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on a Special Place for Children in EU External Action

Committee on Development

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"There is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected, that their lives are free from fear and want and that they grow up in peace." (Kofi Annan¹)

Introduction

The Millennium Declaration adopted in 2000 represents our blueprint for change and underlines our common values and our common aspirations. Yet we know that for half of the world's two billion children² the reality is very different, and we know too that the aims set out in the Convention on the Rights of the Child agreed by the UN General Assembly in 1989 remain unfulfilled.

There are glaring global disparities, clearly illustrated by the fact that although child deaths are dropping worldwide, of the 62 countries making no progress or insufficient progress towards MDG 4 on child survival, nearly 75% are in Africa. Every day, 30,000 children die before their fifth birthday, when simple, affordable measures could have saved their lives. On current trends, the MDG goal to cut child deaths by two thirds will not be reached until 2045.

In many countries, HIV has reversed previously recorded declines in child mortality, and the current food price crisis will exacerbate this further, even as malnutrition is already responsible for a third of child deaths. When girls who are stunted grow up they are more susceptible to disease and, in turn, have complications in childbirth. Averting such deficiencies by improving child survival and education can significantly raise economic growth and reduce inequality.

Children's perspectives deserve and need attention. They tell us themselves that they want to be consulted and that they want their views and perspectives, and their hopes and dreams, to be part of efforts to build a world fit for children. As we work towards the fulfilment of the MDGs, we must pay more attention in all our strategies, initiatives and funding priorities to those priorities which are set by children **for** children.

As 17 year-old Khairul Azri said at the UN Special Session on Children, "Adults miss the point. When is a child considered skilful enough to participate and contribute actively? If you do not give them the opportunity to participate, they will not acquire the skills. Give us the chance early and see how we fly."

A key component of all our efforts on children's rights will be ensuring that there is the political commitment to children at the highest level. The EU must, in its partnerships with developing countries, influence public policy to save children's lives by encouraging investment in clean water, sanitation, women and girls' education and maternal and child health and nutrition.

All the institutions of the EU have, commendably, placed increasing importance upon the need to ensure that children's rights are present and recognised in relevant policies and programmes. The Reform Treaty signed in Lisbon contains a number of references to the need

¹ State of the World's Children, 2000

² Article 1 of the UN Convention on the Rights of the Child defines a child as somebody below the age of 18: "For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."

to consider the best interests of the child¹ in line with the UN Convention on the Rights of the Child. The Council guidelines on the Promotion and Protection of the Rights of the Child, the Commission Communication “Towards a EU Strategy for the Rights of the Child” and the Guidelines on Children Affected by Armed Conflict and their updates are important building blocks for the fully-fledged EU strategy currently under preparation. The Communication on "A special place for children in EU external action" and the Council Conclusions on the "Promotion and Protection of the right of the child in the European Union's external action - the development and humanitarian dimensions" come as welcome steps towards an effective and comprehensive policy for children in third countries.

We have a broad and encouraging consensus on how to make progress. The challenge now for the EU will be to ensure that those commitments to protect and promote children's rights are put into practice. The focus must be on implementation - and on which institutions, processes and investments are needed if we are to identify that special place for children.

Children as rights holders

The guiding principles proposed in the Commission's Action Plan on Children's Rights in External Action are encouraging and include a holistic and coherent child-rights approach, respect for the views of children and adolescents, gender mainstreaming, and local ownership. However, whilst we welcome the references to child labour, child trafficking, children affected by armed conflict and all forms of violence against children, including sexual exploitation and harmful traditional practices, we should also regret that these priorities were not identified using a proper child rights-based approach.

The EU must begin a thorough analysis of children's rights, on the basis of which we can select priority actions. And this should be undertaken when Country, Regional and Thematic Strategy Papers are adopted or reviewed. A right-based approach must also change the way we address priority actions. For example, the Commission must take account of the requirements of the right to education in education programming, and the right to health in health programming, making sure that even the most marginalized children - including children with disabilities and orphans - have equitable access to health, education, welfare and judicial services. It is significant that Council guidelines on human rights actually recommend that children's rights should be included in political dialogue, policy and sector discussions.

Commission and Council documents recognise the right of children to have their views taken into account², however to give this substance, and to ensure that resources are available and action is taken we need to see new initiatives in partner countries and at EU level. There has to be more and improved training of EU staff, particularly on how to manage effective and safe child participation. Child participation should begin at the local level, and when making funding decisions, the Commission should prioritize child participation projects which build or support existing networks. It is questionable whether large, one-off meetings serve a valuable purpose. Children's networks and organisations should systematically contribute towards the Country Strategy Papers and national planning instruments, such as Poverty Reduction Strategy Papers.

¹ Articles 3 and 24 of the Treaty of Lisbon

² CRC Art. 12

Support to children's organisations is particularly needed in situations of fragility, where young people are crucial for reconciliation and reconstruction. In addition, support should be given in partner countries to teachers, health workers and others who work alongside children on a day-to-day basis.

Causes and prevention

To achieve sustainable improvements for children, we must focus on the root causes of child rights violations. This means reducing poverty, providing quality education and tackling discrimination. Making progress on the MDGs is therefore a key activity in all our efforts to identify the disadvantages children face. We should welcome the repeated EU commitments to financing the MDGs, but also recognise that a number of Member States are failing to make the necessary commitments to timetabled budgetary aid to meet the 2010 benchmarks. In light of the current financial crisis, some might argue that meeting the targets is now likely to be more difficult than ever. However, we surely can't stand by when we know that a child dies every 3 seconds, or a woman dies in childbirth every minute.

Achieving MDG 2 on universal primary education is central to efforts to prevent child rights violations. Education helps to reduce poverty and inequality. Every year of schooling increases the wages which women and men earn by an average of 10 percent.

Gender parity for all levels of education is a key target of MDG 3. Two thirds of the world's 800 million illiterate are women and girls, who are simply not included in the investments made in education or are toiling, for example, collecting firewood and water. Female education in particular is recognised as the single highest returning social investment in the world today. Educating girls means giving them a much better chance of earning a living. A girl who has finished primary education is less likely to contract HIV Aids and has fewer children who, in turn, are roughly twice as likely to be immunised and live to adulthood.

Quality education must be a priority in situations of conflict and fragility: of the 72 million children who are out-of-school around the world, over half of them (37 million) live in conflict-affected fragile states. In these states, education is particularly important as it brings an element of normality into children's lives. It is also an important ingredient to overcoming conflict and promoting re-integration in war-torn societies. But aid commitments are still insufficient, with only 5% of ODA to conflict affected states supporting education.

The Commission's plan to address education in its humanitarian aid operations is a welcome development. It is important now to raise awareness among staff, and develop operational guidelines within ECHO committing the EU to include education in every humanitarian response and in line with the Inter Agency Network for Education in Emergencies (INEE) Minimum Standards for Education in Emergencies, chronic crises and early reconstruction.

Alongside the priority actions listed in the Commission's action plan, which focus on targeting "end effects", preventive measures must be strengthened. At the national level, the promotion of national child protection strategies and systems, encompassing laws, policies and services, is paramount. Ministries of Welfare and Justice as well as child protection networks should be supported so that they can identify children and families at risk and provide them with support services **before** children are harmed. Methods for child-friendly budgeting, monitoring and reporting mechanisms for children, coordination bodies, and independent institutions such as

Ombudspersons for children at national level should be supported and strengthened.

Promoting universal birth registration should be a priority. A baby not registered at birth is denied the right to an official identity, a recognised name, a family history and a nationality. Registration confers a distinct, legal identity in every child. Children without this protection are more vulnerable to child labour, conscription into armies, early marriage etc. The very large majority of unregistered children are born in developing countries, one third of which have a birth registration rate of less than 50%.

Institutions

Proper institutions are a necessary, but not a sufficient condition for more generally ensuring the implementation of the EU's human rights and child policy. Recent developments at EU level have been encouraging,¹ but the institutional architecture remains inadequate. Responsibility for the implementation of the EU's Strategy on Children's Rights must be clearly defined and structures developed to facilitate coordination.

The proposed informal EU Member State experts working group on children's rights should take up its work as soon as possible. The group should also follow the implementation of the Council Conclusions and report on specific actions taken in the pilot countries. Routine and periodic coordination should take place both between different Council working groups on children's issues and within a strengthened Inter-Institutional Group on Children's rights. The mapping and implementation exercise in pilot countries, announced in the Council Conclusions, should begin as soon as possible so as to test the existing institutions and provide lessons to learn.

The fact that DG Relex in Brussels employs only half a person for children's issues should be addressed. Indeed there should also be someone responsible for child rights in every EU Delegation. At Council level, an EU Special representative on Children's Rights, with experience and knowledge in the field, could ensure visibility and leadership. Apart from specialists, the entire Commission staff should be trained and supplied with guidance notes on relevant children's rights issues, as well as the potential impacts of different types of programmes on children's rights.

Instruments and procedures

Mainstreaming is all very well but if there is not a clear process, the stated objectives will not be achieved. Representatives of Child Protection Networks should be invited to programming discussions, and civil society advisory groups and UN agencies should contribute with technical expertise. In the Country and Thematic Strategy Papers guidance notes should be issued for each of the key focal sectors that identify children's rights issues, identifying how children's rights can be mainstreamed and relevant data sources and indicators. In Budget Support operations, including MDG contracts, specific objectives and indicators on children should be included. In this respect, the Commission's intention to encourage partner countries to create National Action Plans for Children with clear benchmarks, measurable targets, and timelines and review mechanisms is welcomed.

¹ The EU Forum on the rights of the child, the Inter-Service Group on Children's rights with a sub-group on external relations, the Commission Coordinator for Children's rights, the development of the UNICEF toolkit and the start of training process on child rights

The mid term review of DCI Country Strategy Papers and ACP Country Strategy Papers should be used as an opportunity not only for a thorough child rights situational analysis but also for a systematic reviews of achievements so far. Where needed, Country Strategy Papers and Thematic Strategy Papers should be adapted, in accordance with the principles of local ownership, and ensuring participation of children and civil society organizations.

Investment

It is essential that the Commission has a clear understanding on how to translate the commitments made into predictable and long-term programming and financing commitments. It may be necessary to have specific programmes on children under the DCI geographical programmes, possibly in non-focal sectors, as well as under the EDF. The Commission should publish an overview of where and how funds have been used to support children specific MDGs - in the same way as is done for gender in the 2008 Donor Atlas. Financial tools and procedures should be made "more flexible" to provide quick yet sustainable responses for programmes addressing the rights and needs of children.

Policy Coherence for Children

There are areas of EU policy which have direct effect on children which are not mentioned in the Communication – for example migration and security sector reform. Not only do we need policy coherence between different sectors (all supporting the same goals); we must also ensure that one policy area ‘does no harm’ to another.

When impact assessments - such as on trade - take place, children should not be considered as if they were the same as adults.

Parliamentary roles

Parliament must play a more coordinated, systematic role in the monitoring of EU commitments on children. The European Parliament Annual Report on Human Rights should include a clear section analysing the level of commitment to children's rights. Parliamentary Committees should each appoint a Member to follow children's rights who would be a contact point. Training sessions for parliamentarians could be organised to create the necessary expertise.

Parliamentarians attending the Joint Parliamentary Assembly and representing the ACP and the European Parliament should continue to build upon existing initiatives on the participation and involvement of children by inviting children's organisations of the host country. Similar measures should be taken by Eurolat. Another option is the creation of an EU-Africa Youth Platform which could contribute to the Joint EU-Africa Action Plans and a Joint Parliamentary Assembly Youth Platform.

The European Parliament plays an increasing role in the shaping of strategies and programmes through its right of democratic scrutiny. Committees should establish joint guidelines for the analysis of Commission proposals to ensure that child rights concerns are taken into account in Parliament's comments and conclusions.

There should be increased engagement and support of national parliaments in developing countries. Their scrutiny of programmes (and in the case of the ACP, of Country Strategy and

Regional Strategy papers) will provide an essential component of efforts to ensure that the rights and interests of children are given proper priority by their governments.