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Editorial

Members of the CFJ-EN are committed to protect and ensure the rights of all children in contact with justice systems are respected. They could be children involved in parental abduction cases, for whose rights the European Court of Human Rights recently issued a few insightful decisions; they could be children affected by the war in Ukraine, who were the subject of recent impact reports a year after the war broke out; they could also be children particularly vulnerable to face discrimination, which will be the topic of a webinar organised by the Network in May 2023. As we are getting ready to prepare for the 2024 European elections to ensure that the rights of all children in contact with justice systems are well considered in Europe, we welcome the various resources that have recently been developed by our Members, and other key actors in Europe in particular on child participation, the rights of child victims and digital justice, as well as resources directed to children and young people to understand their rights.

Wishing you a fruitful reading!

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

Policy Update



2024 European Elections - One Year to Go. The European elections will take place next year. 2023 should therefore be a year for political groups and candidates to take strong commitments for the rights of the child in the next five years. The CFJ-EN and its Members will closely follow this up to ensure that the rights of children in contact with justice systems are well considered in these elections.

Case Law



ECtHR case of G.K. v. Cyprus (2023): child return and right to respect mother's family life. The case concerned the proceedings and a subsequent order by the Cypriot courts to return the applicant's son to the USA under the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction. The Court held that there was no violation of Article 8 of the ECHR as the return of the abducted child did not interfere disproportionately with the mother's right to respect for her family life.

CJEU case of Bundesrepublik Deutschland (Federal Republic of Germany) v. GS: child's best interests must be protected in all stages of a return procedure. The case concerned a Nigerian child born in Germany to a mixed status family who had been issued a deportation order. The CJEU confirmed that a child's best interests must be protected at every stage of a return decision, including in the proceedings before it is issued. The ruling rejects Germany's argument that the best interests of the child could be considered after the return decision is issued, when a court could decide to suspend its enforcement.

ECtHR case of Deltuva v. Lithuania (2023): child visiting in prison and father's right to respect of family life. The case concerned a restriction of remand prisoner's family visits with wife and 10 year-old daughter during his first nine months of detention based on unsubstantiated risk of interference with ongoing investigation. The Court recognised the detrimental effect of judicial delays especially when it comes to an excessive length at the stage of recognition and enforcement in child-related proceedings. The ECtHR held that there was therefore a violation of the father's right to respect for his family life under Article 8 of the ECHR.

ECtHR case of Veres v. Spain (2023): child custody and length of procedures. The case concerns a legal dispute between the applicant and his ex-wife over custody of their daughter, who is now 16. The applicant's ex-wife moved to Spain with their daughter, who was eight years old at the time, without informing the applicant. The court held that there was a violation of Article 6 (right to a fair trial) and Article 8 (right to respect for private and family life), as the proceedings in Spain were unreasonably long, which prevented him from seeing his daughter and it affected their relationship.

UNCRC W.W. and S.W. V Ireland (94/2019): new case note on proceedings brought under the 1980 Hague Convention on the

Civil Aspects of International Child Abduction (Child Abduction Convention). The case concerned a mother who took her two children from Canada to Ireland in 2019 without the consent of the children’s father or the court. This individual communication highlights the complex interplay between the UNCRC Convention and the Child Abduction Convention.

Upcoming Events



Thursday 11 May 2023 - Kinderrechte in Kommunen Umsetzen symposium. The German Children's Fund (Deutsches Kinderhilfswerk e.V.) is hosting a symposium aimed at how children's rights can be implemented by cities and municipalities. [Register here \(in German\)](#).

Wednesday 31 May 2023 14h30-16h - Access to Justice for LGBTI+ Children webinar. Following the publication of the Challenge Paper “Towards LGBTI+ sensitive justice system for children in Europe”, the CFJ-EN network is hosting a webinar with experts, NGOs and policy makers to address and discuss the issue. [Register here](#).

14-15 June 2023 - National Youth Justice conference. The event, themed around Children's Care and the Justice Bill, is organised by our member CYCJ in partnership with The Scottish Government and the National Youth Justice Advisory Group. [Register here](#).

Members' Corner



Bulgaria: SAPI and Tdh engaging in digital justice for children

The EU-funded [i-Access My Rights](#) project aims to improve access to information and legal assistance in



The Netherlands: DCI campaign for rooted children

Earlier this year, DCI Netherlands [started the “They are already at home” campaign](#) to draw attention to children



Czechia: DCI conference on child participation

The YouPart conference aimed at enabling young people to speak out on their ideas about Europe and the

the field of digital justice for child victims in the European Union, by promoting an AI solution that is above all child-centric (in Bulgarian).

with roots in the Netherlands who have been living in the country for five years or more, but who still do not have a residence permit (in Dutch).

European Union and determine the development of the EU in the coming years for future generations. [Read the report here \(in Czech\)](#).

Resources and Publications



Ireland: UNCRC concluding observations

During the session of the UNCRC held in January, the Committee considered the combined fifth and sixth periodic reports of Ireland, under the simplified reporting procedure. [Read the Observations here.](#)



Europe: FRA training for guardians of unaccompanied children

Across the EU, the professional backgrounds and skills of guardians of unaccompanied children vary widely. This led the EU Agency of Fundamental Rights, in close coordination with the European Guardianship Network and our member DCI Italy, to develop [training material for](#)



Global: Child friendly website on international abduction

The International Association of Child Law Researchers [has launched a website](#) for children and young people to understand international parental child abduction. It explains the 1980 Hague Convention on the International Aspects of Child Abduction and what the law says.



Ukraine: Joint statement on the forcible transfer, deportation and adoption of children by Russia

This [statement endorsed by 43 organisations, agencies, and networks](#) addresses

Giving silence _____ a Voice

Portugal: Study from independent commission on child abuse in church

European Commission experts [have carried out a study on child and adolescent \(aged 0-18\), sexual abuse in Portugal between 1950 and 2022](#) to gain a better understanding of the past and the action best suited to action and prevention of abuse in the future.



Europe: UNICEF dashboard on UNCRC recommendations

The [UNICEF dashboard](#) is a useful tool to have an overview of how UNCRC recommendations are implemented across Europe to advance children's rights.

[guardians and trainers.](#)



France: Child friendly manual on child victims in criminal proceedings

The French Government [developed a new child friendly manual "Mon Parcours de Justice"](#) to understand criminal proceedings involving children and the role of actors of the justice system (in French).

that many children displaced by the war in Ukraine have forcibly been transferred to Russian-occupied territories or deported to Russia and placed in Russian foster and adoptive families, given Russian nationality and separated permanently from their families, communities, and country.



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Défense des Enfants International Belgique ASBL
30 rue du Marché aux Poulets, 1000 Brussels, Belgium
<https://www.cfjnetwork.eu>
info@cfjnetwork.eu*



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