



EUROPEAN COMMISSION

Brussels, 8.5.2012
C(2012)3007 final

Dear President,

Thank you for your letter from the 5th of December 2011 in which you raise a number of issues linked to the EU Agenda for the Rights of the Child {COM(2011) 60 final}.

The EU Agenda aims to ensure the respect of the child rights provisions of the EU Treaties, the Charter of Fundamental rights of the European Union and of the UN Convention on the Rights of the Child by transforming policy objectives and declarations into action. It focuses on areas where the EU can bring real added value, such as child-friendly justice, protecting children when they are vulnerable, and fighting violence against children both inside the European Union and externally.

The rights of the child are high on the agenda of the EU external action, including in the context of the **human rights country strategies** that are being developed for almost 160 countries worldwide. To date, over 80% of the expected strategies have been developed and more than half of them contain child rights among the priority areas. A wide range of child rights issues has been chosen for those country strategies depending on the local context, including child labour, violence against children, child trafficking, juvenile justice, disabled children, sexual abuse and exploitation of children, gender based discrimination among children, education and health, as well as protection of refugee, stateless or unaccompanied children.

The **EU approach to trade policy** focuses on using positive incentives and making use of trade preferences to promote human rights, including the rights of the child, coupled with dialogue about the conditions to maintain those preferences. As regards **EU-India trade relations**, the Commission is aiming to include, in the bilateral Free Trade Agreement which is currently being negotiated, a chapter on sustainable development which covers the economic, environmental and social dimension of sustainable development. As regards the social pillar, the International Labour Organisation's Convention on the abolition of child labour is a key point of reference.

The position of the **Commission's coordinator for the rights of the child** was established to help ensure coherent action and a flow of information across the Commission's services and facilitate cooperation with all stakeholders. The **Inter-service Group on the Rights of the Child (ISG)**, which is chaired by DG Justice, is an internal body of the Commission which brings together focal points on children's issues nominated by the relevant services of the Commission. For example, the ISG

Lord Roper
Chairman of the European Union
Select Committee
House of Lords
Palace of Westminster
UK-LONDON SW1A 0PW

helped to prepare the EU Agenda. Inter-service cooperation continues to be equally important in the implementation of the EU Agenda.

The Commission is continuing to work together and maintain a dialogue with all stakeholders also through the **European Forum on the Rights of the Child**, which brings together Member States, international organisations, Ombudspersons, and NGOs. The Forum, launched following the adoption of the Commission Communication Towards an EU Strategy on the Rights of the Child¹ in 2006, is a permanent group for the promotion of children's rights in the EU's internal and external action. It is chaired by the Commission and meets annually. The role of the Forum is to advise and assist the Commission in its work on children's rights across all EU policies and exchange information and good practices. The last meeting of the Forum, held on 23 November, focused on developing evidence-based policies (data collection) and communicating the rights of the child.

The Commission is committed to supporting Member States' efforts to protect, promote and respect the rights of the child. It shares your view that **Europe de l'Enfance** must be strengthened so as to provide a genuine place for the exchange of information and best practices. The group should also play a more important role in strengthening cooperation with Member States in the implementation of the EU Agenda. The meetings usually take place twice a year and are organised and chaired by a Member State holding the EU presidency, with the financial support of the Commission. The Commission has earmarked 150.000 EUR for the organisation of two meetings in 2012, which would cover both EU presidencies (Denmark and Cyprus). The preparations for the meeting to be held under the Danish EU Presidency are already under way.

As identified in the EU Agenda for the Rights of the Child, the absence of reliable and official **data** is an obstacle to improving the protection of children when they are vulnerable. Due to the financial support of the European Parliament, the Commission will be able to carry out a study on child-rights data collection to develop and implement evidence-based policies, namely in the area of child-friendly justice. I am confident that the outcome of this study will enable us to develop better policies and to be more responsive to the needs of children.

As regards the **definition of the child**, the EU and its Member States follow the definition as laid down in Article 1 of the UN Convention on the Rights of the Child, wherein the term "child" applies to every human being below the age of 18.

The Commission welcomes the debate on the fight against **child trafficking**. This is a matter for utmost concern for all parties involved, and there is a genuine common agreement that all that can be done to combat this horrible crime must be done.

The recent EU Directive on Trafficking in Human Beings contains specific measures that we hope will help national authorities in their work. It explicitly recognises in the definition of trafficking in human beings new forms of exploitation to which children are being subjected. This is the use of children for exploitation in begging and petty crime. Furthermore, the Directive contains specific provisions to protect child victims of trafficking from secondary victimisation, in particular in criminal investigations and proceedings.

¹ COM (2006) 367 final.

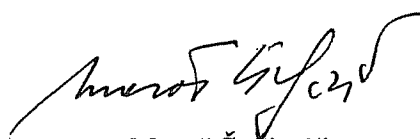
The Directive sets out a general framework, but it is Member States' responsibility to make it work. They must adopt the necessary legislative measures to comply with it, and put in place the necessary administrative structures. The Commission is glad the UK has decided to opt in to this important piece of EU legislation.

Beyond legislation, implementation and cooperation at all levels is crucial. The Commission provided funding for Operation Golf, and we are keen to see more such joint investigations developed across the EU to vigorously crack down on criminal networks trafficking children. The Commission is also currently working towards a EU strategy to combat human trafficking, and child trafficking will be a key priority. We are grateful for the discussion at the UK Parliament and appreciate suggestions, now and in the future, on how to step up Europe's response to these crimes, which we will not tolerate.

*For the actions identified in the EU Agenda to yield results, we need to **involve children and give them a chance to voice their opinions**. In view of this, the Commission will draw on the expertise of different stakeholders. In a recent meeting of the Forum the participants heard from a 15-year old former chair of the Finnish Children's Parliament how children themselves can be involved and consulted on issues that concern them and how children can be empowered to exercise their rights. Children told us also on other occasions² they want to be better informed about their rights. To that end, we will have, by the end of the year, a **single entry point on the Europa portal for children**, called the Kids' Corner³ available in all EU languages. The Kids' Corner features a brand new European Website on the Rights of the Child⁴, which contains child-friendly information, games and quizzes on the rights of the child and EU policies as well as information on whom they can turn to for help.*

I hope these clarifications address the issues raised in the House of Lords' letter and I look forward to continuing our political dialogue.

Yours faithfully,



Maroš Šefčovič
Vice-President

² "Children's Rights as they see them", available at:

http://ec.europa.eu/justice/fundamental-rights/files/rights-of-the-child_en.pdf

³ http://europa.eu/kids-corner/index_en.htm

⁴ <http://ec.europa.eu/0-18/>