

**EUROPEAN NETWORK OF  
OMBUDSPERSONS FOR CHILDREN  
(ENOC)**

**REPORT OF THE  
FOURTH ANNUAL MEETING**

**BRUSSELS, BELGIUM  
25 - 27 OCTOBER 2000**

# **ENOC Annual Meeting Report**

## **25-27 October 2000**

### **Brussels, Belgium**

#### **Introduction and Updates**

The fourth annual ENOC meeting was hosted by the Flemish Commissioner for Children's Rights, Ankie Vandekerckhove, from 25-27 October 2000. The meeting was opened by Ankie, who expressed her hope that the discussions which would follow over the two days would be substantive and fruitful. She welcomed new members to ENOC, Macedonia and France, and stressed the importance of the network as a forum for feedback and support among colleagues. She also emphasised the important role that ENOC can play at regional level, by encouraging all European countries to establish independent ombudspersons for children.

ENOC activities update was presented by ENOC Chair, Javier Urrea, Ombudsman for Children in Madrid, together with Ankie. They highlighted meetings they participated in on behalf of ENOC, in particular those aimed at encouraging the establishment of Ombudsperson's offices in European countries that have not yet done so. Javier provided an update on the responses to the Call for Action, with particular reference to the actions taken in this regard by the Government and Parliament of Spain, as well as the Parliament of Madrid. (ENOC Update contained in Annex 1) The Secretariat added that there had been relatively few responses to the Call for Action and that on the whole, the content of the responses had not met expectations. One exception was the response of Germany, copies of which were made available to the group. (Call for Action contained in Annex 2)

Ombudspersons reported on major developments and projects in their offices over the past year. (Office Updates contained in Annex 3) Key themes included influencing new legislation and campaigning, communicating directly with children, facilitating dialogue between children and policy makers, advocating for child-rights focussed development assistance, developing tools for implementation of the CRC, and promotion and protection of the rights of disadvantaged groups of children. Of particular note was the development of methodologies and models for carrying out child impact assessments at national and municipal levels. The newest members of ENOC -- Macedonia and France -- explained the establishment and mandate of their offices and what their plans and priorities are for the coming year.

The ENOC secretariat shared information on the actual usage of the ENOC website and referred to the challenges of keeping it updated -- both the general information and the office-specific pages. The importance of direct links with ENOC members' own websites was stressed. Peter Newell, adviser to ENOC, presented the ENOC Information and Training Pack, which has been completed and was distributed to the group. The pack is meant to serve as a resource for ombudspersons and others seeking to support the establishment of new offices. It will be shared with all members electronically and can be duplicated and distributed freely by them.

#### **Cooperation with European NGO Partners**

ENOC invited EURONET and the European Forum on Child Welfare (EFCW), two of the key European NGO networks on children's rights, to make presentations on their work and priorities for the coming year. Unfortunately EFCW was not able to participate in the meeting.

The representative of EURONET, Mr. James Bridge, began with an overview of EURONET, noting that the network was founded in 1995 as a loose coalition of NGOs that came together during the revision of the Maastricht Treaty in order to ensure that children were made more visible. He explained the membership of EURONET, which includes national NGOs and NGO coalitions, as well as major international NGOs such as the International Save the Children Alliance and the International Catholic Children's Bureau. Most recently the network has been actively lobbying for a children's rights clause to be included in the EU Charter on Fundamental Human Rights. EURONET considers this as an important addition to the Charter. It would form a legal base for the EU to work on children's rights and would ensure a more systematic respect for children's rights and application of the principle of the "best interests of the child" in all EU legislation. It was noted that there is some concern among NGOs and others that the reference in the Charter could be weaker and less comprehensive than the Convention on the Rights of the Child. However, on balance, it is felt by EURONET that the addition will strengthen the Charter.

In addition to the campaign around the Charter, EURONET has been building a young people's network in Belgium, Italy, Spain, UK and Ireland. Consultations with children and young people have already taken place on themes such as education, health, employment, social exclusion, media, and discrimination. On 22-23 November the children and young people will present their European agenda to the European Parliament and have discussions with policy makers. The third major project of EURONET is a campaign on non-discrimination and social inclusion, on which a conference was recently held.

During the discussion ENOC members raised questions on the financing of EURONET, links with the Council of Europe, its position on a European Ombudsperson for Children, and whether it was lobbying for the establishment of an ombudsperson for children in every EU member state. James explained that funding comes from specific EU projects and from its member organisations, that its focus is on the European Union, rather than the Council of Europe, that it is not pushing for a European Ombudsperson for Children and that establishing a children's ombudsperson in every EU country is a EURONET priority. The representative also mentioned that EURONET is pushing for the establishment of a unit in the European Commission which would be monitoring children's issues and interests across all Directorate Generals.

### **The UN Special Session on Children**

ENOC was briefed by Stephen Woodhouse, UNICEF Regional Director for Europe, on the UN Special Session on Children, scheduled for 19-21 September 2001 and the preparatory process leading up to it. In his presentation, Stephen explained that the Special Session was a follow-up to the 1990 World Summit for Children. This special session of the UN General Assembly will review progress made over the past

10 years and look ahead to set the agenda for children over the next 10 to 15 years. He presented the main elements of the preparatory process, including the End-Decade Reviews taking place at national level, the setting of the future agenda for children, the preparatory committees in New York, as well as the plans for regional consultations which will feed into the Special Session. This process is part of the larger global movement for children which will be a mobilisation of civil society and the business world. High profile leaders, such as Nelson Mandela and Graca Machel have already committed their support to this movement, seeking to involve a wide range of leaders from all sectors. The "Vote for Children", an internet-based vote through which children and adults can make their voices heard on issues relating to children's rights, will be an important element of this. Stephen also gave an overview of the principal elements of the global agenda for children, based on the most critical phases of children's life: early child care and development, primary education, and adolescent skills and development.

Finally, he proposed a number of ways in which ombudspersons for children might become involved in the Special Session and the global movement for children. These included the following:

- critically and independently review their government's End Decade Review;
- inform children about the "global movement for children" and the "vote for children" through their direct communication with children;
- prepare an ENOC contribution to the regional preparatory process;
- lobby to be part of their governmental delegation to the Special Session;
- select global agenda priorities as a thematic focus of their work.

During the discussion which followed, ENOC members expressed interest in becoming involved in the Special Session and global movement. It was suggested that they use this as an opportunity to strongly encourage all states to establish an independent ombudsperson or commissioner for children. The question of monitoring the commitments made by governments during the Special Session was raised as an important issue, as well as the links with the CRC reporting process.

Following group discussions on this issue, a number of decisions were taken:

- Advocate with UNICEF and states to include in the Global Agenda the ideas that every state should have an ombudsperson for children, that there should be effective systems of monitoring the commitments made, and that these systems should be linked to the CRC reporting process;
- Advocate for the establishment of 20 November as the international day of children's rights;
- Explore the possibility of organising a global meeting of ombudspersons for children at the time of (either just before or just after) the Special Session;
- Send a letter to the Child Rights Caucus containing ENOC's suggestions for the Global Agenda;
- Identify possibilities for ombudspersons for children to be on their national delegations or to be accredited in some other way.

UNICEF agreed to share the draft of the Global Agenda with ENOC members as soon as it becomes available, most likely at the end of November.

## **Role of Ombudspersons for Children in the CRC Reporting Process**

ENOC invited Jaap Doek, Rapporteur of the UN Committee on the Rights of the Child to participate in the meeting and share his views on what the Committee sees as the role of ombudspersons in the monitoring and reporting process. He began by noting that although there is no explicit reference in the Convention to ombudspersons or to the important role they play in monitoring at national level, he considers independent ombudspersons for children as a sort of national counterpart to the CRC Committee. He put forward the possibility that the Committee could prepare a General Comment on monitoring the CRC at national level and the role of ombudspersons, as this is not clearly articulated in the CRC itself. He noted that the Committee would like to see the establishment of an independent ombudsperson for children in every State party.

In terms of the specific contribution of ombudspersons to the reporting process, Jaap discouraged them from involving themselves directly in the drafting of the State party report, stating that this could compromise their independence from the government. He suggested that where they exist, ombudspersons should be systematically invited to participate in the pre-sessional working group, providing an independent commentary on the implementation of the CRC in their country. In addition, they might even be invited to comment directly on the Committee's draft List of Issues.

The ENOC members agreed to send a letter to the Committee requesting a meeting to discuss the role of the ombudsperson in the CRC process, both in the preparation for the sessions with governments and in the follow-up given to the Concluding Observations and recommendations of the Committee. Members agreed that prior to the meeting they would develop a set of minimum standards for ombudspersons for children which could be useful to the Committee when recommending that states consider establishing such offices.

## **ENOC Planning for 2001**

Following a discussion of internal ENOC management and structural issues, the following actions were agreed by ENOC members:

- Members will issue the ENOC statement on unaccompanied children to their national media and politicians. (Statement contained in Annex 4) Any responses or reactions to the statement would be shared with the ENOC Secretariat.
- The Chairperson will draft a letter to the Committee on the Rights of the Child, requesting a meeting with ENOC at its January 2001 session.
- A working group was established to draft a paper on minimum standards for ombudspersons for children (something along the lines of the Paris Principles" for children). This working group will also focus on ENOC's own quality requirements, including membership and election procedures. (Ankie, Louise, Peter and Lesley) This group has already met and a set of draft standards has been circulated to all ENOC members for review.

- ENOC will contribute actively to the preparations for the UN Special Session on Children through commenting on the draft outcomes paper, "A World Fit for Children", writing to the Child Rights NGO Caucus, and exploring possibilities for ombudspersons' participation on national delegations to the Special Session. It will also work with UNICEF to pursue the idea of organising a global meeting of ombudspersons for children/national human rights institutions in New York, around the time of the Special Session.
- The ENOC Chairperson/Secretariat will take more pro-active measures to encourage countries which are seriously considering establishing offices of ombudspersons for children to encourage them and offer advice and assistance.
- The Secretariat will facilitate the drafting and publication of a new ENOC brochure, including more detailed and specific information about ENOC and its members.
- A working group was established to develop a proposal for a permanent ENOC Secretariat, including funding, staffing, functions and location. (Claude, Claire, Ankie and Lesley)

## **Conclusion**

The meeting concluded with the election of next year's meeting host, who will be Claire Brisset, the Defenseur des Enfants of France. The meeting will take place in Paris and is tentatively scheduled for 3-5 October 2001. ENOC also elected the host for 2002, in an effort to allow for advanced planning. The 2002 annual meeting will be hosted by Claude Lelievre, Delegeue General des Enfants of the French Community of Belgium.

## **ANNEX 1**

### **ENOC Activities Update 2000**

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### Conferences and Meetings

#### **CRC 10th Anniversary Commemorative Workshop, Geneva, Sep. 30- Oct. 1**

**1999:** The Workshop was organised by the UN Committee on the Rights of the Child and the Office of the High Commissioner for Human Rights. Within the round table on "Working together for children's rights" there was a presentation on independent offices for children and their role in the implementation of the CRC. This presentation was made by Ankie Vandekerckhove, on behalf of ENOC.

**4<sup>th</sup> Meeting of the Forum for Children organised by the Council of Europe. Strasbourg, 6-7 April 2000:** In this meeting, the Children's Ombudsman in Madrid reported the actions and aims of ENOC and delivered the "Call for action". Also a report was prepared with the issues sent by Austria, Russia, Belgium and Spain which was past on to all members of ENOC, through UNICEF. We are still awaiting the final report of the Council of Europe on this meeting.

**Conference of the European Forum for Child Welfare, Salzburg, May 2000.** The theme of the conference was child welfare in the new millennium. Ankie Vandekerckhove participated on behalf of ENOC, and presented at a workshop on Ombudswork for Children. She presented on how her own office works, as well as reviewed the more general quality requirements for children's ombudswork. The workshop was chaired by the Ombudsman for Children of Sud Tirol in Austria.

**Meeting to plan European strategy in preparation for the UN Special Session on Children, Brussels, June 7 2000:** The meeting was convened by UNICEF to discuss what the EU, European governments, and non-governmental partners are planning with respect to the UN Special Session on Children in September 2001. ENOC was represented by Ankie Vandekerckhove.

**Meeting of Save the Children Alliance, Brussels Sep. 25 2000:** Ankie Vandekerckhove participated in this meeting to share information about her office, as well as ENOC. The meeting discussed the possible Charter of fundamental rights to be drawn up in a EU context. Ankie expressed her doubts about this charter, clarifying that this was her own view, as opposed to that of ENOC collectively. The ensuing debate was a thought provoking one!

### **CALL FOR ACTION**

This statement was sent to all European Heads of State and Heads of Parliament following last year's ENOC annual meeting. Written responses were received by the Secretariat from the following countries:

Germany  
Liechtenstein  
Netherlands  
Poland

In addition, the President of the Parliament of Madrid has answered directly to Javier Urrea, saying that they were taking the Call for Action into account

### **Country Visits**

**Netherlands, Sep. 29 2000:** Ankie Vandekerckhove visited the Dutch Children's Rights Coalition to present ENOC and discuss children's ombudswork. This visit was part of an ongoing debate in the Netherlands, as to whether there should be such a public office. There is still no agreement on this in the parliament and NGOs working in the 'field' are looking for all possible arguments to lobby for an official Children's ombuds-service.

## **ANNEX 2**

### **Call for Action**

**CALL FOR ACTION TO ALL EUROPEAN STATES  
BY THE  
EUROPEAN NETWORK OF OMBUDSPERSONS FOR CHILDREN**

In ratifying the Convention on the Rights of the Child, all European States have taken on detailed obligations under international law to respect the rights of all children in their jurisdictions. Yet, as human rights watchdogs for children across Europe, we see widespread disregard for many of their fundamental rights.

The key challenge for States is to create societies that recognise children as holders of rights, not simply objects of concern. Europe's children deserve more than pious platitudes from their governments. As we enter the second decade of the Convention, the expectation must be that States move rapidly to ensure that all the rights the Convention guarantees are recognised and that all children in all States enjoy those rights, without discrimination.

A growing number of European states are demonstrating their commitment to children's rights by establishing independent human rights institutions for children. ENOC urges each and every European state which has not yet done so to establish such institutions able to effectively monitor, promote and protect children's human rights.

Europe's children's Ombudspersons are calling on all European governments to consider how individually and collectively they can address the following issues, identified by ENOC as demanding immediate attention:

- Governments should invite children to become active participants in all decisions that affect them, in particular in designing schooling appropriate to the new millennium and in the planning of their local communities.
- Children have the same rights as adults to human dignity and physical and psychological integrity: all corporal punishment and humiliating treatment should be prohibited explicitly in every European state.
- The Convention requires that all children in a State's jurisdiction, including asylum-seeking and refugee children, children of "illegal" immigrants, and unaccompanied children have the same human rights as other children.
- ENOC condemns those European states that persist in recruiting under 18 year-olds into their military forces and even sending them into armed conflict: there is a need for a clear Europe and world-wide ban on recruitment of under 18 year-olds.
- Some forms of exploitation of children cross national boundaries; this calls for effective collaborative work by each European Government, for example to combat the dissemination of child pornography through the Internet and abduction and trafficking of children.

- The best interests of affected children should always be a primary consideration before a parent is sentenced to imprisonment. Children who accompany an imprisoned parent should be provided with special protection and support.
- In the light of growing commercial pressures on children governments should develop ethical codes and regulations – national and transnational - to moderate the effects of the market on children and to give them new competencies as consumers.

***Per Schultz Jorgensen***

Past Chairperson  
Chairperson, Danish Council  
For Children

***Javier Urrea***

ENOC Chairperson  
Defensor del Menor de la  
Comunidad de Madrid

***Trond Waage***

Past Chairperson  
Norwegian Ombudsman  
for Children

Madrid, Spain, 30 October 1999

**Sent by ENOC to the Prime Minister and Parliamentary Presidents of each European state, to the President of the European Commission and the Secretary General of the Council of Europe, seeking a detailed action-oriented response in the period between the 10<sup>th</sup> anniversary of the adoption of the Convention on the Rights of the Child – November 20, 1999 and the anniversary of its coming into force – September 15, 2000.**

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ENOC was established in Trondheim, Norway in 1997 as a network of independent offices for children's rights. ENOC currently has member-institutions in Austria, Belgium, Denmark, Finland, Hungary, Iceland, Norway, Portugal, Russian Federation, Spain and Sweden.

Detailed information on existing offices is available through ENOC's web-site [www.ombudsnet.org](http://www.ombudsnet.org) ENOC's Secretariat is provided by UNICEF's Regional Office for Europe, Palais des Nations, CH-1211, Geneva 10, Tel. 41.22.909-5523.

