

Strasbourg, 4 July 2006

Towards an EU Strategy on the Rights of the Child

Children make up one third of the world's population. Children are not just covered by general efforts to promote human rights, but their rights must also be recognised as a self-standing set of concerns.

Children's rights form part of the human rights that the EU and the Member States have a duty to respect under international treaties and declarations, in particular the UNCRC and its Optional Protocols¹, including also the Millennium Development Goals²; and the European Convention on Human Rights³ (ECHR). The EU explicitly recognised children's rights in the European Charter of Fundamental Rights⁴, specifically in Article 24.

Certain fundamental rights have an exclusive or particular application to children, for example the right to education and the right to maintain relations with both parents. The almost universal acceptance by States of obligations in the field of children's rights also provides a particularly robust basis for engagement between the European Commission and non-EU countries: an advantage which does not apply to all human rights issues. Finally, the EU has clearly identified the promotion of children's rights as a separate issue meriting specific action.

Children's rights are still far from being generally respected, and their basic needs are not being met. The European Union can bring essential and fundamental added value in the field of children's rights: building on its long tradition of legal and political commitments with regard to human rights in general and children's rights in particular. The EU has the necessary weight to push children's rights to the forefront of international agendas and can use its global presence and influence to effectively **promote universal children's rights at national level worldwide**. It can also promote and support attention to children's needs, drawing on the European values of social protection and on its policy commitments and programmes in different fields.

The **European Union has already developed various concrete policies** and programmes on children's rights on the basis of different existing legal bases. The actions concern the internal as well as the external aspects of the European Union and cover a broad range of issues.

¹ UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; UN Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; UN standards for the administration of juvenile justice, in particular the Beijing Rules; UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines) and the UN Rules for the Protection of Juveniles Deprived of their Liberty.

² UN General Assembly, United Nations Millennium Declaration, Fifty-fifth session, 18 September 2000

³ Full text available at <http://www.echr.Council of Europe.int/ECHR/EN/Header/Basic+Texts>.

⁴ Charter of Fundamental Rights of the European Union, OJ C 364 of 18.12.2000, available at http://europa.eu.int/comm/justice_home/unit/charte/index_en.html.

Whereas the rights of the child are universal, different means may be used to promote them. Legislative instruments and funding programmes are commonly used in the internal actions of the Community. Furthermore, children's rights are promoted through the pre-accession strategy as part of the political criteria and particularly through pre-accession financial assistance. The EU has also a clear political mandate in its external policies, where it promotes children's rights through political dialogue and assistance in development cooperation and humanitarian aid.

The Union can **support the Member States** in their efforts, both by assisting them, in certain areas, in taking into account the rights of the child in their actions, and by providing a framework for mutual learning within which the Member States can identify and adopt the many good practices to be found across the Union. Such an approach, based on broad and coordinated action, would add value to the efforts of the Member States and would strengthen recognition of and respect for the principles of the UNCRC both within the Union and beyond.

There is thus an urgent need for a comprehensive EU strategy to increase the scale and effectiveness of EU commitments to improve the situation of children globally and to demonstrate real political will at the highest possible level to ensure that the promotion and protection of children's rights get the place they merit on the EU's agenda.

Therefore, the communication is a cross-cutting document including internal and external policies on children's rights in a coherent way, fully consistent with the already existing community action plans such as, for instance, the forthcoming Action Plan on Children in Development Cooperation and the Action plan on trafficking in human beings.

The Communication outlines seven specific objectives:

(1) it takes stock of existing activities and addresses urgent needs

(2) identifies priorities for future EU action.

(3) Through this Communication, the Commission aims at ensuring that all internal and external EU policies respect children's rights in accordance with the principles of EU law, and that they are fully compatible with the principles and provisions of the UNCRC and other international instruments ("**mainstreaming**").

(4) In order to improve the effectiveness of activities promoting children's rights, the Communication **establishes an efficient coordination and consultation mechanisms** and

(5) sets up instruments and tools (5) **enhancing capacity and expertise on children's rights.**

(6) To raise awareness on children's rights, the Commission will prepare a **communication strategy**, helping both children and their parents to improve their knowledge of children's rights, and contributing to the dissemination of relevant experience and good practice among other interested parties.

The Commission will also appoint a "**Commission Coordinator of the Rights of the Child**", acting as a contact person of the European Commission, making Children's Rights more visible, and ensuring coordination of the strategy with all services concerned.

Some of the **concrete actions** already undertaken are presented in an annex to the Communication which lists 75 instruments (legislative, non-legislative and financial).

Actions to be proposed for 2006-2007 include:

- The development of a web site fully dedicated to children's matters and rights, with the documents accessible in all languages and with a globally accessible vocabulary, in collaboration with the Council of Europe and others;
- Supporting the creation of a single telephone number in Europe for children help-lines on one hand and for emergency lines on the other hand (116);
- The allocation of parts of the budgets of existing and future EC programmes for actions in favour of children (i.e. make a better – and more efficient - use of available money in favour of poverty reduction, prevention of violence, employment, etc. for children);
- The presentation, when justified, of legislative proposals under all relevant existing legal bases.
- The preparation of a Green Paper based on an in-depth analysis of children's rights in the Union, in order to carry out a wide public consultation.