



The AIRE Centre
Advice on Individual Rights in Europe



Judicial authorities from the Western Balkans region convened today and tomorrow in Dubrovnik to improve protection for the rights of children

Dubrovnik, 22nd of March 2019 - Civil Rights Defenders and the AIRE Centre (Advice on Individual Rights in Europe) organized the Sixth Regional Rule of Law Forum for South East Europe.

The topic of this year's Forum is children's rights, with the protection of children being an integral and essential part of the rule of law and 2019 marking 60 years since the UN Declaration on the Rights of the Child.

The Vice President of the European Court of Human Rights, Judge Linos-Alexandre Sicilianos, stated that "The best interests of the child is a key notion in the case law of the European Court of human Rights. It is used in a broad range of cases concerning not only family law (adoption, visiting rights, guardianship, international abduction of children, surrogacy motherhood) but also in relation to other issues like detention of children, retention of migrant children etc. The Court has developed a series of factors to be taken into account in order to better evaluate the best interests of the child on a case by case basis."

Goran Miletic from Civil Rights Defenders explained that "We decided to organize the first Forum as a means to enhance dialogue, debate, as well as cooperation between judiciaries, legal professionals and civil society organizations across the region. By sharing best practise we hope to improve implementation of human rights standards across the region. The Sixth Regional Rule of Law Forum for South East Europe will be dedicated to children's rights. This topic, which has been emphasised as an issue of fundamental importance and relevance was chosen after consultations with judiciaries and relevant stakeholders throughout the region and in Strasbourg."

"All the jurisdictions represented in this room today have the ECHR as part of their legal order, and everyone would agree that the protection of children is an essential and integral part of the rule of law. However, the legal protection of children under the Convention is not, in and of itself, sufficient to meet the obligations imposed by it. Notwithstanding the existence of such protection in the legal systems of the Council of Europe's member states there have been many violations of the rights of children, who continue to suffer from, amongst other things, domestic violence, human trafficking and discrimination. It is important that the promotion and protection of their rights is practical and effective and does not remain theoretical and illusory. There is still work to be done to secure the full implementation of the rights of the child in practice, and we all have a role to play. This is why we are gathered here today." said AIRE Centre Western Balkans Programme Manager Biljana Braithwaite.



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The Director of the Rule of Law Programme for the Konrad Adenauer Foundation, Mr. Hartmut Rank, went on to say ‘Konrad Adenauer Foundation, through its regional "Rule of Law Programme South East Europe" acknowledges the success that this RoL Forum has had in the past years. This event has in relatively short time become a renowned discussion forum for legal practitioners and scholars as well as many committed civil society organizations and other stakeholders. Given the particular topic of the forum this year, we have invited German experts to share recent legal developments regarding child rights in Germany to be discussed with the Forum participants.’

The Deputy President of the UK Supreme Court, Lord Reed, is giving the Forum’s keynote speech on the best interests of the child and the Forum is attended by over 170 eminent participants from Albania, Bosnia and Herzegovina, Croatia, Kosovo, North Macedonia, Montenegro and Serbia. Attendees include presidents and judges of supreme and constitutional courts, members of judicial councils, directors of judicial academies, institutions and non-government organisations in the region, as well as nine current and former judges of the European Court of Human Rights in Strasbourg.

This year the Forum was supported by the the Swedish International Development Agency, the UK Government and the Konrad Adenauer Foundation. The goal of the annual Regional Rule of Law Forum, established in 2014 by Civil Rights Defenders and the AIRE Centre in cooperation with judicial institutions throughout the region, is to promote the national implementation of the European Convention on Human Rights, to encourage regional cooperation in the continued development of human rights, and to facilitate the process of EU integration of the region.