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**POSITION STATEMENT
OF
SOUTHEAST EUROPE CHILDREN'S OMBUDSPERSONS NETWORK
(CRONSEE)**

"Investing in children - investing in future"

Adopted on the Annual Conference of Southeast Europe Children's Ombudspersons Network, 19. 09. 2014. In Belgrade

Ombudspersons for children in Southeast Europe, recognizing the necessity of restrictive economic measures for economic revitalization and elimination or reduction of harmful effects of economic crisis, express their deep concern over the fact that economic measures affect children in the extend disproportionate to their vulnerable position and that their planning and implementation led to lowering existing standards in protection and promotion of the rights of the child.

Economic crisis affected children particularly hard. Reduction in economic activities and consequently reduction of wages inevitably led to reduction of families' capacities to fully respond to children's needs and interests. The crisis has particularly affected children who are in especially vulnerable situations - children living and/or working in the streets, children in poverty, sick children and children with disabilities, children living in rural or socially unstimulating environments, children without parental care.

Slowing down or even stop of economic activities, has reduced budgetary income, and that endangered states' abilities to respond to their obligations towards beneficiaries of public revenues. Therefore, a reaction of states to undertake appropriate economic measures to protect budgetary income, prevent reckless diversions of public revenue and put system in "budget saving mode" to avoid economic collapse, was expected and welcomed. Ombudspersons for children in Southeast Europe acknowledge states' decisions to deal with serious economic problems and perform sharp and sometimes painful cuts in order to protect their economies and prevent much graver consequences for their citizens.

Ombudspersons for children in Southeast Europe, however, note that economic measures have been planned and introduced linearly, without appropriate analysis of their effects on children's lives and exercising of the rights of the child, in already difficult economic situation. All economic measures affect children, directly or indirectly, but harmful effect of some of them is possible to reduce or eliminate, while other permanently and irreversibly worsen the position of the child. There was no assessment of the impact of economic measures on exercising children rights, and thus the opportunity to adjust them according to children's needs and avoid or minimize their harmful effects has been lost.

The share of children in the European population is approaching the percentage of 20%, after decreasing by more than 5% in the last 20 years¹ and data clearly indicate that children are much more affected or are at risk of poverty². However, they are equally as adults, covered by restrictive economic measures.

¹ http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KE-ET-10-001/EN/KE-ET-10-001-EN.PDF

Processes of policy, law and strategy planning and making in Southeast Europe lacks comprehensive data on the number of children and their needs, so planning is often undertaken on the basis of assumed figures. In processes of planning and implementation of government policies, particularly those in the economic sphere, the voice of children is not heard, the children do not have enough information, nor do they have any influence on the authorities on whose decisions depend exercise of their rights and quality of their lives.

Ombudspersons for children in Southeast Europe remind of

- *Article 4. of the Convention on the Rights of the Child* which sets forth the obligation for the member states to undertake "all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention...to the maximum extent of their available resources"
- General Comment no. 5 (2003) on General Measures of Implementation of the Convention on the Rights of the Child which reiterates that "whatever their economic circumstances, states are required to undertake all possible measures towards the realization of the rights of the child, paying special attention to the most disadvantaged groups"
- General Comment No. 14 (2013) on the Right of the Child to Have His or Her Best Interests Taken as a Primary Consideration, which precisely defined states' duties to ensure that best interests of children are of primary consideration at all stages of the adoption of laws, policies, strategies, plans and guidelines - including those referring to budget planning and implementation
- General Comment No. 16 (2013) on State Obligations Regarding the Impact of the Business Sector on Children's Rights, especially in the part referring to states' obligation to ensure that "the best interests of the child are central to the development of legislation and policies that shape business activities and operations, such as those relating to employment, taxation, corruption, privatization, transport and other general economic, trade or financial issues"
- European Commission Recommendation "Investing in Children: Breaking the Cycle of Disadvantage" (2013/112/EU), to the member states to "organize and implement policies to address child poverty and social exclusion", having in mind that "preventing the transmission of disadvantage across generations is a crucial investment in Europe's future, as well as a direct contribution to the Europe 2020 Strategy for smart, sustainable and inclusive growth"
- Position statement of European Network of Ombudspersons for Children "Children on the Move - Children First!" (2013) that "pressures on public budgets should not prevent member states from complying with their international legal obligations in relation to children".

Ombudspersons for children in Southeast Europe recommend that the following measures in planning of economic strategies for overcoming the economic crisis and ensuring the economic recovery, should be endorsed, implemented and supported at regional, national and local levels:

1. The best interests of the child must be of a primary consideration. States are required to lead economic policy in a manner that does not result with lowering existing standards of the rights of the child, or in a way that hinders, threatens or suspend the realization of these rights.
2. Services for children in especially vulnerable situations - particularly children with disabilities, sick children, children without parental care, children in poverty and children who live and / or work in the streets, children from rural and socially unstimulating environment - must be exempt from austerity measures to ensure at least the minimum requirements for their proper growth and development.
3. It is necessary to start collecting comprehensive data on children, in order to perform proper and full assessment of their needs, and - even in times of crisis - to plan economic measures in a way that provides the conditions for the proper development and a dignified life for every child.

² http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Children_at_risk_of_poverty_or_social_exclusion

4. Following the child's best interests, the planning and the adoption of economic measures must be preceded by careful assessment of their impact on children's rights. Measures must be consistent with these estimates to ensure that children do not bear their harmful effects, or that these effects are reduced to a minimum. The implementation of economic measures must be accompanied by an assessment of their impact on the degree of realization of children's rights, and accordingly by the adaptation of these measures so their negative impact is eliminated or reduced to the lowest possible level.
5. States must take into account the fact that the number of children significantly decreased, compared to the previous period, and the trend of reducing the number of children continues. It is therefore unacceptable to make prioritization among children in the planning and implementation of economic measures; all children must have priority over adults.
6. The abolition or reduction of services for children in the areas of health, education, social welfare and security is unacceptable. Their absence or insufficiency produces irreparable and long lasting effects on children. Short-term effects of these measures - as savings in budget expenditures - in the long term can have more serious negative consequences for the development of society, demographics, health, social, educational and employment status of the population.
7. Encouraging services for children, particularly those related to health, education and social inclusion of children should be a priority even in situations where restrictive and austerity measures are needed in other areas. Services for children in these areas encourage long-term economic and social development of societies.
8. It is the duty of the authorities to provide information and participation of children in all areas of public and social planning, including economic, especially at the local level, because the children are "experience experts" who before all others may indicate the vulnerability of their position, and because economic measures affect children in a much greater extent than adults.
9. Economic measures that take into account the best interests of the child, in the long-term provide slower but more durable economic recovery and prospective development of the society. Investing in children will inevitably bear fruit in the economic sphere, and it is not only more humane and more fruitful choice by economic authorities, but - in the long term - also the cheaper approach to economic development.

Southeast Europe Children's Ombudspersons Network calls for

- **harmonization of policies, laws, strategies and practices with the relevant instruments on the protection and promotion of the rights of the child, above all with the Convention on the Rights of the Child**
- **harmonization of economic and financial policies and decisions with known data on status and needs of children in the region and their best interests**
- **investing maximum efforts on maintaining existing and developing new services for children, particularly for those in especially vulnerable situations**
- **promotion of children's participation and local, national, regional and international cooperation to eliminate or reduce the effects of the economic crisis that endanger or threaten to endanger the welfare of children.**