12th CREAN PhD Symposium

Exploring Emerging Horizons in Children's Rights Research Across Disciplines and Contexts

BOOK OF ABSTRACTS



Faculty of Law Osijek
Josip Juraj Strossmayer University of Osijek

5 – 6 November 2026

PRAVOS

CREAN
Children's Rights European Academic Network

12th CREAN Ph.D. Symposium

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Osijek, 5 – 6 November 2026

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Faculty of Law, Josip Juraj Strossmayer University of Osijek | Children's Rights European Academic Network (CREAN)

Faculty of Law Osijek, Osijek, 5 – 6 November 2026

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Acknowledgements

Foreword

The Faculty of Law Osijek is proud to host the 12th CREAN Ph.D. Symposium, entitled „Exploring Emerging Horizons in Children's Rights Research Across Disciplines and Contexts", taking place on 5–6 November 2026 at the Faculty of Law Osijek, Josip Juraj Strossmayer University of Osijek, Croatia.

It is a particular honour for our Faculty that the Children's Rights European Academic Network (CREAN) has entrusted us with the organisation of this important international academic event. Following previous editions held at distinguished European universities, we are delighted to have the opportunity to continue this valuable tradition and welcome doctoral researchers, their supervisors and experienced scholars from numerous European countries and beyond. The strong response to this year's Symposium reflects the enduring importance of research on children's rights and the need for open, international and interdisciplinary dialogue on issues that shape children's position in contemporary society.

This Book of Abstracts presents a diverse range of research exploring children's rights from different disciplinary perspectives and within a variety of social contexts. The contributions gathered here reflect both the breadth and complexity of the challenges facing contemporary children's rights research and the intellectual curiosity, critical thinking and commitment of a new generation of scholars. Their work questions existing approaches, identifies underexplored issues and opens up space for new ways of understanding problems and developing possible solutions. I see particular value in the work of emerging researchers in their willingness to challenge established assumptions, bring different perspectives together and seek answers to questions that matter for the effective realisation of children's rights in practice.

The Ph.D. Symposium provides an opportunity not only to present research findings but also to exchange ideas, engage in critical discussion and bring together different academic experiences. Of particular importance is the opportunity for doctoral researchers to present their work to experienced scholars, receive feedback and guidance, and further develop their research questions and approaches through dialogue. Such support is invaluable to the development of early-career researchers, just as the fresh ideas and perspectives they contribute are important to the continued development of the academic community. The encounter between established and emerging scholars is therefore not merely an opportunity to share knowledge and experience, but also a means of mutual enrichment, reconsidering existing approaches and opening up new research horizons.

I would like to thank all doctoral researchers who have contributed to this year's programme through their work and willingness to engage in discussion. My gratitude also goes to their supervisors, professors and colleagues, whose knowledge,

experience and support encourage the development of new generations of researchers. I extend my sincere thanks to CREAN for its trust and collaboration, as well as to everyone whose commitment and efforts have made the organisation of this symposium possible.

I believe that this gathering will inspire new collaborations, encourage reflection on emerging research questions and further strengthen the academic community dedicated to studying and advancing children's rights. I also hope that the ideas and conclusions presented in these pages will reach beyond academic discussions and find their way to institutions, decision-makers and professionals whose work can help bring about meaningful changes in children's lives. Research on children's rights fulfils its greatest purpose when, alongside advancing knowledge, it contributes to a better understanding of children's needs, more effective protection of their rights and the creation of conditions in which those rights can be realised in practice.

May this symposium inspire new ideas, foster open and constructive dialogue, and strengthen our shared commitment to ensuring that children's rights are not merely recognised as principles, but become a reality in the everyday lives of all children.

Nataša Lucić, Ph.D., Associate Professor
President of the Organising Committee
12th CREAN Ph.D. Symposium

Conference program

Thursday, 5 November 2026

13:00 – 14:00 **Registration** (Stjepana Radića 13, 1st floor)

14:00 – 14:30 **Welcome speeches**

Tunjica Petrašević, Ph.D., Full Professor, Dean of the Faculty of Law Osijek

Nataša Lucić, Ph.D., Associate Professor, Faculty of Law Osijek, Program and Organizing Committee of the Symposium

Roberta Ruggiero, Ph.D., Senior Lecturer, Children's Rights European Academic Network (CREAN)

Tatjana Katkić Stanić, Ombudsperson for Children in the Republic of Croatia

14:30 – 16:00 **Plenary session 1**

Room: Faculty Council Hall, Stjepana Radića 13, 1st floor

Moderator: Nataša Lucić, Ph.D., Associate Professor

Jens Martin Scherpe, Ph.D., Professor of Comparative Law Juridisk Institut, Aalborg University, Aalborg, Denmark	Children's Rights to the Recognition of Their Parental Relationships
Aleksandra Korać Graovac, Ph.D., Full Professor with Tenure Faculty of Law Zagreb, University of Zagreb, Zagreb, Croatia	Children Conceived Through Medically Assisted Reproduction: The Right to Dignity, the Right to be Cared for by His/Her Parents, and the Right to Non-Discrimination

16:00 – 16:30 **Coffee break** (Stjepana Radića 13, 1st floor)

16:30 – 18:00 **Plenary session 2**

Room: Faculty Council Hall, Stjepana Radića 13, 1st floor

Moderator: Branka Rešetar, Ph.D., Full Professor

Roberta Ruggiero, Ph.D., Senior Lecturer Centre for Children's Rights Studies, Université Genève, Geneva, Switzerland	Transformative Children's Rights Research: Setting an Agenda From Compliance to Fulfilment
Orsolya Szeibert, Ph.D., Full Professor Eötvös Loránd Univeristy (ELTE), Budapest, Hungary	Child's Best Interests and Peculiarities of Child-Friendly Justice

19:00 **Dinner** (additional charge; Projekt 9, Gornjodravska obala bb, Osijek)

Friday, 6 November 2026

8:00 – 9:00 **Breakfast** (free of charge; Stjepana Radića 13, 1st floor)

8:30 – 9:00 **Registration** (Stjepana Radića 13, 1st floor)

9:00 – 11:30 **Parallel sessions – Morning block**

Parallel session 1 Digital Technologies, Environment, and Evolving Capacities

Room: Faculty Council Hall, Stjepana Radića 13, 1st floor

Moderator: Orsolya Szeibert, Ph.D., Full Professor

Marie-Pier Jolicoeur Laval University, Québec, Canada	Thinking About Internormativity to Face the Challenges Surrounding the Use of Digital Technologies in Early Childhood
Ružica Filipović Primary school Zorka Sever, Popovača; Faculty of Teacher Education, University of Zagreb, Croatia	Children's Digital Well-Being as a Children's Rights Issue: A Review of Protection, Participation and Autonomy in the Digital Environment
Dorina Csalár Doctoral School of Law, Eötvös Loránd University (ELTE), Budapest, Hungary	Rethinking Age-Based Social Media Restrictions Through the Principle of the Evolving Capacities of the Child
Emily Margaret Murray University College Cork, Cork, Ireland	What Does Nature Mean to You?': A Deeper Understanding of Children's Environmental Rights and Relationships with Nature Through Their Own Voices
Anna Kikuchi The University of Tokyo, Tokyo, Japan	Rethinking the Protection of Children's Rights: A Relational Reconceptualisation

Parallel session 2 Healthcare, Disability, and Bioethics in Children's Rights

Room: 4/17, Stjepana Radića 17, 1st floor

Moderator: Karin Arts, Ph.D., Full Professor

Maarten Wille Leiden University, Leiden, the Netherlands	Appreciating Children's Voices in Medical Decision-Making
Magalie Sneed; Lydie Bréguet Université de Neuchâtel, Institut de droit de la santé Faculté de droit, Neuchâtel, Switzerland	Children's Participation in Medical Settings: Exploring the Interplay of Law and Medical Practice - Initial Insights from Swiss Practice
Ekaterina Evdokimova International Institute of Social Studies, Erasmus University Rotterdam, the Hague, the Netherlands	The Institutionalisation of Children with Severe Multiple Impairments in Saint-Petersburg, Russia: A Rights-Based Approach
Demba Jabbi Universitat Autònoma de Barcelona (UAB), Bellaterra, Barcelona, Spain	Children's Moral Agency Across Institutional Contexts: Healthcare Decision-Making and Political Participation as Illustrative Domains

Parallel session 3 Cross-Border Family Law, Filiation, and Child Protection

Room: 5/17, Stjepana Radića 17, 1st floor

Moderator: Ivan Šimović, Ph.D., Full Professor

Nikolina Tomaš Faculty of Law, University of Split, Split, Croatia	The Evolution of Children's Rights Protection in the ECtHR's Case-Law on Cross-Border Surrogacy
Kaat Overmeire Ghent University, Ghent, Belgium; University of Antwerp, Antwerp, Belgium	Crossing Borders, Maintaining Ties? Children's Rights and Family Relationships in EU Cross-Border Placement Procedures
Josipa Kokić University of Miskolc, Central European Academy, Budapest, Hungary	Children's Rights as a Special Form of Human Rights: The Right to Respect for Private and Family Life and the Right of the Child to Freely Express His/Her Views in Cases of International Child Abduction
Johanna Lindström Stockholm University, Juridiska institutionen, Stockholms universitet, Stockholm, Sweden	Siblings in Swedish Family Law
Karla Oberkirš Faculty of Law Osijek, Josip Juraj Strossmayer University of Osijek, Osijek, Croatia	The Right to Identity in the Context of Filiation

11:30 – 12:00 **Coffee break** (Stjepana Radića 13, 1st floor)

12:00 – 14:30 **Parallel sessions – Afternoon block**

Parallel session 1 Child Participation, Legal Representation, and Access to Justice

Room: Faculty Council Hall, Stjepana Radića 13, 1st floor

Moderator: Mirela Župan, Ph.D., Full Professor

Daria Woźniak Doctoral School of Social Sciences, University of Łódź, Łódź, Poland	From Hearing to Participation: Reimagining Children's Agency in Family Mediation
Marina Balentović Faculty of Law Osijek, Josip Juraj Strossmayer University of Osijek, Osijek, Croatia	Exploring the Effectiveness of Children's Legal Representation in Croatian Family Proceedings
Giulia Alberti Eötvös Loránd University(ELTE), Civil Law Department, Budapest, Hungary	From Legal Concept to Practical Methodology: How Could the Best Interests Assessment and Determination Process Work in a National Context?
Liesl Muller University College Cork, Cork, Ireland	Child Participation in Access to Justice: From Charity to Justice Through Litigation
Basira Hussen University of Modena and Reggio Emilia, Reggio nell'Emilia RE, Italy	Interpreters, Not Representatives: Children's Agency and the Right to be Heard in Religious Education

Parallel session 2 Vulnerability, Protection, and Violence Against Children

Room: 4/17, Stjepana Radića 17, 1st floor

Moderator: Branka Rešetar, Ph.D., Full Professor

Olena Leftarova Odesa I. Mechnikov National University, Odessa, Ukraine	Guarantees of a Child's Right to Preservation of Their Identity (the Case of Ukraine)
Greta Maria Goß Philipps-University Marburg, Marburg, Germany	The Best Interest of the Child and Intimate Partner Violence – The Influence of Social Science Findings and Human Rights Standards on Custody and Contact Law, Illustrated by Current Reform Proposals in Germany
Elizabeth Graty Hood Queen's University Belfast, Belfast, United Kingdom	Developing a Child-Informed Measure of Child Poverty
Begüm Simsek University of Geneva's Centre for Children's Rights Studies, Bramois, Sion, Switzerland	Public Inquiry Commissions as Children's Rights Mechanisms?

Parallel session 3 Institutional Governance, Educational Settings, and Reconceptualisations

Room: 5/17, Stjepana Radića 17, 1st floor

Moderator: Sandra Samardžić, Ph.D., Assistant Professor

Nazir Ullah National University of Malaysia, Bangi Selangor, Malaysia	Invisible Childhoods: Child Sexual Exploitation, Vulnerability, and the Limits of Child Protection Frameworks in Developing Societies
Klara Bugge Kaspersen; Nathalie Otroshi; Agnesa Fetai UiT Norways Arctic University, Tromsø, Norway; University of Zagreb, Zagreb, Croatia	Children and Sex - A Comparative Study on Adolescents' Sexual Autonomy and Vulnerability in Criminal Law
Isabella Miano University of Catania, Catania, Italy	Unaccompanied Minors Vulnerability in European Migration Governance. A Comparison Between Italy and Spain
Chloe Gibson-Blackie Swansea University, Swansea, United Kingdom	Reforming Care, Withdrawing Support: Exploring the Dual Impact Of Policy Change and Cuts To Community Services on Care-Experienced Children in South Wales
Belioza Coku University of Tirana, Faculty of Social Sciences, Tirana, Albania	Pathways to Inclusion: A Scoping Review of Global Best Practices for the Re-Integration of School-Leavers in Vulnerable Contexts

14:30 – 15:30 **Lunch** (free of charge; Stjepana Radića 13, 1st floor)

15:30 **Closing remarks** (Faculty Council Hall, Stjepana Radića 13, 1st floor)

Session 1

Digital Technologies, Environment, and Evolving Capacities

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THINKING ABOUT INTERNORMATIVITY TO FACE THE CHALLENGES SURROUNDING THE USE OF DIGITAL TECHNOLOGIES IN EARLY CHILDHOOD

Abstract

My thesis focuses on norms aimed at preventing the consequences of excessive use of digital technologies in early childhood. These consequences can be observed at different levels of child development (motor, physiological, emotional, cognitive and language, among others). The adoption of flexible laws and standards in recent years in response to this public health issue leads me to reflect on the role of the law, in a broad vision, to protect the health and development of the very young child in the face of use of technologies. To this end, I mobilize the Global Kids Online theoretical model (method guide 1), a research framework specifically designed to study children's rights in the digital environment from an ecological perspective of human development. Overall, my approach is epistemologically based on a pluralistic vision of the norm and an interdisciplinary approach. My research strategy is based on qualitative research methods, more specifically on two data collections, one using documentary sources (norms) and the other semi-structured interviews (actors around children). I conducted 29 interviews of 60 to 90 minutes with several categories of people involved in the child's life (directly and indirectly). The goal of this presentation is to present the use of the Global Kids Online theoretical model in interdisciplinary research in law and preliminary results of our qualitative data collection, with a focus on the results of the 29 interviews.

Keywords: digital environment; children's rights: internormativity; interdisciplinarity; qualitative approach

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CHILDREN'S DIGITAL WELL-BEING AS A CHILDREN'S RIGHTS ISSUE: A REVIEW OF PROTECTION, PARTICIPATION AND AUTONOMY IN THE DIGITAL ENVIRONMENT

Abstract

Children's digital well-being cannot be understood only through the amount of time spent in front of screens. It should be considered as a broader issue that includes safety, participation, autonomy, privacy, education, play, social relationships and access to information in the digital environment. As children increasingly learn, communicate, play and express themselves through digital technologies, their rights also need to be interpreted and protected within contemporary digital childhood. This paper discusses the opportunities and risks that digital environment create for children. Digital technologies can support access to knowledge, creative expression, peer communication, civic participation and educational inclusion. At the same time, children may encounter harmful content, cyberbullying, privacy violations, commercialisation of attention, algorithmic recommendation systems, problematic use of digital media and unequal access to quality digital experiences. The paper is guided by two research questions: 1) How can children be protected from digital risks while also supporting their growing autonomy and right to participation?; 2) What role can school and educational professionals play in promoting children's digital well-being and rights-based digital literacy? The paper is based on a qualitative review and synthesis of contemporary scientific literature, international children's rights documents and relevant research on children's digital lives, online risks, digital literacy and well-being. Particular attention is given to the relationship between protection, participation and autonomy, with the assumption that these principles should be considered together rather than as opposing demands. The paper relates to the symposium theme by addressing children's rights in digital and educational contexts and by considering how technological, social and cultural

changes shape childhood today. It argues that children should not be viewed only as vulnerable users who need control, but also as participants whose voices, experiences and evolving capacities should inform digital policies, school practices and approaches to digital well-being.

Keywords: children's digital well-being; children's rights; digital childhood; participation; digital literacy

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RETHINKING AGE-BASED SOCIAL MEDIA RESTRICTIONS THROUGH THE PRINCIPLE OF THE EVOLVING CAPACITIES OF THE CHILD

Abstract

The regulation of children's access to social media has emerged as a prominent issue in academic and policy debates. These discussions have primarily focused on online safety, data protection and platform governance, while the children's rights implications of age-based restrictions have remained largely underexplored. In response to concerns about the potential harms of online platforms, a growing number of states are considering age-based bans or restrictions. Although these measures pursue the legitimate aim of protecting children, they also raise important questions about whether they are compatible with a children's rights approach that recognises children's evolving autonomy. This presentation examines whether general age-based social media restrictions are consistent with the principle of the evolving capacities of the child under Article 5 of the UNCRC. It explores the tension between a static, age-based conception of childhood and an approach that acknowledges children's evolving capacities. It also considers whether age-based regulation risks treating children as a homogeneous group, overlooking individual differences and varying levels of digital competence. Australia's recent social media legislation serves as a case study. The research adopts a normative legal methodology, analysing the UNCRC, particularly Articles 5, 12, 13, 16 and 17, together with General Comment No. 25 on children's rights in relation to the digital environment. It evaluates whether broad age-based restrictions can be justified within the UNCRC's children's rights framework. The presentation contributes to the symposium's focus on children's rights in the digital environment by demonstrating how the principle of the evolving capacities of the child provides an interpretative framework for balancing children's protection and autonomy. It argues that this principle can support the development of more nuanced, child-centred approaches to regulation that recognise children's diversity and move beyond predominantly paternalistic age-based models.

Keywords: digital children's rights; evolving capacities

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WHAT DOES NATURE MEAN TO YOU?: A DEEPER UNDERSTANDING OF CHILDREN'S ENVIRONMENTAL RIGHTS AND RELATIONSHIPS WITH NATURE THROUGH THEIR OWN VOICES

Abstract

As the climate crisis worsens and planetary boundaries are pushed, there is growing interest in the relationship between human rights and the environment. Children are among those most affected, and their environmental rights are largely understood as those harmed by, or important for protecting against, environmental degradation – all grounded in the United Nations on the Rights of the Child (UNCRC) (Kecskés and Lux, 2023). The youth climate justice movement has brought attention to the ways children enact and express these rights on their own terms through protest, strategic litigation and everyday actions informed by lived experience (Daly, 2022). This has been coined as a 'postpaternalist' era of children's rights where children are moving beyond the adult-driven UNCRC and other human rights frameworks and giving their own meaning to their environmental rights through climate actions (Daly et al., 2024). Relationships with and care towards nature seem central to how children advocate for human rights, yet little research has asked children themselves what their environmental rights mean to them (Makuch *et al.*, 2020). My doctoral thesis asks: how can a relational framework, grounded in children's relationships with nature, reimagine children's environmental rights to better reflect their lived experiences and ecological embeddedness in the climate crisis? This presentation focuses on my empirical chapter, which draws on participatory arts-based fieldwork conducted in the Youth Climate Justice project with children across the world. The research questions this fieldwork aims to answer are: (1) how do children participating in the Youth Climate Justice project understand/relate to nature, and (2) how do these relationships inform their climate action and understanding of their environmental rights? This research speaks to the symposium's

themes by deepening our understanding of the rights of children in vulnerable situations (e.g. the climate crisis) and how children themselves participate in and enact their own environmental rights.

Keywords: postpaternalism; UNCRC; relationships; nature; participatory research

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RETHINKING THE PROTECTION OF CHILDREN'S RIGHTS: A RELATIONAL RECONCEPTUALISATION

Abstract

This paper explores a theoretical question: what constitutes the "protection of children's rights," and how might this understanding be translated into criteria for evaluating legal frameworks? While research in the field of children's rights has increasingly focused on implementation studies and impact evaluations, it has rarely addressed this foundational question. The paper develops a relational answer. Drawing on Minow's social-relational approach to rights and the ethics of care, it argues that protection should be understood not as securing the entitlements of an autonomous individual rights-holder, but as depending on the quality of the relationships surrounding the child and on the conditions that law and institutions create for those relationships. While these theories offer a way of understanding rights as constituted within relationships, they have rarely been developed into criteria for evaluating how law protects children. Building on my earlier theoretical work, the paper develops five relational dimensions: responsiveness to children's needs, recognition of asymmetries of power and dependency, continuity of relationships, the shaping of relationships through legal and organisational frameworks, and an orientation to structural change. These dimensions are proposed as criteria for evaluating legal frameworks. In this respect, the paper differs from existing relational accounts, which describe relationships without treating their quality as an evaluative standard, and from structural accounts, which locate protection in structural conditions alone. The paper then identifies two questions for future inquiry: whether existing evaluation tools capture these relational dimensions, and how these criteria might be applied across areas of law and across jurisdictions. By reframing what "protection" means, the paper contributes to the symposium's interest in new conceptual horizons and offers a way of evaluating legal frameworks that foregrounds relational conditions rather than the assessed capacities of the individual child.

Keywords: children's rights; relational theory; protection; ethics of care; legal evaluation

Session 2

Healthcare, Disability, and Bioethics in Children's Rights

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APPRECIATING CHILDREN'S VOICES IN MEDICAL DECISION-MAKING

Abstract

It remains challenging for physicians and parents to meaningfully involve the child in medical decision-making, especially when the child's views differ from those of parents or physicians. Yet, it is increasingly recognized that children should be meaningfully involved in decisions affecting them and generally have more decision-making capacity than is assumed. It illustrates the tension between autonomy and protection of the child, underlying the question what is in the child's best interests. In this assessment, the child's views should be considered according to the child's evolving decision-making capacities. Thus, the question arises: in the context of medical decision-making, how should children's views be weighed in the best interests assessment, considering their evolving capacities? There is abundant literature on the separate components of this question, but an integrated analysis of how this evaluation should be performed in practice is lacking. This study will provide this interdisciplinary analysis by combining perspectives from children's rights law, ethics and empirical psychology. The legal and ethical dimensions of the best interests standard (Article 3 of the CRC), right to participation (Article 12 of the CRC), and assessment of decision-making capacity are examined with legal doctrinal research as well as theoretical and conceptual ethics – paying special attention to their practical implementation. This analysis is complemented with a structured literature review of psychological evidence on how (medical) decision-making of children differs from that of adults, to assess which behaviours can be considered part of a child's evolving capacities. By integrating legal, ethical and psychological perspectives, this study contributes to emerging interdisciplinary research on children's right to participation by developing a practical framework for appreciating children's voices in medical decision-making considering their evolving capacities. Furthermore, the framework offers a normative and empirical basis

for discussing children's participation in medical decision-making, and may also inform research in other participatory contexts.

Keywords: medical decision-making; best interests of the child; right to participation; decision-making capacity; evolving capacities

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CHILDREN'S PARTICIPATION IN MEDICAL SETTINGS: EXPLORING THE INTERPLAY OF LAW AND MEDICAL PRACTICE – INITIAL INSIGHTS FROM SWISS PRACTICE

Abstract

In medical settings, children are caught in a triangular relationship with their parents and healthcare professionals. Nevertheless, children's participation is essential to the successful outcome of their treatment. Research has shown that children who are encouraged to participate can better contribute to their protection, are less vulnerable to abuse and can develop their full potential intellectually, socially and emotionally (Lansdown, 2004). How does this triad shape children's right to participation in medical contexts? What roles do parents and healthcare professionals play in a child's participation: are they facilitators or, on the contrary, obstacles to this participation? To answer these questions, a series of observations are being carried out during paediatric and psychiatric consultations across various Swiss cantons (Zurich, Basel, Fribourg, Vaud and Geneva). At this stage, 66 observations were conducted in private and public institutions in the cantons of Basel, Zurich and Fribourg. The consultations lasted between 8 and 90 minutes and included girls and boys between 6 and 17 years old. The main reasons for consultations were diverse. Focused ethnography (Knoblauch, 2005), qualitative content analysis (Schreier, 2012) and abductive reasoning (Reichertz, 2007) were the main approaches used and the coding of data was made with MAXQDA. This presentation, which will take Article 12 of the Convention on the Rights of the Child as its starting point, will set out the initial findings of this research alongside the Swiss legal framework. It aims to give an example of how interdisciplinarity can be used to promote children's rights and show how essential it is to continue to explore interdisciplinarity, which is one of the core topics of this symposium.

Keywords: children participation; Switzerland; law; medical practice; interdisciplinarity

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THE INSTITUTIONALISATION OF CHILDREN WITH SEVERE MULTIPLE IMPAIRMENTS IN SAINT-PETERSBURG, RUSSIA: A RIGHTS-BASED APPROACH

Abstract

This presentation will elaborate a rights-based approach towards children with severe multiple impairments (SMI) in Saint-Petersburg, Russia and the underlying views on impairment and childhood. The fieldwork-based PhD research project involved investigation of the fulfillment and violation of the rights of these children while living in families and at institutions. The factors contributing to persistent institutionalization are explored as well, including societal traditions and personal beliefs; stigmatization and 'sanitization' discourses (hiding the sick and impaired); limited access to basic social and medical services, for example as a result of inaccessible buildings and transport services or gaps in financial support; lack of required knowledge and training; and unpreparedness to meet the needs of children with impairments among care-givers, mainstream institutions, and society as a whole. The main research question is: What explains the persistent institutionalization of children with SMI in Saint-Petersburg, Russia, and how could this be addressed from a rights-based approach? The primary data collection consisted of drawing, photovoice, unstructured interviews and, where possible, focus-group discussions with children with SMI; and semi-structured interviews, photovoice and focus-group discussions with caregivers. Both children living at home and at an institution, and caregivers of both groups, participated in the research. This topic is highly relevant to the theme of the CREAN symposium, particularly to the topic of the rights of children in vulnerable, marginalised or under-researched groups. Children with SMI, especially those placed at an institution, are among the most vulnerable and marginalised groups in Saint-Petersburg, Russia, and are seriously limited in the enjoyment of their fundamental

rights. They are also an under-researched group and are largely excluded from societal life to the extent that some of the interviewed parents admitted that, until their own child was born, they did not know so many children with SMI existed in Russia and lived at institutions.

Keywords: children; rights; impairments; institutionalisation

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CHILDREN'S MORAL AGENCY ACROSS INSTITUTIONAL CONTEXTS: HEALTHCARE DECISION-MAKING AND POLITICAL PARTICIPATION AS ILLUSTRATIVE DOMAINS

Abstract

This research examines children's moral agency and develops an account of children's participation as a relational practice of agency. It critically examines philosophical and Islamic theological perspectives on children's rights, human dignity, and autonomy alongside theories of moral development. Rather than treating agency as an isolated capacity grounded solely in individual autonomy, the project conceives children's agency as emerging through relationships of mutual support, care, and interdependence – a point emphasized in Article 12 of the United Nations Convention on the Rights of the Child. The research analyses two domains: medical decision-making, where issues of protection and evolving capacities are especially salient; and political and policy processes, where questions of inclusion and democratic legitimacy arise. The key research questions are: Are children moral agents, and if so, how could contemporary societies and institutions accommodate this agency in practice? How should children's moral agency be understood and normatively justified in relation to autonomy, participation and relationality in political and medical decision-making? The research is conceptual and normative. Conceptual analysis examines moral agency, dignity, autonomy, relationality, children's rights, and participation in political and medical contexts, focusing on how these concepts are understood and theorized by different scholars. Normative evaluation examines the values and judgments associated with these ideas, asking which interpretation is most justified and therefore ought to be pursued. In relation to the symposium theme, the presentation explores children's moral agency as an emerging area in children's rights research. It examines how children's participation

in healthcare and political settings, grounded in relational autonomy, might be understood as children's rights without being contingent upon competence defined by adult standards of rational independence. The project emphasizes multidisciplinary approaches, incorporating children's rights, philosophy, political theory, and bioethics.

Keywords: agency; autonomy; children; participation

Session 3

Family Law, Filiation, and Child Protection

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THE EVOLUTION OF CHILDREN'S RIGHTS PROTECTION IN THE ECTHR'S CASE-LAW ON CROSS-BORDER SURROGACY

Abstract

Divergent national approaches to surrogacy have led to a growing number of cross-border disputes concerning the recognition of legal parentage and legal status of children. In an attempt to strike a balance between protection of children's rights and respect for national prohibitions on surrogacy, the European Court of Human Rights (ECtHR) has developed extensive case-law demonstrating a gradual evolution of its approach. The aim of this paper is to analyse the development of the ECtHR's case-law in cross-border surrogacy cases with a view to determine whether the Court has shaped some common standards for the recognition of legal parentage. The paper argues that the Court's case-law concerning surrogacy can be divided into three stages. The first stage judgments emphasise the importance of protection of the child's identity and recognition of the legal relationship with biological parent. The second stage judgments clarify that States should ensure the recognition of legal parentage while maintaining discretion as to the choice of the appropriate legal mechanism. The third stage judgments develop standards for assessing the effectiveness and timeliness of recognition and progressively limit the possibility of relying on public policy as a ground for refusal. The paper analyses the ECtHR's key judgments, from Mennesson v. France and Labassee v. France, through the 2019 Advisory Opinion, to more recent cases such as K.K. and Others v. Denmark, D.B. and Others v. Switzerland, A.M. v. Norway, and C. v. Italy. Particular attention is devoted to the relationship between children's rights, public policy, and the states' margin of appreciation in regulating surrogacy. The paper argues that the ECtHR has gradually shaped common European standards governing the recognition of legal parentage in cross-border surrogacy cases. This development has progressively limited the possibility for States to invoke public policy when refusing to recognise foreign judgments and public documents establishing legal

parentage, while preserving their discretion to regulate surrogacy within their domestic legal systems.

Keywords: cross-border surrogacy; European Court of Human Rights (ECtHR); legal parentage; children's rights; public policy

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CROSSING BORDERS, MAINTAINING TIES? CHILDREN'S RIGHTS AND FAMILY RELATIONSHIPS IN EU CROSS-BORDER PLACEMENT PROCEDURES

Abstract

Cross-border placements of children in alternative care are increasingly considered by child protection authorities as a means to better meet the individual needs of children whose well-being cannot be secured in their home environment (Pawliczak, 2022; Carpaneto, 2016; Dominelli, 2016). Considering care solutions beyond national borders may benefit the child, yet such placements also pose challenges as child protection and welfare are governed by national legislation and provided locally by social services (Mustasaari, 2022). Hence, when a cross-border placement is envisaged, the competent authorities in the two states involved must cooperate closely to ensure that the proposed placement would adequately protect the child and safeguard their rights. To facilitate such cooperation, the Brussels IIter Regulation prescribes a mandatory procedure for cross border placements within the EU. Although this cooperation procedure (Article 82 Brussels IIb) has been discussed in the literature, little is known about how it functions in practice, and no research has examined the attention afforded to children's rights within this procedure. This paper aims to address this gap by drawing on a systematic case file analysis of more than one hundred cross border placements involving Belgium as the requesting state (seeking placement abroad) or as the receiving state (hosting a child placed from another jurisdiction). Concretely, this paper explores the attention afforded to children's rights in cross-border placement procedures through the lens of family relationships. As one dimension of a broader children's rights analysis, it examines the extent to which children's family ties, including relationships with parents and siblings, are reflected within the cooperation procedure and how challenges associated with geographical distance are addressed. By focusing on the

rights of children placed in alternative care abroad – a relatively under-researched group of children navigating multiple legal systems and care environments – this paper advances ongoing discussions on children's rights across borders, while responding to calls for comparative research on the interaction between international children's rights and private international law (Liefaard, 2022).

Keywords: cross-border placements; alternative care; family relationships; children's rights; empirical legal research

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CHILDREN'S RIGHTS AS A SPECIAL FORM OF HUMAN RIGHTS: THE RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE AND THE RIGHT OF THE CHILD TO FREELY EXPRESS HIS/HER VIEWS IN CASES OF INTERNATIONAL CHILD ABDUCTION

Abstract

The presentation explores the phenomenon of international child abduction as a specific form of children's rights violation, in which a child is wrongfully removed from or retained across national borders in breach of existing custody arrangements. Given that it requires the application of both domestic legislation and international legal instruments, while simultaneously lying at the intersection of family law and private international law, international child abduction constitutes a particularly complex legal issue which continues to generate extensive discussion. Some of the key research questions are: What constitutes international child abduction? Which legal sources govern international child abduction in European countries, with particular focus on Croatia? How do the right to respect for private and family life (Article 8 of the ECHR and Article 7 of the EU Charter of Fundamental Rights) and the child's right to freely express their views (Article 12 of the CRC) interact in abduction proceedings? What is the rationale for emphasizing the principle of urgency? What are the exceptions to return mechanisms? The methodological approach consists of doctrinal analysis of relevant international legal instruments, with particular attention to the Hague Convention on the Civil Aspects of International Child Abduction and Regulation (EU) 2019/1111 (Brussels II ter), as well as case law of the European Court of Human Rights (ECtHR) and the Court of Justice of the European Union (CJEU). This presentation examines international child abduction as a cross-border children's rights issue with a significant impact on children, their rights, and family relations, and one that continues to present various practical challenges. It is therefore situated within the symposium's broader focus on contemporary developments in children's rights research.

Keywords: international child abduction; the right to respect for private and family life; the right of the child to freely express his/her views

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SIBLINGS IN SWEDISH FAMILY LAW

Abstract

Sibling relationships are often described as the most enduring in a person's life. Yet, it is far from clear who counts as a sibling in legal terms, and what the consequences of being (or not being) a sibling are. This project examines how "siblings" are constructed in Swedish family law and how law engages with relational bonds – including between individuals who may be emotionally distant, estranged or entirely unknown to one another yet connected through genetic or biological ties, as well as between those who share a close and enduring relationship and understand themselves as siblings socially. Rather than treating siblinghood as self-evident, the project takes as its starting point a spectrum of relations consisting of genetic, biological and social ties. To explore this, the paper focuses on three illustrative sites where siblings – who is and who is not a sibling – become legally visible: (i) the formation of sibling relationships derivative of parentage, (ii) the regulation of siblings in relation to parental responsibility and rules on contact and the protection of close personal relations and (iii) siblings in inheritance law. By juxtaposing these areas, the project explores how different legal contexts may produce different understandings of what a sibling is, and which relationships are recognized, protected, or overlooked. Drawing on a broader theoretical framework of horizontal and vertical family relations and positioning siblings within, it is argued that siblinghood emerges as a shifting and uneven legal construct, raising questions about how law engages with the diversity of personal relationships and contemporary family life.

Keywords: siblings; family law

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THE RIGHT TO IDENTITY IN THE CONTEXT OF FILIATION

Abstract

The right to identity is one of the fundamental human rights and, in the context of filiation, has developed primarily through the right to private life and the rights of the child. In the first place, it is reflected in the child's right to know their origins. However, developments in reproductive technologies, changing family structures, and new forms of parenthood have challenged the traditional understanding and protection of this right. These issues become particularly complex in cross-border situations, where differences between national legal systems may create legal uncertainty and hinder the effective protection of the child's right to identity. Although the right to identity may arise in a range of filiation-related contexts, including the establishment and contestation of parentage, adoption, and anonymous birth, this research focuses exclusively on the child's right to identity in the context of medically assisted reproduction and surrogacy. Accordingly, the central research question is what the child's right to identity encompasses in this context and the extent to which the existing legal framework ensures its effective protection. Particular attention is paid to the role of the European Court of Human Rights in developing common standards for the protection of this right. The research is based on a normative analysis of international, European, and national legal sources, complemented by an examination of the relevant case law of the European Court of Human Rights. This work forms part of an ongoing doctoral research project and contributes to the symposium's theme by examining how contemporary social and biomedical developments are reshaping the concept of filiation and necessitating new legal approaches to protecting the child's right to identity.

Keywords: right to identity; filiation; the child's right to know their origins; cross-border situations

Session 4

Child Participation, Legal Representation, and Access to Justice

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FROM HEARING TO PARTICIPATION: REIMAGINING CHILDREN'S AGENCY IN FAMILY MEDIATION

Abstract

One of the fundamental rights of the child, as set out in Article 12 of the UN Convention on the Rights of the Child, is the right to be heard. In family law proceedings, this right is increasingly being realised through child-friendly hearings before a judge, enabling children to express their views on matters that directly concern them. However, there remains a significant gap regarding children's participation in family mediation processes, which are an increasingly important form of alternative dispute resolution in family matters. Mediation that incorporates the child's voice fills this gap. Although existing legal and institutional frameworks emphasise the importance of hearing the child's voice, in mediation practice there is often a lack of consistent and structured approaches to ensure meaningful participation by children. As a result, children's involvement may remain symbolic rather than genuinely participatory. The main research questions are: (1) how is children's participation conceptualised and implemented in family mediation processes; (2) to what extent does mediation involving children meet the standards set out in Article 12 of the UN Convention on the Rights of the Child; and (3) what procedural and ethical safeguards are necessary to ensure that children's participation is voluntary, meaningful and does not expose them to additional emotional strain in situations of conflict between their parents? Methodologically, the presentation employs a doctrinal and legal analysis combined with a practice-oriented perspective. It draws on international legal standards, soft law instruments and selected comparative approaches concerning children's participation in family justice systems. The presentation contributes to the symposium's theme by addressing emerging concepts concerning children's agency, participation and rights in difficult family contexts, and by analysing the transition from merely hearing a child's voice to enabling

them to participate meaningfully in decision-making processes that affect their lives.

Keywords: mediation; CIM; child participation; child voice

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EXPLORING THE EFFECTIVENESS OF CHILDREN'S LEGAL REPRESENTATION IN CROATIAN FAMILY PROCEEDINGS

Abstract

The child's right to legal representation in family proceedings is a key mechanism for ensuring the effective protection of the child's right to participate and to be heard. The ECtHR has repeatedly emphasised that cases in which children are unable to participate effectively in family proceedings raise concerns regarding compliance with Articles 6 and 8 of the ECHR. The Court's case law therefore provides an important interpretative framework for assessing the procedural guarantees afforded to children in family proceedings. Against this background, this paper addresses the following research question: does the Croatian system of legal representation ensure children's effective participation in family proceedings in accordance with European and international standards? To answer this question, this paper combines an analysis of the Croatian legislative framework with a case study of the jurisprudence of Croatian first-instance courts and the Constitutional Court of the Republic of Croatia. The analysis focuses on cases concerning contact between parents and children, providing both factual and legal insights into the protection of children's procedural rights. Particular attention will be given to the institution of the special guardian under Croatian law, considering the extensive responsibilities assigned to this representative in safeguarding the child's right to legal representation in family proceedings. It is necessary to assess whether this institution effectively fulfils its intended role or whether, in practice, it reflects a degree of procedural formalism that falls short of the legal standards and expectations associated with ensuring the child's effective participation in family proceedings. By identifying the gap, if any, between the normative framework and its practical implementation, the research seeks to contribute to the ongoing discussion on strengthening children's procedural rights and ensuring their meaningful participa-

tion in family proceedings. In doing so, it also addresses broader questions concerning the effective implementation of children's rights, closely reflecting the central theme.

Keywords: children's legal representation; children's effective participation in family proceedings; Croatian family proceedings; special guardian

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FROM LEGAL CONCEPT TO PRACTICAL METHODOLOGY: HOW COULD THE BEST INTERESTS ASSESSMENT AND DETERMINATION PROCESS WORK IN A NATIONAL CONTEXT?

Abstract

This paper seeks to demonstrate how the interpretative framework developed by the Committee on the Rights of the Child – specifically the guidance provided in General Comment No. 14 – can support a legislative shift towards a child rights-based approach through the development of new legal concepts, specifically in alternative care contexts. Although the Hungarian Child Protection Act and several other domestic legal instruments frequently refer to the best interests of the child as both a protected value and a primary consideration, the practical implementation of this principle in decision-making nor the methodology for assessing it, is not regulated in alternative care proceedings. This paper first offers a critical analysis of the Best Interests Assessment and Determination process developed by the Committee on the Rights of the Child as a structured decision-making methodology. It then provides a brief overview of the areas within the Hungarian legal framework where decisions regarding alternative care are regulated and raises a question that incorporating such a methodology could facilitate a more effective identification and assessment of children's rights and interests in this vulnerable context. Particular attention is given to the perspectives of the professionals who would ultimately be responsible for applying the methodology in practice. This study forms part of the research conducted for the author's PhD dissertation, within which qualitative interviews will be carried out with child protection professionals to explore their views on the potential implementation of the methodology in Hungary and to incorporate their practical insights into the developmental process. This paper seeks to address questions such as whether a single decision-making methodology can be effectively applied across diverse contexts – from determining services within the child welfare system to alternative care proceedings – and whether

such a methodology can genuinely strengthen the realisation of children's rights while simultaneously serving as a practical and meaningful tool for professionals.

Keywords: child rights; alternative care; best interests; practical methodology; best interest assessment and determination (BIAD)

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CHILD PARTICIPATION IN ACCESS TO JUSTICE: FROM CHARITY TO JUSTICE THROUGH LITIGATION

Abstract

A marked rise in child and youth activism, particularly around the climate crisis, is exposing gaps in child participation law. Child participation – the involvement of children in decisions affecting them – is enshrined in Article 12 of the UN Convention on the Rights of the Child (CRC), guaranteeing the child's right to be heard and to have their views given due weight. Since 1989, this right has expanded in scope and meaning, particularly in family and criminal law contexts. However, its application to children as political and legal actors seeking to access justice and obtain remedies for rights violations remains under-theorised, with substantial gaps evident in domestic access-to-justice laws and practices across Africa (CRIN 2016; ACERWC 2026). This paper asks: (1) What are the gaps in Article 12 as a normative basis for children's participation in access to justice?; (2) Do these gaps reflect a failure of children's rights as political and legal actors to clearly emerge in law and practice?; (3) How is child-led climate litigation beginning to address this gap in practice?; (4) Does this emerging litigation trend signal a shift toward "postpaternalism" in children's rights law? Methodologically, the research adopts a doctrinal legal analysis, alongside a case study of child-led climate litigation, with a focus on South Africa as an illustrative jurisdiction within the broader African regional context. This paper speaks directly to the symposium's focus on children's agency and participation, and the impact of social and environmental change on children's rights, arguing that climate litigation offers an empirical window into whether children's rights law is moving beyond protective paternalism toward genuine political and legal agency.

Keywords: child participation; climate litigation; Article 12; climate justice; postpaternalism

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INTERPRETERS, NOT REPRESENTATIVES: CHILDREN'S AGENCY AND THE RIGHT TO BE HEARD IN RELIGIOUS EDUCATION

Abstract

In religious education, children are frequently positioned as representatives of the religious traditions to which they are assumed to belong, expected to explain "what Muslims believe" or "how Catholics pray." This paper challenges that assumption, arguing that it misrepresents both the diversity of religious belonging and the child's right to express their own understanding. The central research questions are: How should children's voices be understood within religious education? What are the implications of viewing children as interpreters, rather than representatives, of religious traditions? And how does this shift strengthen a children's-rights approach to religious education? The paper adopts a qualitative and interdisciplinary methodology, combining conceptual legal analysis with educational theory. It draws on Robert Jackson's interpretive paradigm, which distinguishes between the individual believer, the membership group, and the wider religious tradition, together with the Reggio Emilia educational approach, which understands children as competent and active makers of meaning. These perspectives are examined through the normative framework of the UN Convention on the Rights of the Child, particularly Articles 5, 12, and 14, and are discussed in light of evidence from a recent participatory action research study conducted in Greek classrooms. The findings suggest that pupils' most significant learning often concerns the rediscovery and reinterpretation of their own religious traditions, rather than simply encountering religious diversity. Protecting children's participation in religious education requires recognising them as interpreters of religion whose understandings are personal, evolving, and shaped through dialogue, rather than as spokespersons for fixed identities. This perspective is especially significant in an era in which digital technologies increasingly classify and solidify children's identities before they have the opportunity to construct them themselves. By foregrounding children's agency, interpretation, and participatory rights, the paper contributes to the symposium's broader discussion

of children's voices, identity formation, and rights-based educational practices in contemporary societies.

Keywords: children's agency; right to be heard (Article 12 of the CRC); evolving capacities; religious education; image of the child; interpretive approach

Session 5

Vulnerability, Protection, and Violence Against Children

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GUARANTEES OF A CHILD'S RIGHT TO PRESERVATION OF THEIR IDENTITY (THE CASE OF UKRAINE)

Abstract

A child's identity, encompassing name, nationality, family origin, and individuality, constitutes a foundational element of personhood and shapes development across the life course. This paper examines the legal framework designed to protect this right, with particular attention to how that architecture holds under conditions of armed conflict. The urgency of this inquiry is acute in the Ukrainian context, where systematic violations of children's identity rights have been documented as a direct consequence of war and occupation. The research addresses three core questions: How do international and domestic legal frameworks operationalize the child's right to identity? In what ways does the "child-centered" paradigm – positioning the child as a subject rather than an object of legal relations – shape state obligations regarding identity preservation? And how has Ukraine adapted its legal mechanisms under martial law to safeguard children's identity continuity? Methodologically, the study employs a comparative legal analysis of international instruments, principally Articles 7 and 8 of the UN Convention on the Rights of the Child, alongside Ukraine's constitutional provisions and national legislation. Case-based analysis of wartime practices, including forced citizenship changes and the severance of family ties by the aggressor state, grounds the international framework in concrete legal and humanitarian realities. Ukraine's introduction of simplified birth registration procedures and legal fact-establishment mechanisms under extraordinary circumstances is examined as a case for adaptive rights protection. This paper speaks directly to the symposium theme by bridging doctrinal legal analysis with the lived realities of conflict-affected children. It argues that identity rights, often treated as administrative in nature, are in fact among the most vulnerable and most consequential rights at stake in contemporary armed conflicts in order to ensure that the best interests of a child are of primary consideration.

Keywords: child's identity rights; UN Convention on the Rights of the Child; child-centered approach; armed conflict; Ukraine

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THE BEST INTEREST OF THE CHILD AND INTIMATE PARTNER VIOLENCE – THE INFLUENCE OF SOCIAL SCIENCE FINDINGS AND HUMAN RIGHTS STANDARDS ON CUSTODY AND CONTACT LAW, ILLUSTRATED BY CURRENT REFORM PROPOSALS IN GERMANY

Abstract

The best interests of the child (Art. 3 of the UN Convention on the Rights of the Child) is the guiding principle underpinning custody and contact law; its interpretation is therefore a key criterion for decisions under family law. As an undefined legal concept, it must be interpreted by drawing on findings from the social sciences. These findings now clearly show that witnessing intimate partner violence (IPV) can have significant effects on children. This raises the question of whether contact with the parent who perpetrates violence is always compatible with the best interests of the child. This paper examines how a coherent normative framework for child custody and contact law proceedings in the context of IPV can be developed, taking into account findings from the social sciences as well as human rights standards, in particular the UN Convention on the Rights of the Child (UNCRC), the European Convention on Human Rights and the Istanbul Convention. The focus is on the function of the concept of the child's best interests as a unifying and balancing criterion. In particular, the paper examines the relationship between the child's best interests and the protection of the parent affected by violence, and how existing tensions can be resolved. These questions are illustrated by reference to the current reform proposals in German law, which explicitly aim to take greater account of situations involving IPV. In doing so, this paper takes up the symposium's interdisciplinary approach and contributes to the discussion on the rights and needs of children in vulnerable contexts.

Keywords: best interest of the child; intimate partner violence; custody; contact law

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DEVELOPING A CHILD-INFORMED MEASURE OF CHILD POVERTY

Abstract

Child poverty represents both a cause and consequence of violations and the non-fulfilment of the rights of children, despite not being explicitly referenced in the UN Convention on the Rights of the Child. In Northern Ireland (NI), child poverty rates have remained consistently high over the last 15 years. Policy responses have been criticised for using adult-centric concepts, definitions and measurements which 'do not reflect the reality of being poor' for children (Public Accounts Committee, 2024). Limited data on poverty among black and ethnic minority families further obscures their experience, leaving children from these communities disproportionately affected due to intersecting inequalities resulting from their age and ethnicity. This demonstrates a need to rethink how child poverty is approached in NI, and the PhD study seeks to discover the following: How do children in Northern Ireland experience poverty, and how are these experiences shaped by intersecting identities, particularly age and ethnicity? How can children's lived experiences inform a child-centred definition of poverty? How can children's lived experiences be used to develop a multidimensional measure of child poverty that assesses: The extent and depth of child poverty in Northern Ireland; and The impact of ethnicity on children's experiences of poverty? This paper focuses on the rights-based methodology (Lundy and McEvoy, 2012) used for the study. Firstly, it focuses on the justification for adopting a rights-based approach to understanding and exploring child poverty, reviewing developing international practices which demonstrate the validity of adopting participatory methods to poverty studies to ensure research responds to the needs of those with lived experiences (Lister, 2021). It then moves to assess how this has been applied to collaborate with children and young people in particular in other jurisdictions (Bessell *et al.*, 2025; Save the Children 2023), and how the findings from these studies demonstrate the validity of a child-centered conceptualisation of poverty, emphasising the importance of contextualisation of an approach in order to capture the economic, social and cultural contexts. Lastly, it will set out how

this knowledge has informed the application of a rights-based methodology to the NI context within this study, and how this has been designed to reflect the intersectionality of the experience of poverty for children in marginalised communities in NI.

Keywords: participatory research; child poverty; intersectionality; 'rights from below'

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PUBLIC INQUIRY COMMISSIONS AS CHILDREN'S RIGHTS MECHANISMS?

Abstract

This paper examines the growing use of public inquiry commissions in Europe to address child sexual violence and questions their role in advancing child-rights-based law and policy. While such sui generis mechanisms are increasingly established with mandates that include truth-seeking, accountability, and prevention of future harm, it remains unclear to what extent they incorporate children's perspectives and respond to their rights, needs, and lived experiences. The research asks: How do public inquiries into child sexual abuse in Europe function, and what potential and limits do they present from a child-centred perspective? Focusing on an initial stage of the project, this paper addresses a specific sub-question: how selected public inquiries differ in their mandate, powers, responsibilities, and institutional design. Adopting a socio-legal and interdisciplinary approach, the study combines legal and policy analysis with participatory methods, including interviews with individuals involved in or affected by these inquiries. It also develops a transparent case selection strategy, drawing on inquiries identified in academic literature and in the UN Committee on the Rights of the Child's Concluding Observations. The paper will provide a comparative overview of public inquiries across European contexts and highlight key variations in their design. It argues that these differences have significant implications for how children's perspectives and living rights are taken into account within such processes. By situating public inquiries at the intersection of law, policy, and lived experience, the paper contributes to emerging interdisciplinary and methodological debates in children's rights research, particularly concerning participation, institutional innovation, and responses to violence affecting all children, including those in vulnerable situations.

Keywords: public inquiry commissions; sexual violence against children; socio-legal research; Europe

Session 6

Institutional Governance, Educational Settings, and Reconceptualisations

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INVISIBLE CHILDHOODS: CHILD SEXUAL EXPLOITATION, VULNERABILITY, AND THE LIMITS OF CHILD PROTECTION FRAMEWORKS IN DEVELOPING SOCIETIES

Abstract

Despite the growing international recognition of children's rights, millions of children in developing societies continue to experience sexual exploitation, trafficking, abuse, and structural neglect in both public and private spheres. Children living in conditions of poverty, displacement, domestic labour, street situations, and social marginalisation remain particularly vulnerable, while legal and institutional child protection mechanisms often fail to adequately respond to their realities. Contemporary children's rights scholarship increasingly emphasises the importance of contextualised and interdisciplinary approaches to understanding childhood vulnerability, agency, and protection. This paper critically examines the limitations of existing child protection frameworks in addressing child sexual exploitation and abuse within vulnerable and under-researched social contexts. Drawing upon international human rights law, children's rights principles, and socio-legal perspectives, the study explores how socio-economic inequalities, cultural dynamics, weak institutional responses, and inadequate implementation of legal protections contribute to the continued invisibility of vulnerable child victims. The paper further analyses the tension between formal legal protections and the lived experiences of children exposed to exploitation and abuse. It argues that child protection mechanisms in many developing contexts remain predominantly reactive and legalistic, with insufficient emphasis on child participation, rehabilitation, psychosocial recovery, and long-term social reintegration. Using an interdisciplinary methodological approach, this research contributes to emerging debates in children's rights scholarship by highlighting the need for more child-centred, context-sensitive, and socially responsive protection frameworks. The study also seeks to broaden contemporary discussions on vulnerable childhoods, children's agency, and the evolving

challenges facing children's rights in rapidly changing social and cultural environments.

Keywords: child sexual abuse; vulnerability; rehabilitation

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CHILDREN AND SEX – A COMPARATIVE STUDY ON ADOLESCENTS' SEXUAL AUTONOMY AND VULNERABILITY IN CRIMINAL LAW

Abstract

The question of how legal systems balance sexual autonomy of adolescents with the imperative to protect children from sexual violence is examined through a comparative analysis of Sweden, Norway and North Macedonia. The paper examines the concepts of vulnerability, sexual autonomy and child protection within the context of rape, and evaluates how these three concepts are balanced in contemporary European child rape legislation. It provides explanations, and highlights the differences on, the definition of who and when someone can be considered a child in relation to the age of consent, legislation on sexual abuse of children and accompanying sentencing frameworks in the three chosen countries. While Scandinavian countries have implemented a liberal model that gives priority to sexual autonomy, it risks not sufficiently protecting adolescents above the age of consent who are no longer treated as children under criminal law. North Macedonia, on the other hand, has a broader formal definition of child abuse that extends up to the age of 18, but fails to implement that protection as there are severe difficulties in enforcement due to deep-rooted cultural and social norms. The paper concludes that neither the overly progressive nor the overly conservative approaches meet the protective goals of criminal law and a more detailed framework is required to balance sexual autonomy with strong protection of children of all age groups. Research shows that children are more vulnerable than adults when it comes to sexual abuse, and the paper argues that all children under the age of 18 thus should be entitled to a strong, child centred, legal protection. Limiting protective measures to children who are younger than the age of consent is in practice harmful. Effective child protection requires coherence between criminal law, social- and institutional policies.

Keywords: sexual autonomy; vulnerability; sexual offences

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UNACCOMPANIED MINORS VULNERABILITY IN EUROPEAN MIGRATION GOVERNANCE. A COMPARISON BETWEEN ITALY AND SPAIN

Abstract

This study examines how unaccompanied minor (UAM) vulnerability has been shaped and addressed in European migration governance in the last two decades through a comparative analysis of Italy and Spain. It conceptualizes vulnerability as a dynamic and politically constructed tool and outcome produced by legal frameworks, institutional practices, and a variety of actors (state and non-state) with different interests in migration governance. Drawing on qualitative case studies methodology and through a structured, focused comparison, the paper explores what approaches Italy and Spain have adopted in dealing with UAM as frontline countries within European migration governance context, and under what conditions UAM inherent vulnerability has been mitigated or exacerbated. The findings reveal that Italy and Spain, while displaying different governance structures, political trajectories and distinct governance model arrangements for UAM – an "emergency centralized (un)protection model" in Italy and an "exceptional decentralized (un)protection model" in Spain – have both adopted ambivalent approaches that combine protection and control, ultimately reflecting European Union (EU) tensions between humanitarian and securitarian perspectives. However, advancing theories that explain this tension through the critical position of unaccompanied minors at the intersection of migration legislation and child protection framework as well as the general EU member states failure due to diffused and dispersed responsibility across horizontal and vertical governance levels, the contribution of this paper points out to the crucial role local communities have played in developing knowledge and best practices that mitigate UAM vulnerability. Indeed, drawing on the non-linearity of the "spiralling phenomenon of securitization" and the local turn in migration governance theories, local actors' (both state and non-states) community are more likely to adopt an inclusive de-securitising approach rather than

central government, at time influencing national policies. This contribution speaks directly to the core themes of the CREAN PhD Symposium by engaging with critical analyses of migration governance and the production of vulnerability within Europe. Importantly, the research advances CREAN's focus on alternative practices by foregrounding the role of local actors and communities. By showing how local-level initiatives can mitigate vulnerability and promote more inclusive, de-securitising approaches, the paper contributes to discussions on the "local turn" in migration studies and demonstrates how vulnerability can be re-signified and operationalised in ways that expand protections and rights for children without reproducing stigma or exclusion.

Keywords: unaccompanied minor (UAM); vulnerability; child-rights protection; Italy – Spain comparison; local state and non-state actors

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REFORMING CARE, WITHDRAWING SUPPORT: EXPLORING THE DUAL IMPACT OF POLICY CHANGE AND CUTS TO COMMUNITY SERVICES ON CARE-EXPERIENCED CHILDREN IN SOUTH WALES

Abstract

This study examines the dual impact of recent policy reforms and significant cuts to community services on care-experienced children and young people in South Wales, foregrounding a child-rights approach and meaningful participation. Against a backdrop of rising need and simultaneous reductions in youth service funding, the research investigates how these structural shifts shape young people's everyday lives and their capacity to influence decisions that affect them. The study is situated within a rights-based framework that challenges dominant assumptions that children who have experienced trauma lack the maturity to contribute to policy making. A practice that risks marginalising those whose perspectives diverge from normative expectations. Using participatory qualitative methods, the research engages children, young people, and front-line practitioners through co-creative focus groups, interviews and practitioner dialogues. These methods are designed to redistribute power, enabling participants to shape research questions, refine materials and articulate priorities that reflect their lived realities. Grounded Theory guides the analytic process, with in-vivo coding used to privilege participants' own language and concepts. This approach enables theory to emerge inductively from the data, ensuring that young people's voices shape the conceptual development rather than being fitted into pre-existing frameworks. The importance of this study lies in its goal to address a critical blind spot in current research and policy. Existing literature tends to examine policy change, children's experiences and community provision in isolation but rarely considers the interaction in real time. By showcasing the voices of children and young people, particularly those who are routinely excluded from consultation, this study provides evidence that is both urgently needed and currently missing. The findings offer a more realistic understanding of how pol-

icy is lived on the ground, highlight the risks created when reforms outpace community capacity, and generate insights that can inform more ethical, child-centred approaches to future change.

Keywords: social policy; child rights; participatory methods

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PATHWAYS TO INCLUSION: A SCOPING REVIEW OF GLOBAL BEST PRACTICES FOR THE RE-INTEGRATION OF SCHOOL-LEAVERS IN VULNERABLE CONTEXTS

Abstract

School abandonment remains a persistent social challenge, masking deeper systemic failures that leave adolescents – particularly those aged 10–14 – exposed to severe forms of abuse, neglect, and exploitation. Empirical research, including the author's own epidemiological analysis of abuse and neglect among school-leavers in Albania, indicates that these children frequently fall outside the purview of formal child protection systems, creating long-term individual and social costs. This proposed scoping review addresses the symposium theme – "Exploring Emerging Horizons in Children's Rights Research Across Disciplines and Contexts", by mapping global best practices and community-based protocols for re-engaging out-of-school children. Research questions: 1) What are the prevailing global models and community-based protocols for re-engaging children who have abandoned school?; 2) How do these interventions address the intersection of psychosocial support and systemic exclusion?; 3) What lessons can be learned regarding the efficacy of flexible, non-formal learning solutions versus traditional reintegration? This research will follow PRISMA-ScR guidelines to synthesize both academic literature and "grey literature" (institutional reports and protocols) from diverse cultural and socio-economic contexts. The review will chart variables such as intervention settings, provider roles, and target population demographics to identify methodological innovations in children's rights scholarship. By focusing on under-researched groups and the rights of children in vulnerable contexts, this review seeks to provide a platform for policymakers to move toward more integrated, protective systems. It emphasizes children's agency, aiming to minimize recidivism through culturally responsive, rights-based interventions.

Keywords: re-integration of school-leavers in vulnerable contexts

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