

# PRIORITIZING ACCESS TO JUSTICE FOR ALL CHILDREN IN EUROPE AND BEYOND

## WHAT WE KNOW AND WHAT CAN BE DONE

### CONFERENCE CONCEPT NOTE

Co-organized by UNICEF and the European Union Agency for Fundamental Rights in partnership with the European Parliament Intergroup on Children's Rights.

Access to justice is a fundamental human right in itself; but it is also an enabling right empowering children to realise the rights enshrined in the UN Convention on the Rights of the Child. Access to justice is also central to good governance, sustainable and inclusive development and the rule of law. As stated by the Committee on the Rights of the Child, 'for rights to have meaning, effective remedies must be available to redress violation... '.

Children in Europe and neighbouring countries continue to have their rights violated, including their right to health, to education and to be protected from violence. Yet, only a fraction of children have access to a fair, timely and effective remedy - in other words, very few have access to justice.

Although much progress has taken place in the recent years, especially through the introduction of child-friendly court procedures in many countries, day-to-day practice often does not fully comply with international and European standards. While extensive resources are invested by national governments, the EU and other partners to strengthen the rule of law and to reform the justice system, only few are devoted explicitly to ensure access to justice for children. Justice systems that are not adapted risk victimising children for a second time, doing more harm than providing redress. The most vulnerable children suffer disproportionately. Access to justice for children is also negatively affected by social norms that still make it difficult for children to initiate legal action and seek redress on their own behalf.

Recent evidence produced by the European Commission, the EU Agency for Fundamental rights (FRA) and UNICEF shows that tailored and targeted measures adapted to children's age, maturity and evolving capacities are needed to ensure that all children in contact with the justice system, whether as victims, suspects, witnesses or parties to any legal proceedings, are protected and assisted in claiming their rights. Evidence also shows that measures are needed to tackle social norms that tolerate violence against children and make it challenging for children to seek and obtain redress.

Policy makers and practitioners from Europe and beyond are invited to discuss the following key questions:

What do we know about children in contact with justice systems in EU Members States?

How do children experience access to justice in enlargement and Eastern neighbourhood countries?

What has been tried and what works in assisting the most vulnerable children in claiming their rights?

What are the most common obstacles facing children, and how can child-specific measures become an integral part of governance and rule of law reforms in the EU and neighbouring countries?

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Brussels, 3 June 2015, EU Thon Hotel, 75 Rue de La Loi

Time	Topic	Speakers
9:00–9:10	Opening Remarks	▶ Ms. Caterina Chinnici, Member of the European Parliament, Co-chair Intergroup on Children's Rights
9:10–9:20	Children's Access to Justice: a matter of rights, rule of law and inclusive development	▶ Ms. Susan Bissell, Associate Director, Chief of Child Protection, UNICEF
<b>Highlights of newly released evidence on children's access to justice</b> <b>Chair: Ms. Caterina Chinnici, Member of the European Parliament, Co-Chair Intergroup on Children's Rights</b>		
9:20–10:00	Study on Children's Involvement in Judicial Proceedings in the EU Study on child participation in criminal and civil judicial proceedings in 10 EU Member States Study on Children's Equitable Access to Justice in Central and Eastern Europe and Central Asia <b>Video:</b> Access to Justice for Children with mental disabilities in Bulgaria	▶ Ms. Ursula Kilkelly, independent expert ▶ Ms. Astrid Podsiadlowski, Head of Sector Rights of the Child, Equality and Citizens' Rights Department, European Union Agency for Fundamental Rights ▶ Ms. Anne Grandjean, Regional Child Protection Specialist, UNICEF Regional Office for Europe and Central Asia
<b>Debate: The way forward – Implications for EU's policies and programming, Moderator: Mr. Brian Maguire</b>		
10:00–10:20	Testimonies: Reaching out to the most vulnerable children and supporting them in seeking redress	▶ Mr. Benoit Van Keirsbilck, President, Defence for Children International ▶ Mr. Oliver Lewis, Director, Mental Disability Advocacy Centre
10:20–10:45	Coffee break	
10:45–12:15	Moderated Debate  What could be the measures taken by the EU to enhance children's access to justice?  How can access to justice for children become an integral part of governance and rule of law reforms in the EU and neighbouring countries?	▶ Ms. Sabina Klaneček, Senior Advisor, Ministry of Justice of the Republic of Slovenia ▶ Mr. Tam Baillie, Scotland's Commissioner for Children and Young People and ENOC Chair ▶ Mr. Bragi Guðbrandsson, Chair, Council of Europe Lanzarote Committee ▶ Mr. Riccardo Serri, Deputy Head of Division, Human Rights and Democracy, EU External Action Service ▶ Ms. Inga Melnace, Counsellor, Justice Affairs, EU Council Presidency, Latvia
12:15–12:25	Conclusions	▶ Mr. Ioannis N. Dimitrakopoulos, Head of Equality and Citizens' Rights Department, European Union Agency for Fundamental Rights
12:25–12:30	Closing Remarks	▶ Ms. Nathalie Griesbeck, Member of the European Parliament, Vice-Chair Intergroup on Children's Rights

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