



Recommendation 1561 (2002)¹

Social measures for children of war in south-eastern Europe

Parliamentary Assembly

1. The decade-long conflict on the territory of the former Yugoslavia has severely affected children, leaving up to 20 000 children dead (16 000 in Bosnia and Herzegovina alone) and many more without one or both parents. A regional refugee problem of massive proportions continues with more than 2 million refugees and internally displaced persons. The return and integration of displaced families, in particular those belonging to ethnic minorities, continue to be impeded by limited financial resources for the reconstruction of housing and alternative accommodation, by problems of recovery of property and dwellings, by the complexity of administrative procedures and by the uncertainties of welfare systems, which contribute to sustaining discriminatory practices in certain areas.

2. The most recent outbreak of violence in “the former Yugoslav Republic of Macedonia” uprooted over 140 000 persons from their homes. A humanitarian disaster was only narrowly averted following the Framework Agreement of August 2001. Around 100 000 people have returned since, but the situation remains extremely fragile.

3. Those tragic events have had a direct and acute impact on children’s rights as defined in the United Nations Convention on the Rights of the Child, including the rights to life; to shelter; to non-discrimination; to nationality; to non-separation from parents against the child’s will; to freedom of thought, conscience and religion; to protection against unlawful attacks on family privacy; to access to free healthcare; to access to education respectful of human rights; and to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development. Moreover, the children of war appear to be particularly exposed to trafficking and exploitation, notably sexual exploitation, and of deviant behaviour, such as drug addiction and delinquency.

4. Although the countries in the region have signed and ratified the United Nations Convention on the Rights of the Child, the extent to which each country has established mechanisms for promoting the rights of the child varies in terms of the content of their national action plans, the appropriate structures and mechanisms set up to implement the plan, and the extent to which dialogue has been established with interested parties. Implementing the convention should be an opportunity to develop a new, community-based and child-focused approach in national policies.

5. The creation of ombudsman’s offices in Croatia and Bosnia and Herzegovina has shown results in both bringing the acute problems of violation of the rights of the child to the attention of relevant political and administrative bodies as well as helping to resolve problems on a case-by-case basis. The National Council for Children, an advisory body to the Government of Croatia, has also been a successful example of co-ordination and dialogue between various state agencies, non-governmental organisations and experts, in view of resolving many acute problems faced by children.

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 29 May 2002 (see [Doc. 9454](#), report of the Social, Health and Family Affairs Committee, rapporteur: Mrs Biga-Friganovic, and [Doc. 9457](#), opinion of the Committee on Migration, Refugees and Demography, rapporteur: Mrs Vermot-Mangold).



6. The impact of war on services for the protection of children and their rights has been complex. Provision of adequate schooling, healthcare, day-care service, social welfare for families, and all other factors contributing to a healthy childhood, have been seriously affected. Refugee or displaced children belonging to ethnic minorities, including Roma communities, seem particularly vulnerable in this respect. In general terms, services have been fundamentally reduced and stretched, also affecting the quality of service provided.

7. The standard of family allowances designed to offset the risk of social exclusion has generally deteriorated. For example, in some parts of Bosnia and Herzegovina, child benefits for some 100 000 children are less than €2 per month.

8. While children have a legal right to free healthcare, this right is often limited in practice. This is due partly to the complexity of the insurance schemes, but from a medical point of view it results primarily from the absence of proper facilities, equipment and medication, as well as from a lack of essential funds.

9. Psycho-social assistance to children traumatised by the war was provided on an emergency basis. While many non-governmental organisations and state agencies have gathered diverse experience in this field, there has been no evaluation of the results achieved or any systematic follow up. It now remains to continue this work with a more holistic approach to mental health and to provide long-term support and assistance for more than 1 million children and young people who suffer the consequences of war.

10. The Assembly expresses concern about the continuing social and ethnic tensions, which are particularly evident in the functioning of education systems. Peace education and education for citizenship are still more present in NGO-led non-formal education than in mainstream education. The introduction of such approaches highlights the need for a wider reform of curricula in schools, in terms of both the content and process of teaching and learning.

11. The Assembly believes that marginalisation and social exclusion of children and adolescents represent serious risks, which it is important to counter by means of a dynamic prevention policy. Special attention must be paid to lone mothers and children and lone adolescents.

12. The Assembly recognises the crucial role of non-governmental organisations involved in social initiatives related to children and youth, health care, humanitarian aid, human rights and those involved in community-based initiatives (advocacy, solidarity, self-help, etc.).

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

support the activities undertaken by the Governments of Bosnia and Herzegovina, Croatia, "the former Yugoslav Republic of Macedonia" and the Federal Republic of Yugoslavia in order to :

- a. give the rights of the child a political priority and to fully implement the Convention on the Rights of the Child;*
- b. institute an office of ombudsman for children in co-operation with the European Network of Ombudsmen for Children (ENOC) and implement the recommendations made by this institution;*
- c. undertake reforms to rationalise the welfare system without jeopardising access to basic social rights as enshrined in the Council of Europe's social protection instruments;*
- d. support the role of non-governmental organisations and establish clear national legislation defining the prerogatives and responsibilities of non-governmental organisations and mechanisms of co-operation, while maintaining the responsibility of the state to provide for social welfare and to ensure the effective implementation of the rights of the child;*
- e. strive to ensure access to adequate shelter, wholesome food and clothing for every child;*
- f. strive to ensure access to free healthcare for every child;*
- g. strive to ensure that welfare services for children are equitable throughout each country;*
- h. establish or recognise identity papers for every child;*
- i. strive to ensure the application of anti-discrimination measures in education, health, social policy and more widely, and strengthen the corresponding inspectorates;*
- j. develop a more holistic approach to mental health and provide facilities for systematic and longer-term psycho-social counselling of children and their families who suffer the consequences of war;*

- k. *encourage non-formal education to respond to the specific needs of children affected by war – such as reintegration through remedial classes and psycho-social assistance – and develop links to mainstream education whenever possible;*
- l. *initiate far-reaching reforms with a view to the modernisation of education systems founded on tolerance and cultural diversity, so as to ensure that education fulfils its role of fostering integration and children's development, and include vocational education in the scope of these reforms;*

recommend to the Governments of Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and “the former Yugoslav Republic of Macedonia” that, in co-operation with the relevant international organisations and non-governmental organisations, they step up their efforts to combat trafficking and exploitation of children and criminal activities affecting them (prostitution, drugs, delinquency, etc.);

urge the Governments of Bosnia and Herzegovina and the Federal Republic of Yugoslavia, to follow the initiatives of Croatia and “the former Yugoslav Republic of Macedonia” in requesting technical assistance from the Council of Europe with a view to developing their social protection systems in line with Council of Europe principles and standards;

regarding the activities of the Council of Europe :

- a. *strengthen longer term support for the activities of the intergovernmental sector with a view to reaffirming principles of democracy, civil society, tolerance, respect for law and human rights in South-eastern Europe, by means of education, local democracy initiatives, child-related, youth and NGO activities as well as through the recently established framework for co-operation in the field of social cohesion;*
- b. *use the work on promoting children’s policy in the Council of Europe as a basis for constructing a children’s agenda in South-eastern Europe in co-operation with the countries concerned, the European Union and Unicef;*
- c. *instruct the Pompidou Group to extend informal contacts with “the former Yugoslav Republic of Macedonia”, Bosnia and Herzegovina and the Federal Republic of Yugoslavia in order to assist them in creating effective drug policies;*

regarding the Stability Pact for South Eastern Europe, make efforts to :

- a. *ensure that children’s rights are made an integral part of its work, with special emphasis on modernisation of school systems;*
- b. *provide funding for the co-ordination of social security schemes within the Social Cohesion Initiative of the Stability Pact Working Table II.*

14. The Assembly encourages member states and non-member countries having legal access to the Council of Europe Development Bank to make use of this instrument with a view to improving conditions for the return and integration of refugees and displaced persons in South-eastern Europe.

15. The Assembly invites the international community and individual donor countries to step up their support for reconstruction and humanitarian aid in the regions of South-eastern Europe most severely affected by war, ensuring, in particular, that their activities benefit all the communities on an equal footing.

16. The Assembly welcomes the co-ordination work of the European Union and the World Bank to steer the financial support for the region of South-eastern Europe and recommends that international organisations ensure that the specific needs of children are addressed in their activities.