

THE FOURTEENTH PLENARY SESSION OF THE GENERAL ASSEMBLY

RECOMMENDATION 41/1999¹

**The Legal Framework for Child Protection
in the BSEC Member Countries**

1. Today's children are the citizens of tomorrow's world. Their protection and development is the prerequisite for the future development of the BSEC member countries. Empowerment of the younger generation with knowledge and resources to meet their basic needs and to grow to their full human potential should be a primary goal of national development.
2. The Assembly notes with concern that children in the BSEC member countries are often the first victims of armed conflicts, natural and technological disasters, economic recession, poverty and in particular budgetary constraints.
3. Recalling its Recommendation 14/1996 "On Social Guarantees during the Transition Period in the PABSEC Member Countries" adopted at the PABSEC Seventh Session in Baku in June 1996, Recommendation 10/1995 "Cooperation among the PABSEC Member Countries for the Improvement of Education" adopted at the Fifth General Assembly in Moscow in June 1995, as well as Recommendation 24/1997 on the "Youth Cooperation in the Black Sea Region" adopted by the Tenth General Assembly in Chisinau in December 1997, the Assembly stresses an imperative need for actions to preserve social protection during the transition period, centred on the most vulnerable sections of the population, particularly children.
4. As a result of economic and social crises that have engulfed many of the countries of Central and Eastern Europe and the CIS countries, support for public health and education is dwindling and children are the main victims. Private efforts to fill the gap left by public shortfalls have opened the way to stratification which denies equal education to the poorest

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The Assembly debate on 9 December 1999 (See Doc. GA 6525/99 - Report on the Legal Framework for Child Protection in the BSEC Member Countries, adopted by the Cultural, Educational and Social Affairs Committee at its Thirteenth Meeting in Volos on 29 September 1999; Rapporteur: Mrs. Lilia Grygorovytch)

Text adopted by the Assembly on 9 December 1999 in Kyiv.

and marginalised children. The neglect of children's right to education has been often accompanied by declines in basic health and nutrition.

5. In the Black Sea region, there are thousands of children living under especially difficult circumstances - orphans, street children, refugees and displaced persons, victims of war and natural and man-made disasters, disabled children and juvenile delinquents. Such children deserve special attention, protection and assistance from their families and communities and as part of national efforts and international cooperation.
6. Women play a critical role in the well-being of children. The enhancement of the status of women and the promotion of equal opportunities for men and women constitute a valuable contribution to social and economic development.
7. The family has the primary responsibility for the nurturing and protection of children. Accordingly, all institutions of society should help families to perform their functions so that they are not penalised in economic terms or from the social or socio-cultural point of view.
8. Children have a particular stake in sustained economic growth and alleviation of poverty, without which their well-being cannot be secured. Every possible effort should be made to ensure that children, women and other vulnerable groups are protected in times of political and economic reform.
9. The United Nations Convention on the Rights of the Child of 20 November 1989, ratified by all the BSEC member countries, contains a comprehensive set of international legal norms for the protection and well-being of children. The BSEC member countries should guarantee in practical terms the rights of children as laid down in the Convention and ensure their physical, moral and material protection.
10. The Assembly welcomes recent initiatives by the Council of Europe, such as the European Programme for Children launched in 1998, as well as the conclusions of the Conference of European Ministers responsible for family affairs on the theme of "Towards a child-friendly society" held in Stockholm on 15-16 June 1999, and urges the BSEC member countries to join these initiatives.
11. The Assembly recommends to the Parliaments and Governments of the BSEC Member Countries:
 - i. to bring national legislation and regulations in conformity with international standards in respect of child protection and children's rights;
 - ii. to this end, to accede to the relevant international and European legal instruments, particularly:
 - (a) the European Social Charter (1961) and in particular to accept Article 7 thereof on the protection of children and young people, Article 17 on the protection of mothers and children and Article 19, paragraph 6 on family reunion;
 - (b) the European Convention on the Adoption of Children (1967);
 - (c) the European Convention on the Legal Status of Children Born out of Wedlock (1975);
 - (d) the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (1980);
 - (e) the European Convention on the Exercise of Children's Rights (1996);

- (f) International Labour Organisation Convention No.138 on the Minimum Age of Admission to Employment (1973);
 - (g) The Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption (1993);
- iii. to adopt at national and local level a proactive and comprehensive childhood policy which seeks full implementation of the UN Convention on the Rights of the Child and which will consider the best interests of the child as a guiding principle;
 - iv. to ensure that the interests and needs of children are always duly considered and taken into account through such practices as the “child impact statement” which determine the probable impact on children of any proposed legislative, regulatory or other measures;
 - v. to combat the deterioration of the public health and education systems in transition countries laying emphasis on ensuring opportunities for all children to enjoy free or financially accessible health care and education facilities;
 - vi. to unite the efforts of the member countries to render assistance for children - victims of natural and technological disasters. To discuss the possibility of establishing regional centres for rehabilitation of the victim children;
 - vii. to design appropriate strategies for partnership between governments (at national and local level), non-government organisations and the private sector in matters concerning child protection;
 - viii. to inform children and their parents of their rights by widely publicising and disseminating the Convention on the Rights of the Child, as well as to provide training in children’s rights for all professionals who come into contact with children, including teachers, social workers, administrative and judicial authorities, etc.
 - ix. to promote cooperation among the BSEC countries in the field of child protection, to encourage common studies and information sharing with a view to improving the legal and institutional framework relating to child protection in the BSEC Member Countries;
 - x. to participate in international and European-wide cooperation in the field of children’s rights and child protection.
12. The Assembly invites the Council of the Ministers of Foreign Affairs of the BSEC Member States to consider this Recommendation.