Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1460 (2000)[1]

Setting up a European Ombudsman for children

Parliamentary Assembly

1. The Council of Europe recently celebrated fifty years of existence and work, in particular in the field of standard setting. Many of its conventions, resolutions and recommendations, whether of the Committee of Ministers or the Assembly, have been concerned exclusively or in part with children and their rights. There is also the United Nations Convention on the Rights of the Child, now ten years old. What stage has its implementation reached?

2. It is clear to the Assembly that there is still a gulf between declared principles and reality. For many children in Europe, everyday life consists of prostitution, labour and poverty, while others are cooped up - undernourished and deprived of education - in refugee camps or disabled for life by landmines.

3. This is a state of affairs we must try to do something about. New means must be found of translating countries' commitments into national reality. Children have rights and they should have some way of making their voice heard if those rights are denied them, which implies legislation, initially at national level, that effectively protects children.

4. Some states - as yet too few - have accordingly created the post of children's ombudsman and are clearly making progress with regard to protection of minors. Parliamentary Assembly Recommendation 1286 (1996) on a European strategy for children strongly urged that such posts be created at national level, with guarantees of the independence and professionalism necessary to effect a real improvement in children's circumstances.

5. The task of those working on behalf of children is complicated by globalisation, by the complexity of relations between states and by the use being made of new technologies. A European network linking the small number of children's mediators already appointed is attempting to respond to the challenges through exchange of information and co-operation.

6. In 1996, following the Dutroux case (see Resolution 1099 (1996) on the sexual exploitation of children), the Assembly drew attention to the need apparent at that time for European-level co-ordination and, echoing the European Parliament, advocated creating the office of European Children's Ombudsman. The Council of Europe, whose mission is to protect human rights, is the most appropriate organisation to accommodate such an institution, which must be independent and must have powers of initiative.

7. The tasks of the ombudsman's office would be to promote awareness and implementation of the various conventions on children's rights, to advise and support all involved in policies for children, to assess the impact on children of different policy options and to devise specific strategies, particularly for the promotion of education for peace and non-violence.

8. The Assembly therefore recommends that the Committee of Ministers:

8.1. ask those member states that have not yet done so to appoint a national children's ombudsman;

8.2. create within the Council of Europe, under arrangements to be specified, the post of European Children's Ombudsman, to be filled by a person of European standing whose task it would be to champion the cause of children.

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1. Assembly debate on 7 April 2000 (16th Sitting) (see Doc. 8552, report of the Social, Health and Family Affairs Committee, rapporteur: Mrs Pozza Tasca). Text adopted by the Assembly on 7April 2000 (16th Sitting).