)2](#) on deinstitutionalisation and community living of children with disabilities calls on member States to take appropriate legislative, administrative and other measures to replace institutional care with community-based services within a reasonable timeframe and through a comprehensive approach. It states that all children with disabilities should live with their own family unless in exceptional circumstances and calls for phasing out new institutional placements and replacing them with a comprehensive network of community provision.

[Children and young people in care – Discover your rights!](#) is a booklet addressed to children and young people in alternative care. Through comics, stories and informative texts, children and young people in care can learn about their rights and how to take on an active role in their own care process. The publication was prepared in co-operation with SOS Children's Villages International.

[Securing Children's rights – A guide for professionals working in alternative care](#) complements the booklet "Discover your rights" and provides guidance and tools for professionals that work with children in care, promoting a child rights-based approach. This guide is the outcome of a set of consultations with young people in care, professionals working with children in care, UNICEF, governments, academics and ombudspersons for children.