

Second draft, April 1, 2001

The Berlin Commitment for Children of Europe and Central Asia

Recognising that considerable progress has been achieved during the past decade in fulfilling the rights of **the child** throughout **Europe and Central Asia**, in particular with regard to commitments taken at the **1990** World Summit for Children and the obligations of the Convention on the Rights of the Child, **universally ratified by countries of Europe and Central Asia**,

Welcoming the important contribution of civil society, non-governmental organisations and the private sector, **and of regional and international organisations**, especially the United Nations, to the implementation of the Convention of the Rights of the Child,

Noting that children throughout Europe and Central Asia are increasingly acknowledged as rights-holders, and that legal frameworks and administrative policies and practices progressively respect the right of the child to participate in social life and to partake in the decision-making processes which affect their lives,

Aware of the fact that our countries share many common problems that have a bearing upon the effective implementation of the rights of the child, **including the problem of inequality in distribution of income and in access to health care and education within and between countries of Europe and Central Asia**,

Also aware of the fact that much still needs to be done by governments, civil society and other partners to protect children from violence, abuse and discrimination, to combat poverty and HIV/AIDS, to improve the health and social environment for children as well as the quality and relevance of education,

Stressing that in many countries poverty, economic and social disparities, **the breakdown of the family structure, as well as lack of opportunities for leisure and recreation** limit the chances of children and young people **to reach adulthood, to enjoy their rights, including development of their personality and mental and physical abilities**, and to fully develop their potential; **and that proactive measures are needed to address such gaps**,

Recognising that in many countries declining public expenditure has affected the social support **and services** available to children and weakened the quality of education and **health** care systems, **and that where appropriate, these systems need major reform**,

Stressing the need to ensure support, including through the restructuring of national budgets and international aid flows for further elaboration and implementation of programmes aimed

at promoting and protecting the rights of the child in the countries of Europe and Central Asia,

Concerned that an increasing number of children are being deprived of their right to grow up in a healthy, **safe and supportive family and community** environment resulting in increasing numbers of children at risk of **all forms of abuse, exploitation and violence, such as sexual and economic exploitation, the worst forms of child labour, trafficking and homelessness,**

Noting that in many countries the numbers of children in public care are increasing, and that evidence shows significant increases in morbidity, stunting of growth and development delay in these children,

Aware of the negative impact of an increasing **level of substance abuse**, including alcohol and tobacco, on children's and young people's **physical and mental health,**

Recognising the importance of protecting children from environmental threats such as chemical contamination and nuclear pollution and of ensuring that children and future generations grow up and live in an environment that is conducive to the highest attainable level of health,

Stressing that HIV/AIDS continues to spread in many countries of Europe and Central Asia, and that **a considerable percentage of all those who become infected with HIV are under 18 years of age,**

Recognising that children belonging to **racial, ethnic or religious** minorities, internally displaced, refugee **and migrant** children, children with disabilities **and stateless children** are at a special risk of being victims of discrimination, **and are in need of, and have the right to, special protection,**

Concerned that **internal and intra-state conflicts and natural disasters** continue to **affect and destroy** the lives of millions of people, **including many children** in the countries of Europe and Central Asia, and that numbers of vulnerable children are growing, **while at the same time welcoming the growing international awareness of the protection needs of children in these circumstances,**

Aiming to contribute **in collaboration with UN agencies, NGOs and children themselves** to the preparations for the United Nations General Assembly Special Session on Children, that will take place in New York in September 2001, and **to** further the development and implementation of actions for children and young people in the next decade,

We, the participants of the Inter-Governmental Conference on Children In Europe and Central Asia (Berlin, 16-18 May 2001) affirm our commitment to the following:

1. To take all measures in order to ensure the full implementation of the Convention on the Rights of the Child, and to ratify as soon as possible the two Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts and on the Sale of Children, Child Prostitution and Child Pornography

2. Ensure **ratification and full implementation of the ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the ILO Convention No. 138 on the Minimum Age for Admission to Employment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Elimination of all Forms of Racial Discrimination.**

3. Urge countries which have not yet done so to sign and ratify the 1993 Hague Convention on child protection and co-operation on international adoption, and urge those States which have signed this Convention to ensure the establishment of adequate mechanisms for the application of the Convention, including the necessary legal reforms conducive to the full implementation of the Convention.

4. Develop comprehensive national strategies for the implementation of the rights of the child, including appropriate data collection; adjust legislation to ensure that the principle of the best interests of the child and other norms of the Convention on the Rights of the Child are adhered to, and that training activities and awareness among relevant professionals and partners are promoted with respect to the implications of the Convention on the Rights of the Child.

5. In order to call attention to the principle of the best interests of the child, strengthen ministries in charge of child matters, other governmental as well as civil society structures for children and young people, including independent children's rights commissioners, focal points for children and other mechanisms, and the development and implementation of comprehensive national strategies for children's rights, especially these which promote equality between the boy and girl child.

6. Recognise and facilitate the voluntary initiatives of civil society, including the private sector, that benefit children.

7. Mainstream a gender perspective in all programmes and policies, and promote the equality between the girl and boy child, while putting special emphasis on the realisation of the rights of the girl child.

8. With the guidance of and recognising the crucial role that parents, guardians and those who have responsibility for children and young people, make every effort to support and

facilitate **the rights of children to participate** in all relevant decision-making processes, in accordance with their age and maturity, ensure that their views are taken into consideration on all matters that concern them, **including in all administrative procedures that concern them.**

9. In the overall framework of national development plans and the 20/20 Initiative, ensure substantive budgetary allocation to the maximum extent of available resources to families as well as to health and education sectors and other social services, thereby giving priority to the eradication of poverty and social exclusion affecting children; and call for greater transparency in spending on children as a proportion of national budgets.

10. Assist the family in its supporting, educating and nurturing roles and in contributing to social integration , and this help should involve (a) encouraging social and economic policies that are designed to meet the needs of families and their individual members, especially the most disadvantaged and vulnerable members, with particular attention to the care of children; (b) ensuring opportunities for family members to understand and meet their social responsibilities; (c) promoting mutual respect, tolerance and cooperation within the family and within society; (d) promoting equal partnership between women and men in the family.

11. Promote family policies which also recognise the role of the fathers; ensure development of policies and strategies that enable women and men to share work and family responsibilities equally; provide support to families with children; put particular emphasis on special support to all children and families living in difficult circumstances, whether within families in difficult circumstances or outside the family unit; fight against parental abductions and defend the right to personal contacts between parents and children across national boundaries; ensure that the rights of children of divided families are respected through accession to the Hague Convention on Child Abduction of 1980 and its implementation.

12. Ensure that wherever possible children have the opportunity to be brought up in family settings in their own countries as opposed to institutions or foreign adoptive families, and that families be given appropriate support, and adopt national strategies for alternative care, including reform or closure of institutions which are not child-friendly.

13. Implement programmes to protect children and adolescents from growing health risks, reduce infant and child mortality and morbidity due to preventable diseases and accidents, in line with the targets set out in WHO Health 21; and undertake effective policies and preventive measures against tuberculosis, anaemia and iodine deficiency.

14. Pursue effective information and risk-awareness programmes to fight against the HIV/AIDS pandemic, integrate AIDS prevention into a comprehensive concept for sex education; promote the preferential provision of medical drugs to children living with HIV/AIDS, adopt effective measures to prevent the direct transmission of HIV/AIDS from mother to child, provide special assistance to children orphaned by HIV/AIDS, and promote and support the psycho-social care of children infected with HIV and suffering from AIDS,

including those children whose mothers were infected with HIV at the time of the birth, from whom no diagnosis has yet been possible.

15. Enable children to use media and new technologies with competence, and also conduct research on the impact of such new technologies on children; protect children from violence and pornography in the media and on the Internet, including through effective national legislation..

16. Protect all children, irrespective of the social and economic conditions they live in from environmental threats; additionally create child-friendly urban and rural environments which enable all infants and young children to have access to a range of play and informal learning opportunities both at home and within their local communities, and which by taking appropriate measures to prevent accidents, generally improve health and environment in rural and urban areas.

17. Focus special attention on protection and support of children with disabilities, and ensuring that children with disabilities are accepted and integrated as members of civil society with the same entitlements and with unimpeded access to basic health, education services and amenities.

18. Sustain and further increase access to free and compulsory good quality education up to the minimum age for entering into employment, while ensuring that children get the opportunity to learn in a safe and secure environment which fosters creativity, learning and social abilities and promotes their well being; ensure that all students receive instruction of high standard which provides the necessary support to ensure inclusion and equal opportunities for children of minorities, refugee and displaced children as well as disabled children; prevent drop out.

19. Protect children from hazardous work, which can harm health and safety; elaborate and implement strategies for the elimination of child labour contrary to accepted international standards, giving special attention to specific dangers faced by girls, as well as to the rehabilitation and social reintegration of the children, bearing in mind that education is a key strategy for combating child labour.

20. Take all necessary measures to eliminate all forms of discrimination on the basis of race, language, religion or sex, and exclusion by focusing on overcoming disparities; establish active and effective policies to eliminate racism, racial discrimination, xenophobia and related intolerance, support the World Conference on Racism, and ensure the reintegration of marginalized children, street children and children living in state institutions.

21. Take all necessary political, legislative and financial measures in order to end all forms of violence against children, by State and non-State actors, including corporal punishment and domestic violence; take active educational and other measures to ensure effective protection of children from all forms of sexual abuse, physical and economic exploitation; end trafficking

of children without criminalising child survivors and ensure comprehensive rehabilitation and social reintegration of affected children; and call for ratification of the UN Convention Against Transnational Organised Crime and its two protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Illegal Exploitation of Migrants as soon as possible.

22. Implement policies that respect and protect the rights and special needs of refugee, asylum-seeking and internally displaced children, children affected by armed conflicts, unaccompanied children and children deprived of parental care by policies addressing their special needs, and provide quality extra-familial care services (quality foster care and residential care services), and address the specific needs of orphans and unaccompanied minors as illegal immigrants.

23. Ensure that distinct juvenile justice systems are established which focus on rehabilitation and reintegration, using deprivation of liberty only as a last resort and for the minimum possible period, thereby fully applying international standards, and reduce drastically the numbers of young people in Europe and Central Asia in prisons, while co-operating to improve trial procedures and the justice standards for child victims.

24. Call for continued international co-operation and support for social and economic development and poverty eradication, including the reaffirmation to strive to fulfil the yet to be attained, internationally agreed target of 0.7 percent of the gross national product of developed countries for overall official development assistance as soon as possible with the aim of increasing the flow of resources for the benefit of children.

25. Suggest that as many countries as possible make 20 November the International Day for the Rights of the Child.

We have set an ambitious agenda for ourselves, recognising that children are citizens in their own rights and that investing in their development is the key to building a peaceful and prosperous Europe and Central Asia. We must now take **the legislative, administrative and other actions necessary to realise these aims, and to monitor progress and difficulties.**

This will require commitments of time, energy and resources. **We commit ourselves to meeting our obligations under the Convention on the Rights of the Child and thus to ensuring that all children in Europe and Central Asia enjoy their rights. We will seek to engage all elements of civil society in the challenges this task presents. We recognise that our commitments can only be achieved with the full and active involvement of children and young people themselves.**

We pledge ourselves to this task, and will work to create a Europe and Central Asia that is fit for children.