

EUROPEAN PARLIAMENT
Committee on Civil Liberties, Justice and Home Affairs
Committee on Women's Rights and Gender Equality
Committee on Employment and Social Affairs
Committee on Culture and Education
Subcommittee on Human Rights
Committee on Development
Committee on Legal Affairs

SUMMARY
JOINT HEARING:
TOWARDS AN EU STRATEGY
ON
THE RIGHTS OF THE CHILD
Tuesday 17 April 2007

INTRODUCTION:

Mr Jean-Marie Cavada (Chair of the Committee on Civil Liberties, Justice and Home Affairs) began the proceedings by welcoming the hearing, and the Commission Communication "Towards an EU Strategy on the Rights of a Child" tabled in 2006.¹ Children are the most vulnerable sector of society, and in his opinion, there has been a gap in EU action towards them and their needs. Without rights, children are in a precarious position. It is therefore time to take stock of children's rights in the EU, and to take their rights into account. Increased awareness of their position is also necessary, as well as fostering children's participation in the field of policy-making. *Mr Cavada* welcomed the Commission's forthcoming implementation strategy, and also highlighted the importance of keeping the European Parliament (EP) informed of future Council and Commission initiatives; it is highly important that progress is made through institutions acting together.

The area of children's rights is very broad, and includes topics such as: education and the right to a relationship with both parents. The Communication should add another dimension in the EU realm, and establishing what is best for the child in his/her environment is an extensive task.

The importance attached to the issue was illustrated by the fact that the event was organised under the aegis of seven committees, according to *Ms Anna Záborska* (Chair of the Committee on Women's Rights and Gender Equality). She believes the EP is underscoring the attention that must be focused on the rights of a child. Member States and the international community must provide support in protecting the rights of children, such as the support and concentration of the Council of Europe over the past 50 years. The work of the European Court of Justice (ECJ) is also important: they have focused their attention on matters relating to sexual abuse; abduction procedures; and protection measures for children who were victims of violence. The two institutions must work together and in close connection with the EP.

¹ Communication from the Commission. {SEC(2006) 888} {SEC(2006) 889}. Access at http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0367en01.pdf

What does when mean when talking about the rights of a child. The UN Convention on the Rights of Child includes: the need to respect the family unit; the right to life; education; the right to have a name and an identity; the right to contact with both parents etc. EU strategies and legislation should mainstream children's rights, and it is vital that EU legislation becomes a part of the international machinery in this sphere; and should not be used as a tool of political marketing.

Ms Roberta Angelilli (*Rapporteur of the lead Committee (LIBE), European Parliament*) extended a warm welcome to the participants, and highlighted the visual display of 2013 pairs of booties from women of 67 countries who donated them as a symbolic gesture of thanks to *Saving babies and mothers*, for providing support during difficult times. She welcome two young ladies who would be speaking in part I of the hearing, presenting their point of view and on how the Commission and the EP should best put together the strategy. However, it was highlighted that this should not just be a strategy concerning trampled rights of children, but should adopt a positive tone and mechanisms to improve the rights of young people from birth to the age of 18.

Mr Wolfgang Dichans (*Representative of the German Presidency*) accredited the Commission Communication as being an important step in EU policy- making, as it is the first time the question of children's rights has been addressed in a comprehensive and singular manner by the institutions. The EU does not have direct power concerning the rights of children; that lies with the Member States. However, the Communication draws attention to the success of the integration project.

Many decisions taken at the EU level have a direct/indirect impact on children's lives, and the integration of children's rights into the policies of the EU is a major goal. It is an important step in strengthening the rights of a child within the EU. The Communication refers to children's rights as established in the UN Convention on the Rights of the Child (UNCRC), European Convention on Human Rights (ECHR), and the European Charter of Fundamental Rights.

There are crucial points that must be highlighted:

- Children in Europe and the conditions in which some of them live show just how important it is to take action. We cannot accept the situation where children in one country live under very different circumstances to another. The Communication is therefore designed to put the children's rights at the forefront of the agenda.
- The Communication opens up some areas important areas of action where the Member States can become involved.
- The EU does not want to rely on a complaints driven approach. The mainstreaming of children's rights is in itself a minor revolution.
- The creation of the European Forum for children's rights is welcomed, as it is a platform where Member States, the Commission, NGOs, international organisations and children can meet and discuss the issue area. There is a definite need for an exchange of views among Member States. As has been demonstrated, the economic power of a country is not enough to protect the status of a child.
- The German Presidency, in conjunction with the Commission, is organising the first European Forum on 4 June, and will focus on the role of the judicial system in protecting children's rights, and significant media attention is expected.

Certain important issues need to be addressed, including the coordination of the strategy with UN and Council of Europe mechanisms. How can duplication be avoided, and what kind of role will the EU Presidency play?

In the concluding remarks, the German government's support of the Communication was assured, and the government are happy to share their experiences concerning all aspects of policies relating to children (i.e. developing pre-school childcare facilities; German Children's Rights Action Plan 2005-2010).

The meeting was heralded as an essential opportunity to take stock of new developments by *Vice-President Franco Frattini* (European Commission). He also mentioned how the Council of Europe has been dealing with strategies to promote and protect children's rights for the past 50 years. It is time for the Commission to work together with other organisations and the Member States on a global strategy.

The time of introducing this strategy is ripe, as the EU has often dealt with policies that have an impact on children's rights, but there has not been enough attention paid to policies with children in the forefront, and children should be key players in from the outset in devising EU policy.

The terminology "Towards an EU strategy ..." was deliberate, in order to clarify the Commission is changing their approach; and to illustrate children are thus becoming protagonists in policies. However, it is the first step, and the policy is ongoing, and the aim of the strategy is to include all children without any distinction of category or sector. Over the last few months, the Communication has been developed with NGOs, International Organisations, the UN, particularly UNICEF, and have all added value to the strategy. The children's rights sphere shall be further developed by the European Forum in Berlin.

The key point of the approach was to include all children and related subject areas. The establishment of the hotline for lost/kidnapped children has been swift, and aided by the EU Committee on Post and Telecommunications.

In Berlin, violence in computer games will be discussed, and an educational approach should be adopted in order to analyse what exactly leads to the proliferation of violence. The role of the internet and the dangers posed to young people will also be discussed, and talks have already been initiated with credit card companies to impede access to such sites. The aim of this is to pool resources in order to prevent the access to sites with paedophilic content. Other Commission initiatives include:

- an International Day Against Human Trafficking (with a specific part dedicated to the plight of children)
- a sex tourism awareness campaign with the involvement of tour operators.

There have been other worrying developments, related to an increase in alcohol abuse among young people and wider drug use because of drugs becoming cheaper. The issue of poverty is also one of huge concern and requiring attention, and there will be a study carried out on the issue. By 2008, there should be a report on the inclusion of poor children in society, and the factors that contribute to poverty among young people must be analysed. However, all of the above subjects would not receive the deserved attention if the role of the family was not included. In May, the Commission

will look at a report which will lead to the adoption of a Communication on Family Support. The European Forum will be a permanent body for all Member States, NGOs, International Organisations and the Commission to regularly analyse problems and it is hoped the Forum will focus on other matters in the autumn. There needs to be an interlinking of policy areas relating to children where children are the main actors, and it is important that a broader vision is adopted, and the subject of children is a question of education, preparation and culture.

A positive policy approach was commended by **Ms Roberta Angelilli**, in order to change the way people think.

Ms Verena Taylor (*Representative of the Council of Europe*) presented the work of the Council of Europe in the field of Children's Rights. In the opinion of the Council of Europe, Europe has the potential to be fit for children, and could possibly be the best in the world. But the record of violence and other violations leaves a lot to be desired, and there are children's rights abuses in all countries. While the phenomenon of sexual abuse is not new, it has only been in recent years that it has been openly discussed and dealt with. And tragically, internet pornography with images of children is becoming more widespread. In order to tackle this, there has to be a bridging of the gap between legal tools and reality, data and facts, policy-maker and policy-implementer etc.

Recent Council of Europe programme has focused on violence against children, and while the programme has not invented anything particularly new, the aim is to help the 46 Member States harmonise commitments they have already undertaken (the programme covers legal networks and civil society mainly; raising public awareness and training programmes).

There are 4 central aims of the Council of Europe regarding the protection of children's rights, and include the:

- protection of children
- prevention of violence
- prosecution of criminals
- participation of children

The EU can make a substantial difference in this policy area within and outside of its borders. Ideas from the Commission are synonymous with many Council of Europe objectives: mainstreaming; coordination; and partnership are also familiar terminologies of the Council of Europe.

The 4 legal instruments of the Council of Europe include:

- The European Convention on Human Rights
- Convention on Cybercrime
- European Convention on the Adoption of Children
- Convention on Contact concerning Children
- the forthcoming Convention on the Sexual Abuse of Children

The EU should become a party to the above Conventions, as it would give the Member States extra impetus to ratify the Conventions. The Council of Europe also has non-binding measures, including:

- monitoring
- reports and commentary from the Council of Europe

There are Council of Europe policies on education, family affairs, children with disabilities etc. The organisation has also adhered to youth level participation for over 30 years.

Ms Marta Santos Pais (Director of the UNICEF Innocenti Research Centre) focused on the UN Convention on the Rights of the Child and the Millennium Development Goals (MDGs), and the general framework of the UN. Children's rights need to be addressed as a distinct concern, and it must be remembered that each and every decision may have a negative impact on children. In recent years, children have had high visibility in international and national agendas (i.e. the establishment of ombudsman offices solely concerning the welfare of children). Coordination mechanisms are there to provide synergy, and the more data available on children will help to develop tools to prevent the marginalisation of children. However, in spite of this, the lives of many children are marked by exclusion, poverty and marginalisation. There are 30,000 child deaths a day which could be prevented by low cost interventions (immunisation). 1400 children die a day due to AIDS related illnesses, and less than 5% of children requiring treatment receive it.

In spite of clear signs of economic growth in South Eastern Europe and the CIS, 25% of children in the region are living under conditions of extreme poverty. Disparities in access to social services are widening (especially for ethnic minorities and rural inhabitants). Therefore, the improvement of conditions for children is not an automatic result of policy-making or economic growth. Children require distinct attention.

The Communication is welcomed by UNICEF, as it provides important ideas for the safeguarding of children's rights, and it provides for the mainstreaming of children's rights- from now on children can be considered as a self-standing concern. The Forum has definite potential and can become the common home for children's rights and their advancement. There must be expert impact assessment.

The following three steps should be taken:

- experts should play a role;
- fundamental to associate advisory groups along with the participation of children;
- need to allocate core resources to allow these groups to be effective.

The commitment of the EP was congratulated, and it was suggested that the EP holds periodic hearings on the topic. The mainstreaming of children's rights in the political domain is vital, and greater prominence and input should be given to the children in the process.

Comments from the floor concerned the plight of the Roma children, and the panel was questioned as to whether the Member States had to review national procedures regarding the Geneva Convention every year.

Ms Roberta Angelilli stated that there are not many official figures available on Roma children. In Italy, for example, the statistics on Roma children are very worrying.

Most children only enter into healthcare records system when they enter hospital in emergency circumstances.

Ms Santos Pais stated the European Forum concerning children may become a permanent body to facilitate change and reflection, to set the agenda, and monitor progress. Experts will be able to aid policy-makers in the Forum, and there should be an inner expert group within the Forum itself.

Part I: CHILDREN'S RIGHTS: SOME KEY ISSUES
Chair: Ms Angelilli, Ms Kinnock, Ms Gröner, Mr López-Istúriz

Ms Mieke Schuurman (EURONET) dealt with the subject of mainstreaming children's rights within the EU, and provided a summary of a document titled European Children's Network (EURONET) Briefing for MEPs- 'Children are European citizens too'². The main points are as follows:

- European children's rights are strongly necessary. A whole range of policies affect children (i.e. internal market, justice, trade and development etc...). Therefore, the proposed strategy is a positive development. The involvement of the EP is crucial.
- The mainstreaming of children's rights should make a real difference. The perspective of children should be adhered to in all EU policy-making.
- How can it be ensured mainstreaming is a success:
 - involve children in the process
 - civil society organisations and Council of Europe involvement
 - proper processes put in place
 - the Forum of the Rights of a Child is a real opportunity to make progress. Should be independent of the Commission.
 - the Forum should feed into policy-making and monitor mainstreaming
 - the Forum and FRA could lead to tangible outcomes, and put an end to poverty, end the plight of asylum-seeking children, end the placement of children in institutions etc...
- Political will is essential to put the necessary processes in place, along with proper resources and training.
- MEPs can help to make sure the Commission strategy is a success. They can produce and adopt strong reports and play an on-going active role, and can allocate human and financial resources.

Ms Glenys Kinnock (Member of the European Parliament) believes the participation of children is key. Children are not mere appendages, but human beings with their own rights and responsibilities. The EP managed to insert three references into the Constitutional Treaty regarding children (something not contained in the Treaty of the European Union). The MDGs provides clear and measured targets for schools, health protection etc.

2

http://www.europeanchildrensnetwork.org/docs/FileManager/euronet/briefing_euronet_on_childrens_strategy_february_2007_fin.pdf

Life is very different for some children than the ideal we aspire to. Children need to be protected from harm and surrounded by nurturing adults. There are millions of refugee children living in fear.

The Commission strategy means minimum standards will be established. Another important issue is to provide training for Commission staff in integrating children's rights into policies. Those responsible for children's rights in the Commission must be identified and the barriers preventing children from the rights have to be determined. The policies and programmes related to children's rights need to be assembled in one package.

Ms Lieve Franssen (Head of Unit, DG Development, European Commission)

continued the hearing and focused upon an EU strategy on children in external relations, and stated how trafficking, sex tourism, and disease cross all borders, and must be tackled globally. Over the past decade, progress made in the realm of children's rights has been real, yet, millions of children have not benefited. UNICEF calls these children the "invisibles". However, roadmaps have been put in place, and each of the MDGs specifically relate to children.

60% of children are not registered at birth, genital mutilation is still widespread (2 million a year), 10 million children under the age of 5 die every year. All of this can be prevented and treated. There has been some progress on the reduction of child mortality, and while some countries are on target many are not. However, it is not only poverty that causes mortality: HIV/AIDS and conflict and war are determining factors.

There are 240 million pregnancies each year, and one-third are unplanned, leading to widespread illegal abortions. The annual maternal death figure is ½ a million. As a result, there has been an increase in the number of orphans, at a disastrous level in Sub-Saharan Africa due to HIV/AIDS, where 1 out of 10 children are orphaned. While there has been a slight reduction in the number of children out of school, 80 million are not enrolled in primary school, and often end up working (6 million is the estimated figure for children working). A growing number of children are soldiers, and the number of children trafficked annually is estimated to be 1 million

While the task is enormous, it is not impossible. The role of the EP, the Commission, the Council, and the UN partnership is critical. Europe Member States have a role to play in what the EC and the EU are doing. European policies on development have been very fragmented regarding children. Recent development policies of the EU have been based on the MDGs, and these have had a slight impact. Although the EU collectively provides funds for basic education and health, financial needs for education in the developing world not meeting the demand. There is a gap of \$5.2 billion dollars in funding. However, this is not an impossible target to meet and it would enable children to attend school.

The Commission has focused upon raising awareness and enhancing advocacy at the regional level (on trafficking etc.). There is also a new EU strategy on children in external relations, and key points are as follows:

- It will include the support of children's rights and aims to regroup fragmented matters.
- the process on consultation shall be on-going

- will support countries in the restructuring of legal frameworks
- at the national level, and important relations could be developed with finance ministers in order to construct child friendly budgets
- majority of focus will be on health, education, gender equality and poverty reduction.

The Commission is also preparing a strategy on children in emergency situations. Together with the Member States and the international partners, the voice of Europe should increase at the international level. The mid-term report of the MDGs gives us a strengthened voice in Europe.

Regarding child trafficking, the Commission will develop children's rights toolkits. Another aim is to further develop an accountability framework at both country and EU level. The MDGs and the Commission strategy are catalysts, not an end in themselves.

Ms Roberta Angelilli highlighted the lack of statistics on genital mutilation and forced marriages in the EU, and how it is essential to try and gather proper statistics. Much of what happens outside the EU affects the citizens of the EU.

Ms Claire Feinstein (*Save the Children*) spoke on an initiative to include children's points of views in the decision-making process. Save the Children simplified the text of the Commission Communication (developed two versions for different age-groups), and facilitated feedback through a questionnaire (used online and as a part of structured discussions).

Of the 502 questionnaires received, violence, bullying and abuse topped the list of issues of concern to children. Other areas of concern include: discrimination, social exclusion, drugs, poverty, the environment, child trafficking, child prostitution. Children are clear in the role they wish to play in aiding policy-makers, and the respondents also mentioned the need of creating a children's rights unit. The children also signalled they preferred to use discussions and questionnaires to express their views, and they feel the Commission should communicate their ideas through TV, radio and the internet. Children want to be involved in the implementation of the Communication. In conclusion, it is a vital step in enhancing ethical activity and the involvement of children. The EU has the obligation to take the considerations of affected parties into account.

Ms Lissy Gröner (*Member of the European Parliament*) began highlighting the limited participation accredited to young people in this area, and while a report was published on problems concerning children's rights in 1991, very little has changed in the interim period. Political commitments are necessary to protect children.

The new hotline was commended, as it is a practical tool for children, however they must learn about it in the first place, and that relies on NGOs providing the information to children. There are some issues that require swift attention, and include: equality; access to childcare facilities for all; and protecting children from advertising campaigns.

Ms Deepali Sood (*Plan Europe*) explained the results of an external consultation (questionnaire) based on the child friendly version of the Communication on the Strategy on the Rights of the Child. The findings include:

- The areas children and young people believe the Strategy should focus on;
- Their views on action points accompanying the Strategy;
- The best methods to involve children and young people.

The recommendations the report wishes the EU to address and to include in implementation of the Strategy are fivefold. To begin with, the issues which emerged from the consultations with children (namely poverty, violence, exclusion and health) should be a core part in the implementation of the Strategy and addressed in the EC's external policies. Given their high vulnerability, orphans should be particularly addressed in the Strategy. Laws should be strengthened and parents and adults should be made aware of children's rights, as stronger laws could deter would-be perpetrators. Another important area concerns the involvement of children in decision-making processes to make policies more effective, and information on the work of the EU should be made available to children through the media. Children and young people should also be engaged in the training of adults and peers to raise awareness in this policy field.

Ms Stine Birch Nielsen (*Sixteen year old volunteer in Save the Children Denmark*) volunteered in the organisation as there are too many people in the world who need help and it is up to everyone to help those in need. The organisation works on the basis of the UN Convention for Human Rights, and helps asylum seekers and promotes cultural exchanges.

One project undertaken by the organisation involves bullying workshops, where the victims of bullying explain their experiences in the classroom, with the participation of three-four volunteers. There is role playing, group discussions and children are invited to recount their experiences. This form of communication has proved to be very effective. Another project is a pen pal network between Danish children, and children in countries such as Iraq and the Lebanon, and encourages mutual understanding between different cultures. Another exercise entails children viewing a particular image, and giving an immediate response as to how what this image causes the child in question to react. The task highlights the issue of stereotypes.

Ms Georgiana Savalache (*Save the Children volunteer*) stated how Romania has been promoting children's rights for over 17 years. If children are to be involved in the process, measures must be put in place to facilitate their involvement. Volunteers visit schools and organise events to inform pupils of their rights. The UNCHR is presented in a way that is easier for a child to understand. After class activities are also encouraged, and there is a club where children can meet to resolve issues.

In Romania, there have been meetings between NGOs, national MPs and young people in organising a campaign in the fight against violence towards children. One MP has given strong support to the campaign.

Ms Roberta Angelilli commended the involvement of the young people representing the interests of their peers, as in many ways the opinion of young people is more authoritative than adults in this policy realm.

Ms Anne-Marie Hutchinson OBE (*Head of the Children Department, Dawson & Cornwell, United Kingdom*) concluded part one, and discussed the European legal regime regarding parental abduction of children and the loopholes of the current system. The presentation centred on European responses to child abduction, with an emphasis on the position of the child. There should be a more uniform approach in aiding children when they are taken across a border.

The legal responses to abduction have produced draconian regimes, where parental rights supersede the right of a child. Under the terms of the Hague Convention, a state may refuse to return a child if an age appropriate child objects to returning. However, the child must object to returning to the country, and not the place of residence (i.e. home). While European regulations in relation to abduction stipulate that a child must have been heard when considering an application for the return of a child, there are problems. The circumstances under which a child could have been heard may not serve the interests of the child. There are no directives or guidelines as to how a child should be heard (no uniform practice in Europe). There are also difficulties concerning the funding of the hearing of a child (matter for a specialist practitioner). There are no directions in how to interpret, analyse and implement the comments. The balance to be achieved is essentially policy driven, as the current situation dictates that parental needs are taken into account prior to the child's needs. While children's views should not be determinative in all cases, they must be given more procedural protection.

Part II: CHILDREN AND VIOLENCE

Chair: Ms Angelilli, Ms Panayotopoulos

Professor Paulo Pinheiro (*UN independent expert*) presented the findings of the UN study on violence against children.³ He opened by welcoming the committal shown by the EP in this policy area, and is aware of the large volume of work being done.

The report was presented last year at the General Assembly, and the most important feature of the process was the participation of governments. Many countries have signalled their commitment in protecting children from violence.

At the global level, there is a universal consensus concerning the rights of children, there is violence committed against children everywhere. This violence can and must be prevented. A lot of children remain "invisible" and unrecorded. Therefore, the report should be used as a tool for action.

The success of the follow up relies on the activities of Member States, the EU and NGOs. Effective planning and implementation at country level relies on support at the regional level. How will the EU track progress at the national level and how will resources be shared? The promotion of the importance of consulting children directly is decisive, because they are citizens and this participation must be granted.

³ Available at http://www.europarl.europa.eu/hearings/20070417/libe/pinheiro_en.pdf

Parliaments have the power to reform, and they should review the legislation and reform it if necessary. They also have the ability to oversee and support partisan plans of action to initiate debates and enquiries. The Inter-Parliamentary Union, the world organisation of Parliaments, and UNICEF produced a handbook for parliamentarians, and it should be used. The protection of children from violence requires reviewed practices. To date, other forms of violence (youth, institutional) have only been touched upon.

The key message of the study is that no violence can be justified. There should be a complete prohibition of violence in states by 2009, and the EU must do all it can to support this proposal.

Professor Maja Eriksson (*Member of the former Network of Experts on Fundamental Rights*) continued the discussion and presented of the thematic report on the rights of the child. Continuous democratic participation in public hearings is an important step to reduce the democratic deficit. The objective of the network in the adoption of this report is to follow the problematic areas relating to the rights of a child, where the Union has failed and further action is required. The following practices mentioned below deprive children of their human rights.

Children are the most vulnerable to human rights abuses and sexual exploitation. The EU has exercised competence in this area, and the adoption of the Council Framework Decision (2004/68/JHA) on combating the sexual exploitation of children and child pornography should be seen an important move. States are obliged to sanction activities relating to child pornography. Access to child pornography via the internet should be sanctioned by adequate measures relating to the Council of Europe Convention on Cybercrime, and the instruments provided for in the Convention (i.e. search and seizure of stored computer data). This instrument should be seen as complementary to EU mechanisms. Respect for private life should not impede the searches. There are images of many children suffering horrific forms of sexual abuse, and a major cause of concern is that only a low number of children have been identified. Therefore, they do not have access to adequate care etc.

Trafficking of children is another cause for major concern. EU Member States are improving their frameworks for action under national law, but certain issues are very worrying. The data on this topic is insufficient, and it is therefore difficult to assess policies and legislation. Unaccompanied children are at risk of being trafficked. Appropriate measures should be taken in preventing their disappearance, and structures like fostering families should be used once these children are taken out of the trafficking network. However, the absence of reliable data on this issue makes it difficult to take evidence based solutions.

The administration and adoption of measures in the area of juvenile detention is problematic. A related concern is the treatment and detention of asylum seekers is also another cause for concern, and children should only be detained in exceptional circumstance such as the preservation of the family unit. Any detention centres should be equipped to meet the educational needs of children. If parents are illegally residing in a state, a child should still have the right to education, and should not be prohibited from attending school, and special attention must be paid to disaffected children within society, especially the Roma children. The network promotes positive action in

this area to ensure these children are included in housing and education policies. The widespread discrimination of Roma children could be obliterated with positive action from the EU.

In conclusion, another area of concern deals with violence against children, especially corporal punishment. Both Spain and Luxembourg have not formally prohibited corporal punishment, and children in institutions could be mistreated.

Ms Marie Panayotopoulos (*Member of the European Parliament*) spoke of the specific risks facing girls and young women. In spite of what has been done by the international community to establish gender equality, discrimination, marginalisation and poverty affects many women in the world. This discrimination can exacerbate violence committed against women. The World Health Organisation believes over 150 million women have suffered some form of violence. Another worrying development is the increase of trafficking of women.

Following an introduction from the previous speaker, **Ms Christina Stolle** (*Secretary General for the NGO "Terre des Femme"[TDF]*) concentrated on the special needs and vulnerabilities facing girls. The organisation fights for freedoms for girls and young women, and fights against honour crimes, trafficking and other atrocities committed against women. Problems start in early life when women are unable to make independent decisions. The organisation relies on contributions and fundraising.

Most women who undergo circumcision live in Sub-Saharan Africa, and it is estimated over 300 occur every hour in the region. Without anaesthetic, the clitoris and the lab are removed in substandard hygienic conditions. However, it is not just happening in Africa, and it has affected over 90,000 women in Germany, and is occurring in other western industrialised countries.

Forced marriages and honour crimes are another area in need of attention. Honour crimes occur when a woman is punished due to a violation of honour. These girls or women are threatened or punished with death. Girls who have emigrated to Europe are at risk, and many girls are brought to Europe and forced into marriage, and other girls and women are forced to return to their home country and are forcibly married due to excessive adaptation. In Germany, courts have justified crimes due to cultural origin.

TDF was established to deal with this sort of practice, and the phenomenon of genital mutilation, and it is therefore necessary to take action in this area. The Maputo Protocol bans genital mutilation. There are a few measures that could be undertaken to prevent such horrific practices, and include the examination of the children's genitalia by members of the medical profession to establish whether there has been sexual abuse or genital mutilation. Genital mutilation should be included as a crime in the penal code. In order to protect girls, leaving parents die to the threat of genital mutilation should be regarded as forced asylum.

The TDF is also calling for a law to ban forced marriages, and there are many legal reforms needed to give women their own status, as women are in a possibly precarious position if they are dependent upon their spouse. It is also vital to establish

international rules and a programme to address the aforementioned cases. Alongside these developments, there should be a better range of educational measures for ethnic minorities. Finally, there are increasing pressures on migrant communities to undermine women's rights and efforts to integrate. There must be laws enacted to protect women who migrate to the EU.

Ms Erminia Cozza (*Legal advisor of "Civil rights in 2000 - Saving babies and mothers"*) concluded the discussion on children and violence, and outlined measures aimed at the prevention of infanticide and providing assistance to mothers at risk. Infanticide is a major phenomenon; it can be quite easy to hide the corpse of a baby and there are about fifty cases in Italy each year. There needs to be an information based strategy to fight against infanticide. In Italy and other Member States, it is possible to give birth and not provide the maternal name.

The organisation has developed a strategy to prevent infanticide, and to protect the rights of minors and the defenceless. *Saving babies and mothers* helps women and mothers to protect children through awareness campaigns on birth rights. Members of the organisation have met with mothers, and provide assistance to mothers if they so not have the economic means to provide for their children. Providing assistance to mothers is one way to guarantee the safety of children, and can prevent the isolation and poverty of mothers. The organisation provided assistance to over 1600 mothers in over 67 countries, and many children need support to keep their child. In some instances, if they return back to their home country they and their child could be killed (for committing adultery). The organisation deals with delicate situations and women are risking their lives.

The organisation has drawn up a manifesto, and requests the support of the EP to help the Member States guarantee the right to milk. It should be provided free of charge for the first six months.

Debate:

It was requested that the EU mainstreams children's rights, and to provide training in this specialised area for professionals and staff working within the EU. International instruments are needed to protect children at the international level.

It was also requested that special reference to made to disabled children within the Communication. Another point related to the actual involvement of children in the development of policies.

Attention was also drawn to the children of divorced parents; over 50% of children with separated or divorced parents do not regularly see one of their parents. There are also men who want to be involved, and are prevented of playing the role of father.

Anonymous births were criticised, as it was deemed children suffer a great deal if there is a lack of identity.

Mr Witold Tomczak (*Member of the European Parliament*) asked how one can talk about the rights of a child and not address the needs and rights of the unborn.

Responses from the panel:

Ms Anne-Marie Hutchinson OBE spoke on the issue of forced marriages, and how it has been discussed for years. In the first instance, there is no harmonised age for marriage within the EU. In the UK, a private members bill is currently being discussed. Research on the victims and the perpetrators is essential to come up with an adequate policy response. Why are their parents allowing it to happen? There needs to be a strategy of support developed.

Ms Roberta Angelilli addressed the issue of different levels of ability, as sometimes rights can be infringed upon in this regard. She mentioned how **Vice-President Franco Frattini** said he did not want to draw up a positive list or a black list. However, maybe it would be a good idea to include a chapter on children with different needs.

Ms Erminia Cozza declared anonymous births are utilised to protect a child from infanticide.

Ms Christa Stolle concluded the session on children and violence, and believes it is vital to include gender specific elements when talking about the needs of children. Girls are often under privileged and can suffer from discrimination. A differentiated approach is therefore necessary.

Part III: CHILDREN AT RISK

Chair: Ms Angelilli, Ms Belohorská, Ms Panayatopoulos, M. López-Istúriz

Ms Blanche Tax (UNHCR) presented some finding on refugee children, and asylum seeking children. Although it is difficult to collect data concerning refugee children, and also difficult to identify the kids who may be refugees, we know that more than half of refugees are children.

The risks facing refugees are all the more important and traumatising when realised these children are more likely to suffer abuse, or to be engaged as child soldiers. The UNHCR is pushing states to create specific policies for refugee children, therefore welcomes the EU Strategy on the Rights of the Child.

Within the EU, 4 to 5% of the refugee children are unaccompanied. There were up to 10 000 unaccompanied refugee children last year. When they are accompanied, they sometimes have to assume responsibility for younger siblings, and are therefore playing a role inappropriate for human beings of their age. The EU should work on a common asylum policy in which it would be specified that when refugees from a same family are in separate EU Member States, unaccompanied children should be brought together with their relatives.

Equilibrium needs to be found between child protection and legitimate State immigration control, and there are a number of issues that require swift action on the part of the EU Member States. First of all, detention houses are not appropriate places for children. Governments must refrain from keeping children in detention, and if it necessary for them to reside there, it should only be limited to very short periods.

Secondly, it is highly irresponsible that guardianship and legal representation are not always appointed in a good manner, and this issue needs to be addressed. Regarding assessment, children are sometimes incorrectly specified as adults, and they then do not receive necessary protection measures. Another issue in need of urgent attention concerns the fight against child trafficking. Regarding asylum policies, children need to be addressed more sensitively in asylum policies. The acceptance of children as asylum seekers is lower than the acceptance of adults. As far as possible, children should be with a member of their family and every effort should be made to return them to a stable home environment. In order for Member States to respond in a more effective manner, better statistical data is required for children seeking asylum.

In conclusion, the UNHCR urges the EU and EU Member States to pay greater attention to child protection in asylum policy.

Ms Marta Santos Pais (Director of the UNICEF Innocenti Research Center) spoke on the problems of birth registration. "A child who is not counted does not count" as he does not have any identity and will therefore lack access to health, education and other social services. The Child is thus more likely to be abused, to be recruited in the armed forces, to suffer economic exploitation etc. It also means that in later life; the child will not be given the right to vote, to drive, to get a passport etc. All rights are interrelated.

Children who are not registered at birth account for 40% of all births in the world. The biggest concentration of children with no registration is in Sub-Saharan Africa and Southern Asia. The most vulnerable children are usually those who have no birth certificate: those from very poor families (who cannot pay), from rural areas (birth registration offices do not exist), those belonging to ethnic minorities (do not register because of fear of being stigmatised), those from patriarchal countries (when the father does not want to come to the registration office).

There is therefore a big need in raising awareness, as results have shown that it leads to improvement in the rate of registration. To begin with, it should be ensured that the 1st copy of birth certification is given free of charge. Secondly, improvement of efficiency at birth registration administrations is required and more coordination is needed. In Uganda for instance, there has been a decentralization of birth registration services mediated by important radio broadcasting. The first year the decentralization was implemented, it led to 1 million children being registered. Finally, birth registration can be promoted in correlation with other things. Birth registration could be proposed for instance when kids go to the doctor in an emergency situation.

In reality, very modest investments are actually needed; it is a question of organisation and team building. For instance in 2006 in Bangladesh, 10% of the children were registered thanks to the UNICEF and some other programs. Results give hope.

Mr Jozef Miklosko, (President of the Society of Friends of Children from Children's Homes) dealt with the topic of abandoned children. The Society of Friends of

Children from Children's Homes was set up in 1991, and takes care of abandoned children. The Society also does some research and presented a report on abandoned children at Parliament.

Never in history have there been so many children without parental care. One of the main problems is that these traumatisms have a long lasting effect. For instance, when a little girl is abandoned, in the future she is 52% more likely to abandon her own children. There is major concern for young children, as these are the most likely to be deeply traumatised for the rest of their lives. Children between the ages of 10-12 are also of major concern (difficult transition during puberty). In order to protect these children, someone has to take care of children's affairs, as it is the best way to protect their human rights, and social services must be developed to help parents.

Mr Luis Estebaranz Prieto (*Anar Foundation-Ayuda a Ninos y Adolescentes en Riesgo*) provided information on a hotline for children at risk in Spain. The foundation has created a hotline to which children and adolescents in difficulty can call, and the foundation is now pushing for the setting up of a European wide hotline.

The hotline created in Spain is free, confidential, operational 24 hours a day, 365 days a year. It covers the whole of Spain. Professionals work for the hotline: psychiatrists, legal experts and social experts etc...

An adult hotline was also created in parallel for: parents concerned about their children; teachers worried about some of their students; and neighbours suspicious of abuse being committed. The hotline has also just opened an e-mail service.

Over the past 13 years, 1.5 million calls have been received. In the year 2006, 168 000 calls were received. In 1998, they started a Hotline in Peru; it is the first of this kind in Southern America. A global hotline should be established, as it could help to shed light on children who have disappeared.

Debate:

Mr Reinhold Muller (*Director European Foundation for Street Children Worldwide (EFSCW)*)

Street children are certainly the most excluded persons in Europe. They receive no welfare as they do not exist administratively. They therefore tend to be victims of criminal gangs. A sustainable solution is needed and it can only be found at EU level. Secondly, the EU Strategy on the Rights of the Child should become a Green Paper. Thirdly, child protection should be allocated more money from Structural funds, and should receive a higher media profile.

Part IV: CHILDREN AND POVERTY

Chair: Ms Angelilli, Mr Papadimoulis, Ms Gröner

Ms Paula Evans (Eurochild) presented a review of 23 national reports on social inclusion. To begin with, child poverty is a reality within Europe. Problems of child poverty are not limited to the third world. Europe is also deeply affected. For instance, in Poland, Romania and Lithuania, 25% of the children are at risk of poverty. Some particular groups can be pointed out, and include jobless households, lone parents, and ethnic minorities and immigrant children.

The fight against child poverty should be EU's number one public priority. Investments in children are fundamental. They are part of the solution for global warming, demographic problems, and social protection viability.

Increasing family income is not a sufficient solution; we have to take into consideration the wider concept of children's well being. There should be greater focus on: facilitating women into the workplace; providing affordable healthcare; flexible work hours; and childcare facilities.

Children are active EU citizens and they should be involved in the policies. To conclude, the EU should lead the child poverty agenda by providing good examples. The EU should promote the exchange of Member States experiences and foster peer reviews.

Ms Jeroo Billimoria (Executive Director of Aflatoun, Child Savings International) discussed children's economic rights. At the root of economic and social inequality lies a lack of knowledge and skills about rights, responsibilities and finance, and a status quo of financial exclusion of the poor. Knowledge and skills about finance enable individuals to make best use of available resource and knowledge and skills about rights and responsibilities enable individuals to develop their communities in a balanced and equitable manner.

Aflatoun, Child Savings International provides children with financial education (teaches children about planning, setting up macro-enterprises) while teaching them about their responsibilities and rights as citizens. *Aflatoun's* mission is therefore to facilitate the development of economically self reliant and socially conscious citizens by teaching children about financial education in the context of children's rights and responsibilities. They want to ensure that child rights and finance education is viewed as a right for every child globally.

Considering the fact that today, there is no budget at EU level for financial education, the Parliament should make a written declaration to have the Commission acting in this area and founding member States.

Debate:

To begin with, it was stated that the Committees should use the information in the Daphne database (information about good practices etc.). Some more studies should be made on adolescence, the importance of this youth time period is not well-understood

enough. Also, 80% of the problems concerning children are more or less directly linked to poverty. Children living in poverty; even if they have access to education will not have the concrete possibility to receive it. A greater emphasis is needed on the agenda on early-learning. Should not there also be EU convergence criteria on child poverty?

Ms Edit Bauer (*Member of the European Parliament*) believes the demographic crisis we are facing in Europe should push us not only to promote births but also to take better care of the children we have. We are wasting human resources.

Ms Catherine Stihler (*Member of the European Parliament*) stated that child poverty should be placed higher on the agenda. Initiatives should be taken in the economic area to train children and give them the means to invest, start-up businesses, and develop initiatives.