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Editorial

With 2022 coming to an end, we can only be proud of our dedicated Operational Team for what we achieved this year, in a particularly complex context. Despite the ongoing crisis in Europe, we could count on our wonderful Members across Europe to participate in the kick-off of our Network, our first Annual Seminar which saw over 65 European experts discussing child friendly justice in Brussels, and our General Assembly which gathered our 19 members from 17 European countries.

The challenging financial situation did not stop us from setting the basis of our child participation activities, which will start in 2023, and get professionals to think about how child friendly the terminologies we use when working with children are, as well as develop our first-ever CFJ-EN 2023-25 Strategy, a brand new Membership Application Package, a library and handbook containing over 250 resources on child friendly justice, and a database of legal fact sheets. All of this accessible and for free on our website. This work could not be achieved without a strong institutional support from the European Union and the Council of Europe, along with other key supporters and sister Networks and Alliances across Europe. We warmly thank you for your trust, and we can only look forward to further collaborating in 2023!

From the Grand Place, best wishes for a safe festive season surrounded by friends and family!

Mariama Diallo, Coordinator
On behalf of the CFJ-EN Operational Team

Case Law

ECtHR Case D.B. and Others v. Switzerland (2022) - Same-sex couple who entered into gestational surrogacy contract in the United States
This case concerns the Swiss authorities' refusal to recognise the parent-child relationship established in the United States between the intended parent and the child. The ECtHR held that there had been a violation of Art. 8 ECHR (right to respect for private life of a child born through surrogacy), by lack of provision in Swiss law for alternative means of recognising children born to same-sex couples through surrogacy.

ECtHR Case A and Others v. Iceland (2022) - Removal of custody in children's best interests

This case concerned a couple's loss of custody of their two children following accusations of sexual abuse. The accusations were against the father, who was prosecuted, but ultimately acquitted. The ECtHR held that there had been no violation of Art. 8 ECHR (right to respect for private and family life of the child), since the Court found in particular that the decision to deprive the applicant parents of custody had not been based on an evaluation of the father's guilt, but on the children's best interests.

Case C-230/21 CJEU (2022) – Right of a married unaccompanied minor to family reunification
This case concerned reunion of an unaccompanied minor in Belgium and her mother in Lebanon. Family reunification was denied due to the fact that the unaccompanied minor was married. The CJEU held that Art. 10(3)(a) of Council Directive 2003/86/EC must be interpreted as meaning that an unaccompanied refugee minor residing in a Member State does not have to be unmarried in order to acquire the status of sponsor for the purposes of family reunification with his or her first-degree relatives in the direct ascending line. The Court highlighted that unaccompanied minors are "in a particularly vulnerable position" and their reunion with closest family should be promoted.

Legal Update

Revision of the Victims' Rights Directive: A helping hand to developing Barnahus across Europe?
During the conference "Child friendly justice in EU", organised by CADO on 6 December 2022, Katarzyna Janicka-Pawlowska, Coordinator for Victims' Rights at DG Justice, mentioned that in the framework of the upcoming revision of Directive 2012/29/EU, the EC is currently considering taking three key measures: a Victims' helpline for all the EU, the development of integrated websites with easy to understand information and an obligation on Member States to establish Barnahus centres.

Members' Corner

CFJ-EN at the Belgian Impact Day

DCI Belgium and the CFJ-EN were selected among 180 applications in the top 25 non-profits organisations to give a three-minute pitch in front of the business sector

Launch of CHILD-Lex database and Training Guide for lawyers

The closing of the EU-funded CLEAR-Rights project led by Terre des hommes Europe gave the opportunity to launch two great

CFJ-EN Membership Package and 2023-25 Strategy

Check our brand new 2023-2025 CFJ-EN Strategy and the revised CFJ-EN Membership Package. The CFJ-EN is looking forward to

during Belgian Impact Day, to share our expertise, enlarge our Network and find potential funding partners. Well done to our Fundraising Officer Susanna who took this challenge!

resources for legal practitioners! The CHILD-LEX database, containing legal fact sheets on legal assistance for children, and an eight-module training guide for trainers, to train lawyers who work with children suspected and/or accused of an offence.

welcoming new members in 2023. For further information on how to become a member, please contact Mariama Diallo.

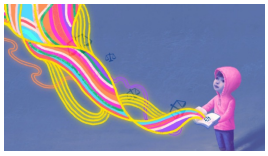
Resources and Publications

CFJ-EN publishes Policy Brief on Child Friendly Justice in Europe

This policy brief draws on the results of the international conference A 360° view on Child Friendly Justice, to provide an overview of current issues in child friendly justice and recommendations for policy makers in Europe.

Save the Children report on children fleeing Ukraine

The Save the Children report on the experience and wellbeing of children fleeing the conflict concludes that



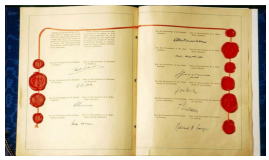
Europe: Towards LGTBI+ sensitive justice systems in Europe

The Challenge Paper "Towards LGBTI+ sensitive justice systems for children in Europe" seeks to gather child justice and LGBTI+ experts and practitioners to examine the barriers that LGBTI+ children face when in contact with justice systems, while proposing concrete actions to address these challenges. This Paper is a joint collaboration of the CFJ-EN and the Global Initiative on Justice with Children.

EU: EUAA and

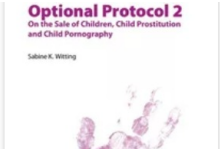
Belgium: Youth Forum surveys young people on justice

In partnership with DCI-BE, with the initiative "Did You Say Justice" the Youth Forum (Forum des Jeunes) surveyed 1044 young people aged 16 to 30 between December 2021 and May 2022 in Brussels to better understand their perception on justice and more specifically on child justice systems (available in French only).



CoE guidelines to prevent and remedy violations of the

European policies and practices have had a positive impact on children who have fled Ukraine. Most of the children who participated feel welcomed in their host country and are hopeful for the future.



UN: International Expert commentary on OPSC

Dr. Sabine K. Witting provides her new commentary on the Second Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC).

FRA tool on temporary protection for unaccompanied children

The main objective of this tool/practical guide for children fleeing the war in Ukraine is to help assist guardians appointed by EU States to support displaced children from Ukraine in registering for temporary protection and exercising their rights.

CoE – Knowledge-sharing platform for legal professionals

The CoE ECHR-KS platform launched in 2022 gives legal professionals, academics and the general public easy access to comprehensive and up-to-date information on the Court’s case-law, including latest analysis of case-law developments in a thematic and contextualised manner. Updated weekly and available in 26 languages.

ECtHR

With the aim of guaranteeing the rights and freedoms set out in the Convention, the CoE's Council of Ministers adopted guidelines to assist the 46 member states in their efforts to comply with their obligations to ensure the rights and freedoms of all persons within their jurisdiction.

CoE – Free Online HELP Course on the ECHR and the ECtHR

The HELP division of the CoE has a free six-hour online course to get acquainted both with the text of the ECHR itself and with the methodology and procedure followed by the European Court of Human Rights in interpreting it. Access the course here.

CFJ-EN

The CFJ-EN is part of the legal entity and enjoys the support of:
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