



The European Children's Network
Le Réseau Européen des Enfants

Commission Communication "Towards a European Strategy on the Rights of the Child"

European Children's Network (EURONET) Briefing for MEPs

'Children are European citizens too'

February 2007

The European Children's Network (EURONET) is a coalition of networks and non-governmental organisations from across Europe campaigning at European level for the interests and rights of children. Since 1995 EURONET has contributed to the implementation of children's rights at EU level and gave extensive input to the Communication "Towards a European Strategy on the Rights of the Child"¹ www.europeanchildrensnetwork.eu

Introduction

In July 2006, the European Commission published a Communication entitled "Towards a European Strategy on the Rights of the Child"², setting out its intention to lead the creation of the first-ever EU strategy on children's rights, and committing to a number of actions to this end.

The European Parliament is currently developing a Report on this Communication³. This briefing aims to explain to MEPs why children's organisations believe that an EU strategy on children's rights is necessary, respond to some common questions and misperceptions, and make **some key recommendations (page 4)**.

Where does the idea of an EU children's rights strategy come from?

A growing number of EU activities affect children, directly or indirectly, for example in the fields of poverty and social inclusion, health and consumer protection, criminal justice, international development, and macro-economics. More and more risks to children transcend national boundaries, making cross-border cooperation essential, such as threats associated with the internet, child trafficking, or the need to prevent sex offenders from crossing borders to work

¹ The EURONET Report "What about us? Children's Rights in the EU: next steps" (November 2005) contributed to the Communication "Towards a Strategy on the Rights of the Child"

² COM (2006) 367 final, 4.7. 2006

³ The Civil Liberties Committee is lead Committee, and a number of other Committees will deliver opinions

with children. Other major challenges affecting children's lives today include demographic change, migration, violence, discrimination and environmental degradation.

While the primary responsibility for safeguarding children's rights lies with national governments, the EU provides significant opportunities to help address such problems. It is crucial to ensure that the EU's activities contribute where possible to enhancing children's well-being and safeguarding their rights.

Children's organisations believe that an EU Strategy on the Rights of the Child is the right way to ensure that the EU plays its part in protecting children and implementing their rights, in Europe and beyond. Up to now there has been no consistent approach taken to children within EU policy making, and no clear recognition of the impact the EU has on children, especially as there is currently no legal base for children in the EU Treaties. The strategy will be a useful and necessary complement to actions taken at Member State level to promote children's rights.

What does the Commission's Communication propose?

Horizontal actions include:

- Assessment of the effectiveness of existing EU actions affecting children (2007-08)
- Publication of a consultation document (Green Paper) in 2008 to identify future actions
- Collection of comparable data on children's rights (from 2007)
- Ensuring the impact on children is taken into account in all new EU actions through mainstreaming and impact assessment (from 2007)
- The establishment of a European Forum for the Rights of the Child, bringing together a range of stakeholders on children's rights. The first meeting of the Forum is due to take place in June 2007.
- Involving children in the decision-making process (from 2007)
- Setting up a Commission Inter-Service group on children's rights and ensuring Commission officials have the necessary tools to implement mainstreaming of children's rights (from 2007)
- Designing a communication strategy on children's rights and providing information in a child-friendly manner (from 2007)

Specific actions include:

- a single European telephone number for child helplines and one for missing children hotlines
- support for the banking sector and credit card companies to combat the use of credit cards when purchasing sexual images of children on the Internet
- work on combating child poverty
- launch of an Action Plan on Children in Development Cooperation

What are children's rights?

Children's rights are laid down in the 1989 United Nations Convention on the Rights of the Child (UNCRC). All EU member states have ratified this Convention, along with nearly all countries in the world. Although the EU cannot presently

itself ratify the UNCRC, it has a responsibility to ensure that its own activities are in line with children's rights standards, and where possible to actively promote children's rights.

A children's strategy means that policies should be rooted in the values and principles of the UNCRC. The UNCRC contains four basic principles which should be taken into account in interpreting all the other Articles, but which are also significant in their own right:

- Protection against all forms of discrimination
- The best interests of the child as a primary consideration
- The right to life and development
- The right to express an opinion and to have that opinion taken into account, in any matter of procedure affecting the child. The child's views should be given due weight

There are four main types of children's rights laid out in the UNCRC: rights to survival (support by access to health care and services); rights to development (this includes for example the right to education); right to protection (such as from violence, abuse or exploitation); and rights to participation, to form and express opinions on matters affecting them.

A child rights approach to policy making means that children are considered as a specific group in society, rather than assuming their interests are always identical to those of the family, women, the labour market, or the community. It seeks to make children's interests and needs visible in policy discussions.

Do children's rights mean forgetting the role of the family?

The basic institution in society for the survival, protection and development of the child is the family. The interests of children are usually closely linked to those of their parents or guardians, and families have the key responsibility to care for and bring up their children. Recognition of the central role of the family lies at the core of the UNCRC.

However, it is vital to ensure that children's experiences are not overlooked or rendered 'invisible' by focussing solely on the circumstances of families, households, or women. This is especially important for children who are not able to have their basic needs for protection and love fulfilled through the family, for example those living in institutions, separated by migration or faced with homelessness. Also, although in the majority of cases children's interests mirror those of their families, in cases such as divorce or child abuse, children's interests may differ from those of their parents, and tensions must be reconciled.

Children need to be acknowledged as social actors in their own right who must be supported in the gradual transition to adulthood.

Will a children's strategy impinge on Member State competences?

Fears that a European children's strategy would extend the European Union's competence are unfounded. The Communication does not propose new legislation or extend into new policy areas, which would impact on domestic policy. Rather it will help ensure that existing activities are based on children's

rights principles, including guaranteeing participation of children themselves in EU policy making, and identify where the EU has a key role to play due to the cross-border nature of a problem. It does not require the specific legal base for children's rights, which the shelved Constitutional Treaty would have provided.

Will an EU child rights strategy duplicate the work of the Council of Europe?

The Council of Europe does excellent work to promote children's rights across the wider Europe, including through its current campaign 'Building a Europe for and with Children'. EURONET is pleased that the Commission proposes to work with the Council of Europe to learn from their expertise with regard to mainstreaming children's rights in EU policies and programmes.

Will the European Forum on the Rights of the Child duplicate the existing 'L'Europe de l'Enfance' Committee and the ChildOnEurope Observatory?

In contrast to the Committee (made up of representative of Member State governments), the Forum is due to bring together representatives of a range of relevant stakeholders, most importantly children and young people themselves, as well as civil society organisations and others. It should contribute to the design and monitoring of EU actions, discussing regularly and feeding into the development of EU policies which affect children. The L'Europe de l'Enfance Committee focuses on exchanging good practice on national policies and activities. The Forum should assist in mainstreaming children's rights in EU policy.

Key Recommendations to MEPs:

1. To support the development of an EU Strategy on the Rights of the Child and the actions leading towards its implementation.
2. To support the involvement of civil society and children themselves in the implementation of the Strategy on the Rights of the Child.
3. To participate fully in the development of the strategy including through MEP participation in the European Forum on the Rights of the Child.
4. To help ensure that the European Forum is representative and participatory. This means ensuring a transparent process for establishing the Forum and choosing its membership, and a parallel Children's Forum. The Forum must be independent of the European Commission.
5. To ensure, as a legislative and political authority, that the European Parliament mainstreams children's rights in proposals and programmes that affect children's interests
6. To encourage Member State governments to support and actively engage with the development of the strategy.
7. To ensure, as the budgetary authority, that enough resources, both financial and human, are allocated to implement the strategy.
8. To ensure clear accountability for children's rights in the European Commission: Commissioner Frattini should maintain his role of taking overall responsibility for children's rights until the end of the Commission's mandate in 2009. In the run-up to the creation of a new Commission in 2009 it must be explored how the Commission can better take responsibility for human rights, for example by establishing a

Commissioner for human rights, whose mandate would include a coordinating role in ensuring the protection, promotion and fulfilment of children's rights in all its activities.

9. To ensure that genuine children's participation will be organised in the consultations for the development of a strategy on children's rights.

European Parliament timeline

17 April: Hearing organised by the Civil Liberties (LIBE) Committee
7-8 May: First discussion of draft report in LIBE Committee
End of June: Adoption of report in LIBE Committee
Mid-July: Adoption of report in plenary discussion

For more information and more detailed recommendations please contact: Mieke Schuurman, Secretary-General, European Children's Network, Rue Montoyer 39; B-1000 Brussels; Tel: +32 2 512 4500; e-mail: mieke.schuurman@tiscali.nl; www.europeanchildrensnetwork.eu

List of EURONET Member Organisations

- BICE, Bureau International Catholique de l'Enfance (EU Office)
- International Save the Children Alliance (EU Office)
- CHI, Child Helpline International
- EACH, European Association for Children in Hospital
- EFSCW, European Foundation on Street Children Worldwide
- OMEP, World Organisation for early Childhood Education (EU Office)
- SOS Kinderdorf International (EU Office)
- Austrian Coalition of Child Rights NGOs, represented by Die Kinderfreunde (Austria)
- Kinderrechtencoalitie Vlaanderen vzw (Belgium)
- Friends of Europe – Varna (Bulgaria)
- Center for the Study of Childhood & Adolescence (Cyprus)
- Our Child Foundation (Czech Republic)
- Red Barnet (Save the Children Denmark)
- Pelastakaa Lapset (Save the Children Finland)
- COFRADE (French coalition of children's NGOs) (France)
- German National Coalition (Germany)
- Network for the Protection of Child's Rights (Greece)
- ISPCC, Irish Society for the Prevention of Cruelty to Children (Ireland)
- Save the Children Italia (Italy)
- Save the Children Lithuania (Lithuania)

- FICE (Luxembourg)
- DCI, Defence for Children International (Netherlands) (on behalf of Dutch Children's Rights Coalition)
- Polish Forum for Children's Rights (Poland)
- Nobody's Children Foundation (Poland)
- "Our Home" Association (Poland)
- Instituto de Apoio à Criança (IAC) (Portugal)
- Salvati Copii (Romania)
- Plataforma de Organizaciones de Infancia (Spain)
- Räd Barnen (Save the Children – Sweden) (on behalf of Swedish Children's Rights Coalition)
- Save the Children Fund (United Kingdom)
- NSPCC, National Society for the Prevention of Cruelty to Children (United Kingdom)

Associated Organisations

- Media Literacy Network (Greece)
- ARSIS, Association for the Social Support of Youth (Greece)
- Save the Children – Iceland (Iceland)
- Save the Children – Norway (Norway)