Rights, Equality and Citizenship Programme

Complementary information for topics

REC-RDAP-CHIL-AG-2016 &

REC-RCHI-PROF-AG-2016

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Theses calls do <u>not</u> aim to support operating costs.

Applicants are required to include clear and explicit references to EU and international law and standards they will adhere to or be guided by in project design, implementation, evaluation and monitoring and explain the project rationale. Proposals are expected to demonstrate expertise in the area and knowledge of challenges and issues.

Given the focus on supporting integrated child protection systems and capacity-building, it is essential that proposals seek to take an **evidence-based approach**, selecting appropriate models and methods, and planning robust evaluation of any new approaches. In writing the proposal, the rationale for the choice of one or other model should be explained. Given the focus on system changes, an integral part of all projects must be planning and implementation of **monitoring of outcomes** for children, so that progress can be measured over time and inform future policy decisions. [1]

Article 12 UNCRC – the child's right to be heard

As well as reinforcing and respecting the child's right to be heard throughout all project activities, where possible, and with the necessary safeguards in place, project design should involve children who are service users. Review processes should also involve children or young adults who previously accessed services for victims. This means embedding the child's right to express his or her views freely in all matters affecting the child as well as the child's right to be heard in any judicial and administrative proceedings affecting the child, in accordance with Article 12 of the United Nations Convention on the Rights of the Child. As well as reinforcing and respecting the child's right to be heard throughout all project activities, where possible, and with the necessary safeguards in place, project design should include involve children who are service users. Review processes should also involve children.

Moreover, proposals must seek to facilitate and ensure children's effective participation and their right to be heard, in line with the Council of Europe child-friendly justice guidelines, which state that *"All professionals working with and for children should receive necessary interdisciplinary training on the rights and needs of children of different age groups, as well as on proceedings that are adapted to them. Professionals having direct contact with children should also be trained in communicating with them at all ages and stages of development, as well as with children in situations of particular vulnerability".*

In 2015, the Commission published its study on legislation, policy and practice on child participation in the 28 Member States of the EU. The child-led part of the research documents the direct and immediate benefits for children as a result of their participation, as well as wider benefits including empowerment and involvement in decisions that affect them, inclusion of marginalised children, active citizenship, better decision- and policy-making by adults and better services for children. The study resource catalogue provides a compilation of resources identified during the research that can be filtered by age group/type of participation/geographical scope/sector/setting or vulnerable group.

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[1] See bibliography example

The Commission study on children's involvement in criminal, civil and administrative judicial proceedings documents legislation and policy on the treatment of child victims, including their right to be heard, in the 28 Member States of the EU. The FRA study on child-friendly justice reports on the situation of child victims/witnesses from the perspective of primary research including interviews with judicial and other professionals.

BIBLIOGRAPHY

Relevant standards and documents for these calls include:

General
1. EU acquis on the rights of the child: :http://ec.europa.eu/justice/fundamental-rights/files/acquis_rights_of_child.pdf (in particular the Victims' rights directive 2012/29/EU Directive 2011/93/EU on child sexual abuse and exploitation and Directive 2011/36/EU on trafficking in human beings)
2. DG Justice website on rights of the child: http://ec.europa.eu/justice/fundamental-rights/rights-child/index_en.htm;
3. UN Convention on the rights of the child: http://www.ohchr.org/EN/professionalinterest/pages/crc.aspx
4. HUDOC database; case law of the ECtHR: http://www.echr.coe.int/Pages/home.aspx?p=caselaw/HUDOC&c=
5. European Law Handbook on rights of the child**:** FRA/CoE/ECtHR Handbook on European law relating to rights of the child http://fra.europa.eu/en/publication/2015/handbook-european-law-child-rights
6. Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (the Lanzarote Convention)
7. Applicants should take account of compilation on previous funding in this area: http://ec.europa.eu/justice/fundamental-rights/files/rights_child/compilation_previously_funded_projects_rights_of_the_child_and_violence_against_children.pdf

Children's houses
1. 2015 European Forum on the rights of the child report (including detailed report for Session III) and all Session III presentations: http://ec.europa.eu/justice/fundamental-rights/rights-child/european-forum/ninth-meeting/index_en.htm
2. http://ec.europa.eu/justice/fundamental-rights/files/rights_child/9th_b_gudbrandsson.pdf
3. http://www.bvs.is/media/barnahus/Dublin,-sept.-2013.pdf
4. National Children's Alliance standards for accredited members (revised 2011) and National Children's Alliance standards for accredited members (revised 2015, effective 2017)

Child-friendly justice
8. UN Committee on the rights of the child General Comment No 10: http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.10.pdf;
9. Council of Europe Guidelines on child-friendly justice: http://www.coe.int/t/dghl/standardsetting/childjustice/publicationsavailable_en.asp;

10. e-Justice Portal page on child-friendly justice: https://e-justice.europa.eu/content_rights_of_the_child-257-en.do?clang=en
11. DG Justice webpage on child-friendly justice http://ec.europa.eu/justice/fundamental-rights/rights-child/friendly-justice/index_en.htm;
12. Future directive on procedural safeguards for children suspected or accused in criminal proceedings: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CONSIL:ST_15272_2015_INIT&from=EN;
13. Study on children's involvement in criminal, civil and administrative judicial proceedings in the 28 Member States of the EU: **Data:** www.childreninjudicialproceedings.eu ; **Reports:** Policy brief - Children's involvement in administrative judicial proceedings (June 2015) EU Summary and 29 country reports - Children's involvement in civil judicial proceedings (June 2015) EU Summary and 29 country reports - Children's involvement in criminal judicial proceedings (June 2014) EU Summary and 29 country reports
14. FRA study (May 2015) Child-friendly justice – Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States

Alternative care/family-based/foster care for unaccompanied children

1. UN Guidelines for the alternative care of children http://www.unicef.org/protection/alternative_care_Guidelines-English.pdf
2. NIDOS RLF project See NIDOS mapping of family based care: http://engi.eu/projects/reception-and-living-in-families/
3. NIDOS Alfaca (capacity-building): http://engi.eu/projects/alfaca/

Guardianship

4. COM/FRA Handbook guardianship for children deprived of parental care: http://ec.europa.eu/dgs/home-affairs/e-library/docs/guardianship_for_children/guardianship_for_children_deprived_of_parental_care_en.pdf
5. FRA Report guardianship systems for children deprived of parental care in the European Union: http://fra.europa.eu/en/publication/2015/guardianship-children-deprived-parental-care

Child participation

15. Commission study evaluating legislation, policy and practice on child participation in EU28: Final report - Children and young people's summary - Research summary - Resource catalogue - Reports for each of the 28 Member States
16. Inclusion Europe participation rights children with disabilities http://www.childrights4all.eu/?page_id=114
17. Welsh examples cited above: http://www.ssiacymru.org.uk/home.php?page_id=4769 and http://www.participationworkerswales.org.uk/
18. Laura, Lundy (2007) '"Voice" is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child', British Educational Research Journal, 33:6, 927- 942
19. Lundy Model of Participation and Lundy Voice Model Checklist: http://ec.europa.eu/justice/fundamental-rights/files/lundy_model_child_participation.pdf
20. Ireland, Department of Children and Youth Affairs, National Strategy on Children and Young People's Participation in Decision-Making 2015-2020 (17 June 2015), p. 21-22. Accessible here:

http://dcya.gov.ie/documents/playandrec/20150617NatStratParticipationReport.pdf and Lundy Model of Participation and Lundy Voice Model Checklist: http://ec.europa.eu/justice/fundamental-rights/files/lundy_model_child_participation.pdf

Integrated child protection systems

21. DG JUSTICE website on child protection systems: http://ec.europa.eu/justice/fundamental-rights/rights-child/protection-systems/index_en.htm;

22. Ten principles for integrated child protection systems http://ec.europa.eu/justice/fundamental-rights/files/2015_forum_roc_background_en.pdf

Child safeguarding policies

23. Keeping Children Safe standards: http://ec.europa.eu/justice/fundamental-rights/files/rights_child/standards_child_protection_kcsc_en.pdf

Monitoring of outcomes

24. See, for example, http://reclaimingfutures.org/resources/evaluation