

**Save the Children Presentation**  
**DROI Sub-Committee Meeting of the European Parliament**  
**A Case Study for the Child Rights Strategy**  
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**Rebecca O'Donnell, Asylum Migration and Trafficking, EU Office**

The first speaker has emphasized the need to have a child rights strategy that applies across both internal and external policies. In summary, we see two key reasons for this.

Firstly, there are situations in which it is very difficult, and indeed very unwise, to separate issues within Europe from the same or a related issue outside of Europe. Policy responses within Europe clearly can produce effects outside of Europe. And vice versa.

Secondly, if respect for child rights and child protection is genuinely at the heart of EU policies as they apply to children, the design of appropriate EU measures should not be constrained by policy boundaries. Instead, the EU should take action in an integrated and coherent way across policies. Fragmented EU action runs the risk of being ineffective or irrelevant.

The point of this brief presentation is to consider these rather abstract points in the context of a **very concrete example**.

This example concerns a situation where internal and external issues are inextricably linked. It also shows a situation where the European Commission and Council themselves have recognized the need to address child rights and child protection in a global and comprehensive way across policies.

The example we will look at is unaccompanied children who move from one country to another. They are a very diverse group and they come from all over the world. For example, they may be:

- children seeking asylum,
- children escaping serious economic deprivation,
- children who have been trafficked,
- children seeking economic or educational opportunities or
- children seeking to reunite with family members.

And as these children move from countries of origin, through countries of transit to countries of destination, their circumstances will be affected in turn by both EU external policy (including the areas of *development cooperation, humanitarian aid, external relations*) and EU internal policy (including the *EU border Code, asylum, trafficking and migration*) and then again potentially by external policy (including *readmission agreements, agreements with countries like Libya, and once more development cooperation*).

So what would happen if child rights were not put at the heart of an integrated approach across internal and external policies?

- Countries may not realize that fostering opportunities for these children in their countries of origin under development and cooperation actions may be the best way to reduce the risks for children making their way to Europe. Bolstering child protection systems in countries outside of Europe is an effective way to reduce the “market” for smugglers and traffickers.
- On the other hand, the opposite risk is also possible: countries largely may focus on prevention actions. They may feel pressure to avoid creating pull factors, rather than reflecting on how best to provide assistance and protection for children who will inevitably arrive.
- Destination countries may be tempted to think primarily about rapid ways to return the children to their country of origin on the *assumption* that it is in their best interests. They may do so without properly ensuring that children who are returned do indeed find themselves in a safe situation with their rights to protection and assistance guaranteed. A child may end up detained in a country of origin because they left irregularly. Children may just try and leave as fast as they can again, often with the help of smugglers and traffickers.
- Action under external policies is needed to ensure that return is in the best interests of the child. But countries must be cautious about apparently simple solutions, like building reception centres in countries of origin. Both the internal and external issues involved in this issue are closely associated. Establishing reception centres does not create automatic solutions - it is important always to secure proper and careful assessment procedures about the child’s future in each individual case while the child is within Europe. Reception centres may not be able to operate as secure care and custodial arrangements at all in certain circumstances.

But the good news, as I said at the outset, is that the European Commission has recognized that children should be treated as children first and foremost with the UNCRC at the heart of actions across its internal and external policies. And this led to the Commission adopting an EU Action Plan on Unaccompanied Minors – welcomed by the JHA Council.

The EU Action Plan sets out a global approach to prevent unsafe migration where possible, provide proper reception and assistance to children in Europe and to find and implement durable solutions for each child, taking their best interests as a primary consideration and working with third countries to do so.

Obviously it remains to be seen how the EU can best implement the Action Plan in a balanced and effective way. And it is also interesting to note that children are called “children” in the sections dealing with external policy and “minors”, a term focusing on their status under the law, under the sections dealing with internal policy! Significant practical and political challenges remain so there is still work to be done. But solid progress has been made.

We think the EU Action Plan illustrates both the necessity *and* the possibility for the EU to have a fully rounded child rights strategy.