## Basic information

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| **2008/2203(INI)**<br>INI - Own-initiative procedure | Procedure completed |
| Special place for children in EU external action<br>**Subject**<br>4.10.03 Child protection, children's rights<br>6.30 Development cooperation | |

## Key players

### European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| DEVE Development | KINNOCK Glenys (PSE) | 11/03/2008 |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| AFET Foreign Affairs | HORÁČEK Milan (Verts/ALE) | 27/08/2008 |
| EMPL Employment and Social Affairs | The committee decided not to give an opinion. | |
| CULT Culture and Education | NOVAK Ljudmila (PPE-DE) | 13/03/2008 |
| JURI Legal Affairs | The committee decided not to give an opinion. | |
| LIBE Civil Liberties, Justice and Home Affairs | The committee decided not to give an opinion. | |
| FEMM Women's Rights and Gender Equality | ZÁBORSKÁ Anna (PPE-DE) | 23/10/2008 |

### European Commission

| Commission DG | Commissioner |
|---|---|
| Development | -- -- |
| External Relations | -- -- |

## Key events

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| Date | Event | Reference | Summary |
|---|---|---|---|
| 05/02/2008 | Non-legislative basic document published | COM(2008)0055 | Summary |
| 23/09/2008 | Committee referral announced in Parliament | | |
| 21/01/2009 | Vote in committee | | Summary |
| 29/01/2009 | Committee report tabled for plenary | A6-0039/2009 | |
| 18/02/2009 | Debate in Parliament | | |
| 19/02/2009 | Decision by Parliament | T6-0060/2009 | Summary |
| 19/02/2009 | Results of vote in Parliament | | |
| 19/02/2009 | End of procedure in Parliament | | |

## Technical information

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| **Procedure reference** | 2008/2203(INI) |
| **Procedure type** | INI - Own-initiative procedure |
| **Procedure subtype** | Initiative |
| **Legal basis** | Rules of Procedure EP 55-p4<br>Rules of Procedure EP 55 |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | DEVE/6/66649 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee opinion | CULT | PE412.159 | 06/11/2008 | |
| Committee draft report | | PE415.303 | 18/11/2008 | |
| Amendments tabled in committee | | PE418.015 | 17/12/2008 | |
| Committee opinion | FEMM | PE415.302 | 20/01/2009 | |
| Committee opinion | AFET | PE415.364 | 20/01/2009 | |
| Committee report tabled for plenary, single reading | | A6-0039/2009 | 29/01/2009 | |
| Text adopted by Parliament, single reading | | T6-0060/2009 | 19/02/2009 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Non-legislative basic document | COM(2008)0055 | 05/02/2008 | Summary |
| | SEC(2008)0135 | | |

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|---|---|---|---|
| Document attached to the procedure | | 05/02/2008 | Summary |
| Document attached to the procedure | SEC(2008)0136 | 05/02/2008 | Summary |
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# Special place for children in EU external action

2008/2203(INI) - 19/02/2009 - Text adopted by Parliament, single reading

The European Parliament adopted, by 544 votes to 59 with 42 abstentions, a resolution on a special place for children in EU external action in response to the Commission Communication on the subject. It welcomed the Communication and recognised that EU institutions have attached increasing importance to children's rights, but underline that much remains to be done to put the political commitments into practice. They stress that none of the plans will be realised unless adequate funding is available.

Parliament notes that every day, more than 26 000 children under the age of 5 die around the world, mostly from preventable causes. On current trends, the MDG goal to reduce child deaths by two thirds will not be reached until 2045. Member States are urged to fulfil their pledges to provide adequate, predictable funding through timetabled budgetary aid designed to meet the 2010 benchmarks.

Members go on to make a series of recommendations, highlighting the need to pursue the elimination of all forms of discrimination against girls, and to pay special attention to the most vulnerable and socially excluded girls and boys, including disabled children, migrant children, children from minorities, separated or unaccompanied children and children without parental care. The EU is urged to prioritise the right to education, especially for girl children, in aid programmes and policy dialogue with partner countries.

The main points are as follows:

- in order to put the child rights-based approach into practice, the EU must undertake a thorough analysis of children's rights, ideally when Country, Regional and Thematic Strategy Papers are adopted or reviewed, on the basis of which actions and programmes targeting children's issues can be selected. The Parliament calls on the Commission to provide to Parliament, as early as possible or during mid-term reviews of development programmes, an overview of child-related actions and financial allocations;
- the Commission is asked to draw up a report examining whether the existing international agreements between the EU and third countries already contain a legally binding clause on the protection of children's rights and, if not, whether such a clause could be inserted into agreements;
- it is also called upon to help partner countries adopt child-friendly budgeting, especially when the EC is providing budget support, and to develop integrated, comprehensive National Action Plans for Children with clear benchmarks, measurable targets, timelines and review and reporting mechanisms on children's rights;
- Parliament insists that the general budget support of the EU should include funds for capacity- building for relevant ministries (such as Ministries of Welfare, Health, Education and Justice) to ensure that they have the appropriate policies and tools to budget and implement services for children;
- the Commission and Member States must support institutional structures in partner countries to protect and promote children's rights, including independent ombudspersons;
- Members welcome the Commission's plan to address education in its humanitarian aid operations and call for sufficient funding and staffing at EU level to implement the new policy commitment;
- the Commission is asked to propose a uniform method for labelling products imported into the EU so as to certify that they have been manufactured without the use of child labour at each stage in the chain of production;
- in order to ensure visibility and leadership on children's rights, an EU Special Representative should be appointed;
- all EU policies with a likely effect on children in third countries should be subject to consistent child rights impact assessments prior to their adoption, as well as subsequent evaluations.

Lastly, Parliament calls for more support to fair trade and labelling initiatives which encourage companies not to use child labour. Compliance with voluntary codes of conduct regarding core labour rights should be better controlled and made transparent to European consumers. Public procurement contracts should be made conditional on compliance with international child labour standards.

# Special place for children in EU external action

2008/2203(INI) - 05/02/2008 - Non-legislative basic document

PURPOSE: to establish an integrated approach to advance children’s rights at the international level by using the different instruments available in the Union’s external action.

BACKGROUND: the European Union is firmly committed to promoting children’s rights and responding to their basic needs as an integral part of both its internal and external policies. As part of the process of honouring this commitment, the Communication “Towards an EU Strategy on the Rights of the Child”, adopted on 4 July 2006, outlines a process for developing a long-term strategy for the EU on children’s rights.

One of the initiatives identified in this strategy is the elaboration of an Action Plan on Children in External Action. The present Communication, with the attached Staff Working Papers on “Children’s Rights in External Action” (see the summary of SEC(2008)0136) and on “Children in Situations of

Emergency and Crisis" (see the summary of SEC(2008)0135) is intended to contribute to the development of such a long-term strategy in connection with the EU Guidelines for the Promotion and Protection of the Rights of the Child, adopted by the Council in December 2007.

CONTENT: the strategy outlined by the Commission in the 3 abovementioned documents (communication and working documents) aim to enhance the role for the EU in the global challenge to ensure the respect and promotion of children's rights together with identifying specific actions on the part of the European Commission.

**Multiple challenges**: the European Union is fully committed to achieving the targets set by the Millennium Development Goals (MDGs). The majority of the MDGs are tied to the well-being and successful development of children and adolescents, including those on health, education, water and nutrition. They all relate to key challenges that put at risk the mental and physical development of children in many parts of the world. To date it appears probable that not all countries will be able to reach the MDG targets. Therefore, unless measures are taken to put children at the heart of development policies, the likelihood of achieving the MDGs will be significantly reduced. The communication also states that children's rights are closely linked to the rights of their mothers. The absence of sexual and reproductive health and rights of mothers and the lack of basic social protection coverage have direct consequences for their children's health and wellbeing. Thus, one third of all pregnancies are neither desired nor planned; half of all mothers giving birth world-wide are not assisted by a trained midwife and over 3 million children annually die from complications that arise during or immediately after delivery. Many others will experience life-long consequences from their mothers' illness during pregnancy or from unsafe deliveries. Over 300.000 children annually are born HIV positive. At least 10 million children die every year from preventable causes before reaching the age of five. Education remains a major challenge. 72 million children worldwide are not attending school. 57% of this total are girls. For those children fortunate enough to be in school, the quality of the education they receive is highly variable. 110 million children and adolescents are involved in child labour and are effectively deprived of the opportunity to receive an education.

**A European response**: the 2006 Communication "Towards an EU Strategy on the Rights of the Child" describes the process of developing an EU long-term strategy on the rights of children, including improved coordination, consultation with stakeholders, more efficient mainstreaming of children's rights and the assessment of the impact on children of existing EU actions. A number of children's rights in external relations are covered by existing specific EU development policies: for example those associated with education, health, employment, social inclusion, decent work and human trafficking. The protection of children's rights is also given particular prominence in the EU's human rights and democratisation policy towards third countries, especially in the context of implementing the EU Guidelines on Children and Armed Conflict (2003). The Council recently adopted EU Guidelines for the Promotion and Protection of the Rights of the Childthat identifies as a first priority area the issue of combating all forms of violence against children. These Guidelines advocate the promotion of synergies and the strengthening of inter-institutional cooperation. They include initiatives promoted by the European Commission on the rights of the child, as well as reinforcing coherence between activities undertaken by Member States and those of the European Union's institutions.

The present communication also supports the development of an integrated approach to advance children's rights at the international level by using the different instruments available in the Union's external action. It starts from the premise that satisfying children's and adolescents' basic needs is essential for the realisation of their rights. EU humanitarian aid provides a needs-based emergency response aimed at preserving life, preventing and alleviating human suffering.

There are also commitments relating to children in **specific geographical regions**, in particular:

- the Cotonou Agreement contains provisions regarding human rights and children's rights, including the active participation of young citizens in public life;
- the EU Strategies for Africa, the Caribbean and the Pacific specify as priority areas, children's rights, child labour, education, health and basic services and the special attention necessary for vulnerable children;
- the European Neighbourhood and Partnership Instruments make specific reference to children's rights (including child labour) as being among the areas of cooperation eligible for Community assistance;
- the EU Strategy for Latin America to ensure the respect and implementation of the rights of the child and recognises the need to generate specific public policies for the protection of children and youth and to break the cycle of poverty;
- improved cooperation between the EU and the Association of South East Asian Nations (ASEAN) in the field of combating child trafficking.

**The nature of the EU's response**: the aim of this Communication, together with the accompanying working documents is to establish a framework for a comprehensive EU approach towards the protection and promotion of children's rights in third countries. Such an approach must be based on a holistic and universally applicable view of children's rights and be part of broader development and poverty reduction strategies. The specificity of the situation of children and adolescents in each country, sub-region or region demands that each circumstance be individually analysed to ascertain which of a number of possible instruments will provide the EU with the most appropriate response. In many countries, governments are unable and/or inadequately committed to promote and protect children's rights. Ensuring effective complementarity between the different policy tools and financial instruments of the EU as well as the EDF is indispensable.

The EU will maximise and coordinate the use of the available instruments in its external action as follows:

**(1) Children and adolescents in development cooperation**: in countries where financial and institutional capacities are too weak to guarantee children's access to acceptable living conditions and to basic services, the EU should make full use of development cooperation and poverty eradication measures designed to address the root causes of poverty. At the same time, the rights and needs of children and adolescents should be effectively mainstreamed across various national policies.

**(2) Children and adolescents in trade policy**: EU trade policy is formulated recognising fully the need to ensure that it is consistent with the protection and promotion of children's rights. In trade policy the promotion of children's rights is part of the broader agenda of sustainable development. In bilateral agreements the issue of children's rights is covered by labour standards.

**(3) Children and adolescents in the political dialogue**: in view of the central role of political dialogue between the EU and the national authorities, systematic consideration should be given in these dialogues with partner countries to the implementation of commitments under the Convention on the Rights of the Child. The same point should be made in EU actions in international fora.

**(4) Regional and global actions**: country-level actions will be supplemented by appropriate actions at a regional and at the global level addressing issues that have a supra-national character.

**(5) Empowerment of children and adolescents**: the EU should address the lack of capacity to meet obligations with regard to children's rights by empowering children and adolescents to play an active role in those matters that affect them directly.

**(6) Children and adolescents in humanitarian aid**: in countries on the verge of conflict, actually in conflict or emerging from conflict, children's needs are often unrecognised or ignored and their rights regularly violated. Humanitarian aid is also used in the case of humanitarian crises resulting from natural disasters where governments are overwhelmed, unable or unwilling to act. Humanitarian aid will address, inter alia, three crucial issues related to children during crises and emergencies: i) separated and unaccompanied children, ii) children associated with armed forces or armed groups, iii) children's education in emergencies.

The Staff Working Papers annexed to this Communication explore in greater detail the integration of the concerns of children in external relations and the situation of children in the context of humanitarian aid.

# Special place for children in EU external action

2008/2203(INI) - 05/02/2008 - Document attached to the procedure

This staff working paper on children's rights in external action is a contribution to the development of the EU's strategy on the rights of the child.

The EU is called upon to address questions relating to children's needs and rights in a range of different circumstances. The European Union is fully committed to reaching the targets set by the Millennium Development Goals (MDGs) which are intimately related to the well-being and full development of children and adolescents. As not all countries are likely to reach the MDG targets in time, it is clear that unless children are places at the heart of the EU's development policies, the likelihood of achieving the MDGs will be significantly reduced.

Promoting and protecting children's rights through the European Union's external policy should be seen in the broader context of the EU's commitments to promote human rights using all available instruments, and particularly in the framework of the implementation of the EU Guidelines on Children and Armed Conflict and the EU Guidelines on the Promotion and Protection of the Rights of the Child and its Implementation Strategy; which sets for an initial period of two years as a first priority area the issue of "all forms of violence against children".

The Paper addresses 3 key issues on children's rights in the context of the European Union's external relations and development cooperation.

**Key guiding principles**:

I. the application of a holistic and coherent children's rights-based approach rooted in the UN *Convention on the Rights of the Child* (CRC);

II. respect for the views of the child;

III. gender mainstreaming;

IV. local ownership.

These guiding principles should be respected during the planning, implementation and evaluation of all EU relevant external actions. These can range from political dialogues with partner governments, actions in international fora, development programming and crisis management and will also include implementation methodologies and tools such as quality checklists or terms of reference for evaluations. Given the wide variations in circumstances and contexts between different countries, sub-regions and regions, the effective application of these four guiding principles can only be achieved within the framework of a comprehensive analysis of the specific situations confronting children and adolescents. The report provides further details regarding these guiding principles and their practical application.

**Priorities actions at regional, national and global levels**: the EU should identify actions which deserve specific attention through regional and global initiatives and which complement the political and policy dialogue and the mainstreaming of children's rights at country level. The priorities for regional and global EU action are selected on the basis of their regional and global implications and the link to already existing partnerships with e.g. UN agencies and regional organisations, especially the Council of Europe and the OSCE.

The selected priority areas are:

- preventing all forms of child labour;
- prevention of and fight against child trafficking;
- children affected by armed conflict
- all forms of violence against children including sexual exploitation and harmful traditional practices.

**Monitoring, coordination and accountability**: a children's rights-based approach in external relations must be supported by appropriate feedback and monitoring. Monitoring should be undertaken jointly by both the EU and the beneficiary government. The European Commission will work with Unicef to develop a "Children's Rights Toolkit" which will provide a variety of important actors - the EC, EU Member States, other donors, governments, civil

society and international organisations - with instruments to help them integrate children's rights into a whole range of political, legal, budgetary and programmatic actions. The actions programmed under the EC's thematic budget line "Investing in People" will act as a catalyst: complementing and supporting other actions on children's rights implemented through geographic and thematic instruments. Coordinated and joint EU actions to promote children's rights are of paramount importance. The coordination should include sharing of information (e.g. mapping) on policies and programmes and identification of areas for common action such as assessments, strategies, tools, evaluations and reporting. The EU will develop its cooperation and policy dialogue with the UN bodies most concerned.

# Special place for children in EU external action

2008/2203(INI) - 05/02/2008 - Document attached to the procedure

This Commission staff working document concerns the issue of children in emergency and crisis situations. It is presented under the framework of the EU strategy on the rights of the child. Its objective is not to attempt to cover the whole of the problem of children in crises but more modestly to:

1) present the general context of humanitarian actions in favour of children and to underline their special vulnerability in crises, the various forms of this vulnerability and the risks with which they are confronted in unsettled situations;

2) define a general framework for community humanitarian actions covering three major problems which particularly concern children in crisis situations and which are the subject of numerous debates and studies at international level: separated and non accompanied children, child soldiers and education in emergencies. This general framework, which sets out what can be done, will be implemented according to the specificities of each crisis situation taking into account the available resources and the presence of competent partners in the field. The document also stresses certain risks which must be taken into consideration and the issue of the transition towards stabilisation and longer term development instruments;

3) provide, through recommendations made, a basis for reflection and examples of good practice for Member States to use in their bilateral humanitarian actions.

This working document highlights in particular that since children are generally an important part of the victims of a crisis, each humanitarian action must take into consideration their specific needs, differentiated according to their age and situation. It is also important to analyse the specific risks which threaten each category of child in a particular context (epidemic, malnutrition, exploitation, abandonment, recruitment by armed groups etc) in order to better meet their needs and improve the protection of children in a crisis.

The Commission highlights 3 specific categories of vulnerable children: separated and unaccompanied children, child soldiers and education in emergencies. Since children are generally an important part of the victims of a crisis, each humanitarian action must take into consideration their specific needs, differentiated according to their age and situation.

These specific actions concern the 3 major problems, dealt with in the following sections:

- the taking care of **separated or unaccompanied children**. The experiences of the tsunami, the Pakistan earthquake and many conflict situations in Africa, have shown that much remains to be done here;
- **the demobilisation and reintegration of child soldiers**. This has just been the object of a strong international political commitment, especially with the adoption of the "Paris Principles" and new guidelines;
- **education in emergencies**, a subject more and more discussed and to which the humanitarian community attaches growing importance.

The Commission outlines the main actions implemented by DG ECHO:

**Separated, unaccompanied children**: the Commission, through DG ECHO, helps such children in several contexts, notably through the tracing and reunification of families in the framework of population movements linked to the conflicts in Africa (West Africa, Burundi, Tanzania) or to the Tsunami in Asia (Aceh). As part of a project of capacity building in the area of child protection with UNICEF, DG ECHO supports the development and use of a standard data base common used in the framework of a regional child protection project funded by DG ECHO in West Africa (Guinea, Ivory Coast, Liberia and Sierra Leone). It is helping children who are AIDS orphans, particularly in Zimbabwe which has 1.4 million orphans, 75% due to AIDS. These actions include the supply of basic necessities (including domestic utensils) as well as seeds and fertilisers, an education campaign about AIDS, the training and mobilisation of the community to look after AIDS orphans, the establishment of support groups for orphans in each district, etc.

**Child soldiers**: DG ECHO, is funding or has funded programmes for former child soldiers, particularly in West Africa and Uganda. In Ivory Coast and Liberia, DG ECHO provided psycho-social support aid, short-term professional training, catch up courses to return to school and awareness campaigns in the community to make the reintegration of the children easier and to prevent any re-recruitment. In Uganda, the Community's humanitarian funding supported the creation of reception centres offering different activities, including family reunification programmes and short professional training courses, to children who had been associated with the armed forces, including child mothers.

DG ECHO is also financing programmes of protection and prevention of recruitment of children, particularly in Colombia, with, inter alia, informal education activities (which allow young people who have missed several years of schooling to bring them back to their level and subsequently go back to the formal education system) and activities at community level.

**Education**: in the Occupied Palestinian Territories, the Commission, through DG ECHO, is funding psycho-social support programmes through schools. The proposed activities allow the children to express their experiences and feelings in the face of the violence which they meet, while at the same time helping them to develop ways of protecting themselves against it. The teachers also receive a basic training in this field and activities encouraging meetings with parents within the framework of the school are organised. In the Ivory Coast, DG ECHO, has supported recreational and educational activities in schools in order to make both the children and the community aware of the risks of enlistment. They have allowed the children to get back

into the academic framework or into active life by providing training in basic trades: carpentry, building, fashion, hairdressing etc. As part of its disaster preparedness programmes in Asia and Latin America (DIPECHO), DG ECHO, is financing specific educational activities aimed at making teachers and /or pupils aware of how to prepare for and prevent natural disasters, notably with simulation exercises. It has supported education in various refugee camps, notably in Burundi and Tanzania, by constructing or refurbishing classrooms, supplying teaching material and furniture, making and distributing school uniforms and by training teachers. After the tsunami in South East Asia, the Commission, through DG ECHO, financed educational activities in Aceh, including a psycho-social and protection aspect.

**Conclusion**: even if they do not specifically target them, all humanitarian programmes must pay particular attention to the specific and differentiated needs of children. Some actions specifically for the benefit of children should be strengthened. The Commission will develop more operational recommendations for its humanitarian activities in the 3 areas discussed in this document. However, children who have been protected and helped by humanitarian programmes do not always receive such assistance afterwards, for instance once they have returned to their region of origin, which leaves them in a particularly vulnerable state. It is therefore necessary to ensure a follow up of programmes for vulnerable children affected by the crises in stabilisation, rehabilitation and development programmes. The action plan for children currently being prepared by the external relations services provides a good opportunity for this. Equally, the Commission services must seek out the opportunities offered by external relations' new financial instruments to better respond to the rights and needs of children in the long term, once the humanitarian intervention is over, thereby fulfilling its political commitments.