

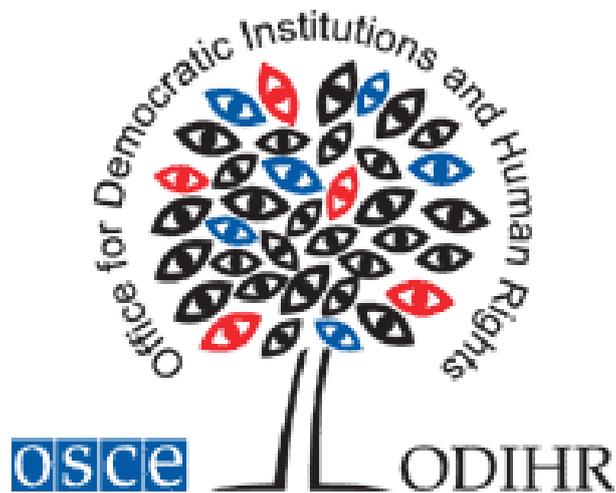
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## **OSCE Human Dimension Seminar**

### **RIGHTS OF THE CHILD: CHILDREN IN SITUATIONS OF RISK**

**Warsaw, 11-12 October 2017**



**CONSOLIDATED SUMMARY**

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## 2017 OSCE HUMAN DIMENSION SEMINAR

Rights of the child:  
children in  
situations of **RISK**  
Warsaw, 11 - 12 October 2017



11 October,  
Wednesday



10:00 a.m. - 1 p.m.

### Opening plenary session



**Ambassador  
Christian  
Strohal**  
Special  
Representative  
for the OSCE  
Chairmanship

“ We need to find ways and means to prevent situations of risk. By providing children with knowledge, digital literacy, skills and understanding through human rights education they are given agency to protect themselves. Empowering children and youth to develop the life skills they need is well worth our efforts. ”



**Jacek  
Czaputowicz**  
Undersecretary of State,  
Ministry of Foreign Affairs, Poland

“ Poland, as one of the authors of the Convention on the Rights of the Child, remains committed to the fight against violence, abuse and exploitation of children, including in conflict-related situations. ”



**Ingibjörg  
Sólrún  
Gísladóttir**  
Director,  
OSCE/ODIHR

“ We often hear that children are our future. But it doesn't take a very skilled observer to see that this future is in danger, as many children across the OSCE region continue to lack protections to which every child is entitled. All stakeholders – governments, civil society organizations, educators and parents – have to do more to address this situation. ”



### Working group I: Children deprived of liberty



3 - 6 p.m.

### Working group I (cont.)

12 October,  
Thursday



10:00 a.m. - 1 p.m.



### Working group II: Trafficking in children



3 - 6 p.m.



### Working group III: Strategies for preventing situations of risk

### Closing plenary session



**Katarzyna  
Gardapkhadze**  
First Deputy  
Director,  
OSCE/ODIHR

“ There is a broad consensus on the crucial importance of supporting children. But there is also a clear need to take further steps to respond to increasing risks for children's human rights. Strong partnership between governments and civil society organizations is key to making this response effective. ”

### Keynote closing address



**Manfred Nowak**  
UN Independent  
Expert leading  
the Global Study  
on Children  
deprived of  
Liberty

“ Millions of children are languishing in prisons, detention centers and institutions around the world. Every one of these children is at great risk of irreversible harm. Even short periods of detention can profoundly impair healthy developments in children, and the lasting impact can rob them of their rightful chance to live productive lives. Yet we know so little about these children and about their lives. The UN Global Study aims at identifying the magnitude of the phenomenon, raising awareness, creating international sound policies and sustaining meaningful change in the lives of children deprived of liberty. ”



This visual is based on agenda information for the 2017 OSCE Human Dimension Seminar. For more information, please visit [www.osce.org/odihr/hds\\_2017](http://www.osce.org/odihr/hds_2017).

## OVERVIEW

### Topic and challenges

The Human Dimension Seminar on the Rights of the Child: Children in Situations of Risk (Warsaw 11-12 October 2017) provided an opportunity for experts, representatives of the OSCE participating States, OSCE institutions and field operations, international organisations and civil society actors to address some of the key issues related to this topic. It aimed to address particular situations of risk for children's human rights and to provide a platform for discussion on how to address and mitigate them, including in the context of deprivation of liberty, trafficking in children, in the school environment or online, as well as to discuss good practice examples of existing strategies for preventing situations of risks.

The rights of the child remain an important issue of the OSCE human dimension agenda. A dedicated session on this topic has been organised during the Human Dimension Implementation Meeting in 2016. This year's Seminar showed that the topic remains timely and necessary to discuss and address new developments, including in relation to the ongoing migration crisis in Europe and related challenges with regard to situations of risk and the protection of children's human rights.

Panellists, keynote speakers and the debaters made a particular valuable contribution to the discussions. They all emphasized that children should have a voice and their views should be heard in the drafting of policy and legislation which directly impacts them. Many speakers suggested that there is a need for a human rights and victim-centred approach in all aspects of child protection. Also the role of civil society has been highlighted in the protection of children deprived of liberty, and in combatting trafficking in children. In this context it became clear that there is an urgent need for more resources to be allocated to civil society organisations operating in "hot spot areas" such as conflict situations or in countries which are facing migration waves.

This year's Seminar also aimed to support the United Nations Global Study on Children Deprived of Liberty (UN Global Study). ODIHR and the Austrian Chairmanship-in-Office, in close co-operation with the Ludwig Boltzmann Institute for Human Rights, organized three (parallel) interactive regional consultations on 11 October 2017, aiming to present the UN Global Study and to gather first-hand information from OSCE participating States on the situation of children deprived of liberty in the OSCE region, with a focus on immigration detention (regional consultation I), other administrative deprivation of liberty (regional consultation II) and detention of children in the criminal justice system (regional consultation III). The summary of the regional consultations of the United Nations Global Study on Children deprived of Liberty can be found under section IV (Summary of Proceedings).

The seminar also explored challenges related to interactions in the online medium, particularly the risks to which children are exposed in such contexts: the production and circulation of illegal child abuse images, sexual grooming for abuse/exploitation, "sexting", cyber bullying and radicalization. Participants discussed whether human rights education

and education in general represent successful strategies to mitigate such risks. Various examples from OSCE participating States were presented including projects and modules for schools.

The Seminar was not mandated to produce a negotiated text. The main conclusions and recommendations of the Seminar are included in Section I of this summary. Recommendations are wide-ranging and addressed to various actors including the OSCE institutions and field operations, governments, and civil society. Seminar recommendations have no official status and are not based on consensus; however, they should serve as useful indicators for the OSCE in setting priorities and planning its programmes aimed at the protection of the rights of the child. Documents from the Seminar are available at:

[http://www.osce.org/odihr/hds\\_2017](http://www.osce.org/odihr/hds_2017)

## **I. CONCLUSIONS AND KEY RECOMMENDATIONS**

The following conclusions and key recommendations emerged from the plenary and working group sessions.

### **Conclusions**

Deprivation of liberty of children should only be used as a last resort, for the shortest possible time and only if in the best interest of the child. Migrant children should never be detained based on their migration status or the status of their parents. Across the OSCE region, efforts should be reinforced to find alternatives to the deprivation of liberty of children; solutions must be individually planned, non-custodial, non-institutional and community based, and must be supported by adequate legislation, diverse teams of skilled and dedicated professionals, and proper mechanisms of co-ordination and partnership, including between the state and civil society, at every possible level.

Civil society organisations that have developed unique expertise in the process of identification, referral and protection of children in the context of child trafficking, should be further supported, enabled to operate freely and treated as true and equal partners in a comprehensive response to trafficking in children.. The focus should be shifted from criminal detention to better identification of victims of trafficking also to better tackle exploitation. The identification of child victims should be improved, as well as the assistance provided to them. Child victims of trafficking should be provided with compensation, and trafficking-related offences should be investigated and prosecuted, with a view to punishing those responsible.

With regards to online safety, participants called for effective oversight and reporting mechanisms that enable children to seek redress. It was concluded that technology may offer opportunities in this sense by creating accessible and easy to use interfaces that can support reporting. Digital media education and human rights education were identified as relevant long term strategies to minimize risks, the goal being the empowerment of children and parents to identify and avoid situations of risk while using digital media.

## **Key recommendations**

### *To the OSCE participating States:*

- Participating States should undertake a comprehensive and holistic analysis of all issues that affect the rights of children;
- Participating States should consider ratification of the three optional protocols to the UN Convention on the Rights of the Child (CRC) and should be guided by the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (“the Lanzarote Convention”);
- Participating States should adhere to the principles outlined in the UN 2030 agenda and UN Sustainable Development Goals (SDGs), which provide good tools in countering remaining challenges regarding the protection of children and their human rights;
- Participating States should do more to promote gender equality between all boys and girls, including those living in poverty and in conflict situations, and those with disabilities;
- Participating States should support the UN Global Study on children deprived of liberty;
- Participating States should reinforce efforts to provide for alternatives to the deprivation of liberty of children; Participating States should create awareness about the dangers of trafficking in human beings (THB);
- Participating States should adopt a systemic and not a fragmented approach when preventing and countering THB;
- Participating States should take measures to build trust when migrants and refugees come to the OSCE region;
- Participating States should adopt and implement relevant legislation to combat sex tourism;
- Participating States should strengthen OSCE institutions that help to put human dimension commitments into practice, including ODIHR;
- Resources should be invested to support children in situations of risk through preventative measures, not only in rehabilitation;
- Human rights must be an integral part of the school curriculum and should be seen as a mitigating factor for situations of risk;
- Participating States should create an enabling environment for the work of NGOs and civil society in general;

### *To the OSCE, its institutions and field operations:*

- To share good practices among OSCE participating States about how to fulfil the UN Sustainable Development Goals and how to ensure the protection of children deprived of liberty in the OSCE region;

- To stress the importance of dialogue with Governments.

## II. PARTICIPATION

The Seminar was attended by 100 participants, among them 41 representatives from 22 OSCE participating States and three participants from two OSCE Partners for Co-operation. The Seminar was also attended by 11 representatives of the OSCE and its institutions (ODIHR and the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings) and three representatives from three OSCE field operations. Moreover, 37 representatives of 32 civil society entities and two representatives from international organizations (the Council of Europe and UNICEF Regional Office for Europe and Central Asia) took part in the Seminar. There were also three representatives of two NHRIs (national human rights institutions) present at the Seminar.

## III. AGENDA AND ORGANIZATIONAL ASPECTS

The Seminar on Rights of the Child: Children in Situations of Risk (Warsaw 11-12 October 2017) was organized by ODIHR, in co-operation with the Austrian Chairmanship-in-Office of the OSCE in accordance with PC Decisions No. 1266 and No. 1267 of 26 July 2017. The Rules of Procedure of the OSCE and the modalities for OSCE meetings on human dimension issues (PC.DEC/476) were followed, *mutatis mutandis*, at the Seminar. The guidelines for organizing OSCE meetings (PC.DEC/762) were also taken into account. Discussions were interpreted into all six working languages of the OSCE.<sup>1</sup>

On a voluntary basis, OSCE participating States and other participants of the Seminar were invited to take part in the (parallel) interactive regional consultations of the United Nations Global Study on Children Deprived of Liberty and to provide information on the situation of children deprived of liberty in the OSCE region, with a focus on immigration detention (regional consultation I), other administrative deprivation of liberty (regional consultation II) and detention of children in the criminal justice system (regional consultation III). Those regional consultations were organized by the Ludwig Boltzmann Institute for Human Rights, in close co-operation with ODIHR and the Austrian Chairmanship-in-Office.

The Agenda and Annotated Agenda of the Seminar can be found in Annex I and II. The Seminar was opened on Wednesday, 11 October 2017 at 10:00, and closed at 18:00 on Thursday 12 October 2017. Plenary and working group sessions were open to all participants. The closing session on 11 October provided an opportunity to those involved with the UN Global Study to report back from the (parallel) regional consultations held

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<sup>1</sup> According to paragraph IV.1 (B)1 of the OSCE Rules of Procedure (MC.DOC/1/06), working languages of the OSCE are English, French, German, Italian, Russian and Spanish.

over lunch time of Day 1 of the Seminar. The closing plenary on 12 October focused on practical recommendations emerging from the three working groups.

This was the 33<sup>rd</sup> event in a series of specialized Human Dimension Seminars organized by ODIHR further to the decisions of the CSCE Follow-up Meetings in Helsinki in 1992 and in Budapest in 1994. The previous Human Dimension Seminars were devoted to the following subjects: Tolerance (November 1992); Migration, including Refugees and Displaced Persons (April 1993); Case Studies on National Minorities Issues: Positive Results (May 1993); Free Media (November 1993); Migrant Workers (March 1994); Local Democracy (May 1994); Roma in the CSCE Region (September 1994); Building Blocks for Civic Society: Freedom of Association and NGOs (April 1995); Drafting of Human Rights Legislation (September 1995); Rule of Law (November/December 1995); Constitutional, Legal and Administrative Aspects of the Freedom of Religion (April 1996); Administration and Observation of Elections (April 1997); Promotion of Women's Participation in Society (October 1997); Ombudsman and National Human Rights Protection Institutions (May 1998); Human Rights: the Role of Field Missions (April 1999); Children and Armed Conflict (May 2000); Election Processes (May 2001); Judicial Systems and Human Rights (April 2002); Participation of Women in Public and Economic Life (May 2003); Democratic Institutions and Democratic Governance (May 2004); Migration and Integration (May 2005); Upholding the Rule of Law in Criminal Justice Systems (May 2006); Effective Participation and Representation in Democratic Societies (May 2007); Constitutional Justice (May 2008); Strengthening the Rule of Law in the OSCE Area, with a special focus on the effective administration of justice (May 2009); Strengthening Judicial Independence and Public Access to Justice (May 2010); Role of Political Parties in the Political Process (May 2011); Rule of Law Framework For Combating Trafficking in Human Beings (2012); Media Freedom Legal Framework (2013); Improving OSCE effectiveness by enhancing its co-operation with relevant regional and international organizations (2014), the Role of National Human Rights Institutions (NHRI) in Promoting and Protecting Human Rights in the OSCE Area (2015) and on Promoting effective and integral justice systems: how to ensure the independence and quality of the judiciary (2016).

#### **IV. SUMMARY OF THE PROCEEDINGS**

The 2017 Human Dimension Seminar was opened on 11 October 2017 by Mr. Jacek Czaputowicz, Undersecretary of State, Ministry of Foreign Affairs of the Republic of Poland; Ambassador Christian Strohal, Special Representative for the OSCE Chairmanship; and Ms. Ingibjörg Sólrún Gísladóttir, Director of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR).



Photo 1: Opening session of 2017 HDS

The Seminar was chaired by Ms. Ingibjorg Solrun Gisladdottir, the Director of the ODIHR. The Chairperson addressed the opening plenary sessions, highlighting the particular vulnerability of children, which imposes a heightened obligation of due diligence on States to take measures to ensure their human rights to life, health, dignity and physical and mental integrity. OSCE participating States have taken important steps to address and prevent situations of risk and their causes. However, the response is often insufficient. Despite those efforts and international legal instruments, children's rights are not fully secured. All stakeholders – authorities, civil society, educators and parents – have to meet emerging challenges and do more to address the existing problems.

During the following discussion, participating States stressed that children are still exposed to violence in various forms and reiterated that states have the responsibility to protect the rights of children and to put the interests of children at the core of decision making processes. It was noted that despite numerous OSCE commitments, many challenges remain that hinder putting these commitments into practice. It was suggested that participating States should observe the UN 2030 agenda and UN Sustainable Development Goals (SDGs), which provide good tools in countering remaining challenges regarding the protection of children and their human rights. It was also noted that the OSCE has an important role to play when it comes to the implementation of the UN SDGs. It was noted that the existing comprehensive framework (including the Convention on the Rights of the Child and the three additional Optional Protocols) is in contrast with reality: children still face major threats to their rights to life, social care and education across the region. This is particularly true with regard to children belonging to vulnerable groups who face additional marginalization and discrimination. Participating States stressed that more needs to be done

to promote gender equality between all boys and girls, including those living in poverty and in conflict situations and those with disabilities. Especially when focusing on root causes (including corruption, environmental imbalance etc.) that put children at risk, prevention was highlighted as the best tool available to protect children's rights.

Some participating States noted with concern the negative implications of the migration crisis in the OSCE region for children, including organ trafficking, gender based violence and deficiencies in the quality of social services. They called for a comprehensive and holistic analysis of all issues that affect the rights of children in this context. The proper screening of migrants may reduce the risk for children, and in particular unaccompanied minors of both genders, to become victims of human trafficking and other forms of abuse. Some participating States encouraged others to adopt and implement relevant legislation to combat sex tourism.

Ms. Katarzyna Gardapkhadze, the First Deputy Director of the ODIHR, addressed the closing plenary, concluding that during the Seminar it became clear that there is wide agreement on the necessity and obligation to guarantee special protection to children in situations of risk and on the understanding that every child has the human right to live and thrive in a safe and caring family and community environment. However, there is a clear need to take further steps to respond to increasing risks for children's human rights. She encouraged OSCE participating States, ODIHR and other participants to take into serious consideration the recommendations made during the Seminar, including the recommendation that whenever possible, children should not be kept in places of deprivation of liberty. Ms. Gardapkhadze stressed that one should not be talking about alternative detention arrangements for children, but about arrangements that are alternatives to detention. All too often children deprived of liberty are those whose protection systems have failed or whose very survival behaviors and strategies have been penalized. The formal system of detention is an inadequate and ineffective way to deal with challenges faced by those children, their families and their communities. Instead, children should be supported through a range of systems that recognize the root causes of their individual situations and identify strategies at the community level to effectively address those causes. Furthermore, Ms. Gardapkhadze underlined that at the core of all this work should be the conviction that children must be involved in finding effective solutions to the problems and challenges they face, and adequate ways to facilitate their full and meaningful participation must be in place.

Regarding states' obligation to combat trafficking in children through allocating adequate resources, and developing and implementing national referral mechanisms with a human rights and victim-centered approach, Ms. Gardapkhadze mentioned the vital role of civil society organisations that have developed unique expertise in the process of identification, referral and protection of children victims or those at risk of trafficking. She emphasized the need to further support those organisations, to treat them as true and equal partners in a comprehensive response to trafficking in children and to enable them to operate freely. Also, Ms. Gardapkhadze underlined that criminal justice interventions are often imposed and are not in the best interest of the affected child, and that these interventions alone are not able to solve the problem of child trafficking. Many child victims are overlooked by state authorities and not identified, and there is a risk of failing to tackle exploitation when

efforts are only focused on crime detection. Given that few child victims are identified, even fewer are assisted and compensated, and there are very few convictions of human traffickers, there is a need to re-think and broaden anti-trafficking policies and responses. Therefore, all actors involved in the fight against trafficking in children should maintain the perspective that it is the trafficker who deserves punishment, not the child victim, who must be seen as a right holder and a person who needs support to reintegrate into society. Ms. Gardapkhadze also mentioned that ODIHR is currently working to update its *Practical Handbook on National Referral Mechanisms* and that ODIHR will utilize the recommendations collected throughout this Seminar to develop a section in the Handbook to address trafficking in children and specific needs of child victims.

With regard to emerging and future threats that children face and how best these can be prevented, Ms. Gardapkhadze explained that ODIHR is preparing several major initiatives to press on with the human rights education agenda. The ODIHR programme aims to respond to the need for an inclusive, interconnected and sustainable approach to human rights education, increasing its accessibility and effectiveness and merging a variety of innovative learning resources and approaches that enable educators and students to take action and to collaborate throughout the learning and teaching process.

Ms. Gardapkhadze closed the Seminar by stressing that “in all efforts towards child protection, one should not forget that even today, girls face discrimination just for being born daughters, not sons. A girl is far more likely to be abused or trafficked. We must spare no efforts to ensure that a girl’s value is never determined by her gender or a price on her body; that both girls and boys understand and are empowered to challenge gender discrimination, and that family and community members support change.”

After the opening session of the Seminar, discussions took place in three consecutive working groups. The following reports were prepared on the basis of notes taken by ODIHR staff and presentations of the rapporteurs, who summarized the working group discussions at the closing plenary session. These reports cannot exhaustively convey the details of the working group discussions, but rather aim to identify their common salient points. The recommendations from working groups were not formally adopted by the Seminar participants and do not necessarily reflect the views of any participating State.

<b>Working Group I: Children Deprived of Liberty</b>
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*Moderator:* Mr. Omer Fisher, ODIHR, Head of Human Rights Department

*Panellists:* Ms. Michaela Bauer, UNICEF Regional Partnership Manager;  
Mr. Benoit Van Keirsblick, Director of the Belgium section of Defence for Children International (DCI);  
Mr. Azamat Shambilov, Regional Director of Penal Reform

International's office in Central Asia;

Ms. Roza Akylbekova, Deputy Director, Kazakhstan International Bureau of Human Rights and Rule of Law, member of the Civic Solidarity Platform (CSP);

*Rapporteur:* John McKane, US

The first Working Group Session focused on children deprived of liberty and related human rights of children, including the right to be free from torture or other cruel, inhuman or degrading treatment or punishment. The Working Group Session was opened by a panel discussion with four experts giving an introduction on the various aspects of the detention of children, including in the administrative or criminal justice context or the context of immigration detention. The discussion continued in the afternoon.

Speakers addressed common myths surrounding the incarceration or detention of children, referring to research on actual impact, and suggested means of mitigating harm. Panelists agreed that detention should be the option of last resort and for the least amount of time possible in order to avoid the well-documented negative effects on children.

Ms. Michaela Bauer, UNICEF Regional Partnership Manager, addressed the problem of compliance with international standards and alternatives to the deprivation of liberty for children. Ms. Bauer explained that deprivation of liberty is too often based on incorrect determinations including that: a) children may pose a threat to society or to themselves; b) that detention as a measure works; c) that alternatives to detention are not effective. Drawing on research, Ms. Bauer highlighted that detention does not in fact benefit the child but causes educational deficits, low social skills, and disrupted family ties, setting the child up for future failures and insecurity. Regarding alternatives to detention, Ms. Bauer emphasized their effectiveness and lower costs. She cautioned that detention is often 80 percent more expensive than alternate means, such as custodial family care. She also addressed the myth that detention keeps the child from absconding, explaining that it is the fear of detention that makes children abscond. Ms. Bauer also highlighted that the New York Declaration for Refugees and Migrants commits member states to ensure a wide range of alternatives to detention and UNICEF supports those alternatives. As a relevant example she mentioned family-based and inclusive solutions. With regard to immigration detention, Ms. Bauer warned against quick-fixes, emphasizing that complex cases require a complex approach. She also mentioned that currently many countries use detention only as a last resort. Ms. Bauer concluded that relevant policies should be in compliance with the principle of sustainable development and rule of law.

Mr. Benoit Van Keirsblick, Director of the Belgium section of Defence for Children International (DCI), addressed the issue of procedural rights and the role they play in child protection. Mr. Van Keirsblick underlined that detention of children may result in torture or other ill-treatment and that the deprivation of liberty often results in trauma and mental health issues for the child. Avoiding the detention of children may therefore help States to save funds, in particular considering the rehabilitation services that may be needed after detention. Mr. Van Keirsblick also stressed that there is a need to provide relevant and adequate support to migrant children. In general, children must be informed about their possibilities and rights and provided with appropriate representation. Children at risk of deprivation of liberty or children in detention should have access to the support of social workers and lawyers who are trained to communicate with a child. Mr. Van Keirsblick also mentioned the need to listen to the voice of a child at all stages of the procedure and the necessity of having such a system in place. As an example of a relevant good practice he mentioned social legal defence centres, –such as the “My lawyer, my rights” project in Belgium. Finally, Mr. Van Keirsblick emphasized the importance of external and independent monitoring of all places of detention where children are deprived of liberty, including in the context of immigration detention, by National Preventive Mechanisms (NPMs) and other external monitoring bodies.

Mr. Azamat Shambilov, Regional Director of Penal Reform International’s office in Central Asia, stressed that regional and national organizations need to express their good will regarding the protection of children. Children who cannot live together with their own families need support and direction. Often they are isolated and need specific legal support. Mr. Shambilov underscored that detention creates isolation, marginalization, and life-long stigmatization of children. For instance, an educational diploma from a prison will haunt the child for life. Mr. Shambilov also expressed concern over the lack of family contact of children deprived of liberty. A child in an institution and deprived of the love and support of his or her family may suffer feelings of rejection and isolation. Experience shows that such children emerge from detention and seek out other children who have similarly suffered, and thus often find themselves in troublesome situations again. Mr. Shambilov suggested seeing children as victims in need of care rather than criminals and added that very often children who commit crimes have themselves been victims of crime in the past. He suggested developing alternative programs and to strengthen ties between children and their families. Neglect may result in hostile feelings towards a child’s environment but also towards society as a whole. Mr. Shambilov mentioned that schools and educational institutions are often concerned about their national ranking grades, which results in the fact that children from closed institutions or centers are not admitted. He added that in Central Asian countries, there is a lack of integration systems, for children who are or have been deprived of liberty. He noted that many detention centres are similar to the gulag system where punishment was the driving force instead of rehabilitation and reintegration. He also mentioned the Nelson Mandela Rules, according to which prisoners should be close to their

families. However, in Kazakhstan for instance, it can take up to three days of travelling to visit a relative in detention. Mr. Shambilov concluded that Kazakhstan's national legal framework provides an option for non-custodial sentences and may serve as a good example for other Central Asian countries.

Ms. Roza Akylbekova, Deputy Director, Kazakhstan International Bureau of Human Rights and Rule of Law, mentioned the efforts made in Kazakhstan to harmonize national laws with international conventions and soft law instruments. However, she stressed the lack of institutional reform. Ms. Akylbekova also raised the issue of children being sent to detention centres far away from their families, as well as the particular needs of children born and living with a parent in prison. She highlighted the importance of keeping the child connected to his or her family. If a child must be institutionalized, it is critical that the institution is close to the family in order to ensure regular contact and family visits. A better alternative would be non-custodial sentences for crimes committed by children—in which case the child would live at home with his or her family for the duration of the sentence. Ms. Akylbekova emphasized that children need more support than adults. Ms. Akylbekova expressed concern over numerous problems between civil society and governmental structures in terms of cooperation in this domain as well as the lack of an independent set of institutions. Ms. Akylbekova concluded that national legislation should be based on the general principles of international law and in particular the best interest of the child. She expressed concern over the fact that, although the CRC sets a number of standards, they are not always followed in practice. For participating States in the post-Soviet area, she recommended to pay more attention to Article 12 of the CRC.<sup>2</sup>

During the following interactive dialogue, participating States and civil society organisations discussed the importance of supporting the UN Global Study on Children Deprived of Liberty as a tool that may lead to national and global reforms. It was also emphasized that there should be no detention for children solely based on migration status or the status of a child's parents. States should also refrain from using institutionalization to address mental disabilities.

The lack of accountability for acts of torture or other ill-treatment which in some participating States affects about 70% of children in detention was noted, as well as the necessity to identify ill-treatment by the police and other actors. Furthermore, separation of adults and children is not always implemented. In order to avoid further abuse, children including juveniles should be held in detention centres designed for their ages, and with the

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<sup>2</sup> Article 12 of the CRC provides: 1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

relevant staff. Also the lack of access to rehabilitation programmes was mentioned as a remaining challenge in some participating States. Independent monitoring by external actors, such as NPMs, was mentioned as an important safeguard against torture and other ill-treatment. The issue of children born in prisons and their right to nationality was also mentioned. One NGO expressed concern over intersex children subjected to the violation of their human rights and the lack of support in the detention centres for this group of children, who are often put in closed psychiatric institutions.

In the context of immigration detention, an increase of security-based approaches by the receiving countries was noted with concern by some civil society organisations. They mentioned the fact that according to international and European law, detention is a migration management tool to secure the process, however, in practice, detention often results in the brutal violation of fundamental rights. It was stressed that regarding unaccompanied children, the ECHR ruled that keeping children on the border is prohibited. Concerns were raised by some civil society representatives regarding the conditions in places of immigration detention and the lack of access to legal systems in some OSCE participating States.

The following section includes specific recommendations offered by participants.

*To OSCE participating States:*

- Deprivation of liberty of children should be the last resort, only for the shortest period of time possible and only if in the best interest of the child;
- Introduce alternatives to detention such as family-based and inclusive solutions;
- Implement alternative programs, strengthening the ties between children deprived of liberty and their families;
- There should be no detention of children solely based on their migration status or the status of their parents;
- Provide relevant protection to children irrespective of the political views of their parents;
- To strengthen the independent, external monitoring of all places of detention, including by National Preventive Mechanisms (NPMs) or other monitoring bodies;
- To share good practices in order to fulfil the Sustainable Development Goals.

*To the OSCE, its institutions and field operations:*

- To share good practices among OSCE participating States in order to fulfil the Sustainable Development Goals and the protection of children deprived of liberty in the OSCE region;



**“Today, many countries are facing a difficult task of improving children’s closed institutions, detention facilities and **social, psychological and rehabilitative work** with children who are in trouble with the law and are **experiencing difficult life circumstances**. Special attention must be paid to **supporting such children** and their reintegration into society.”**

**Azamat Shambilov**  
Regional Director of Penal Reform International (PRI) in Central Asia

**2017 OSCE Human Dimension Seminar**  
**Rights of the Child: Children in Situations of Risk**  
11-12 October 2017, Warsaw



OSCE ODIHR

Photo 2: Panel discussion, Working Group I

**Working Group I cont.**

- Moderator:* Omer Fisher, Head of Human Rights Department (ODIHR)
- Introducers:* **Albania:** Ms. Ina Verziccoli, Chairperson of the Albanian State Agency for the Rights and Protection of the Child;
- Austria:** Mr. Johannes Carniel, Legal Expert, the Austrian Ombudsman Board (AOB);
- Poland:** Ms. Johanna Sosnowska, Head of European Migration Network and anti-THB Unit, Ministry of Interior of Poland
- Rapporteur:* Victoria Schmid, Austrian Chairmanship 2017

The continuation of the first Working Group Session started with a voluntary reporting on good practices by three participating States: Albania, Austria and Poland.

Ms. Ina Verzicolti, Chairperson of the Albanian State Agency for the Rights and Protection of the Child, focused on the area of juvenile justice, where the national legislative reform was guided by a systemic approach to child protection, shifting from punishment to protection. Due to the new legislation the number of children in detention and pre-detention has been significantly decreased. Ms. Verzicolti stressed the necessity to work on reforming the normative framework, including the laws on child protection and the juvenile justice system, and to bring them in line with the CRC. She stressed the importance of the systemic and case-by-case individual approach as well as the development and application of alternatives to detention. Ms. Verzicolti provided the example of a new Albanian child protection law with a focus on preventive mechanisms, and also mentioned challenges such as the separation between the judicial and governmental systems in terms of co-operation in the child protection domain.

Mr. Johannes Carniel, Legal Expert of the Austrian Ombudsman Board (AOB), focused on the situation of children in youth welfare institutions. Through co-operation between various actors and upon the initiative of the Ombudsman Board, which also performs the role of the National Human Rights Institution (NHRI) and the National Preventive Mechanism (NPM), problematic provisions in the Nursing and Residential Homes Act were identified and amended. This has increased the level of protection for children with mental disabilities, and has helped to ensure that all minors in youth welfare institutions are equally protected. Mr. Carniel stressed that in this context co-operation between different institutions is crucial.

Ms. Johanna Sosnowska, Head of European Migration Network and anti-THB Unit, Ministry of Interior of Poland, provided examples of legislation on alternatives to detention passed in 2014, according to which unaccompanied minors are accommodated with foster families or in educational centres. In order to improve living conditions for unaccompanied minors in such centres, Polish authorities have reduced the number of children per centre. However, Ms. Sosnowska mentioned the lack of systematic approach in Poland. She noted that family centres represent the most effective practice in Poland as an alternative to detention of unaccompanied minors (below 15 years old). The individual assessment is carried out by the courts to identify the possible alternatives to detention, and mental or physical needs are also taken into consideration.

The three speakers emphasized that close co-operation and coordination among various stakeholders – the national and local authorities, the Ombuds institution, the NHRI, the NPM and other oversight mechanisms, and social services – is crucial to effectively improve the situation of children.

During the continuation of the interactive dialogue on children deprived of liberty, participating States and civil society organisations discussed additional issues related to the deprivation of liberty of children. Participants discussed the situation of unaccompanied minors and the need to develop alternatives to detention for these children, stressing their right to access to medical services and education. Participants showed concern about the trend of institutionalization due to the lack of capacity of reception facilities for migrants and refugees. Participants called upon participating States to step up efforts to combat the additional risks that unaccompanied minors face, such as human trafficking or prostitution. Civil society representatives urged States to end solitary confinement and corporal punishment. They also touched upon the need for independent oversight of places where children are deprived of their liberty and stressed the need for adequate human and financial resources as well as access to all places of detention for National Preventive Mechanisms.

It was pointed out that the environments where children are being detained are often abusive, including the practice of solitary confinement. It was noted that all places where children are deprived of liberty should fall within the framework of the OPCAT and that the root causes of abuses should be investigated. The necessity to raise awareness of aggravating circumstances of the deprivation of liberty was pointed out as well as the importance of collecting good as well as bad practices. It was noted that the UN Global Study can help to raise awareness, and that OSCE can play a role in reducing the level of deprivation of liberty among minors. One participating State underlined the effectiveness of social partnership with women's organizations and projects on children's health issues. Another participating State underlined the importance of multilateral cooperation between law enforcement and social services. It was stressed by one participating State that the situation of an armed conflict poses serious obstacles to the oversight of places of deprivation of liberty, resulting in a lack of data in certain territories. In the same context, the problem of militarization of children affected by armed conflict was highlighted. Furthermore, the importance of protection of children from ideological impact and the role of parenting organizations was mentioned as a preventive approach. Furthermore, the important role of cultural mediators in the process of migrant children and in identifying the less invasive measures for an unaccompanied minor, as well as in the integration process, was mentioned. It was stressed that individual interviews are crucial to identify the child's need as well as a suitable mentor. Some participating States explained measures taken to reunify unaccompanied minors and their families. In this context, the lack of reception capacity related to the refugee and migration crises was mentioned as well as the need for more available data on detention of children in general and in the migration context in particular.

The following section includes specific recommendations offered by participants.

*To OSCE participating States:*

- To adopt a preventive approach and to develop alternatives to detention of children;
- To further collect relevant data on children deprived of liberty;
- To only use deprivation of liberty as a last resort measure, only in exceptional circumstances for the shortest possible time and only if in the best interest of the child;
- To exchange good practices on the development of alternative measures to detention of children;
- To end solitary confinement and corporal punishment;
- To open small centres in order to allocate children into small communities;
- To provide sufficient training for specialists working with the target group of children;
- To establish national commissions on minors mandated to protect children's rights;
- To step up efforts to combat the additional risks that unaccompanied minors face, such as human trafficking or prostitution;
- To enable the OPCAT system and to fulfil relevant requirements; including by providing adequate human and financial resources as well as access to all places of detention for National Preventive Mechanisms.

**Summary of the regional consultations on the United Nations Global Study on Children deprived of liberty:**

**Regional Consultation on children in conflict with the law:**

The lack of adequate data in some countries or restrictions on access to data because of its classification was stressed during the consultation. The important role of the Global Study as a unique opportunity to bridge the data gap and to motivate states to collect and provide data was underlined. It was found that there is still a lack of separate juvenile justice systems in some OSCE participating States, meaning that there are no special courts, with specially trained judges and adequate facilities. In some countries there is no or inadequate separation of children and adults, girls and boys in detention facilities. The importance of effective procedural safeguards has been stressed. It was observed that even where the legal framework is available, the implementation in practice is insufficient, leading for instance to insufficient access to welfare officers or legal representation of children during interrogations. Regarding professionals working with children deprived of liberty, it was noted that often there is a high turnover of staff, which makes it difficult for children to establish meaningful relationships. Also, in some OSCE participating States there seems to be a lack of specialists, e.g. psychologists and social workers or specialised investigators. This may be due to a general lack of professionals in the country and/or low payments. In addition, it was found that there is often a lack of adequate education of professionals

dealing with children in conflict with the law. Professionals often do not know how to behave in a child-friendly manner, with harmful effects on the child and the legal process. It was stressed that systematic education, certification and adequate payment are necessary to increase the number of professionals working with children deprived of liberty. In this context, the UN Global Study could show good practices that can be followed by other States. Regarding the problem of subcultures in prisons, it was pointed out that understaffing may lead to situations where power shifts to detainees and the prison management loses control. It was suggested that more research should be conducted on sub-cultures and power relations in prisons and how they affect the treatment and access to rehabilitative programmes for children in detention. In the same context it was also stressed that sub-cultures often lead to corruption. Regarding the importance of post-release care it was mentioned that if children, after having served a sentence, are released and not properly cared for, all efforts of care, rehabilitation and social reintegration may be lost within a short time. The UN Global Study could show good practices on education, professional training, sport and cultural activities. Furthermore, the importance of national and international cooperation was stressed. Existing statistical surveys and evaluations nationally and internationally (e.g. by UNICEF or UNODC) should complement the Global Study. The Global Study should also look into how the different national authorities cooperate. Finally, good practices such as legal changes to provide educational measures and refraining from detention were noted, as well as the establishment of special centres for children in conflict with the law. Also, national strategies for social reintegration or the establishment of a children's ombudsman were presented from different OSCE participating States. One OSCE participating State presented its model for alternatives to detention, which is based on a pre-trial probation during which the juvenile follows a community programme awaiting trial. If the programme is successful, the judge may suspend the sentence.

#### **Regional Consultation on children in institutions:**

During the consultation, the definition of deprivation of liberty as used by the Global Study has been stated as "when a child is placed by any authority in a setting where he cannot leave at will" in accordance with legal instruments such as the OPCAT or the Havana Rules. It was mentioned that this definition obviously does not apply to the situation of children in families. Nevertheless, it was discussed that there will be many questions to address during the study about different situations where it is not clear whether children are or are not deprived of liberty. It will be very often a question that will depend on the situation or the setting and will require visits on the spot. The name or definition of the place is not sufficient to give more clarity on this issue. The kind of places where children may be deprived of liberty are many: educational institutions and rehabilitation centres, child detention schools, psychiatric institutions, establishments for disabled children, hospitals, youth care institutions, drug rehabilitation units, isolation cells or rooms. The Global Study will have to cover all these places but should avoid implying that all

institutions are closed ones. The question of prevention was discussed at length; participants shared the idea that one should set up first of all a proper prevention policy to avoid that children end up in a situation that entails deprivation of liberty. One usually knows the categories of children who are at risk and who should be supported in the first place. During the consultation many interesting practices were identified such as providing by law a strict framework in which limits are set for such decisions, including the principle of last resort. Many States have put in place a policy aiming at the reduction of children in detention, resulting in positive outcomes. But there are sometimes risks of negative effects if these policies are sending more children to the street without proper support and supervision. Also, the link between deprivation of liberty and violence against children (VAC) has been underlined: deprivation of liberty is one of the forms of institutional violence against children. A variety of remaining challenges regarding children deprived of liberty in institutions in the OSCE region were identified, including: the lack of transparency of these institutions; the imbalance of power between the children and the staff; the lack of control and supervision and the need to have more professionalism in the monitoring of these places; the high risk of abuse of children detained (abuse among the children themselves but also between the children and adults); the lack of training of staff in children's rights and with capacity to deal with children in need; the fact that children are often mixed with adults or different categories of children are together in one centre; the separation from the parents and the risk of lack of support for the parents when the child is reintegrated in the family; as well as the use of tough disciplinary measures, including isolation and physical punishments. The participants underlined the fact that most of the time, children are taken into charge by the authorities because they are in need of support and protection; but the solution provided may end up in further abuses. The importance of data collection was emphasised. It was stressed that States have to make sure that these data are complete and accurate. It was also found that there is a need to involve other actors in this data collection, such as NGOs, NHRIs, Ombuds Institutions, universities and research centres. The role of NGOs would of course be much broader than data collection. Besides their role in data collection, NGOs are key players regarding reintegration, rehabilitation and resocialisation of children deprived of liberty in institutions. Children reaching the age of 18 need further support; too often, reaching the age of majority means the end of the support. Finally, participants stressed the problem of discrimination. Minorities are often overrepresented in institutions and very often are even further discriminated. Minorities, like children with disabilities, LGBTI, and children with HIV, are also at risk when they are deprived of liberty.

**Regional Consultation on children in migration-related detention:**

Regarding the different dimensions of migration-related detention of children, participants discussed issues such as major trends in child migration and recent responses; the situation of unaccompanied migrant children/ families and specialised accommodation/services and/or guardianship; as well as how data collection and analysis are organised and what are

the criteria taken into account in such decisions. One OSCE participating State explained its recent review of the legal framework on child protection and in particular the revision of the categorization and protection of unaccompanied minors (UAM), the assistance of the Ministry of Interior and additional funds provided for that purpose. It also explained the National Plan on migration management which includes provisions for reception shelters for UAM, new standards for age assessment, identification, reintegration, and information for international protection, as well as the use of multi-disciplinary teams. In this participating State, shelters are provided on the regional/municipal/local level. Also, the cooperation with the Labour Ministry in terms of job orientation and training of UAM was mentioned as a potential good practice example. Another OSCE participating State explained its practice and good cooperation among different ministries in relation to UAM. In 2014 the MoI, MFA, Ministry of Health and prosecutors developed a Framework Protocol on action for foreign UAM and the coordination needed to conduct minor identification, age assessment, placement under social services and documentation. An important point was made by this OSCE participating State that children cannot be deprived of liberty but social services should assume guardianship and provide assistance. There should be no closed protection centres for minors and prosecutors should provide for judicial review of measures taken. Also, this participating State explained that there is no deportation of children, except for reunification/best interests of the child under its jurisdiction and no discrimination of access to rights based on nationality. Another OSCE participating State provided information on its Safe Harbour concept, including the trend away from a high security approach to giving incentives to kids to return to school and life as normal teenagers. Another OSCE participating State shared its practice regarding the detention of migrant children, explaining that migrant children under the age of 15 cannot be detained. From the age of 15-18 detention is possible but only as a last resort and for the shortest time possible. In 2015 there were 142 children in administrative detention including UAM. The average time spent in detention was 21,6 days with a maximum duration of 6 months, which according to national legislation can be prolonged for another six months. Worrying trends were mentioned by CSOs, including a more punitive attitude, criminalization of migrants in some OSCE participating States and lack of access for human rights NGOs. In one case a children's home for UAM was shut down and moved to the backyard of a detention facility. Another concern was raised during the consultation regarding the risk of exploitation and trafficking of children outside the protection facility, or even inside if not a closed facility, and the need to find a protective system for migrant children without depriving them of their liberty. It was also stressed that the length of time in closed institutions contributes to vulnerabilities, frustration and risk of trafficking. On standards of risk assessment, age assessment and best interest determination, several OSCE participating States shared information on their formal procedure for age assessment, including the importance of dialogue with the child, authorities and civil society organisations. It was stressed that a case-by case approach is key, including by using cultural mediators, contact with the country of origin and the clear communication of

information to the minor. Remaining challenges in the OSCE region include the lack of formal assessment procedures and the resulting arbitrariness of decisions, the lack of cooperation of countries of origin and the sole reliance on physical examinations in the determination process. The importance of a universal birth registration was also mentioned as well as the fact that family tracing capacities must be reinforced. With regard to alternatives to immigration detention of children, family foster care and voluntary guardians were mentioned.

**Keynote closing address by Prof. Manfred Nowak, independent expert, UN Global Study on children deprived of liberty:**

Prof. Nowak explained that the UN Global Study aims at bridging the data gap on the number of children deprived of liberty by collecting data and issuing recommendations and policy proposals in order to end detention of children. He stressed the detrimental effect detention has on a child's development, well-being and life in general. Prof. Nowak also informed about the necessity to raise awareness of relevant risks and consequences. Prof. Nowak also informed about his recent intervention at the Third Committee in New York. Due to a substantial funding gap, the work on the Study has not yet kicked off, and Prof. Novak urged OSCE participating States to lead by example and support the study with voluntary contributions. In this context he urged OSCE participating States to be guided by the examples of Switzerland and Austria which were the main contributors to conduct research and consultations and to contribute to the funding of the Global Study so far. He also mentioned a positive trend in the reduction of the number of the children deprived of liberty due to the information gathered on this issue.

<b>Working Group II: Trafficking in Children</b>
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*Moderator:* **Ambassador Madina Jarbussynova**, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

*Introducers:* **Dr. Maia Rusakova (Russian Federation)**, Co-founder and director of the Regional Non-Governmental Organization of Social Projects in the Sphere of Populations' Well-being "Stellit", Associate Professor in Sociology at Saint Petersburg State University

**Allison Hollabaugh (USA)**, Counsel, U.S. Helsinki Commission

**Cheyenne de Vecchis (Italy)**, Survivor and Activist

*Rapporteur:* Silvia Santangelo, Italy

The third working group stressed the high importance of refocusing efforts on combatting trafficking in children and reducing vulnerabilities of children to trafficking in human beings in its various forms. The need to proactively identify child victims of trafficking and to ensure a victim-centered human rights based approach was highlighted, as well as tailored services and protections for children. The necessity of application of the non-punishment clause among participating States, especially with regard to child victims of trafficking was reinforced, as well as access to legal assistance and compensation. It was also seen as an important step to actively link National Referral Mechanisms to the already existing child protection systems across the OSCE region.

Introducers emphasized the need to undertake strong efforts in preventing trafficking in children, especially for the purposes of sexual exploitation. A survivor of child sexual exploitation stressed that until demand is addressed, many more children will continue to be trafficked for the purposes of sexual exploitation. The other introducers focused on addressing child pornography and trafficking of children utilizing the Internet. It was suggested that participating States consider working with the private sector to institute age verification technology for all access to online pornography, such as the system currently being implemented in the UK. Information about a new successful technology tool utilized by law enforcement to identify trafficking victims developed by a U.S. NGO, THORN, was also shared. This technology has been responsible in assisting law enforcement in the identification of over 6,000 victims and 2,000 traffickers in 3 years.

Participants noted that implementation of OSCE-wide protection measures for child victims of trafficking is a challenge. Other challenges emphasized were the low levels of prosecution of perpetrators and the fact that many child trafficking crimes remain unpunished. The importance of developing and/or strengthening a multi-disciplinary approach throughout all stages of the process from identification to durable solutions for children victims of trafficking was reiterated. It was stressed that participation of child victims of trafficking in decision-making about services received and protections provided is essential.

Participants observed that there has been an increase in trafficking in children within mixed-migration flows and that children-on-the-move constitute a particularly vulnerable population. It was suggested that cultural mediators could assist in identification of child victims of trafficking or vulnerable children within mixed-migration flows. The need to consider protections for children of women victims of trafficking was also mentioned.

Specific recommendations included:

*Recommendations for the OSCE participating States*

- To create awareness about the dangers of THB;
- To adopt a systemic and not fragmented approach, when preventing and countering THB;
- To have human rights and child rights approach, as well as a victim centered approach;

- To guarantee that child victims have access to free legal representation and access to compensation;
- To have an interagency approach, especially during investigations and court trials;
- To make sure that states do not prosecute victims of trafficking who committed crimes, applying the so-called “non-punishment clause”;
- To base the process, from identification to prosecution, on the best interest of the child;
- To give voice to victims of trafficking, involving them in the drafting of policies and legislation;
- To have resources to train cultural mediators, who could better identify vulnerability of child victims of trafficking, or potential ones;
- To grant greater protection to children who arrive, using better methods of identification.

*Recommendations for OSCE institutions and field operations*

- To strengthen the implementation of OSCE commitments on THB, including the 2005 Plan of Action, making sure that the laws on THB are enforced.

*Recommendations for civil society, international organizations and other actors*

- To allocate more resources to Italy and Greece, and countries who are at the forefront of the migration influx.

*Recommendations for all*

- To explore and study more in depth the phenomenon of trafficking for terrorist activities;
- To train front line professionals so as to increase identification, and to make sure that rotating staff is capable of responding to and screening of trafficking victims;
- To involve countries of origin in identification and possible safe return of children to their families.

<b>Working Group III: Strategies for Preventing Situations of Risk</b>
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*Moderator:* **Mr. Pavel Chacuk**, Deputy Head of the Human Rights Department, ODIHR

*Introducers:*

**Mr. Andrey Makhanko**, Founder, Leader and International Director of the International NGO Ponimanie

**Mr. Serhiy Burov**, Coordinator of All-Ukrainian Educational Program “Understanding Human Rights”

*Rapporteur:* **Ms. Daliborka Jankovic**, Permanent Mission of Switzerland to the OSCE, the United Nations and the International Organizations in Vienna

The third working group stressed the high importance of close and equal collaboration with all national stakeholders and especially with civil society when establishing an effective protection system, as civil society brings the voices of parents and children to the table.

Introducers emphasized that any strategy for the prevention of risk situations for children needs to have its foundation in human rights, not in traditional or moral values. Participants discussed the challenge of monitoring closed institutions and the situation of children deprived of their liberty, and stressed that problems arise due to a lack of understanding of the management of relevant institutions. They also stressed that the existence of good legislation for children and families at high risk is not enough, as there are major issues with implementation and enforcement.

Examples of human rights education (HRE) projects and modules for schools, which require participating schools to go through an internal and external audit process based on the standards of the UN World Programme for Human Rights Education, were mentioned in reference to some participating States.

Participants addressed the issue of online safety and stressed the need for oversight or reporting mechanisms for abuses that allow children to respond to threats. It was emphasized that the opportunities offered by technology and the internet should also be integrated in the schooling process, for example through quizzes, online modules and online collaboration.

Participants also pointed out that formal and informal education play not only key roles in the implementation of human dimension commitments but also in the prevention of risks for children. They also called on international organizations to analyze the impact and effectiveness of implemented HRE measures. They stressed that HRE should be integrated as a component in several subjects and should not be taught as an individual subject.

Specific recommendations included:

*To OSCE participating States:*

- Resources should be invested to support children in situations of risk and to implement preventative measures, not only in rehabilitation;
- Human rights should not be a compulsory subject at schools but an integral part of various school subjects;
- Children should be included in decision making processes that affect them;

- Relevant staff in government, schools and closed institutions should be trained on special needs of children at risk;
- Relevant stakeholders should always carefully analyze the individual context of each case;
- Prior to any awareness raising activities participating States and civil society need to make sure that the necessary infrastructure to help children and parents is in place;
- The exchange of best practices from different OSCE participating States should be facilitated in a systematic and more frequent manner;
- A well written handbook on how to work on a local level on the rights of high risk children should be developed;
- Participating States should generally employ sustainable and holistic approaches with careful planning, sufficient resources, close collaboration with civil society, informed indicators and realistic targets and time schedules.

## ANNEX I: AGENDA

### Day 1                      Wednesday, 11 October 2017

#### **10:00-11:30**                      **Opening plenary session**

**Chair:** Ms. Ingibjörg Sólrún Gísladóttir, Director of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

**Opening remarks:**

**Ambassador Christian Strohal**, Special Representative for the OSCE Chairmanship

**Prof. Jacek Czaputowicz**, Undersecretary of State, Ministry of Foreign Affairs of the Republic of Poland

**Ms. Ingibjörg Sólrún Gísladóttir**, Director of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

**Technical Information:**

**Ms. Katarzyna Gardapkhadze**, First Deputy Director of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

#### **11:30-13:00**                      **Working Group I: Children Deprived of Liberty**

**Panelists:**

**Ms. Michaela Bauer**, UNICEF Regional Partnership Manager

**Mr. Benoit Van Keirsblick**, Director of the Belgian section of Defence for Children International (DCI)

**Mr. Azamat Shambilov**, Regional Director of Penal Reform International' office in Central Asia

**Ms. Roza Akylbekova**, Deputy Director, Kazakhstan International Bureau of Human Rights and Rule of Law

**Moderator: Mr. Omer Fisher**, Head of the Human Rights Department, OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

**Rapporteur: Mr. John McKane**, Delegation of the United States of America to the OSCE

**13:15 – 14:45**

**Break / Regional consultations**

**Regional Consultation: *Children deprived of liberty within the administration of justice***

**Moderator: Mr. Michael Bochenek**, Human Rights Watch, London

**Rapporteur: Mr. Moritz Birk**, Ludwig Boltzmann Institute of Human Rights, Vienna

**Regional Consultation: *Children deprived of liberty for migration-related reasons***

**Moderator: Mr. Azamat Shambilov**, Regional Director of Penal Reform International' office in Central Asia

**Rapporteur: Mr. Helmut Sax**, GRETA – the Council of Europe's Group of Experts on Action against Trafficking in Human Beings, Strasbourg / Ludwig Boltzmann Institute of Human Rights, Vienna

**Regional Consultation: *Children deprived of liberty in institutions***

**Moderator: Ms. Michaela Bauer**, UNICEF, Brussels

**Rapporteur: Mr. Benoit van Keirsblick**, Defence for Children International, Brussels

**15:00-17:00**

**Working Group I: Children Deprived of Liberty – cont.**

***OSCE participating States' exchange of good practices***

**Albania:** **Ms. Ina Verzivolli**, Chairperson of the Albanian State Agency for the Rights and Protection of the Child

**Poland:** **Ms. Joanna Sosnowska**, Head of the European Migration Network and Anti-THB Unit, Ministry of Interior

**Austria:** **Mr. Johannes Carniel**, Legal Expert, the Austrian Ombudsman Board (AOB)

**Moderator:** **Mr. Omer Fisher**, Head of the Human Rights Department, OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

**Rapporteur:** **Ms. Victoria Schmid**, Task Force for the Austrian OSCE Chairmanship 2017

**17:00 – 17:30**

**Closing Session of Day 1**

Reporting back and summary of the regional consultations (UN Global Study)

**17:30 – 17:50**

**Keynote closing address:** **Prof. Manfred Nowak**, Children deprived of Liberty and the UN Global Study

**18:00**

Reception hosted by the Ministry of Foreign Affairs of Poland and the Austrian OSCE Chairmanship 2017 (tbc)

**Day 2**

**Thursday, 12 October 2017**

**08:15- 09:45**

Side event (*please check the overview of side events*)

**10:00-13:00**

**Working Group II: Trafficking in Children**

***Introducers:***

**Dr. Maia Rusakova**, Co-founder and director of the Regional Non-Governmental Organization of Social Projects in the Sphere of Populations' Well-being "Stellit" Associate professor in Sociology in the St. Petersburg State University

**Ms. Allison Hollabaugh**, Counsel, U.S. Helsinki Commission

**Ms. Cheyenne de Vecchis**, Survivor and Activist, Italy

**Moderator:** **Ambassador Madina Jarbussynova**, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

**Rapporteur: Ms. Silvia Santangelo**, Permanent Mission of Italy to the International Organizations in Vienna

**13:00-15:00**

Break / side events (*please check the overview of side events*)

**15:00-17:00**

**Working group III: Strategies for Preventing Situations of Risk**

***Introducers:***

**Mr. Andrey Makhanko**, Founder, Leader and International Director of the International NGO Ponimanie

**Mr. Serhiy Burov**, Coordinator of All-Ukrainian Educational Program «Understanding Human Rights»

**Moderator: Mr. Pavel Chacuk**, Deputy Head of the Human Rights Department, ODIHR

**Rapporteur: Ms. Daliborka Jankovic**, Permanent Mission of Switzerland to the OSCE, the United Nations and the International Organizations in Vienna

**17:00 – 18:00**

**Closing Plenary**

Rapporteurs' summaries from the working group sessions

Practical suggestions and recommendations for addressing the issues discussed during the working group sessions

Comments from the floor

***Chair & Closing Remarks:***

**Ms. Katarzyna Gardapkhadze**, First Deputy Director of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

## ANNEX 2: ANNOTATED AGENDA

### ANNOTATED AGENDA

#### Introduction and Aims of the Seminar

Human Dimension Seminars are organized by the OSCE/ODIHR in accordance with the decisions of the Conference on Security and Co-operation in Europe (CSCE) Summits in Helsinki (1992) and Budapest (1994). The 2017 Human Dimension Seminar is devoted to *“Rights of the Child: Children in Situations of Risk”*, in accordance with Permanent Council Decisions No. 1266 and 1267.

Already in 1990, the OSCE participating States decided to accord particular attention to the recognition of the rights of the child, his or her civil rights, individual freedoms, economic, social and cultural rights, and his or her right to special protection against all forms of violence and exploitation (Copenhagen 1990). Nine years later, participating States reaffirmed their commitment to actively promote children’s rights and interests, especially in conflict and post-conflict situations and to regularly address the rights of children in the work of the OSCE, as well as to pay particular attention to the physical and psychological well-being of children involved in or affected by armed conflict (Istanbul 1999). By recognizing the importance of the UN Convention on the Rights of the Child (CRC) in their multiple documents, the OSCE participating States also recognized one of the core principles of the Convention: every child’s right to be protected and cared for by their own family or in a family-like environment, and to grow up in the family, school and community settings that can guarantee their full protection so they can survive, grow, learn and develop to their fullest potential.

At the same time, despite international legal instruments and political commitments children’s rights are not fully secured. Across the OSCE region many children spend their childhood in conditions that do not support their dignity, in segregated residential care facilities, which may effectively result in deprivation of liberty, immigration centres and juvenile detention facilities or in detention within the administration of justice system. Even with best intentions, these places do not necessarily protect children; instead they leave children more vulnerable to violence, abuse, neglect and exploitation.

States are responsible for ensuring children’s rights in the best interest of the child in all decisions concerning care and protection. This includes the obligation to take effective legislative and other measures to protect children in care or detention and to “ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence” (Article 9 CRC).

This seminar aims to address particular situations of risk for children's human rights and to provide a platform for discussion on how to address and mitigate them, including in the context of deprivation of liberty, trafficking in children, in the school environment or online, as well as to discuss good practice examples of existing strategies for preventing situations of risks. To protect children's rights and effectively identify and prevent situations of risk for children requires a clear commitment and effective actions, political leadership and a willingness to be accountable as well as a strong civil society that can participate in decision-making, hold duty-bearers to account and monitor what is being done for children. It also requires taking children's views into account and, where possible, guaranteeing their meaningful involvement in decision-making processes affecting their lives.

OSCE participating States have taken important steps regarding a variety of situations of risk, including regarding sexual exploitation, trafficking in children, discrimination, abuse and manifestation of racism directed towards migrant children as well as the prevention of child labour. In 2006, the Ministerial Council put a specific focus on combating sexual exploitation of children (Decision No. 15/06), including by recognizing that sexual exploitation of children is a grave and large-scale problem throughout the OSCE region and beyond, with multiple, interlinked manifestations of all forms of sexual exploitation of children, including prostitution, child pornography, trafficking in children, sex tourism and forced marriages of children; that sexual exploitation of children violates human dignity and undermines the enjoyment of human rights and fundamental freedoms; and by underlining the need to address the broad range of factors that make children vulnerable to sexual exploitation, including economic disparities, lack of access to education, and discrimination, including gender-related discrimination. In 2007 the Ministerial Council underlined its determination to combat the growing phenomenon of the viewing and distribution of child pornography via the Internet and encouraged participating States who have not already done so to establish a national operational centre, or other structure as appropriate, to increase co-ordination and to involve to the extent possible public private partnerships in order to more effectively address issues related to sexual exploitation of children (Madrid 2007, Decision No. 9/07). The Ministerial Statement on Migration from 2006 includes a call to all relevant OSCE institutions and structures to address forced migration while respecting relevant international legal obligations, and combat illegal migration as well as trafficking in human beings and the exploitation, discrimination, abuse and manifestation of racism directed towards migrants, with special attention to women and children (Brussels 2006). OSCE participating States also committed to intensify efforts to prevent child labour (Madrid 2007, Decision No. 8/07).

It is clear that children deprived of liberty are at a heightened risk of violence, abuse and acts of torture or cruel, inhuman or degrading treatment or punishment. Even very short periods of detention can undermine a child's psychological and physical well-being and compromise cognitive development.<sup>3</sup> Irrespective of the terminology or how situations of deprivation of liberty are interpreted under domestic law, what is instructive for the purposes of this seminar is the fact that the child is prevented by whatever means (physical

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<sup>3</sup> See e.g. United Nations Special Rapporteur on Torture, A/HRC/28/68 (2015), para. 16

force, physical barriers, threats, sanctions, restraints, medication etc.) from leaving a particular facility, site or institution<sup>4</sup> at will. The seminar therefore aims to discuss and share information with regard to both *de facto* and *de jure* deprivation of a child's liberty.

In the context of trafficking in children, efforts to combat trafficking in human beings cannot be effective without addressing the trafficking of the most vulnerable groups, including children. Addressing child trafficking within anti-trafficking programming, training, research, policy and action cannot be overemphasized in the context of our commitment to combat this form of trafficking in human beings, applying a human rights-based and gender sensitive approach, and in the best interest of the victim. Ensuring that trafficked girls and boys are treated in a manner that respects their human rights and fundamental freedoms and safeguarding them against security, emotional, or social risks is absolutely critical. These principles are at the core of OSCE efforts to combat trafficking in human beings. They are reflected in the Action Plan to Combat Trafficking in Human Beings adopted in 2003, and in the Plan's two addenda – the Addendum focusing on child victims adopted in 2005, and the Addendum addressing the emerging trends and challenges adopted in 2013.

Risk mitigating strategies that can be taken by state authorities, caretakers, educators and children themselves, aim to protect children from emerging risks such as online/offline bullying and sexual harassment/grooming/exploitation and radicalization. Some threats have a systemic character, such as discrimination and segregation, and need to be constantly addressed through co-ordinated action by a variety of stakeholders. In this context the role of human rights education in preventing situations of risk is particularly important. The OSCE commitments affirm the fundamental character of human rights education and acknowledge that it is essential that young people are educated on human rights and fundamental freedoms (Moscow Document 1991, paras. 42.1 – 42.6). Human rights education contributes to the prevention of human rights violations and abuses by providing children with knowledge, skills and understanding, and by developing their attitudes and behaviours to empower them to contribute to the building and promotion of a universal culture of human rights (United Nations Declaration on Human Rights Education and Training” 2011). Human rights education can give agency to children to protect themselves and ensure a human rights based approach to literacy, including through digital tools and new media.

Participants are encouraged to make brief oral interventions during the seminar. While prepared interventions are welcomed during the plenary sessions, free-flowing discussion and exchanges are encouraged during the Working Group Sessions. All participants are

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<sup>4</sup> For the purpose of this seminar the term “Institutions” (or “centres”) means all public or private settings outside the justice system or the penitentiary administration, where children can be deprived of liberty. Such institutions, may include, but are not limited to, orphanages, reform schools, closed remand rooms or other correctional institutions, institutions for children with disabilities, for children with health problems (e.g. facilities dealing with behavioural disorders, psychiatric facilities), for children with drug, alcohol or other addictions, for the protection of victims of abuse including trafficking, for children without parental care, from where the children are not permitted to leave at will.

encouraged to submit in advance written interventions outlining proposals regarding the topic of the seminar, which will be distributed to the delegates.

## DAY 1

**WEDNESDAY, 11 OCTOBER 2017**

**OPENING PLENARY SESSION**

**10:00–11:30**

Opening remarks

Statements of participating States

Technical information

**WORKING GROUP I:**

**11:30-13:00**

**Children deprived of Liberty**

International human rights law, above all Article 37(b) of the Convention on the Rights of the Child (CRC), is very clear: the deprivation of liberty of children is intended to be an *ultima ratio* measure, to be used only for the shortest possible period of time, only if is in the best interest of the child, and limited to exceptional cases. Therefore, States should, to the greatest extent possible, and always using the least restrictive means necessary, adopt alternatives to detention that fulfil the best interests of the child and the obligation to prevent torture or other ill-treatment of children, together with their rights to liberty and family life, through legislation, policies and practices that allow children to remain with family members or guardians in a non-custodial, community-based context and to have access to counselling, probation and community services, including mediation services and restorative justice. In addition to the international and regional human rights treaties, OSCE participating States assumed responsibility for treating all individuals, including children, in detention or incarceration with humanity and with respect for the inherent dignity of the human person, observing the internationally recognized standards that relate to the administration of justice and the human rights of detainees (e.g. Vienna 1989; Copenhagen 1990; Moscow 1991) and committed to pay particular attention to the question of alternatives to imprisonment.

When the United Nations Children's Fund (UNICEF) conducted research on children in detention in 2007 and 2008, it estimated that there were more than 1.1 million children behind bars around the world, although it cautioned that that number was likely a significant underestimate.<sup>5</sup> There is no reliable data available on other types of deprivation

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<sup>5</sup> United Nations, Twelfth U.N. Congress on Crime Prevention and Criminal Justice, *Children, Youth, and Crime: Working Paper Prepared by the Secretariat*, ¶ 23, U.N. Doc. A/CONF.213/4 (Feb. 15, 2010).

of liberty, including child placement in the name of treatment or care such as for drug rehabilitation, placement of children on the move in closed facilities, placement of children with disabilities in psychiatric or other closed institutions, or detention of children in armed conflicts.

The UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment already found that children in detention are at a heightened risk of experiencing violence and abuse, and significantly more vulnerable than adults to being subjected to torture and other ill-treatment, due to their unique physiological and psychological needs. States therefore have a heightened due diligence obligation to take additional measures to ensure their children's human rights, when they are in situations of deprivation of liberty.<sup>6</sup>

In order to mitigate and prevent situations of risks for children in conflict with the law, it is important that States provide for a specialised system of juvenile justice. Specific safeguards should be respected with regard to arrest and detention of children, including the notification of a relative or another adult trusted by the child and the presence of a trusted adult during interrogations, interviews and any court appearances. Children should be appropriately separated in detention, including but not limited to children in need of care and those in conflict with the law, children awaiting trial and convicted children, boys and girls, younger children and older children, and children with physical and mental disabilities and those without. Children detained under criminal legislation should never be detained together with adult detainees. In the context of administrative immigration enforcement, international and regional human rights bodies such as the UN Special Rapporteur on Torture and the Inter-American Court for Human Rights found that it is now clear that the deprivation of liberty of children based on their or their parents' migration status is never in the best interests of the child. The deprivation of liberty of children based exclusively on immigration-related reasons exceeds the requirement of necessity because the measure is not absolutely essential to ensure the appearance of children at immigration proceedings or to implement a deportation order.<sup>7</sup>

The seminar aims to include the deprivation of liberty by non-State actors and discuss the obligation of participating States to prevent such types of deprivation of liberty. Therefore, the places of detention to be looked at during the seminar go beyond State-organized prisons and institutions and include also private custodial settings, such as privately run prisons, psychiatric hospitals and similar institutions as long as such private custodial settings are licensed or contracted by the State and/or the deprivation of liberty was ordered by a State authority. Article 25 of the Convention on the Rights of the Child provides for the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement. Finally, the seminar will also focus on good practices and remaining challenges regarding article 37 (d) of the CRC, which states that children, including migrant children,

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<sup>6</sup> Juan E. Mendez, in "Protecting Children Against Torture in Detention: Global Solutions for a Global Problem", Center for Human Rights and Humanitarian Law, Washington College of Law (2017), p. xiii.

<sup>7</sup> United Nations Special Rapporteur on Torture, A/HRC/28/68 (2015), para. 80

have the right to prompt access to legal aid and other appropriate assistance, as well as the right to challenge the legality of the deprivation of their liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

**(Parallel) Regional Consultations:**

**13:15 -14:45**

**The United Nations Global Study on Children Deprived of Liberty**

The United Nations General Assembly by Resolution 69/157 of 18 December 2014 invited the Secretary-General to commission an in-depth UN Global Study on Children Deprived of Liberty. In October 2016, former UN Special Rapporteur on Torture Manfred Nowak was designated to lead the development of the Global Study as Independent Expert. The core objectives of the UN Global study include to promote a change in stigmatizing attitudes and behaviour towards children at risk or who are deprived of liberty; and provide recommendations for law, policy and practice to safeguard the rights of children concerned, and prevent and significantly reduce the number of children deprived of liberty through effective non-custodial alternatives, guided by the best interest of the child.

On a voluntary basis, OSCE participating States and other participants of the Human Dimension Seminar are invited to take part in the inter-active regional consultations of the UN Global Study and to provide information on the situation of children deprived of liberty in the OSCE region, with a focus on immigration detention, other administrative deprivation of liberty and detention in the criminal justice system of children. The consultations seek to assess the magnitude of this phenomenon, including the number of children deprived of liberty from the OSCE region, the reasons invoked, the root-causes, type and length of deprivation of liberty and places of detention. Participating States are encouraged to provide examples of best practices and innovative alternative approaches aimed at reducing the number of children deprived of liberty according to the child rights principles. The outcome of the three parallel regional consultations will feed in the UN Global Study and inform its final recommendations to be presented at the UN General Assembly's seventy-third session in September 2018.

### **Consultation 1: Children deprived of liberty for migration-related reasons**

#### Questions that could be addressed:

- Information on legislation under which children are deprived of liberty on migration-related grounds.
- What is the maximum time period, provided for by law, for which children can be deprived of liberty for migration-related reasons?
- Which authorities make decisions to deprive children of liberty for reasons relating to migration status?
- Which criteria are taken into account in such decisions?
- What is the review process for such decision?

## **Consultation 2: Children deprived of liberty in institutions**

### Questions that could be addressed:

- Which institutional facilities, whether private (state-licensed) or public, exist in your country where children are placed and thereby can be deprived of liberty for reasons of their education, health or disability, drug or alcohol abuse, poverty, for being separated from their parents, for being orphans, for living in street situations, for having been trafficked or abused, or for similar reasons?
- What procedures are available to either children or their families to appeal or challenge their placement in such institutions?

## **Consultation 3: Children deprived of liberty within the administration of justice**

### Questions that could be addressed:

- What is the minimum age of criminal responsibility in your country?
- Are there separate juvenile justice processes and/or facilities for children in conflict with the law?
- From what age are children subject to detention in the juvenile justice system? From what age are they subject to detention in the adult criminal justice system?
- What is the longest period of custodial detention (imprisonment or other form of detention) to which a child can be sentenced?

<b>Working Group I: continued</b>	<b>15:00-17:00</b>
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### Questions that could be addressed:

- Have there been alternatives to the deprivation of liberty of children in the (1) administration of justice, in (2) institutions and (3) for migration-related reasons that are provided for by law, policy or practice, whether in police custody, pre-trial detention, or imprisonment?
- Have there been any major legislative or policy changes during the last ten years in relation to:
  - deprivation of liberty of children in the administration of justice;
  - deprivation of liberty of children in institutions;
  - deprivation of liberty of children for migration-related reasons.If so, which impact have these changes had on the number of children deprived of liberty?
- How do participating States ensure that deprivation of liberty is used only as a measure of last resort only in exceptional circumstances and only if it is in the best interest of the child?
- How do participating States promote preventive mechanisms, such as diversion and early identification and screening mechanisms and provide for a variety of non-custodial, community-based alternative measures to the deprivation of liberty?

- How is the right to prompt access to legal aid and other appropriate assistance for children deprived of liberty, as laid out in article 37 (d) of the Convention on the Rights of the Child, including migrant children, ensured in practice? Are there any independent, legal aid centres in place that provide children with the effective opportunity to have access to justice and subsequently to obtain remedies?
- How are places of deprivation of liberty monitored? Do independent monitoring mechanisms cover places run by private actors? Do child protection services exercise oversight over all places of deprivation of liberty of children?

<b>Closing Session of Day 1</b>	<b>17:00-17:50</b>
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Rapporteurs' summaries from the regional consultations (UN Global Study)

Keynote closing address: **Prof. Manfred Nowak**, Children deprived of Liberty and the UN Global Study

Comments from the floor

## DAY 2

**THURSDAY, 12 OCTOBER 2017**

<b>Working group II:</b>	<b>10:00-13:00</b>
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<b>Trafficking in Children</b>
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Combating trafficking in children remains a priority in compliance with the relevant OSCE's Commitments, including the 2005 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing special needs of child victims of trafficking for protection and assistance (PC.DEC/685) and the 2013 Addendum to the OSCE Action Plan on Combating Trafficking in Human Beings: One Decade later (PC.DEC/1107/Corr.1), as well as various international commitments and instruments. Participating States are concerned with the increased vulnerability of children in the OSCE region being trafficked for the purposes of sexual and labour exploitation, organ removal, child marriages, criminal activities, etc.

The 17<sup>th</sup> *Alliance Against Trafficking in Person* Conference on "Trafficking in Children and Best Interests of the Child" held in Vienna on 3-4 April 2017 demonstrated the need for the OSCE continued efforts by addressing topics such as threats facing children in crisis situations, factors heightening child vulnerability, the adequacy of existing child protection systems, as well as policies and measures which should foster the best interests of the child. A special emphasis was placed on children on the move, including unaccompanied minors, missing and internally displaced children and how to strengthen measures to prevent child trafficking while protecting children's rights. During the Conference, a set of concrete

recommendations (SEC.GAL/65/17) were developed and their implementation was further discussed at the meeting of National Anti-Trafficking Co-ordinators and Rapporteurs on 30 of June 2017. Both meetings concluded that it is critical to maintain equal focus across the “four pillars” of prevention, protection, prosecution and partnership as being crucial to the effective, co-ordinated and comprehensive response to child trafficking and to ensure that anti-trafficking actions in crisis situations are systematically integrated into humanitarian responses.

The OSCE Action Plan on Combating Trafficking in Human Beings recommends the establishment of National Referral Mechanisms (NRMs), defined as “co-operative frameworks within which participating States fulfil their obligations to protect and promote the human rights of the victims of trafficking, in co-ordination and strategic partnership with civil society and other actors working in this field”.<sup>8</sup> In addition, several OSCE commitments (Porto 2002, Brussels 2006, Madrid 2007) reiterate the need to establish such frameworks for co-operation between state actors and civil society. Through the Porto Declaration on Trafficking in Human Beings (MC(10).JOUR/2), for instance, States committed themselves “To render assistance and protection to the victims of trafficking, especially women and children, and to this end, when appropriate, to establish effective and inclusive national referral mechanisms, ensuring that victims of trafficking do not face prosecution solely because they have been trafficked”. Furthermore, the Brussels Decision on Enhancing Efforts to Combat Trafficking in Human Beings, including for Labour Exploitation, through a Comprehensive and Proactive Approach (MC.DEC/14/06), recommends participating States “to establish NRMs, as well as to appoint national co-ordinators”. An NRM essentially concerns the process of identifying and referring victims of trafficking for assistance, whilst ensuring respect for the human rights of the person concerned and a gender-sensitive approach. The aim of NRMs, therefore, is to guarantee effective protection of the rights of the victims, while increasing the chances for the successful prosecution of the perpetrators.

In 2004 ODIHR developed the Practical Handbook “National Referral Mechanisms - Joining Efforts to Protect the Rights of Trafficked Persons” (NRM Handbook), which outlines basic principles and good practices in relation to NRMs, and provides guidance on how to design and implement sustainable mechanisms and structures to combat human trafficking and support all victims, trafficked either within or across national borders. Nevertheless, since 2004, there have been significant developments in the area of combating trafficking in human beings. For this reason, ODIHR is in the process of updating its 2004 Handbook on National Referral Mechanisms, which will reflect and analyse over a decade of application of NRMs in OSCE participating States, with the intent of identifying the gaps, the successes and the emerging good practices.

ODIHR is committed to the development of a section on addressing child trafficking in the updated practical NRM Handbook, with a particular focus on needs of child victims. This session will provide an overview of existing trends with regard to trafficking of children as well as challenges in addressing the situation. It will also produce examples of good practices on how to provide child victim protection and support, thereby ensuring a victim-

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<sup>8</sup> MC.DEC/2/03, V. 3

centred and child-friendly human rights based approach. These examples will inform the revision of the Handbook.

Questions that could be addressed:

- Which institutional framework exists at the national and local level to effectively develop and implement anti-trafficking strategies and measures, particularly directed towards children victims of trafficking?
- What are the current trends in child trafficking and best practices in OSCE participating States addressing them? What are the biggest challenges in implementing effective NRMs with a focus on children and what measures should be taken to overcome these challenges?
- What are the best practice examples of multi-disciplinary and multi-agency approach in addressing the needs of child victims of trafficking?
- Where NRMs have been established, have they been helpful in ensuring specialized assistance to child victims of trafficking and enhancing effective prosecution of the perpetrators in child trafficking cases?
- Does the NRM adequately address the different needs/experiences of children, boys and girls, victims of trafficking?
- Are there trans-national mechanisms in place to ensure adequate protection of child victims of trafficking?
- How can participating States promote preventive mechanisms to better tackle the vulnerability of children at risk?

**Working group III:**

**15:00-17:00**

**Strategies for preventing situations of risk**

Situations of risk for children encompass a very broad set of threats that exploit intrinsic vulnerabilities associated with the young age of children. Threats to children in time of peace generally stem from socio-economic and family factors such as migration, economic status of the family, ethnic, religious and/or gender discrimination, etc.

In addition, the ever growing influence of digital online interaction has altered the ways society communicates, generally benefiting various groups including children thanks to the immediate availability of information or simply by providing new spaces for creativity, education, social interaction and playtime. At the same time the internet, and particularly social media, generated a new set of threats to children; such are the production and circulation of illegal child abuse images, sexual grooming for abuse/exploitation, “sexting”, cyber bullying and radicalization.

A risk can be generally defined as a confluence of threats multiplied by an intrinsic vulnerability that can be mitigated by one’s increased capacities. The wholesale elimination of threats is not feasible while desirable; but children in situations of risk and those responsible for their well-being (parents, teachers, law enforcement, etc.) can increase their

capacity to mitigate risk, and this is where education and particularly human rights education can make a significant difference.

Human rights education, including through the online medium, can re-enforce the positive values that derive from the fundamental principles of human dignity and equality including co-operation, respect, fairness, inclusion and diversity. It can teach children their rights and the rights of others and equip them with the capacities to identify threats, such as online harassment or attempts at radicalization, thus decreasing risk.

Human rights education also presupposes a significant reform of school practices and approaches that is consistent with human rights values. Thus the threats that exist and put children at risk in the school environment such as racial and ethnic discrimination (including segregation of children), bullying, etc. can and should be eliminated by participating States.

Questions that could be addressed:

- What steps can States take in order to ensure a human rights based approach to (online and offline) literacy and interlink human rights education and digital literacy, including through innovative forms of human rights education through digital means and tools?
- What can participating States do to eliminate threats (particularly segregation and discrimination, sexual harassment, radicalization and cyber-bullying) through education reform and mainstreaming of human rights education in public education?
- How can human rights education for target groups working with and for children and young adults (teachers, social workers, community workers, staff in the juvenile justice system, etc.) be effective in fostering a culture on non-violence and non-discrimination?
- How can we give agency to children to protect themselves (online) while still maintaining the State's responsibility for their protection and the need to protect the right to access to information?

<b>Closing plenary Session</b>	<b>17:00 – 18:00</b>
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Rapporteurs' summaries from the working group sessions

Practical suggestions and recommendations for addressing the issues discussed during the working group sessions

Comments from the floor

Closing Remarks

ANNEX III: INFORMATION ABOUT SPEAKERS

**Bios of introducers and moderators**

**Day 1: Wednesday, 11 October 2017**

**10:00-11.30      OPENING SESSION**

*Opening Remarks*

**Ms. Ingibjörg Sólrún Gísladóttir**

Ingibjörg Sólrún Gísladóttir (Iceland) was appointed as Director of the OSCE Office for Democratic Institutions and Human Rights on 18 July 2017. Gísladóttir has 35 years of leadership experience working on human rights, democratic governance and the rule of law at the international, national and local levels. Before taking up the position of ODIHR Director, she served from 2014 as Regional Director for Europe and Central Asia and Country Representative to Turkey for UN Women. From 2011 to 2014 she was Country Representative of UN Women to Afghanistan.

From 2007 to 2009, Gísladóttir served as Minister for Foreign Affairs of Iceland. She was previously a Member of Parliament and Chairperson and Leader of the Social Democratic Alliance (2005 – 2009) and Mayor of the City of Reykjavik (1994 – 2003). Throughout her career, she has been involved in policy and development work in conflict and non-conflict countries, aimed at strengthening democratic institutions and human rights.

In the early years of her political career, in 1982, Gísladóttir was one of the founders of the Women's Party, laying the ground for Iceland's remarkable progress in gender equality.

Gísladóttir holds a Bachelor's degree in history and literature from the University of Iceland (1979), and pursued Post-graduate studies in history at the University of Copenhagen (1979-1981). In 2004 she was a Visiting Scholar at the European Institute, London School of Economics (LSE). She speaks English, French and Danish.

**Ambassador Christian Strohal**

Ambassador Christian Strohal is an Austrian diplomat with a long career in multilateral work: currently he is serving as a Special Representative for the Austrian OSCE Chairmanship 2017. Previously he has served as the Permanent Representative of Austria to the OSCE, as well as in positions at the United Nations in Geneva, as Chairman of the Governing Bodies of the International Organization for Migration and Vice-President of the Human Rights Council.

Throughout his career, Strohal has consistently focused on human rights work; serving as the Director of the OSCE Office for Democratic Institutions and Human Rights from 2003 to 2008, as well as the Ambassador for the 1993 Vienna World Conference on Human Rights and the director for human rights at the Austrian Foreign Ministry.

**Professor Jacek Czaputowicz, Undersecretary of State for Legal and Treaty Affairs, Ministry of Foreign Affairs of the Republic of Poland**

Professor Jacek Czaputowicz graduated from the Warsaw Central School of Planning and Statistics. He completed his Ph.D. thesis in political science at the Institute of Political Studies of the Polish Academy of Sciences PAN. He obtained his habilitation in humanities at the University of Warsaw's Faculty of Journalism and Political Science.

In the 1970s and 1980s he was an activist of the democratic opposition. In 1988-1990 he was a member of the Civic Committee to the Chairman of the Independent and Self-Governing Trade Union Solidarity (NFZZ Solidarność). He entered the MFA in 1990. He was Deputy Director and then Director of the Consular and Emigration Department in 1990-1992. In 1998-2006 he was Deputy Head of the Civil Service. In 2006-2008 he headed the Department of Strategy and Foreign Policy Planning at the MFA. In 2008-2012 he was Director of the National School of Public Administration (KSAP). From January 2017 he was Director of the MFA's Diplomatic Academy. On 15 September 2017 Jacek Czaputowicz has been appointed MFA Undersecretary of State in charge of legal and treaty affairs.

He is the author of over 100 articles and academic monographs, covering such topics as theories of international relations, international security and the concept of sovereignty.

**Ms. Katarzyna Gardapkhadze**

Ms. Katarzyna Gardapkhadze, the First Deputy Director of ODIHR is responsible for managing the operations of the ODIHR, overseeing the preparation, co-ordination and implementation of the activities of the Election, Democratization, Human Rights, Tolerance and Non-Discrimination Programmes and of the Contact Point for Roma and Sinti Issues, as well as formulation of the ODIHR public message. Ms. Gardapkhadze is an expert in management, strategic planning and capacity-building, with thematic expertise in human and children rights and social welfare, and more than 20 years of professional experience from Poland, the United States, Western Balkans, South Caucasus and Central Asia. Prior to her current appointment, she was the Head of ODIHR's Human Rights Department, and had earlier supported setting up ODIHR civil society program in Ukraine and developing and institutionalizing a system of project monitoring and evaluation in the Office. Trained in conflict resolution and mediation, in 2003-2011, Ms. Gardapkhadze served as the director of conflict resolution, human rights and child/social welfare reform programs in the South Caucasus, with advisory and capacity-building roles in similar programs in Central Asia. In 2000 – 2002, she led programs focused on human rights, minorities and inter-

ethnic dialogue in Western Balkans. Fluent in Polish, English and Russian, Ms. Gardapkhadze holds a Master's Degree in social sciences.

**11:30-13:00**      **WORKING GROUP I**

***Opening Debate Panellists:***

**Ms. Michaela Bauer**

Ms. Michaela Bauer works as Partnerships Manager for the UNICEF Regional Office in Europe and Central Asia and is based in Brussels. She supports UNICEF's strategic partnerships with the European Union, the Council of Europe and other regional bodies and civil society networks covering the Europe and Central Asia region. She has been working for nearly twenty years in policy advocacy and programme management on international security and development issues. Before joining UNICEF she worked for the Australian Government in Brussels, the OSCE Mission in Kosovo and the UN International Atomic Energy Agency in Vienna. She has a background in Political Science and International Relations.

**Mr. Benoit Van Keirsblick**

Mr. Benoit Van Keirsblick is the Director of the Belgian section of Defence for Children – International (DCI) and the former President of the International Executive Council (International board) of DCI. He is one of the founder and co-director of the Interdisciplinary Centre of the Rights of the Child (CIDE) which gathers 4 universities and 2 NGO in the French part of Belgium. The CIDE organises a University degree and conducts academic researches on children's rights. Finally, he is Chief Editor of the Journal of Children's Law (Belgium). Benoit Van Keirsblick has a long experience on children's deprivation of liberty (DCI-Belgium has published a Practical guide on Monitoring places where children are deprived of liberty); he took part to the call for the UN Global Study on children deprived of liberty and is member of the advisory board of this study.

**Mr. Azamat Shambilov**

Mr. Azamat Shambilov graduated from Kazakh Humanitarian Law University (Almaty Law Academy) and completed his LLM degree at City University London in the United Kingdom. Azamat Shambilov is Regional Director of Penal Reform International (PRI) office in Central Asia, regional office is based in Astana, Kazakhstan. He has been working on various projects, including programmes on health in prison, the abolition of death penalty, reintegration of prisoners, issues of women prisoners, and improvement of prison system and detention conditions in general, torture prevention, and justice for children, radicalization of prisoners in Central Asia countries. PRI Central Asia office covers work in five countries: Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan and Turkmenistan, where it aims to improve the conditions and treatment for prisoners – men, women and children. Since April 2015, he is Member of the Coordination Council of NPM Kazakhstan at the Ombudsman office in Kazakhstan, member of working groups at the parliament of

Kazakhstan on behalf of CSOs on criminal justice reforms, one of the leading human right activists in Central Asia, who promotes criminal justice reform with human rights and gender based approach. Since 2015, Associate of the Global Initiative “Know Violence in Childhood”, Since 2017, Associate member of the International Penal and Penitentiary Foundation. Since 2016, Azamat is member of the Coordination Council of the prison reform platform at the State Service on Execution of Sentences in Kyrgyzstan.

**Ms. Roza Akyzbekova**

Ms. Roza Akyzbekova holds a Bachelor in Law and is a founding member of the Kazakhstan Bureau for Human Rights and Rule of Law. Today she holds the position of Deputy Director, Coordinator of Project Activities. Since 2002, Roza coordinates the Kazakhstan NGOs Working Group "On Protection of Children Rights", aimed at lobbying and implementing international law and standards on protection of children rights into Kazakhstani legislation; consulting citizens (children and parents) on proper issues, and developing reports on children rights in Kazakhstan to the proper bodies (e.g. UN Committee on the Rights of the Child). Since 2007 she is also coordinator of the Kazakhstani NGOs' Coalition against Torture, which consolidates over 30 different KZ NGOs, Lawyers and Experts on anti-torture issues and aimed at formation of the “zero tolerance” policy to torture issues in the Republic of Kazakhstan, minimization and subsequently elimination of torture appliance and bringing Kazakhstani legislation and law-enforcement practice in compliance with the international standards, supporting activities of monitoring network of public control, and conducting education and training programs in regions.

***Moderator:***

**Mr. Omer Fisher**

Omer Fisher is Head of the Human Rights Department of ODIHR. Mr. Fisher joined ODIHR in 2010 as the Human Rights Advisor, working primarily on freedom of peaceful assembly. Previously, he worked at the International Secretariat of Amnesty International in London as Researcher on the Balkans and as Senior Research Policy Advisor, developing and advising on human rights monitoring and fact finding methodologies. Omer Fisher holds a PhD in Politics from the University of Strathclyde, Glasgow, UK and a degree in Economics from Bocconi University, Milan, Italy.

**15:00-17:00      WORKING GROUP I (cont.)**

**Ms. Ina Verzivoli**, is the Chairperson of the Albanian State Agency for the Rights and Protection of the Child, the agency mandated with monitoring the implementation of the rights of the child in Albania as well as the lead agency in child protection. She is dedicated to strengthening the protection of children’s rights in Albania, with a particular focus on building an effective and integrated child protection system. Ms Verzivoli has led the process of drafting of the new legislation on child rights and protection protection and is currently involved in the coordination of the plan of action for the protection of children in

street situation. She is also involved with child rights at the international level and is currently the chairperson of the Ad Hoc Committee on the Rights of the Child of the Council of Europe, as well as member of the Lanzarote Committee. She is the national focal point for the Council of European Network of Children's Rights Coordinators. Ms. Verzivolli graduated in International Development Studies M.Sc. at the Geneva Graduate Institute (HEID).

**Ms. Joanna Sosnowska**, Coordinator of the National Migration Network, Head of Unit.

A graduate of the Institute of International Relations at the Faculty of Journalism and Political Science and the Centre of Latin American Studies at Warsaw University, Political Science at Collegium Civitas and Postgraduate Studies in the field of contemporary international migration at the Faculty of Economics, Warsaw University. She has twice been a scholar of the Mexican government and studied at Universidad Nacional Autonoma de Mexico w Centro de Investigaciones sobre America Latica y el Caribe. Since 2006, she has been dealing with international migration and cooperating with the Analysis Division of the Department of Migration Policy of the Ministry of the Interior where - as an analyst - she has been in charge of monitoring the phenomenon of migration from the countries of Latin America and Asia, preparing Polish migration policy and cooperating with international institutions and national NGOs dealing with issues of migration and asylum. Since 2010, she has been working at the National Contact Point of the European Migration Network in Poland. Currently (since November 2016) is leading the Unit for European Migration Network and Prevention against Trafficking in Human Being at the Ministry of the Interior and Administration. Speaks English and Spanish.

**Mr. Johannes Carniel**

Mr. Johannes Carniel works as legal expert at the Austrian Ombudsman Board (AOB). Mr. Carniel joined the AOB in 2012, the same year the mandate of the National Preventive Mechanisms according to OPCAT had been assigned to the AOB. The focus of his work lies on human rights issues especially the rights of persons with disabilities, children, migrants, and matters of social welfare as well as the implementation of the OPCAT mandate in Austria. Previously, he worked for a humanitarian organization as well as in a private law practice. Mr Carniel holds a bachelor and master's degree in law from the University of Vienna, an LLM from the University College London and a MA in Human Rights from the University of Essex.

Johannes Carniel will talk about a special report the institution is about to present to the National council and the Laender and/or present a recent amendment of the Nursing Home Residence Act (Heimaufenthaltsgesetz) which will improve the conditions for children with disabilities in such institutions.

***Keynote closing address:***

**Mr. Manfred Nowak**

In October 2016 Manfred Nowak was appointed as independent expert leading the UN Global Study on Children Deprived of Liberty. He carries out this function in close cooperation with the European Inter-University Center for Human Rights and

Democratisation (EIUC) in Venice, which he is heading as Secretary General, and the partner universities of the Global Campus of Human Rights, as well as with the Ludwig Boltzmann Institute for Human Rights in Vienna, which he founded and co-directs.

In addition, Manfred Nowak still has a part-time Professorship of International Human Rights at the University of Vienna, where he is the head of the Vienna Master of Arts in Human Rights and of the Research Center Human Rights. He is also Vice-Chairperson of the Management Board of the EU Agency for Fundamental Rights in Vienna.

Aside from Vienna University, Manfred Nowak was Professor of International Law and Human Rights at various prestigious universities, such as Utrecht, Lund, Stanford and the Graduate Institute in Geneva, and has published more than 600 books and articles in this field, including various language editions of the CCPR-Commentary, a CAT-Commentary and an introduction to the International Human Rights Regime. His latest books deal with the human rights as an answer to growing economic inequality (*Menschenrechte – Eine Antwort auf die wachsende ökonomische Ungleichheit*, Konturen Hamburg 2016) and with the limits of privatization from a human rights perspective (*Human Rights or Global Capitalism*, Pennsylvania Press 2017).

In the past, he also carried out various expert functions for the UN, the Council of Europe, the EU and other inter-governmental organizations. Most importantly, he served for many years in various functions as UN Expert on Enforced Disappearances (1993 to 2006), as one of eight international judges in the Human Rights Chamber for Bosnia and Herzegovina in Sarajevo (1996 to 2003), and as UN Special Rapporteur on Torture (2004 to 2010).

***Moderator:***

**Mr. Omer Fisher**

Omer Fisher is Head of the Human Rights Department of ODIHR. Mr. Fisher joined ODIHR in 2010 as the Human Rights Advisor, working primarily on freedom of peaceful assembly. Previously, he worked at the International Secretariat of Amnesty International in London as Researcher on the Balkans and as Senior Research Policy Advisor, developing and advising on human rights monitoring and fact finding methodologies. Omer Fisher holds a PhD in Politics from the University of Strathclyde, Glasgow, UK and a degree in Economics from Bocconi University, Milan, Italy.

<b>Day 2: Thursday, 12 October 2017</b>
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**10:00-13:00**

**WORKING GROUP II**

***WG II Introducers***

**Dr. Maia Rusakova**

Dr. Maia Rusakova graduated from the St. Petersburg University of Culture in 1995 with a degree in sociology. In 1998 she obtained her Ph.D. from the Sociological Institute of the Russian Academy of Sciences. Since 1994 she is the associated researcher of the sector of

Sociology of Deviance and Social Control in the Sociological Institute of the Russian Academy of Sciences. Since 2015 Dr. Rusakova has been the head of the Research Center for the Sociology of Childhood, since 2003 - an associate professor in Sociology in the St. Petersburg State University. The regional non-governmental organization "Stellit" was one of the initiators of the creation of the Russian Alliance against sexual exploitation of children, which in 2005 was granted the status of an affiliate group of the international network of ECPAT organizations ("Stop Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes"). In 2011 Dr. Rusakova became the regional representative of Eastern Europe and Central Asia of the ECPAT network. Since 2013 she is also a member of the Public and Expert Council under Child Ombudsmen under President of Russian Federation and the Head of the Public Commission for monitoring the observance of the rights of orphans and children left without parental care in residential institutions. Dr. Rusakova is also an alumnus of the Hubert H. Humphrey Fellowship Program (Virginia Commonwealth University, 2010-2011). Dr. Rusakova is an expert in the field of research on human trafficking, public health, prostitution, sexual exploitation of children and HIV, and has more than 60 scientific publications. Her professional activities are related to the conduct of academic and applied research and the development of prevention programs.

**Ms. Allison Hollabaugh**

Ms. Allison Hollabaugh joined the Helsinki Commission in January 2012 as Counsel. Her portfolio includes human trafficking, women's issues, international parental child abduction, and combating sexual exploitation of children. Previously employed as Legal Counsel to Representative Chris Smith and as Policy Analyst in the Bureau of Population, Refugees, and Migration at the U.S. Department of State, Allison has advocated for human rights in both bilateral and multilateral settings, particularly within the Organization on Security and Cooperation in Europe, Organization of American States, and the United Nations. She has also developed law and policy on U.S. domestic concerns, including legislation on human trafficking, parental child abduction, and religious freedom. Allison began working in human rights in 2001 at the U.S. Commission on International Religious Freedom, where she pursued the prioritization of religious freedom in U.S. foreign policy as well as highlighted egregious religious freedom abuses occurring abroad. Allison earned a B.A. in Philosophy from Westmont College and a J.D. from the University of Notre Dame. She is a member of the Virginia Bar

**Ms. Cheyenne de Vecchis**

Ms. Cheyenne de Vecchis was born in Rome, Italy. From the age of fourteen to seventeen, she was a victim of child commercial sexual exploitation in Italy. Today, she is twenty-three years-old, she attends university and lives with her fiancé. She volunteers for the Iroko Onlus Association, sharing her experience with high school students through an educational program, raising awareness of children and youth on gender-based violence and how to protect themselves from being vulnerable to abuse. As a survivor, she has become a vocal activist on the issue and has spoken at a number of events in Italy.

***Moderator:***

## **Ambassador Madina Jarbussynova**

Ambassador Madina Jarbussynova of Kazakhstan is the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, and represents the OSCE at the political level in anti-trafficking issues. She took office in September 2014. From June 2012 to August 2014 she served as the OSCE Project Co-ordinator in Ukraine. She was Ambassador-at-Large for Kazakhstan from 2009-2011, including during Kazakhstan's Chair-in Office in 2010. Previously, since 2008, she represented the countries of Central and Eastern Europe and the Commonwealth of Independent States at the SOS Kinderdorf International Senate in Vienna. She also previously was a member of the United Nations Development Fund for Women (UNIFEM) Advisory Board and a member of the UN Commission on Sustainable Development Board. From 1999 to 2003, she was her country's Permanent Representative at the United Nations. Prior to this, from 1998 to 1999 she served as the Vice Minister of Foreign Affairs of the Republic of Kazakhstan.

### **13:00-17.00      WORKING GROUP III**

#### ***WG III Introducers:***

#### **Mr. Andrey Makhanko**

Mr. Andrey Makhanko is the Founder, Leader and International Director of the International NGO Ponimanie (Belarus); Executive Chairman of Razumenne (*understanding*) International Group (Belarus - EU), working in realm of Children's Human Rights. Co-author of the first in national history Alternative Report on the UN Convention on the Rights of the Child (2010), and author of the evidence-based Responsible Participation Approach at Children's Human Rights Defense, quoted in other international reports. Author of the evidence-based United Child Protection Model, recognized by the International Society for the Prevention of Child Abuse and Neglect (ISPCAN) Multidisciplinary Team Award (2014), and the Women's World Summit Foundation WWSF Prize for Prevention of Child Abuse (2014), both awarded to Ponimanie. Mr. Andrey Makhanko is personally recognized with the USAID Certificate of Recognition (2016); the Donald Fridley Memorial Award for Excellence in Training and Mentoring (2017); Certificate of Recognition of Outstanding Achievements by the State of California Senate (2017); and was nominated for a number of prestigious international awards. Mr. Makhanko's areas of scientific and practical interests are: Children's Human Rights, Systemic Prevention and Response to Child Abuse, Neglect, and Trafficking, Children and Civil Society, Children as Human Rights Defenders, Contemporary Forms of Neo-Colonialism, AI and Global Governance.

#### **Mr. Serhiy Burov**

Mr. Serhiy Burov, Coordinator of [All-Ukrainian Educational Program «Understanding Human Rights»](#). Advisor, educator, trainer in the sphere of human rights, civic education; Manager and participant of working groups on human rights monitoring. Head of Board [Education Human Rights House - Chernihiv](#). Coordinator of Education department of [Ukrainian Helsinki Human Rights Union](#). Member of [Expert Council of National](#)

[Preventive Mechanism](#) under Ombudsman on prevention of torture, cruel or degrading treatment and punishment.

***Moderator:***

**Mr. Pavel Chacuk**

Pavel Chacuk is the Deputy Head of the ODIHR Human Rights Department. He joined ODIHR in 2004 as the Human Rights Advisor, working on capacity building and human rights monitoring issues. Pavel Chacuk has also worked as a consultant and trainer for the OSCE, Council of Europe, UNDP and other organizations. He holds an MA degree in International Relations from Central European University (Budapest) and a law degree from Hrodna State University (Belarus).

**17:00-18:00      CLOSING PLENARY**

***Closing Remarks***

**Ms. Katarzyna Gardapkhadze**

Ms. Katarzyna Gardapkhadze, the First Deputy Director of ODIHR is responsible for managing the operations of the ODIHR, overseeing the preparation, co-ordination and implementation of the activities of the Election, Democratization, Human Rights, Tolerance and Non-Discrimination Programmes and of the Contact Point for Roma and Sinti Issues, as well as formulation of the ODIHR public message. Ms. Gardapkhadze is an expert in management, strategic planning and capacity-building, with thematic expertise in human and children rights and social welfare, and more than 20 years of professional experience from Poland, the United States, Western Balkans, South Caucasus and Central Asia. Prior to her current appointment, she was the Head of ODIHR's Human Rights Department, and had earlier supported setting up ODIHR civil society program in Ukraine and developing and institutionalizing a system of project monitoring and evaluation in the Office. Trained in conflict resolution and mediation, in 2003-2011, Ms. Gardapkhadze served as the director of conflict resolution, human rights and child/social welfare reform programs in the South Caucasus, with advisory and capacity-building roles in similar programs in Central Asia. In 2000 – 2002, she led programs focused on human rights, minorities and inter-ethnic dialogue in Western Balkans. Fluent in Polish, English and Russian, Ms. Gardapkhadze holds a Master's Degree in social sciences.