



## Recommendation 1698 (2005)<sup>1</sup>

# The rights of children in institutions: follow-up to Recommendation 1601 (2003) of the Parliamentary Assembly

Parliamentary Assembly

1. The Parliamentary Assembly draws attention to the content of its previous [Recommendation 1601 \(2003\)](#) on improving the lot of abandoned children in institutions, adopted in April 2003, and reaffirms the relevance and current validity of the various recommendations and proposals to member states and to the Committee of Ministers of the Council of Europe contained in that text.
2. The Assembly notes with satisfaction the reply to its proposals by the Committee of Ministers of the Council of Europe ([Doc. 9939](#)), which is currently preparing a recommendation to the member states on this matter. It sees this as the expression of the political will to give the rights of children living in institutions appropriate weight and priority. It also takes note of the various forms of financial support provided by the Council of Europe Development Bank to member states which are de-institutionalising abandoned children and setting up alternative forms of care for them.
3. It points out that the highest priority must be given to ensuring that progress is made in improving the quality of education and care provided in institutions and of closing pedagogically unsuitable, unsanitary and dilapidated institutions. When children are placed in families, it must be ensured that this constitutes a better alternative to placement in an institution. Placement in living groups and Children's Villages must also be taken into consideration as further possibilities. The top priority when making this choice must be the best interests of the child. De-institutionalisation must be complemented by welfare measures and benefits to help children to reintegrate families and by alternatives to institutions. The aim is not to empty institutions at all costs, however, since some children will always need institutional care.
4. It stresses that the problem of children living in institutions is common to all member states of the Council of Europe and that no member state can claim to be beyond criticism in this field. However, one cannot fail to notice that in some member states, and especially in the recent post-communist democracies, the situation of such children is still particularly disturbing and necessitates further substantial progress.
5. In these countries, despite undeniable progress, the abandonment and placement of children in institutions, particularly those with disabilities, still continues due to the problems, primarily economic, faced by families, the absence or inadequacy of social benefits and the difficulty of changing people's attitudes. The victims of such practices are very often children from ethnic minorities.
6. The Assembly welcomes the fact that the upcoming accession to the European Union of certain candidate countries has put the political spotlight on the plight of children in institutions and that funds are being allocated to improving it. However, this assistance will shortly be discontinued and it questions the political will and ability of these countries to take over the task and consolidate and build upon the progress made.
7. It is also concerned about the number and the fate of children in institutions in other European countries which are not European Union applicant states. The fate of children in institutions has ceased to be a matter for the social welfare field and has now become first and foremost a human rights issue which gives the Council of Europe an important role in this respect.

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1. Assembly debate on 25 April 2005 (9th Sitting) (see [Doc. 10452](#), report of the Social, Health and Family Affairs Committee, rapporteur : Mr Hancock). Text adopted by the Assembly on 25 April 2005 (9th Sitting).



8. The Assembly therefore recommends that the Committee of Ministers of the Council of Europe :
- expedite the work of preparing and adopting the draft recommendation on the rights of children living in institutions and provide for a mechanism to supervise the implementation of this recommendation ;*
  - add the rights of children living in institutions to the subjects covered by the thematic monitoring report ;*
  - develop intergovernmental co-operation programmes for children in institutions, addressing the development of alternatives to institutionalisation ; family and social policy measures for families aimed at preventing abandonment; and the integration into society and the labour market of young adults who have spent their whole lives in institutions ;*
  - ask the member states to create institutions responsible for supervising and providing advice to institutions (homes, living groups, residential communities, Children's Villages, etc.) as well as foster and adoptive parents in order to protect the rights of the children concerned. These institutions should develop binding guidelines, with the participation of all parties concerned (including the children), aimed at monitoring the extent to which assistance is being provided in a targeted manner ;*
  - make an urgent appeal to sponsors throughout the international community – European and international institutions, NGOs, etc. – to continue their financial efforts on behalf of children in institutions ;*
  - urge sponsors and the European Union in particular to ensure that European funds granted to the various European states for children in institutions actually reach their proper destination and to regularly verify the use of such funds.*