



Report from Eurochild-EURONET event on

“Mainstreaming children’s rights in EU policy”

European Parliament, Brussels, 9 October 2007

Background

The European Commission Communication “***Towards an EU Strategy on the Rights of the Child***” (COM(2006) 367) commits the EU to mainstreaming children’s rights in all EU actions affecting children from 2007. It also proposes to enhance capacity and expertise on children’s rights by ensuring actors involved in mainstreaming children’s rights in Community policies have the necessary skills and tools.

This is why on 9 October 2007, the European Children’s Network (EURONET) and Eurochild jointly organised an event in the European Parliament, hosted by MEP Inger Segelström, on “***Mainstreaming children’s rights in EU policy***”. Its aim was to explore what can be done in practice to move the EU forward in realising its objectives outlined in the Communication. It brought together key actors that have experience in applying the UN Convention on the Rights of the Child (1989) in existing national or European legislation and actions. The event took place in advance of the adoption of a report by the European Parliament Committee on Civil Liberties, Justice and Home Affairs on the Commission Communication.

Welcome by host MEP

The event was opened by INGER SEGELSTRÖM, hosting MEP. She updated the participants about the above-mentioned EP report, which will be voted by the Committee on Civil Liberties, Justice and Home Affairs on 5 November. The document, prepared by rapporteur Roberta Angelilli, highlights the growing number of areas within the EU’s competence that affect children directly and indirectly, making the mainstreaming of their rights increasingly important. The report will be subject to a vote in the Plenary of the European Parliament before the end of the year. The EP expects that Commissioner Frattini, the initiator of the Commission Communication on Child Rights will respond to the report’s recommendations with a timetable of actions after 2008. Ms Segelström underlined that it was important to listen to children to make their voice part of decision-making and to have a thorough strategy concerning the implementation of their rights.

Introduction & presentation of mainstreaming children’s rights

KATHLEEN SPENCER CHAPMAN, Board member of EURONET, thanked the EP for its important work in promoting child rights and Ms Segelström for hosting the event. As many of the EU’s policy-making impacts directly or indirectly on children, it is crucial that a child rights perspective is adopted and respected by policy-makers. The important question of today’s meeting is how the EU can make mainstreaming work in practice. Commitments made by the EU Communication should be implemented by both the European Commission and the Parliament. The process of mainstreaming should also be based on consultation and participation of children.

REBECCA O’DONNELL, Policy Adviser for Save the Children and member of EURONET, presented a report on asylum and migration. EU member states have a tendency to design their asylum systems first and then think of the impact on children and young people. In Save

the Children's view, it should be the other way round, and the EU can play an important role in getting the process right. Core rights in the UN Convention on the Rights of the Child should be driving decision making at EU level. Not all states distinguish between minors and adults in the asylum policies, although general migration laws cannot always fully apply to children.

Today's measures at the EU level are very fragmented and often only reflect minimum standards. Higher standards should be put in place, including a single EU measure for separated children, independent of their status. Regional action should be valued more, including improved regional cooperation and funding. However, these developments have been getting worse in recent years, rather than improving.

CAROLINE VINK, Eurochild member, intervened on behalf of CATRIONA WILLIAMS, President of Eurochild who was requested to attend an urgent meeting in the Welsh Assembly to discuss the setting up of a Scrutinising Committee on Children and Young People. If successful, this will be one of the first Parliamentary Committees in Europe looking systematically at all legislative and non-legislative action from a child or young person's perspective.

Ms Vink stressed the importance of this meeting in strengthening Eurochild and EURONET's joint work to promote children's mainstreaming. She thanked both the EURONET team and Mrs Segelström and her assistants for making the meeting possible. The overwhelming interest to participate reflects the growing importance of the topic. Ms Vink underlined the collective work of the NGO Action Group on the EU child rights strategy, which has been informally meeting since 2005 to work on together on children's rights. She also acknowledged the commitment of DG Employment, Social Affairs and Equal Opportunities which is supporting Eurochild's work.

JANA HAINSWORTH, Secretary General of Eurochild, made a short introduction to the situation of poverty and social exclusion of children in the EU. According to Eurostat, 19% of all under 16s are at-risk-of-poverty. The aim of Eurochild's work is to improve their visibility and look at this issue from a child rights perspective. 'Child poverty' is gaining a higher political profile in the EU. However, Eurochild is concerned that this attention is too strongly driven by solely economic concerns. Children are usually seen as future workers; increased provision of child care services are framed in the context of female employment not according to improving child well-being or reducing inequalities. In Eurochild's view, children's rights as citizens today must be given greater emphasis in policy approaches to tackling child poverty.

Ms Hainsworth stated that 'child poverty' has been mentioned in the spring Council conclusions of the past 3 years and has been chosen as a priority for the EU in 2007. Several activities are taking place at a European level in this framework. Eurochild itself has drafted a paper about a child rights approach to child poverty, which can be found on its website. It noted that while some member states have national strategies targeting children, few are framed in the context of the UN CRC, which would have the best outcomes for children. Eurochild is also advocating the empowerment of children and young people, to enable their voices to be heard at all levels, especially those of the most disadvantaged.

Ms Hainsworth also presented a **discussion paper** jointly prepared by Eurochild and EURONET about "Mainstreaming Children's Rights in EU policy". In this document, the two organisations call on the European Parliament to campaign for a specific budget to be allocated to the implementation of the Communication on Child Rights, to enable the Commission to fulfil its promises. They also emphasise the important role the Parliament plays in holding the Commission accountable to its commitments and putting pressure to ensure the necessary political leadership. Ms Hainsworth further emphasised the need to work together to campaign for stronger leadership within the EU, to ensure the commitments promised in the Communication are actually implemented. Child participation is the core principle on which the strategy should be based, but to be meaningful and safe, enough financial and human resources must be dedicated to it.

Mainstreaming in EU policy – what already exists, what’s planned, what’s missing? and the experience of other international inter-governmental bodies.

MARGARET WACHENFELD, Senior Policy Advisor to UNICEF, said 2007 could be considered a good year for children in Europe. The EU has begun a process to bring children’s rights into EU activities and law, with the prospect of forthcoming green and white Papers. In considering mainstreaming children’s rights, the EU would do well to look at UNICEF’s Child Rights Implementation Handbook that gives detailed practical guidance on how the UN CRC should work in practice. A third edition of the handbook has only recently been launched.

JAAP DOEK, former Chairperson of the UN Committee on the Rights of the Child, started by saying that he was positively surprised by the over 120 amendments that have been tabled by MEPs to the EP report on the Commission Communication. Some of them were not sustainable, but he especially welcomed the amendment going into the direction of the UN Study on Violence against children. He emphasised that the EU should use work that already exists in the area of child rights when drafting its own strategy, instead of creating its own documents. This includes the ‘General Comments’ of the Committee. They should be used and implemented instead of ‘reinventing the wheel’. He stated that if all the states would follow these recommendations which reflect internationally accepted standards, the EU policy on children would be much better. In his opinion, the EU should explore a way of ratifying the UN CRC and its two optional protocols, as all of its member states have done. The only legal question would be that they are normally only open to ‘state parties’. However, this would create a platform for direct communication between the European Commission and the UN Committee. In his opinion these two bodies need to talk to each other and start to act.

Discussion

INGER SEGELSTRÖM clarified that the principal concern of MEPs is that the Reform Treaty will not be voted in the near future, and that we lack a legal basis to work on children’s issues. However, it was noted that the UN CRC could already be used as a tool as well as the European Charter on Fundamental Rights. Jaap Doek insisted on the fact that the EU needs a legal basis for dealing with child rights and that it should consider a special relationship between the Commission and the UN Committee on the Rights of the Child. This could take the form of a memorandum of understanding or simply the EU reporting to the Committee and getting recommendations back. This would lead to full recognition and implementation of children’s rights at EU level. If the EU would have its own body to support member states, this would certainly also be helpful.

Mainstreaming in practice – what works, what doesn’t work?

KATHLEEN MARSHALL, Scottish Commissioner for Children and Young People, insisted that mainstreaming of children’s rights should become something normal, not an add-on. However, there is still a general lack of awareness about child rights, which are fundamental human rights. This is where most of the barriers to mainstreaming come from. She experienced that sometimes people are not resistant to it, but have actually never thought about it. In Ms Marshall’s opinion, the UN CRC has really made a difference since its adoption, especially when it comes to raising awareness on children’s needs. The problem is often a lack of know-how. Sometimes institutions are turning to her institution to ask for help. However, she thinks that by sheer repetition mainstreaming will become part of our common thought and practice. Child rights are already upheld by international law. Policy makers should be reminded of this. She also added that there are already several models of child impact assessment. Her office has developed its own tools, but also makes them available, so people can monitor existing laws by themselves.

MARIA COLLINS, European Women’s Lobby (EWL), presented the issue of gender mainstreaming, which has been quite successfully implemented until now, as a possible model for the mainstreaming of children’s rights. Mainstreaming is a very young concept, which has

now become a political tool. Gender equality for EWL has been more of a strategy rather than a goal in itself. The start of the strategy has been to make the issue visible. It needs a dual approach: mainstreaming and specific actions to tackle the real inequalities. It is also a complex long-term process. To be correctly implemented it needs an institutional framework to drive it forward. This includes political will, bringing on board several actors, data, impact assessment, financial means, human resources and training but also the participation of the people concerned at each stage, especially in evaluation and monitoring. EWL has identified several risks for the process, but they are outweighed by the opportunities it brings. Ms Collins added that she would also like to see the gender perspective being explored in child rights.

MIEKE SCHUURMAN, Secretary General of EURONET, guided the participants through a presentation provided by ELDA MORENO, Coordinator of the Programme “Building a Europe for and with children” of the Council of Europe, who could unfortunately not be present. This programme was started in 2005 and its aim is to mainstream children’s rights throughout all policies of the Council of Europe. A coordination group and task force has been created for this purpose. Their approach is to use tools already existing within the institution, both internally and externally. The programme has already had positive results. This led Ms Schuurman to underline the importance of point 5 of the EP’s draft report, calling for the establishment of a committee on children’s rights or any other coordinating body on children’s rights in the EP.

Conclusions & follow-up – Commitments of the Parliament and the Commission

INGER SEGELSTRÖM noted that creating a coordination unit or a Committee for child rights in the EP carries the risk that other Committees would consider it no longer their business. This appears to have happened in the case of gender mainstreaming with the Women’s Rights Committee. MARIA COLLINS replied that it was important to have one Committee feeding into the work of the others. Alternatively she proposed to maybe start an Intergroup on the issue. This proposal was supported by JANA HAINSWORTH, who said that it would give leadership and visibility to the issue. It was important to keep up the momentum. In her opinion the EU had a lot to learn from the Council of Europe programme. As cooperation already exists in the youth field, it might be easy to extend it to children’s issues. The EU should look into this kind of models and learn from tools that already exist. She regretted that no representative from the European Commission Unit responsible for children’s rights could be present but said it was good to know that NGOs had support within the Parliament.

Ms SEGELSTRÖM stated that she felt quite secure with children’s rights organisations, whose work was professional and obtaining results. They should advise the Parliament because NGOs were the real experts on the issue and their guidance was needed when it comes to decision-making. The EP report will not be perfect but is a first step. If 27 countries start working on their national legislation, then we will really have achieved something. She added that she was looking forward to further collaboration with NGOs.

KATHLEEN SPENCER CHAPMAN ended by saying that this was a very useful afternoon, showing a large amount of expertise and experience everybody can learn from. There is still an issue around political will and reticence in member states, against which we should keep arguing. Tools and processes are needed to implement the promises made.

The event was followed by a **Cocktail Reception** hosted by Inger Segelström.

Eurochild & EURONET would like to thank the European Parliament, and particularly Inger Segelström, but also the participants for the constructive debate and the work done for children’s rights!

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