

# EU OPPORTUNITIES & MONITORING TOOLS in EU ENLARGEMENT, NEAR NEIGHBOURHOOD and EU INTERNAL AFFAIRS, September 2016

## 1. INTRODUCTION

In recent years, the EU has increasingly engaged in activities that have an impact on child protection in Europe and beyond. Outside of Europe, the EU is taking action in its human rights framework, emergency response and development cooperation. Child protection has also formed an important priority in the context of EU enlargement negotiations and neighbourhood policy. And, in internal affairs, specific legislative action has been taken in particular in the areas of Justice and Home Affairs, for example, to combat trafficking and child sexual abuse. Alongside this action, the EU internal affairs agenda also brings child protection into focus in other areas, such as investing in children.

This explanatory paper by Child Circle for Child Protection Hub for South East Europe provides a framework for identifying the type of EU opportunities that arise in: (1) Child Protection in Near Neighbourhood Policy and the enlargement negotiations and (2) Child Protection in EU internal affairs.

The explanatory briefing can be used to inform and support national and regional advocacy strategies. It can also be used as a practical framework to identify and monitor opportunities to promote child protection and engage with the EU at country and regional level on an ongoing basis.

This briefing is accompanied by a webinar and power point presentations intended to support you in exploring what EU actions can best contribute to your work.

## 2. CHILD PROTECTION IN THE ENLARGEMENT and NEAR NEIGHBOURHOOD

This section provides an overview of potential opportunities to promote child protection through the enlargement negotiations and the near neighbourhood policy. It provides a short description of what the near neighbourhood policy and the enlargement negotiations are, who the key EU actors are and what concrete opportunities there are to promote child protection.

### WHAT IS THE EUROPEAN NEAR NEIGHBOURHOOD POLICY?



The [European Neighbourhood Policy \(ENP\)](#) was launched in 2003 with the key purpose of strengthening the prosperity, stability and security of the EU's closest Eastern and Southern Neighbours (currently 16 [countries](#)). It is based on the values of democracy, rule of law and

respect of human rights and is a key area of the [EU's foreign policy](#). The [ENP](#), which was recently [reviewed](#), includes a youth strategy and protection of migrating children. The EU provides different kinds of support to the partner countries, including for example financial support and technical and policy support. The Commission publishes yearly progress reports, which are scrutinized by the European Parliament and the EU Council.

## WHAT ARE THE ENLARGEMENT NEGOTIATIONS?

[The enlargement negotiations](#) is the process by which a country and the EU negotiate potential EU membership. The Treaty on the European Union states that any European country may apply for membership if it respects the democratic values of the EU and is committed to promoting them (the Copenhagen criteria), including ensuring, stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. Throughout the negotiations, the Commission monitors the candidate's progress in applying EU legislation and meeting its other commitments and provides guidance and financial support. The Commission keeps the EU Council and European Parliament informed throughout the process, through regular reports, strategy papers, and clarifications on conditions for further progress.

## WHO ARE THE KEY ACTORS?

[The Directorate-General for Neighbourhood and Enlargement Negotiations \(DG NEAR\)](#) takes forward the EU's neighbourhood and enlargement policies. DG NEAR works closely with the [European External Action Service \(EEAS\)](#) and the line DGs in charge of thematic priorities.

**The EU Delegations** (see links in the table below) are important partners to the Child Protection Hub in promoting children's rights and child protection at country level. The EU Delegations have the status of diplomatic mission and represent the EU, facilitates relations and oversees the EU's action in the respective countries, including managing EU assistance programmes and disseminating information about the EU.

[The European Parliament Committee on Foreign Affairs \(AFET\)](#) examines and debates policy, strategies and country-specific situations, including [country-specific reports](#) under the near neighbourhood policy and enlargement negotiations. The EP can also provide in-depth analysis and [reports](#).

[The Committee of the Regions](#) is active with actors from both the enlargement countries and the near neighbourhood countries through two bodies. [ARLEM](#) is the assembly of local and regional elected representatives from the European Union and its Mediterranean partners. [CORLEAP](#) is the political forum of local and regional authorities from the European Union and the Eastern Partnership countries.



## WHAT OPPORTUNITIES EXIST TO PROMOTE CHILDREN’S RIGHTS AND CHILD PROTECTION THROUGH THE NEAR NEIGHBOURHOOD POLICY AND THE ENLARGEMENT NEGOTIATIONS?

Children’s rights and child protection are often considered both in the enlargement negotiations and the near neighbourhood policy. The tools identified in the table below can provide the Child Protection Hub with opportunities to promote child protection including the key findings of the reports and events on interagency and multidisciplinary collaboration, social services competences and decentralisation in the context of EU enlargement negotiations and near neighbourhood policy, for example through progress reports, political dialogue and country strategy papers. There are also funding instruments, which may provide opportunities to develop targeted and practical projects in the region to take the Child Protection Hub’s findings forward at regional and national level. The European Parliament can be an important ally in ensuring that child protection features in reports and debates with the Commission.

Type of Opportunity	Description	Action to consider/explore	Monitoring Tool
<b>CONSULTATIONS</b>			
EU Policy Consultations (written)	Public consultations allow you to express your views on key aspects of impacts assessments for Commission proposals under preparation as well as on key elements of evaluations and 'fitness checks' of existing policies. Public consultations are open for a period of minimum 12 weeks by default.	Monitor and respond to relevant consultations, see for example (now closed) the <a href="#">public consultation on ENP</a>	<a href="#">All Policy Areas EEAS</a>
EU Policy Consultations (expert meetings, CSO consultations) and other events organised by EU Institutions and civil society support initiatives	Public consultations, expert meetings, CSO consultation allow you to contribute to policy discussions, country situation reports.	Monitor opportunities to participate in consultations in the respective countries and in Brussels through regular contacts with the EU Delegations in the respective countries (also see Progress Reports below). See for example <a href="#">the Civil Society Forum for the ENP</a>	<a href="#">Near Neighbourhood ENPI</a>  <a href="#">Enlargement TACSO</a>
<b>FUNDING OPPORTUNITIES</b>			
Enlargement and Near Neighbourhood	There are several funding programmes that are of interest to CSO in the enlargement countries and the near neighbourhood. These include: <a href="#">The European Instrument for Democracy and Human Rights (EIDHR)</a> ; <a href="#">the Non-State Actors and Local Authorities thematic programme (NSA-LA)</a> ; the <a href="#">ENI Civil Society Facility</a> ; <a href="#">JPA II</a>	Monitor and respond to relevant calls for proposals	<a href="#">The European Instrument for Democracy and Human Rights (EIDHR)</a> ; <a href="#">The Non-State Actors and Local Authorities thematic programme (NSA-LA)</a> <a href="#">ENI Calls for civil society</a> <a href="#">IPA Calls for civil society</a>



Type of Opportunity	Description	Action to consider/explore	Monitoring Tool
<b>PROGRESS REPORTS</b>			
Candidate and Potential Candidate Countries	The Commission is required by the EU governments to report annually on progress achieved by countries that are official candidates (Albania, FYROM, Montenegro, Turkey) or potential candidates for EU membership (Bosnia and Herzegovina and Kosovo). The reports often include recommendations in relation to children's rights and child protection. See the 2015 reports <a href="#">here</a>	Contribute to reports by transferring data, evidence, recommendations to public consultations and <a href="#">civil society dialogue</a> (written and CSO meetings – see example from meeting in Kosovo <a href="#">here</a> )  Monitor opportunities to participate in consultations in the respective countries and in Brussels through regular contacts with the EU Delegations in the respective countries.	Monitor opportunities to participate in consultations in the respective countries and in Brussels through regular contacts with the EU Delegations in the respective countries.  <a href="#">EU Delegation in Albania</a> <a href="#">EU Delegation in FYROM</a> <a href="#">EU Delegation in Montenegro</a> <a href="#">EU Delegation in Turkey</a> <a href="#">EU Delegation in Bosnia and Herzegovina</a> <a href="#">EU Delegation in Kosovo</a>
ENP Countries	Once a year, the European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy publish reports assessing the progress made towards the objectives of the Action Plans and the Association Agendas. See the 2015 reports <a href="#">here</a>	Engage in a regular informal and formal dialogue with EU Delegations	<a href="#">EU Delegation in Armenia</a> <a href="#">EU Delegation in Azerbaijan</a> <a href="#">EU Delegation in Egypt</a> <a href="#">EU Delegation in Georgia</a> <a href="#">EU Delegation in Israel</a> <a href="#">EU Delegation in Jordan</a> <a href="#">EU Delegation in Lebanon</a> <a href="#">EU Delegation in Republic of Moldova</a> <a href="#">EU Delegation in Morocco</a> <a href="#">EU Delegation in West Bank and Gaza (Palestine)</a> <a href="#">EU Delegation in Tunisia</a> <a href="#">EU Delegation in Ukraine</a>
<b>COUNTRY STRATEGIES AND ACTION PLANS</b>			
The Indicative Country Strategies  Multi-country papers	The <a href="#">Indicative Country Strategy Papers</a> provide the frame for financial assistance for each individual <a href="#">IPA II</a> beneficiary. The current papers run until 2020.  There is also a <a href="#">multi-country indicative strategy</a> paper which sets out priorities for the region.	Engage in dialogue to monitor when new strategy papers are negotiated.  Engage in civil society dialogue/consultations to ensure that child protection concerns are integrated in indicative country and multi-country strategies	Information for civil society (including on calls) can be found <a href="#">here</a>
ENP Action Plans	The <a href="#">ENP action plans</a> set out the agenda for political and economic reform with 3-5 year priorities.	Engage in dialogue to influence ENP actions plans.	Information for civil society can be found <a href="#">here</a>

### 3. EU INTERNAL AFFAIRS POLICIES

This section provides an overview of potential opportunities to promote child protection through the EU internal affairs policies. It provides a short description of policies as well as identifying the key EU actors and opportunities there are to promote child protection, linked to key activities and focus areas of the Child Protection Hub.

#### WHAT ARE THE KEY EU POLICY AREAS RELEVANT TO YOUR WORK?

The following are key EU internal affairs policies that are relevant to your work:

##### *Justice*

DG Justice takes the policy lead in justice instruments, for example, concerning children whether as victims or accused or suspects of crime. It also is responsible for the coordination of the EU Child Rights Agenda and the annual EU child rights forum, including the [Reflection Paper on integrated child protection systems](#) prepared for the 2015 Child Rights Forum. This policy area also generates several relevant funding streams to respond to violence against children.

Through the children's rights coordinator and an inter-service group, it cooperates with other services of the Commission to make sure that the rights of the child take a prominent role in all relevant policies and actions. These include:

- (1): DG Education and Culture: including Early childhood education and care; Youth Policy; European Youth Portal; School Education Gateway;
- (2) DG Information Society and Media: Protection of minors; Safer Internet Programme
- (3) DG Health and Food: Promotion of children's health and wellbeing; Healthy environments: Injury and safety; Healthy environments: Health and environment
- (4) DG Employment, Social Affairs and Inclusion: Poverty and social exclusion; Investing in children
- (5) DG Home: Child migration & Child trafficking; Child sexual abuse and exploitation
- (6) DG Enterprise: Corporate Social Responsibility - Human Rights guides for enterprises in three business sectors: employment and recruitment agencies; ICT companies; and oil and gas companies
- (7) DG EuropeAid Development and Cooperation: Public Group on Children
- (8) European External Action Service.

##### *Migration & Home Affairs*

DG Migration & Home Affairs contains key policy areas in which the EU establishes common legal standards for responding to the situation of asylum seeking children, trafficked children, children in migration, and children who have been sexually abused. The EU Migration Agenda is a key policy framework currently being used to channel EU actions in the field. The



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implementation of these new bodies of legislation is overseen by the Commission, who also has a significant role in operational issues, such as the hotspots and relocation schemes, development of practical measures of support and funding of projects in the field.

### *Employment, Social affairs & Inclusion: Social Protection & Social Inclusion*

The European Commission supports and complements the Member States' policies in the fields of social inclusion and social protection. Currently, the Europe 2020 strategy for smart, sustainable and inclusive growth aims to lift at least 20 million people out of poverty and social exclusion and to increase employment of the population aged 20-64 to 75%.

<http://ec.europa.eu/social/main.jsp?langId=en&catId=750>

A specific child-related initiative is the Commission's Recommendation on Investing in Children – Breaking the Cycle of Disadvantage. This is relevant in the context of Child Protection Hub's work in strengthening the community and social services. See the work of the EU Alliance for Investing in Children, <http://www.alliance4investinginchildren.eu/>. It brings together over 20 European networks sharing a commitment to end child poverty and to promote child well-being across Europe to push for full implementation of the European Commission Recommendation. They discuss how the EU policy framework and funding opportunities can catalyse political commitment and policy reform within Member States, thereby improving the quality of life of children and young people in Europe. Of interest, the Alliance's [Advocacy Toolkit](#) to support the advocacy work of networks and organisations on tackling and preventing child poverty and promoting child well-being at national and sub-national level.

### WHO ARE THE KEY EU ACTORS?

The following summarises the key EU actors relevant to child protection work concerning internal affairs:

- ❖ The Commission, in particular, DG Justice (fundamental rights unit, child rights coordinator); DG Home, the EU Anti-trafficking Coordinator's office; DG Employment, Social Affairs & Inclusion. *Child Protection Hub focus: Policy development and implementation*
- ❖ The European Parliament, in particular, the European Inter-group for children and the LIBE Committee. *Child Protection Hub focus: Raising political visibility of key issues*
- ❖ EU agencies of particular relevance to child protection include: the Fundamental Rights Agency, the European Asylum Support Office, Europol and FRONTEX. *Child Protection Hub focus: Contributing to, or drawing on, expert work and practical measures of support*
- ❖ Other EU actors include the Council of Ministers, European Economic and Social Committee, Committee of the Regions, the European Court of Justice. *Child Protection Hub Focus: High level advocacy (the Council: if and where resources are available, e.g. migration sector); events (ECSC and CoR) and learning (Court).*

## WHAT OPPORTUNITIES EXIST TO PROMOTE CHILDREN'S RIGHTS AND CHILD PROTECTION IN EU INTERNAL AFFAIRS?

There are very diverse opportunities to draw from, and contribute to EU action on child protection in EU internal affairs. These include:

- Policy frameworks such as the EU Anti-Trafficking Strategy; Development of EU laws in specific areas;
- Development of legal child protection safeguards in specific fields.
- Cross-border mechanisms between States, such as Brussels II bis or Dublin III Regulation
- Support for implementation of EU law at national level, including exchange of national practices;
- EU Studies such as justice, child begging, trafficking;
- Development of practical tools, including those developed by the agencies, such as the guardianship handbook of the Fundamental Rights Agency
- Raising visibility, such as EU Anti-Trafficking Day activities
- Funding of projects across the region, e.g. capacity building

Contributions to these processes can take many different forms, including raising awareness of issues, developing specific recommendations for law or policy, promoting good practice, or participating in regional projects. Becoming familiar with the EU agenda through monitoring what is going on in your priority areas will help you identifying specific opportunities and take action.

The DG Justice website on the rights of the child is an excellent starting point for this.