



**Declassified<sup>1</sup>**

AS/Soc/Child/ESC (2019) PV 02

27 January 2020

Asocchildescpv02\_2019

## **Committee on Social Affairs, Health and Sustainable Development**

### ***Sub-Committee on Children***

### ***Sub-Committee on the European Social Charter***

#### **Minutes**

**of the joint meeting held in Strasbourg on  
Thursday, 14 November 2019, from 2 to 5 pm  
and on Friday, 15 November 2019, from 9 am to 1 pm**

#### **Thursday, 14 November 2019, from 2 to 5 pm**

In the absence of the Chairperson, **Ms Irina Pruidze** (Georgia, EC), Vice-Chairperson of the Sub-Committee on Children, took the Chair, opened the meeting in accordance with Article 47.4. of the Assembly's Rules of Procedure concerning the lack of quorum and welcomed all the participants.

#### **1. Agenda**

[AS/Soc/Child/ESC (2019) OJ 02rev2]

The revised draft agenda was **adopted**.

#### **2. Minutes**

[AS/Soc/Child/ESC (2019) PV 01]

The draft minutes of the joint meeting of the Sub-Committee on Children and the Sub-Committee on the European Social Charter, held in Strasbourg on 3 October 2019, were **approved**.

#### **3. RedefiningPower4Children: Strengthening the rights of the child as a key to a future-proof Europe – parliamentary follow-up to the Mid-Term Evaluation Conference on the Council of Europe Strategy for the Rights of the Child (2016-2021)**

[Conference Conclusions]

**Ms De Temmerman** noted that the Secretary General of the Council of Europe, the French Secretary of State for Child Protection, and the President of the Assembly had addressed the participants at the opening of the Conference on the Rights of the Child. Statistics on child poverty showed that addressing this issue was not a luxury. There was an urgent need for stronger political will and sufficient resources. The Conference had been held in the framework of the French Presidency of the Committee of Ministers. The presence of several ministers had demonstrated that there was an increased awareness of the importance of the rights of the child. The CoE Human Rights Commissioner had underlined a number of deficiencies. Children had played an active role in the conference. The UN 2030 Agenda provided an opportunity to draw attention to the rights of the child, with all the goals being of relevance, in particular Goal 16.2. The importance of co-operation at all levels had been stressed. The focus was on the "4 Ps" - prevention, protection, participation and promotion. The Committee of Ministers should listen more to the Assembly. Similarly, in France, the Parliament was not always listened to as much as it should be. It was not clear whether this was due to lack of interest, contempt for parliamentarism or other reasons. The conclusions of the general rapporteur had touched upon the five priorities: equal opportunities, child participation, addressing violence, child-friendly justice, and the digital environment. We were at the turning point with respect to the rights of the child. Each actor had an essential role to play.

<sup>1</sup>These minutes were declassified by the Committee on Social Affairs, Health and Sustainable Development at its meeting on 22 June 2021, held in a hybrid manner.

**Lord Touhig** expressed his agreement with Ms De Temmerman's comments and questioned whether we really listened to children. In the High-level Panel, there had been nameplates for the speakers, but not for the children. There had been a lot of information in the "Power Talks", but the structure did not allow enough time for discussion. This should be considered for future events. **Mr Micaleff**, a child delegate from Malta, said that the "Power Talks" had been amazing. It could be of interest to envisage the possibility to submit written questions.

**The Chairperson** had found the conference very useful. Some areas of the rights of the child were well recognised, but there remained "blind spots". These included gender equality, sexual violence, refugee camps, rights of minors in conflict with law, corporal punishment and digital challenges. The main conclusion was that cross-political action was needed. As the example from Iceland had shown, only by pulling together resources and expertise was it possible to make progress at national, regional and international level. The main question, which had been put by one of the children, was – "How?" The Assembly had to continue to push for children to be empowered for more meaningful participation. They should have influence on decision making. Most importantly, parliamentarians needed to work on themselves. Such participation had to relate not only to what concerned children directly, but also to issues of general interest. More meetings were needed.

#### **4. The power of parliamentary action: promoting meaningful and sustainable child participation in the work of national parliaments and the Parliamentary Assembly of the Council of Europe** [AS/Soc/Child/Inf (2019) 01, AS/Soc (2019) 22]

The two Sub-Committees **held** a public hearing, with an opening by the Chairperson and the participation of:

- ✓ Ms Cath Larkins, Chair of Eurochild's Child Participation Reference Group (United Kingdom)
- ✓ Ms Zsuzsanna Rutai, Children's Right Consultant
- ✓ Children representing Eurochild and Themis associations

**Lord Touhig** recalled that the Sub-Committee on Children had discussed child participation in the Assembly on several occasions. A meeting had been held with the President of the Assembly and Ms Anne Crowley had prepared a report on this topic. A seminar had been held in June, with participation of children. The children's contributions had been very useful. In connection to Baroness Massey's report on child participation, it had been proposed to pilot this initiative in two countries – France and the United Kingdom, including evaluation. Ten other countries might also take part. Local support from NGOs or schools was needed. Relevant materials had to be developed. Such materials should be imaginative, useful, child-friendly, and should take account of cultural norms. Child participation should not be "tourism". Thirty years ago, in the United Kingdom children were invited to sit on school boards. They could re-design school menus. Children interviewed teachers. These interviews had been the hardest ones. It was up to each of us to find funding for this initiative. The report would be ready in 2021. It was a blessing that Baroness Massey took this role. We were to see a complete change in the way children engaged in the work of the Assembly.

**Ms Larkins** pointed out that the children taking part in this meeting had only a few weeks to prepare for it and they had to work hard. It was important to provide enough time for child participation. In this context, when people spoke about articles of legal or policy instruments, it was important to spell out what they were about. **Ms Rajicic**, a child delegate from Serbia, stressed that children should be involved in every discussion affecting them. They should be able to choose their own representatives. She was a member of the school council but hardly had any influence on real decision making. The setting of the present meeting was suitable for child participation. However, the language used needed to be simpler and more understandable. Children of ages 9 to 10 and older should be involved. Combinations of different ways of participation were needed. Children should be able to vote on laws. It was important to define how we knew what worked. There were too many "fancy declarations" signed by "fancy politicians" that were not applied in practice.

**Mr Micaleff** felt that it was a great idea to involve children in the work of parliaments. It allowed children to fight for their rights. Special provisions should be made for children with disabilities. For example, for children using wheelchairs there should be desks with more space around them to allow for the wheelchairs to pass. It would take time. A step-by-step approach should be applied. Parliaments needed child politicians. Children knew best what their needs were. There should be more opportunities for children to meet politicians, who made laws. Dyslexia, dysgraphia, dyscalculia and dyspraxia were important problems. **Ms Jones** pointed out that she and her colleagues had created a new NGO specially for such children. They were particularly exposed to violence and isolated. This NGO had an international status now. **Mr Micaleff** mentioned that he had been bullied and had been told by his school to "shrug it off". Professionals needed to be trained.

**Ms Rajicic** pointed out that bullies were bullying not necessarily because they were mean, but because in many cases they had a problem themselves. **Mr Micaleff** said that children who experienced inclusive participation were not likely to become bullies. **Ms Larkins** stressed that at the local level it was easier to involve children in matters what concerned them directly. Research type projects were needed.

**The Chairperson** agreed that specialised language could be difficult. If there were to be an application whereby one could use the “like” option with respect to draft laws to be voted, would many children use it? **Ms Rajcic** said that children with special needs would be particularly interested in contributing. It should be made obligatory to ask for their feedback. It was important to show the benefits of such child participation. This would allow to change things significantly. **The Chairperson** pointed out that this took time. **Mr Micaleff** suggested that child participation should be part of school curriculum. **Ms Jedele**, a child delegate from France, said that it was important to give access to children to decision making. In her experience, in one case, children were able to have computer screens changed, as they were not good enough. **Mr Schennach** stressed that in democracies it was important to fight for majorities. It took time, and it was not a high-speed process. In his parliament eight hours per month were assigned to the work with children. Laws should be readable and understandable. In Austria, there was political education at school. Children were the future of their countries.

**Ms De Temmerman** pointed out that under the UN Agenda 2030 there were 17 objectives, which were very general. Objective 16.2 dealt with abuse, exploitation, trafficking and all forms of violence and torture against children. It was not always easy to explain these things. In the French National Assembly, for the first time, an event was to be held next week that would allow children to take the seat of parliamentarians. **Mr Micaleff** suggested that children should be taught how parliaments worked. Teachers could “google” relevant information. Quizzes could be used as a teaching tool.

**Ms Jedele** spoke about her experience as a local elected youth representative in Illkirch (France). Together with 37 other children from the municipal council she worked on issues related to sport, leisure, citizenship and sustainable development. They met for plenary sessions and sent official requests to the Mayor. There was a real team spirit, and a lot of hard work was done. **Mr Maniani**, a child delegate from France, also took part in the work of the municipal council in Illkirch. Following one of their requests, a new playground had been built and inaugurated in June 2019. **Mr Kaybaki** added that children as young as nine had acted as elected youth representatives. **Mr Micaleff** asked how hard it was for the children to have their decisions put into practice. **Ms Jedele** replied that it was very difficult. Many things had to be taken into account. On one occasion, children had proposed a “corrida” (a race) thru the streets, but this had not been possible.

**Lord Touhig** asked whether the children had to go through elections, and what sort of discussions they had with adults. **Mr Maniani** responded that there were 2-3 child representatives elected per school in 4-5 schools in Illkirch. They regularly met members of associations, who could support them in putting their projects into practice. **Ms Jedele** added that the children had an opportunity to provide feedback on the plans, and it was duly considered, so the children were pleased with the outcomes. They also had control over the budget. Children wanted the playgrounds to be accessible, and out of the ordinary. **Mr Kaybaki** mentioned that the children were very motivated and had far reaching ideas. Adults hesitated whether they should put a break on the children’s initiatives. However, this was the children’s project. The children involved represented views of other children as well. The letter that they had prepared was entirely written by the children (and had many mistakes in it). Two million Euros were assigned to the sites proposed by the children, and all these spaces existed now. The children themselves had inaugurated their projects.

**Ms Rutai** presented the materials that were being prepared in the framework of Baroness Massey’s report on child participation. The Council of Europe had developed standards on child participation. The key principles were the means, space, opportunity and support. The UN Convention on the Rights of the Child provided important background. The Council of Europe should apply these principles in its own work. The CM Recommendation provided the right for participation. Monitoring of children’s rights provided an opportunity. The Assembly needed to make its procedure child-friendly and create “entry points” for such participation. Children should be free to choose the format and content of their contribution. Child-friendly information about the Council of Europe was needed. It was important to have information about the Assembly, its structure, how it related to the children’s countries and their lives, and the framework for their participation. It was important to involve trained professionals in the facilitation of child participation. Baroness Massey’s report aimed to provide a model on how children could get involved. This would be a learning process for the Assembly. It was important to ensure that child participation was meaningful and sustainable. The report was to be adopted in 2021. **Ms Larkins** suggested that it would be important to start with children first, ensure their engagement and have a bottom-up approach. **Ms Rutai** responded that this could come from the first activity.

As the children were leaving the meeting at the end of this discussion, **Mr Micaleff** said that this meeting was the best experience of child participation that he had had, and he wished that it would never end.

## 5. Parliamentary action empowering children to stop sexual violence

[Handbook for Parliamentarians on the Lanzarote Convention  
European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse]

The two Sub-Committees **held** a public hearing, organised as a Parliamentary Assembly contribution to the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse (18 November), with the participation of:

- ✓ Mr Mikaël Poutiers, Secretary of the Lanzarote Committee, Children's Rights Division, Council of Europe
- ✓ Ms Cath Larkins, Chair of Eurochild's Child Participation Reference Group (United Kingdom)
- ✓ Ms Josiane Bigot, President of Themis (France), association for access of children and young people to justice
- ✓ Mr Olivier Égelé, President of Stop Sexual Violence Alsace (France)

**Mr Poutiers** recalled that the theme for this year's edition of the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse was child participation. A toolkit had been developed for this purpose. It was important to facilitate children's work on this topic. A social media kit was also available. The Lanzarote Committee had decided to consult children on its reports. The report currently under preparation dealt with the problem of sexual abuse facilitated by information technologies, with focus on self-produced images. In ten countries, children had sent their feedback (in different formats), and their replies were in the process of being analysed. This monitoring cycle was to be concluded in about one year. The contribution of the Assembly to this European Day was very much appreciated.

**Ms Larkins** mentioned a Europe-wide study with five countries on child participation. It pointed out that there was a risk that when we talked of empowering children, we passed on the responsibility to them. Furthermore, children were often brought to labour on other people's agendas. There was a need for support for on-going relations. Addressing root causes of sexual violence was required. In some institutional cultures gender-based violence was acceptable. Such cultures were further reinforced in some families. Campaigns and policies on gender equality were vital. Children could be involved in such campaigns. Suitable sources of help had to be used. There was no form that fit everyone. "Storytelling" could be a useful method and produced good results.

**Ms De Temmerman** took the Chair and agreed with the importance of using different approaches. **Lord Touhig** asked how it was possible to keep the distance that was necessary in this context. **Ms Larkins** responded that a special game had been developed, and everyone could choose his or her role in it. It was important to have an environment where people felt safe to talk about sensitive things openly. "Fictionalisation" was a useful method.

**Ms Bigot** pointed out that a lot of progress had been achieved. Twenty-five years ago, paedophilia was accepted, especially in the circles of art. However, more progress was needed. In France, in 2018, there was a missed opportunity to amend the legislation with respect to the age of consent. This would imply that for children under a certain age (at least 13), the question of consent would not be applicable, and any sexual act would be considered to be rape. It was important to train adults to identify and report cases of child sexual abuse. In one case a teacher became concerned, when she had read an essay by a pupil. This had made it possible to disclose a case of sexual abuse of the child by her father. The teacher's vigilance and rapidity had been essential. France was not good at dealing with these issues. Children who reported abuse were often left in the custody of their abusers and were reduced to silence. This was also hard for the persons who had questioned the child. It was important to improve the process.

The Children's House was a good solution. France was far from making this possible. The child had to repeat his / her testimony and to go to different places. Budgetary constraints were an important obstacle. It was important to accompany the child during the judicial enquiry. Association Themis represented children in such inquiries, including in cases of sexual violence within families. The mother was not sufficiently neutral. An ad hoc representative was needed. Children were still asked in courts to justify themselves and sometimes went back on their accounts due to emotional distress. Only an ad hoc representative could say that in his / her view the child was acting under pressure and / or could not cope emotionally. The defence lawyer had to apply what the child had said. The ad hoc representative could also advise on whether parental care should be withdrawn.

**Mr Egelé** recalled that 1 in 5 children were concerned by sexual violence. This was a public health problem. The trauma of violence persisted in adulthood. 80 per cent of cases happened within family. Few cases were revealed while the victim was still a child. Sexual violence destroyed lives. The UN considered sexual violence as a war crime. The facts were disclosed when victims were 30-40 years old. Endless medical problems followed. The limitation period implied that in many cases it was too late to obtain evidence. In 2014 there was a draft law (Law Schiappa), which had been discussed for six months. In the end, Article 2 had been withdrawn. As a result, in France, there was no officially-established sexual majority. Minors had to prove that they had

not given their consent. Too often, the minors would be not be able to defend themselves. All professionals concerned had to be duly trained. Smartphones created many problems. Today, 10-year-old children could have direct access to pornography. This contributed to creating a biased frame of reference with respect to relations between men and women. Women were seen as “objects”. Violence was normalised. It was important to enquire what was the pathway of the perpetrators of feminicides. Eighty per cent of them were former victims of sexual violence themselves. The Association created by Mr Egelé and his colleagues proposed a prevention programme (starting from primary school to 18-years-old). However, they did not manage to introduce it at school. Permission needed to be obtained. The topic was embarrassing. There was also a problem of funding.

**The Chairperson** expressed her concern with violent content. There should be more opportunities for protecting children and learning about good practices. Even if one prevented access to sexually explicit content, children were curious. Blocking was not the answer. In Georgia, the Child Code had been recently adopted. Regulations were needed to address these challenges. There was no magic solution, as this was a very complex matter.

**Lord Touhig** thanked Mr Egelé for his powerful and disturbing presentation. It was difficult to police the use of sexually explicit images. What should Internet providers do? What was needed with respect to the national legislation? What kind of international agreements were helpful? The web content could be easily manipulated. Young people were not fully aware that they were making their information available to everyone.

**Mr Egelé** responded that restricting access was not enough. Prevention was important. There was also a question of urgency. The number of minors who were perpetrators of sexual violence was exploding. Political will was needed to address this problem. In Canada, the “*Virages et passages*” programme from 70-80s produced good results. Canada had a 30-year head start in this area, as compared to France. There had been few surveys on children, and few statistics. It was hard to know how many children were affected by sexual violence. No state funding was available for the assistance provided by Stop Sexual Violence Alsace organisation.

**Ms Larkins** pointed out that prevention was most effective. It was essential to ensure that such prevention was contemporary and relevant. Filters were useful. Children at the conference asked for filters (not necessarily the sort to be controlled by adults). **Mr Poutiers** recalled that the Lanzarote monitoring reports highlighted examples of good practices. Thanks to promotion by the Lanzarote Committee, the Barnahus system was beginning to be successful, with new establishments being set up in Cyprus and Slovenia.

### **Friday, 15 November 2019, from 9 am to 1 pm**

#### **6. Across Europe, a quarter of children are at risk of social exclusion – are parliaments doing enough to protect them?**

The two Sub-Committees **held** a public hearing with the participation of:

- ✓ Ms Eliane Chemla, General Rapporteur of the European Committee of Social Rights (ECSR)
- ✓ Mr Jan Malinowski, Head of Department of the European Social Charter, Council of Europe
- ✓ Mr Grigorios Tsioukas, Seconded National Expert, European Union Agency for Fundamental Rights (FRA)

In opening the hearing, **the Chairperson** recalled the Parliamentary Assembly’s Resolution 1995 (2014) and Recommendation 2044 (2014) on “Ending child poverty in Europe”. The Assembly’s rapporteur for this matter, Ms Sevinj Fataliyeva, was very keen on the follow-up to these texts and the proposals they contained. Moreover, the Assembly’s Sub-Committee on the European Social Charter had organized several parliamentary seminars on issues concerning the protection of children’s social rights in the light of the Charter provisions and the annual conclusions of the European Committee of Social Rights.

**Ms Chemla** then presented an overview of the ECSR’s most recent work. The Charter’s article 30 referred to protection against poverty and exclusion. In the European Union (EU) countries alone, it was estimated that about 25 million children lived under the national poverty line. Impacts of poverty and social exclusion weighed on children for their entire life; these impacts extended further on through the intergenerational transmission of poverty. Adequate protection against poverty and social exclusion required the effective implementation of rights to decent housing, food, access to health care and sometimes also protection against discrimination such one due to disability. The Charter’s collective complaints procedure was a very helpful instrument in that respect. Countries such as Greece had been repeatedly criticised in that context, notably regarding problems of access to basic medical aid and housing. France was also facing a complaint over the failure to extend social protection to migrant children in irregular legal situation. Children with disability should be integrated in the mainstream education system as far as possible. Some ethnic minorities such as Roma children were in a

particularly vulnerable situation in many member States. Politicians should hear the plight of disadvantaged children and work towards the ratification and implementation of article 30 of the Charter (16 State parties were concerned). Lack of action could lead to social upheaval.

**Mr Schennach** wondered about the impact of EU programmes to help Roma children in 10 member States. Progress on the ground seemed very difficult and slow in countries such as Bosnia and Herzegovina and Bulgaria. In some places, Roma population was persecuted, and walls were built to segregate the local population from Roma settlements. It was necessary also to address the problem of forced begging as organised crime was often involved, and issues of early and forced marriages.

**Ms Chemla** confirmed that Bulgaria faced multiple problems and with every reporting cycle the same non-conformities with the Charter persisted. Situation was similar in Bosnia and Herzegovina. Member States should in principle be able to tackle this specific problem without external aid. The ECSR's appreciation was unfortunately limited to the information provided by States who tended not to report this type of problems. This is why the collective complaints procedure was particularly relevant; it was essentially driven by complaints filed by NGOs.

**Mr Schennach** also deplored the problem of forced sterilisation of Roma women in the Czech Republic, which was flagged in the recent report of the PACE Monitoring Committee.

**Mr Tsioukas** asked about steps to implement judgements under the collective complaints procedure.

**Ms Chemla** explained that the implementation of judgements was overseen by the Council of Europe's Committee of Ministers and involved member States concerned which were obliged to reply and take concrete measures to improve the situation as necessary. Whilst the ECSR issued its opinion in a form of judgements, it could not force States to implement them. The role of local trade unions and NGOs was crucial to exert pressure on national governments and parliaments.

**Mr Malinowski** then spoke about ideas for parliamentary action in echoing emphasis of Ms Maury Pasquier, PACE President, on the role of parliaments as guarantors of rights. Allowing poverty to linger was not an efficient use of public resources; there was convincing evidence available on how investing in addressing poverty was giving real returns in terms of better health and corresponding savings for the public budgets. Poverty as such interfered with the exercise of many rights and even the right to life: poverty killed slowly; it undermined access to education, housing and basic hygiene, with children concerned suffering from ostracism among peers at school. Forced marriages often led to early school drop-outs and threatened the development of children concerned by annulling social benefits of schooling and interaction with other children. There was some sort of political blindness in many States about child poverty.

PACE could render the cause more visible and hold States to account by 'naming and shaming'. It should push States into ratification of articles 30 and 31 of the Charter and seek for national constitutions to guarantee coverage of the basic rights listed in those articles. Rights also required relevant laws and adequate resources and services to be put in place. Saving children was more important than building roads. The recent Conference on children's rights urged States to effectively embrace the collective complaints procedure, enhance visibility of children's needs, raise commitments under the Charter as a tool of good governance and change the narrative into making combat against child poverty an obligation. Rights should be turned into enforceable 'win-win' mechanisms to tackle threats to democracy that came from the massive violation of social rights: fundamental rights entailed fundamental obligations.

**Mr Tsioukas** outlined the contents of FRA's report on child poverty as an issue of fundamental rights. Its key messages pointed to the responsibility of member States that ensued from the adoption of the European Pillar of Social Rights in 2017. Poverty trends and situation were quite disparate across member States. Problems were clearly visible in Bulgaria, Greece, Romania, Lithuania and several other countries. Migration and Roma-origin backgrounds were major determinants leading to poverty most associated with food deprivation and lack of decent housing. Anti-poverty action should be a legal obligation based on the EU's Charter of Fundamental Rights. In future, the EU financing mechanisms would be more closely linked to commitments to respect this Charter's provisions and obligations, in addition to the European Social Charter and its protocols, as well as several United Nations' legal tools. There had been also a child guarantee proposal on the table in order to ensure proper nutrition, housing, childcare, health care and education for all children. Despite all those efforts, there was still a need to strengthen the social framework in the EU. The European Court of Justice should more systematically refer to the European Social Charter. Moreover, the EU as such should open discussion on becoming party to the Charter.

The European Parliament was considering the proposal for a child guarantee but the European Commission's initial reaction to this initiative had been cool. However, the current Commission viewed it more favourably. Finally, the work-private life balance directive had been adopted last summer. In conclusion, politicians should mobilise for creating the enabling conditions to fight child poverty, develop a social scoreboard and link firmly the action against child poverty to access to EU funding.

Further to **Mr Schennach's** question about the EU's anti-poverty funding, **Mr Tsioukas** referred to the European Parliament proposal to earmark some six billion euros to tackling poverty. **Mr Schennach** then observed that in the case of Greece, the EU's donation to support refugees had not worked well because the country was not able to add its part as co-financing. **Mr Tsioukas** admitted that budgetary discussions were very sensitive, not least in the light of Brexit. However, budgetary resources for safeguarding children were seen as essential. There were some positive signals of strong support to the child guarantee by Germany.

## 7. The role of parliaments in building a safety net for children from vulnerable backgrounds (such as migrant and refugee children, disabled children, Roma children, etc.)

The two Sub-Committees then **held** another public hearing with the participation of:

- ✓ Mr Philip Ishola, Executive Director of Love146 UK, a charitable organisation looking after the interests of child trafficking survivors (United Kingdom)
- ✓ Ms Kalliopi Gkliva, Project Manager, Refugee Emergency Relief Program, SOS Children's Villages (Greece)
- ✓ Ms Chrisoula Arcoudis, Roma and Travellers Team, Council of Europe

At the start of the hearing, **the Chairperson** recalled this Organisation's Committee of Ministers Recommendation CM/Rec (2015)3 on access of young people from disadvantaged neighbourhoods to social rights. It set a framework for action at national level, including through parliaments. Copies of this recommendation were available in the room.

**Mr Ishola**, representing a British charitable organization Love146 UK, spoke about the defence of the interests of child trafficking survivors. He appreciated the Council of Europe work in this area and underscored the fundamental character of children's humanitarian needs and rights. Love146 provided specialist accommodation and support to child victims of trafficking in the United Kingdom. This action was linked to policies to counter the exploitation of children and was confronted with difficulties due to very restrictive national migratory policy. Unfortunately, the European ideal of fundamental rights for all was facing increasingly adverse political narrative in a number of countries, including Hungary and France. There was a need for a new European model, with rights-based approach underpinning action. Similarly-minded States should act as a beacon for others and deliver on what they believed in based on shared values. Legal tools at member States' disposal should be put into one single strategic vision to foster action by similarly-minded and rights-centred States.

**Ms Chemla** added that the ECSR had on several occasions taken a position different from that of the European Court of Justice which reflected EU's founding values of economic co-operation. The ECSR had estimated that social and humanitarian rights could not be submitted to economic interests. The challenge was to bridge the two visions of Europe.

**Mr Ishola** admitted Greece's and Turkey's position on several issues clashed with the rights-based approach. National leaders should discuss problems in both the Council of Europe and the EU context towards championing a humanitarian vision of the European order. Action by key member States should snow-ball broader.

**Mr Malinowski** appreciated a thought-provoking exchange and deplored trends that had led to a deconstruction of the Council of Europe work on social cohesion and social rights over the last decade. Luckily, there was a number of member States defending social values and the survival of the European Social Cohesion Platform (PECS). Hopefully, the Committee of Ministers would adopt a strong declaration on child poverty before the end of the year. Mainstream narratives should be revised in order to promote a new social contract fit for the 21<sup>st</sup> century needs. Action to strengthen social rights would work as an antidote to human trafficking and social extremes.

**Ms Gkliva** spoke about her work on the ground in Greece to help children who had gone through multiple psychological dramas and traumas. She had been involved in helping about 300 children to rebuild their lives by bringing together local and migrants' families. Sorely, there was evidence of overwhelming distrust among those children who had lost much of self-confidence during ordeals of life. It had not been easy to overcome

bureaucratic hurdles, but community initiatives enabled vital family support and ensured integration into the mainstream care set-up for all children. Politicians should engage more in underpinning care for children with a migrant background.

**Ms Arcoudis** praised the Assembly's initiative to focus on the most vulnerable: poverty was crippling and was hitting Roma children particularly hard. There were about 10-12 million Roma in the Council of Europe member States who were disproportionately affected by extensive discrimination, marginalisation and the inter-generational transmission of extreme poverty, notably in Turkey and Greece. Children under six years of age were particularly vulnerable to poverty-driven hunger, isolation and violence in a family setting, as well as inadequate housing and lack of access to basic public services. Systemic malnutrition unavoidably led to poor health for the rest of children's lives. Due to segregated schooling and a general lack of early education structures for caring for Roma children, these children were highly at risk of human trafficking, including for reasons of forced labour and exploitation. Unfortunately, Roma children often disappeared from the official statistics. It was an insult to the ideal of Europe that Roma children were among the poorest in the world: about 5.5 million Roma children lived in horrible conditions in Europe – excluded from basic care and access to human dignity and rights. Further to a question by **Mr Ishola**, **Ms Arcoudis** explained that Roma children were the largest marginalised ethnic community across European countries, with discrimination affecting efforts to break the cycle of extreme poverty. Access to education was crucial to dismantling poverty.

**The Chairperson** warmly thanked all the participants for sharing their experience and ideas on ways to overcome child poverty. The Assembly's relevant sub-committees would consider action in this area as one of their top priorities. In this context, **the Chairperson** reminded that the Committee on Social Affairs had recently launched a motion on "Inequalities in Europe: time to restore social trust by strengthening social rights" which would be an opportunity to consider new policy proposals – also in respect of children's rights and protection from misery.

## **8. Other business**

There was no other point raised.

## **9. Date and place of next meetings**

Members **noted** that the next meetings would be held as follows:

### **Sub-Committee on Children**

- First part-session 2020 of the Assembly, 27-31 January 2020, Strasbourg (*date to be confirmed*)

### **Sub-Committee on the European Social Charter**

- First part-session 2020 of the Assembly, 27-31 January 2020, Strasbourg (*date to be confirmed*)



## List of decisions

The Sub-Committee on Children and the Sub-Committee on the European Social Charter, meeting in Strasbourg on 14-15 November 2019, with Ms Irina Pruidze (Georgia, EC/DA) in the Chair, as regards:

- ***RedefiningPower4Children: strengthening the rights of the child as the key to a future-proof Europe parliamentary follow-up to the Mid-Term Evaluation Conference on the Council of Europe Strategy for the Rights of the Child (2016-2021)***: held a round table with the participation of Ms Jennifer De Temmerman, member of the Committee on Social Affairs, Health and Sustainable Development;
- ***The power of parliamentary action: promoting meaningful and sustainable child participation in the work of national parliaments and the Parliamentary Assembly of Council of Europe*** (Rapporteur: Baroness Doreen E. Massey, United Kingdom, SOC): held a round table with the participation of:
  - ✓ Ms Cath Larkins, Chair of Eurochild's Child Participation Reference Group (United Kingdom)
  - ✓ Ms Zsuzsanna Rutai, Children's Rights Consultant
  - ✓ Children representing Eurochild and Themis associations
- ***Parliamentary action empowering children to stop sexual violence***: held a hearing, organised as a Parliamentary Assembly contribution to the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse (18 November) with the participation of:
  - ✓ Mr Mikaël Poutiers, Secretary of the Lanzarote Committee, Children's Rights Division, Council of Europe
  - ✓ Ms Cath Larkins, Chair of Eurochild's Child Participation Reference Group (United Kingdom)
  - ✓ Ms Josiane Bigot, President of Themis (France), association for access of children and young people to justice
  - ✓ Mr Olivier Égelé, President of Stop Sexual Violence Alsace (France)
- ***Across Europe, a quarter of children are at risk of social exclusion – are parliaments doing enough to protect them?***: held a hearing with the participation of:
  - ✓ Ms Eliane Chemla, General Rapporteur of the European Committee of Social Rights (ECSR)
  - ✓ Mr Jan Malinowski, Head of Department of the European Social Charter, Council of Europe
  - ✓ Mr Grigorios Tsioukas, Seconded National Expert, European Union Agency for Fundamental Rights (FRA)
- ***The role of parliaments in building a safety net for children from vulnerable backgrounds (such as migrant and refugee children, disabled children, Roma children, etc.)***: held a hearing with the participation of:
  - ✓ Mr Philip Ishola, Executive Director of Love146 UK, a charitable organisation looking after the interests of child trafficking survivors (United Kingdom)
  - ✓ Ms Kalliopi Gkliva, Project Manager, Refugee Emergency Relief Program, SOS Children's Villages (Greece)
  - ✓ Ms Chrisoula Arcoudis, Roma and Travellers Team, Council of Europe

**Sub-Committee on Children**  
**Sous-commission sur les enfants**  
**Presence list / Liste de présence**  
(27 seats / 27 sièges) 14.11.2019

**Chairperson / Présidente :**

Ms Stella KYRIAKIDES                      Cyprus / Chypre

**Vice-Chairperson / Vice-Présidente :**

Ms Irina PRUIDZE                              Georgia / Géorgie

**Members / Membres****Alternates / Remplaçant(e)s**

1.	Mr	Mikayel MELKUMYAN	Armenia / Arménie		ZZ...
2.	Ms	Ganira PASHAYEVA	Azerbaijan / Azerbaïdjan	Ms	Sevinj FATALIYEVA
3.	Ms	Stella KYRIAKIDES	Cyprus / Chypre	Ms	Christiana EROTOKRITOU
4.	Ms	Alena GAJDŮŠKOVÁ	Czech Republic / République Tchèque		ZZ...
5.	<b>Ms</b>	<b>Tarja FILATOV</b>	Finland / Finlande		ZZ...
6.	Mme	Martine WONNER	France		ZZ...
7.	<b>Ms</b>	<b>Irina PRUIDZE</b>	Georgia / Géorgie		ZZ...
8.	Mr	Ulrich OEHME	Germany / Allemagne	Mr	Matern VON MARSCHALL
9.	Ms	Nina KASIMATI	Greece / Grèce	Mr	Kyriakos VELOPOULOS
10.	Mr	Joseph O'REILLY	Ireland / Irlande		ZZ...
11.	Mr	Gianluca PERILLI	Italy /Italie	Mr	Manuel VESCOVI
12.	Mme	Françoise HETTO- GAASCH	Luxembourg		ZZ...
13.	Ms	Reina DE BRUIJN- WEZEMAN	Netherlands / Pays-Bas		ZZ...
14.	Ms	Margareta BUDNER	Poland / Pologne		ZZ...
15.	Mme	Edite ESTRELA	Portugal	M.	Luís LEITE RAMOS
16.	M.	Viorel Riceard BADEA	Romania / Roumanie	Mme	Cristina-Mădălina PRUNĂ
17.	Ms	Carmen LEYTE	Spain / Espagne		ZZ...
18.	Ms	Carina OHLSSON	Sweden / Suède		ZZ...
19.	M.	Jean-Pierre GRIN	Switzerland / Suisse	M.	Pierre-Alain FRIDEZ
20.	Ms	Emine Nur GÜNAY	Turkey / Turquie		ZZ...
21.	Baroness	Doreen E. MASSEY	United Kingdom / Royaume-Uni	<b>Lord</b>	<b>Don TOUHIG</b>

*ex officio* : **Mr Stefan SCHENNACH** (Chairperson, Austria, *Président, Autriche*)

**Sub-Committee on the European Social Charter**  
**Sous-commission sur la Charte sociale européenne**

**Presence list / Liste de présence**  
**(27 seats / 27 sièges) 14.11.2019**

Chairperson / Président : ZZ...

Vice-Chairperson / Vice-Président(e) : Mr Andrej HUNKO, Germany / Allemagne

**Members / Membres**

**Alternates / Remplaçant(e)s**

1.	M.	Pere LÓPEZ	Andorra / Andorre		ZZ...
2.	Mr	Mikayel MELKUMYAN	Armenia / Arménie		ZZ...
3.	Ms	Sevinj FATALIYEVA	Azerbaijan / Azerbaïdjan		ZZ...
4.	Mr	Nagif HAMZAYEV	Azerbaijan / Azerbaïdjan		ZZ...
5.	<b>Mme</b>	<b>Jennifer DE TEMMERMAN</b>	France		ZZ...
6.	Mr	Andrej HUNKO	Germany / Allemagne	Mr	Josef RIEF
7.	Ms	Nina KASIMATI	Greece / Grèce		ZZ...
8.	Mr	Thomas PRINGLE	Ireland / Irlande		ZZ...
9.	Ms	Barbara GUIDOLIN	Italy / Italie		ZZ...
10.	M.	Marc SPAUTZ	Luxembourg		ZZ...
11.	M.	Viorel Riceard BADEA	Romania / Roumanie	Mr	Valeriu Andrei STERIU
12.	Mr	Sergey KALASHNIKOV	Russian Federation / Fédération de Russie		ZZ...
13.	Ms	Carina OHLSSON	Sweden / Suède		ZZ...
14.	M.	Jean-Pierre GRIN	Switzerland / Suisse	M.	Filippo LOMBARDI
15.	Ms	Selin SAYEK BÖKE	Turkey / Turquie		ZZ...
16.	Mr	Conor McGINN	United Kingdom / Royaume-Uni	Mr	Steve DOUBLE

*ex officio* : **Mr Stefan SCHENNACH** (Chairperson, Austria, *Président, Autriche*)

**ALSO PRESENT / EGALEMENT PRESENTS**

Ms / *Mme* Josiane BIGOT, Association Themis, France

Mr / *M.* Olivier EGELE, Association « Stop aux violences sexuelles Alsace », France

Ms / *Mme* Eliane CHEMLA, Comité européen des droits sociaux (CEDS), France

Mr / *M.* Grigorios TSIOUKAS, EU Fundamental Rights Agency (FRA), Austria / *Autriche*

Mr / *M.* Philip ISHOLA, Love146, United Kingdom / *Royaume-Uni*

Ms / *Mme* Kalliopi GKLIVA, SOS Children's Villages, Greece / *Grèce*

Ms / *Mme* Bénédicte COLIN, FAFCE, France

Ms / *Mme* Zsuzsanna RUTAI, Children's Rights Consultant

Ms / *Mme* Estelle LOZACHMEUR, Attachée parlementaire de Mme WONNER, France

Ms / *Mme* Hélène CLERC, Assistante de Mme DE TEMMERMAN, France

Ms / *Mme* Alice HAGGER-VAUGHAN, Eurochild

Ms / *Mme* Andrea WITT, Eurochild

Ms / *Mme* Sabine JONES, Child Potential, France

Mr / *M.* Fernando MORALES DE LA CRUZ, Journalist

**CHILDREN GROUP 1 – GROUPE D'ENFANTS 1 (Eurochild)**

Andre MICALEFF, Malta / Malte

Andrea RAJICIC, Serbia / Serbie

**CHILDREN GROUP 2 – GROUPE D'ENFANTS 2 (Themis)**

June JEDELE, France

Naïl MANIANI, France

**ACCOMPANYING ADULTS AND SPEAKERS / ACCOMPAGNATEURS ET INTERVENANTS**

Ms / *Mme* Cath LARKINS, Eurochild, United Kingdom / *Royaume-Uni*

Mr / *M.* Thomas KAYBAKI, Association Themis, France

**COUNCIL OF EUROPE STAFF / PERSONNEL DU CONSEIL DE L'EUROPE**

Mr / *M.* Jan MALINOWSKI, Head of Department of the European Social Charter / *Chef du Service de la Charte sociale européenne*

Ms / *Mme* Chrisoula ARCOUDIS, Roma and Travellers Division / *Division Roms et gens du voyage*

Mr / *M.* Mikaël POUTIERS, Secretary to the Lanzarote Committee – Children's rights Division / *Secrétaire du Comité de Lanzarote – Division des Droits de l'enfant*

Ms / *Mme* Zaruhi GASPARYAN, Events & Public Relations Section – European Directorate for the Quality of Medicines & HealthCare / *Section Événements et Relations Publiques – Direction européenne de la qualité du médicament & soins de santé*

Ms / *Mme* Odeta BIANKU, European Social Charter/ *Charte sociale européenne - DG I*

**Committee on Social Affairs, Health and Sustainable Development /  
Commission des questions sociales, de la santé et du développement durable**

Ms / *Mme* Tanja KLEINSORGE ..... Head of the Secretariat / *Cheffe du Secrétariat*

Ms / *Mme* Aiste RAMANAUSKAITE ..... Secretary to the Committee / *Secrétaire de la commission*

Ms / *Mme* Yulia PERERVA..... Secretary to the Committee / *Secrétaire de la commission*

Ms / *Mme* Bogdana BUZARNESCU..... Principal Assistant / *Assistante principale*

Ms / *Mme* Melissa CHARBONNEL..... Assistant / *Assistante*

Ms / *Mme* Françoise SCHIR..... Assistant / *Assistante*