

*“We don’t do childhood poverty –  
we do large roads!”*

*The EU, the Millennium Development Goals and Children*

*Save the Children fights for children's rights.  
We deliver immediate and lasting improvements  
to children's lives worldwide.*

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Authors: Diana Sutton, Costanza de Toma and Hans Lind

Researchers: Agneta Gunnarsson and Anna Tibblin

Project management: Diana Sutton, Olivia Lind Haldorsson and Hans Lind

Language review: Mary Bermingham

Production management: Sofia Hildebrand

Layout: Annelie Rehnström

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# Executive Summary

The Millennium Development Goals (MDGs) are the world's time-bound and quantified targets for addressing key components of poverty in the developing world – including income poverty, hunger, lack of access to education, disease, and the absence of clean water and sanitation services – while promoting gender equality and environmental sustainability. In September 2005, the UN General Assembly will take stock of the world's progress in the implementation of the MDGs since they were agreed in 2000. To prepare for this meeting, the European Commission (EC) and Member States have developed an EU synthesis report (a “stock take”) reviewing their contribution so far to the achievement of the MDGs.

Achievement of the MDGs is crucial to improving the lives of children in the developing world. Over 600 million children world-wide live in absolute poverty – an estimated one in four. In many countries, rates are much higher with over 60 percent of children living in households with incomes below international poverty lines.<sup>1</sup>

Several other critical challenges remain: more than 10 million children die each year although most of those deaths could be prevented; 100 million children are still out of school, 60 percent of them girls; 150 million children suffer from malnutrition; and HIV/AIDS is spreading with catastrophic speed. The childhood of millions continues to be devastated by hazardous and exploitative child labour; the sale and trafficking of children, including adolescents, and other forms of abuse, neglect, exploitation and violence.<sup>2</sup>

Today's poor children are often tomorrow's poor adults. Poverty is passed on from generation to generation affecting the long-term health, wellbeing and productivity of families and of society as a whole. Tackling childhood poverty now is therefore fundamental to eradicating global poverty and injustice in order to meet the Millennium Development Goals (MDGs). Now is the time to make child poverty history.

In this new report, Save the Children has carried out a “shadow” stock take of the EC contribution to the MDGs from a children's rights perspective. Using the Convention on the Rights of the Child, Save the Children :

- Provides a child focused and child rights-based review of the contribution of the EC towards the achievement of the MDGs in the period 2000–2005.
- Analyses EC policies, programmes and actions relating to the MDG goals and targets relevant for children.
- Makes recommendations on ways in which the EC could maximise its contribution to the achievement of child-focused MDGs.

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1. [www.childhoodpoverty.org](http://www.childhoodpoverty.org)

2. UN General Assembly, A World Fit for Children, Declaration adopted at the 27th special session, 10 May 2002

The report makes key recommendations about each of the Millennium Development Goals and suggests a series of “quick win” actions that the EC could take.

Its key findings include:

- Children’s issues are not addressed by the EC from a rights-based perspective, despite the fact that the EC’s development policy statement establishes that children’s rights is a cross cutting concern to be mainstreamed. Significantly, following the adoption of the policy, the four mainstreaming issues in the statement have in practice been reduced to three – with children’s rights being left out.<sup>3</sup>
- Mainstreaming has failed to deliver concrete, practical outcomes for children.
- There is no comprehensive strategic approach to childhood poverty as it is not considered to be a mainstream poverty issue by the EC. Children are relegated to the status of a “vulnerable group”.
- In 2003, just 2.3 percent of social sector spending allocated to African, Caribbean and Pacific countries (ACP) was spent on basic education.
- Girls’ education is not included in the EC stock take report, despite a discussion of gender issues being included.
- Despite recognising the need to step up support for strengthening basic health systems and pro-poor service delivery, the EC MDG stock take report does not prioritise increasing overall budget allocations for health.
- EC policy on sexual and reproductive health provides a comprehensive framework for meeting MDG 5. The EC states that special emphasis is placed on “the rights of young people in developing countries to improve sexual and reproductive health”.
- Despite recognising that children, and especially orphans, are among those worst affected by “poverty diseases”, this issue is not translated into a priority at programming level. Children are not very visible in EC policy regarding HIV/AIDS and other poverty diseases.
- Although the EC has developed a comprehensive policy on environmental sustainability in recent years, neither this nor other policies mention children’s rights, nor regard children as stakeholders in development processes.
- Children are absent in policy documents about development assistance, trade, debt and other issues in relation to MDG 8.

The report’s key recommendations on “quick wins” are:

1. The Commission and the Council should adopt a *communication on children’s rights and a cross cutting children’s strategy*. The communication should include concrete mechanisms to ensure the adoption of a child rights approach in EC development policy and practice. Issues that should be covered include:

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3. Programmes of action and annual reports on EC development policy and external assistance, 2001-2004

- All proposed EU legislation, policy and programmes to be made fully compatible with the UN Convention on the Rights of the Child.
  - Political dialogue between the EU and its partner countries in development cooperation to include children's rights.
  - Children's rights to be explicitly integrated into existing frameworks, guidelines and other planning instruments.
  - References to children's rights in relevant budget lines to be strengthened, implemented and assessed for their impact.
  - Results require resources. Departments within the EC, such as the Interservice Quality Support Group and the Evaluation Unit, to be strengthened with staff familiar with or specialised in children's rights and mainstreaming. More training programmes and seminars should be organised in order to enhance capacity among Commission staff.
  - A high level post for children's rights to be created in the Commission.
  - Internal coordination in the Commission services on children's rights to be strengthened.
2. The revision of the EC's development policy should include an explicit focus on child poverty and children's rights.
  3. A commitment should be made to increase Official Development Assistance (ODA) to an EU average of 0.6 percent GNI to ODA by 2009, with the aim of meeting the UN target of 0.7 percent by 2013 at the latest. The focus on low-income countries in EU allocations must be strengthened alongside an improvement in ODA quality (including harmonisation, predictability and grants-based budget and sectoral support).
  4. The EC and Member States should take a firm stand on ending user fees for education and essential health services, including anti-retroviral therapy, to be compensated by increased aid as necessary, by 2006.
  5. Support for the care and treatment of orphans and vulnerable children in EC HIV/AIDS policy should be prioritised, through endorsing and adopting the international Framework for the Protection, Care and Support of Orphans and Vulnerable Children living in a World with HIV and AIDS (the Framework).<sup>4</sup>
  6. Increased support should be provided for the poorest nations to build sustainable health care strategies and systems reversing current financing trends towards vertical, disease-specific interventions to support recurrent costs and human resource development to counteract the loss of health professionals.

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4. UNICEF et al The Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS, July 2004





# Preface

Save the Children fights for children's rights. We deliver immediate and lasting improvements to children's lives worldwide.

The Millennium Development Goals stocktaking process is an important opportunity to make child poverty history. Six hundred million children live in households with an income of less than USD 1 a day and ten million children die from preventable diseases every year.

But the EU, the world's largest donor is still a long way from putting children at the centre of its development policy focusing its development assistance on infrastructure development instead. The EU is preparing its proposals for the MDG stocktaking event and wants to bridge the gap between policy and practice.

Save the Children in this important report sets out a strategy for the EU to make child poverty history and to put children at the centre of the EU's development policy. It makes key recommendations to implement the Millennium Development Goals at EU level including a series of quick wins.

Save the Children



# I. Make Child Poverty History

*“The level of our ambition can only be high. The EU claims leadership which, in turn, requires political courage and commitment. The EU has expressed the will to make a difference. This implies that we will bridge the gap between theory and practice and that we back up our words with resources and action.”<sup>5</sup>*

## **Why this report?**

The Millennium Development Goals (MDGs) are the world’s time-bound and quantified targets for addressing the many aspects of poverty – income poverty, hunger, disease, lack of adequate shelter and exclusion – while promoting gender equality, education and environmental sustainability. The EU has repeatedly confirmed that achieving the MDGs is a key objective for the European Union.<sup>6</sup> In September 2005, the UN General Assembly will take stock of the world’s progress in the implementation of the MDGs. To prepare for this, the European Commission and Member States will provide an EU synthesis report. The Millennium Development Goals are children’s goals. Six of the eight MDGs refer directly to children’s rights to health, education, and equally, acknowledge the central place of children in the effort to eradicate poverty. However, there are major gaps in fulfilling children’s rights, which the MDGs do not cover.

## **A world fit for children**

On 10 May 2002, Heads of State and Government and representatives of States participating in the Special Session of the UN General Assembly on children reaffirmed their commitment to promote and protect the rights of each child – every human being below the age of 18 years.

The outcome document of the Special Session ends with a statement calling on all members of society to join in a global movement that will help build a world fit for children through upholding commitments to 10 principles and objectives. These objectives correspond with the MDGs but also add some new elements, not least the principle of children’s participation:

- Put children first. In all actions related to children, the best interests of the child shall be a primary consideration.
- Eradicate poverty: invest in children. Leave no child behind. All forms of discrimination affecting children must end.
- Care for every child.

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5. Commission staff working document, EC Report on Millennium Development Goals 2000–2004, SEC(2004) 1379, 29 October 2004

6. Council of the EU, Conclusions of 26 April 2004

- Educate every child.
- Protect children from harm and exploitation.
- Protect children from war.
- Combat HIV/AIDS.
- Listen to children and ensure their participation.
- Protect the Earth for children.

### ***Making children visible***

Save the Children works to promote and protect children's rights in over 100 countries worldwide. In 2002 Save the Children published "Invisible Children" which found that whilst some important initiatives have been taken, the EC lacks a consistent and coherent approach to putting children and their rights at the centre of its policies and practice. In short, as the title suggests – children are invisible.

In this new report, Save the Children has carried out a "shadow" stock take on the EC contributions to the MDGs, from a children's rights perspective. Using the Convention on the Rights of the Child as a basis, and through a series of interviews and reviewing documentation,<sup>7</sup> Save the Children asks:

- Are children, and issues relating to child poverty, highlighted in policies, strategies, evaluations and other documents that relate to the eight MDGs within EC development cooperation?
- Are children's issues considered from a child rights approach within EC development cooperation?

This study:

- Provides a child focused and child rights-based review of the contributions of the EC towards the achievement of the MDGs in the period 2000–2005.
- Analyses, from a child focused and rights-based approach, EC policies, programmes and actions relating to the MDG goals and targets relevant for children.
- Makes recommendations to maximise the EC's contribution to the achievement of child focused and child rights-based MDGs.

### ***Why do we need a Child Focused Development policy?***

First it is important to restate why we need a child focused development policy. It is tempting for policy makers to think that children's rights and needs can be addressed within policies targeted at adults or at other vulnerable groups. Furthermore assumptions are often made that what reaches adults will reach children.<sup>8</sup>

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7. See Annex 1 for a full description of the methodology and formats for review of documentation and interviews.

8. For a full discussion see van Reisen, M., Invisible Children, Towards Integration of Children's Rights in EU and Member States' Development cooperation Policies, Save the Children Europe Group, 2002

There are a number of reasons why children's needs and rights must be considered separately in development policy:

- Children's and adults' needs are not the same
- Children are an integral part of the development process
- Children are both the present and the future
- Inappropriate planning - not consulting children can be expensive

Over 600 million children worldwide live in absolute poverty – an estimated one in four children. In many countries, rates are much higher with over 60 percent of children living in households with incomes below international poverty lines.<sup>9</sup>

Several other critical challenges remain: more than 10 million children die each year although most of those deaths could be prevented; 100 million children are still out of school, 60 percent of them girls; 150 million children suffer from malnutrition; and HIV/AIDS is spreading at a catastrophic speed. The childhood of millions continues to be devastated by hazardous and exploitative child labour; the sale and trafficking of children, including adolescents, and other forms of abuse, neglect, exploitation and violence.<sup>10</sup>

Today's poor children are often tomorrow's poor adults. Poverty is passed on from generation to generation, affecting the long-term health, wellbeing and productivity of families and of society as a whole. Tackling childhood poverty now is therefore fundamental to eradicating global poverty and injustice in order to meet the Millennium Development Goals (MDGs).

Childhood poverty is also important because individuals within households do not necessarily have equal access to that family's or household's resources. In many societies, girls, child domestic workers or fostered children are denied access to resources and opportunities, even in households that may be considered as well-off.<sup>11</sup>

## **International Legal Framework**

*"It is also important to strengthen the Commission's support for the major international Conventions and commitments related to children – including the UN Convention on the Rights of the Child and its Optional protocols."<sup>12</sup>*

The UN Convention on the Rights of the Child (CRC) is the world's most widely ratified human rights instrument. Four general principles form the umbrella provisions of the CRC. These are: the non-discrimination principle; the requirement that the best interests of the child shall be a primary consideration in all actions; states' obligation to ensure the survival and development of the child, and, the child's right

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9. [www.childhoodpoverty.org](http://www.childhoodpoverty.org)

10. UN General Assembly, A World Fit for Children, Declaration adopted at the 27th special session, 10 May 2002

11. Marshall, J., CHIP Policy Briefing no. 1, Children and poverty, Save the Children UK

12. Letter from Commissioner Louis Michel to Save the Children – 19 Jan 2005

to express his or her views freely and have those views given due weight. Article 4 of the Convention on the Rights of the Child also obliges wealthier nations to ensure that a certain proportion of GNI is spent on development aid and on protecting the rights of the child in poorer nations. This article therefore places an obligation on bilateral and multilateral agencies to internalise the provisions of the CRC in their own lending and technical assistance programmes.<sup>13</sup> Applying a child rights-based approach also implies recognising the fact that children are particularly vulnerable to exploitation and abuse, and have particular developmental needs and rights that differ from those of adults. The child rights perspective also acknowledges that children can and do actively contribute to household, community and society; they are not simply a vulnerable group.

The Treaty establishing a Constitution for Europe<sup>14</sup> states that the European Union, in its relations with the wider world, shall contribute to the protection of human rights, and in particular the rights of the child. If ratified, the Treaty will provide a legal basis for the promotion of children's rights within the EU, both internally and within its external relations. The Charter of Fundamental Rights (annexed to the Treaty) refers to two of the general principles of the CRC, namely that children's views and their best interests shall be taken into consideration. This now enables the EU to move forward in developing a strategy for children's rights, whether the Constitutional Treaty is ratified by the Member States or not.

### **The EC's current approach to children's rights**

The EU has stated that the promotion of children's rights is linked to addressing poverty. At the UN Special Session for Children in 2002, the head of the EU delegation said:<sup>15</sup>

*"In implementing our policies we recognise children as a particular vulnerable group in the overarching policy focus on poverty. Within this framework, mainstreaming of gender aspects and human rights, including rights of the child based on the Convention on the Rights of the Child, are closely linked with our poverty eradication efforts."*

EC development policy<sup>16</sup> acknowledges children's rights, stating that they are of such priority that they should be mainstreamed in all development activities. However, policies to promote children's rights in EC development policy have rarely been translated into concrete strategies. Children's rights are not crosscutting. In fact, children

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13. van Reisen, M., Invisible Children, Towards Integration of Children's Rights in EU and Member States' Development cooperation Policies, Save the Children Europe Group, 2002

14. Treaty establishing a Constitution for Europe CIG 87/2/04, p 11. The Treaty is presently under the process of ratification by the 25 Member States and can at earliest come into force in November 2006.

15. Statement by John B. Richardson, Head of the Delegation of the European Commission, to the UN Special Session for Children, New York, May 10 2002, quoted from van Reisen, M, Invisible Children, Towards Integration of Children's Rights in EU and Member States' Development cooperation Policies, Save the Children Europe Group, 2002

16. The European Community development policy, Statement by the Council, 2304TH Council meeting, 12929/00 (presse421), 10 November 2000

and childhood poverty are hardly mentioned at all – other than as a vulnerable target group or for statistical purposes. The resources allocated to children show the same. The EU contributed 2003 with EUR 181 million for education in the ACP countries. The same year, EUR 706 million was spent on transport and storage.<sup>17</sup>

*“The European Commission committed EUR 5 billion to the transport sector in the ACP, TACIS, ALA, MEDA and CARDS regions in the period from 1995–2001. Over three-quarters of this amount was allocated to ACP countries, with a strong preference for the road sector.”<sup>18</sup>*

EC development policy is currently under review and the Commissioner for Development, Louis Michel, has expressed the need to adapt the priorities of EC development cooperation to the global development agenda and the MDGs. The revision provides an important opportunity to make child poverty history and to have a child focused EU development policy. Now is the time to take this opportunity.

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17. Annual report 2004 on the European Community's development policy and external assistance

18. Evaluation of EC Interventions in the Transport Sector in Third Countries - 05/2004 - ref. 951655)





## 2. Children's rights in the MDG contributions

In this section, Save the Children analyses the extent to which issues relating to children and children's rights are dealt with in overall policy and programming related to the MDGs.

### **GOAL 1: Eradicate extreme poverty and hunger**

*Target 1:* Halve, between 1990 and 2015, the proportion of people whose income is less than USD 1 a day

*Target 2:* Halve, between 1990 and 2015, the proportion of people who suffer from hunger

#### **Article 6 – CRC**

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

#### **Objective 2 – A World Fit For Children**

*Eradicate poverty:* invest in children. We reaffirm our vow to break the cycle of poverty within a single generation, united in the conviction that investments in children and the realization of their rights are among the most effective ways to eradicate poverty.

### **Addressing childhood poverty and malnutrition**

Children make up half the total population in most developing countries. One in two people living in absolute poverty in the world today is a child, most often a girl. Out of 100 children born in 2000, 30 have probably suffered from malnutrition in their first five years of life, 26 have not been immunized against the basic childhood diseases, 19 will lack access to safe drinking water and 40 to adequate sanitation and 17 will never go to school. Children are hardest hit by poverty because it strikes at the very roots of their potential for development – their growing bodies and minds.

Over 10 million children still die each year from preventable or treatable diseases. Over a third of these deaths are due to the effects of underweight on diarrhoea, pneumonia, measles and malaria<sup>19</sup>. Food insecurity is one of the main causes of malnutrition in the developing world and is often associated with poverty and the inabil-

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19. M. Chopra and D. Sanders, CHIP Working paper no 10 – Child Health and Poverty

ity of households to afford basic needs, including health care and education.

The following areas of intervention require particular attention from the EC in order to address childhood poverty in the drive towards meeting the MDGs.

- *Adopting a pro-poor and child focused approach to development:* Addressing childhood poverty and malnutrition requires a pro-poor and rights-based approach to development which focuses on increasing equitable growth and redistribution. This involves rights-sensitive investments that will have a positive impact on poor areas and on economic activities that many poor people engage in. It also means ensuring that other policies or investments do not have a negative impact on poor families' access to productive assets, employment, food security et cetera. Social impact assessments which examine potential implications of policies and programmes, including rural development programmes, for poor families and children can play a crucial role.
- *Investing in basic services:* Ensuring access to good quality, accessible and free primary health care and education are vital for eradicating childhood poverty. This includes developing effective, equitable, accessible and sustainable systems for service provision, with a focus on reaching the poorest and most marginalised.
- *Putting in place social protection mechanisms for the poorest:* Social protection policies and mechanisms at the national level are fundamental to mitigating the negative impact of inequitable social and economic policies on children and their families and breaking the inter-generational cycle of poverty. Well designed and properly implemented programmes, directly aimed at improving the wellbeing of the poorest in society, are of paramount importance. These could be state transfers (monetary or other) aimed at families with children, or at children directly; income generation and micro-credits; tax exemption schemes et cetera. Even cash transfers aimed at the elderly impact positively on the well-being of children, who are often cared for by older women. Social protection mechanisms require pro-poor, supportive action in policy areas not often perceived as having an impact on childhood poverty. These include macroeconomics, agriculture, labour, trade/industry, energy, as well as those more clearly related to children: such as education, health, social welfare and women's well being<sup>20</sup>.
- *Enhancing food security to avert livelihood crises:* Monitoring and preventing food shortages and livelihoods crises, due to a combination of socio-political, economic and environmental factors, in the most food insecure areas in the world could avoid millions of unnecessary child deaths each year.

## **EC policy contributing to MDG 1**

### ***Adopting a pro-poor and child focused approach to development***

In recent years the EC has adopted a poverty focus in its approach to development. There is however no comprehensive strategic approach to childhood poverty, as the EC does not consider this to be a mainstream poverty issue. Children are therefore

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20. Jenni Marshall, CHIP Policy Briefing no.1: Children and Poverty, Save the Children UK 2002

relegated to the status of a “vulnerable group”.

Shortly after the signing of the UN Millennium Declaration in 2000 the EC development policy was adopted.<sup>21</sup> This is the most important overarching framework guiding EC policy and practice in development cooperation. Due to the timing of its preparation, the development policy statement does not contain references to the MDGs. It is, however, compatible with the Millennium Declaration’s objectives.<sup>22</sup> The development policy establishes that the main aim of Community development policy is to reduce and eventually eradicate poverty.

The EC development policy identified four crosscutting concerns: the promotion of human rights, equality between men and women, children’s rights and the environmental dimension.<sup>23</sup> Following the adoption of the policy however, in all subsequent programmes of action and annual reports on EC development cooperation, the four mainstreaming issues have been reduced to three – with children’s rights being left out.<sup>24</sup>

*“In work relating to all the MDGs there is a lot said but not so much done. We have too many issues on the agenda and unfortunately we look more at self-interest than children’s or poor people’s well-being”, a MEP interviewed for this report says. “Children deserve that we do more for them. They are the future”.*

The central objective of the Cotonou agreement<sup>25</sup>, guiding EC development, social and economic relations with African, Caribbean and Pacific States (ACP) to 2020, is poverty reduction and children feature more prominently. The agreement makes reference to the principles of the CRC and Article 26 highlights “the protection of the rights of children and youth, especially those of girl children”. Reintegration of children in post-conflict situations, abolition of the worst forms of child labour and measures aiming at realising the potential of youth are also mentioned. In the supplementary Cotonou Convention Compendium of Texts, intended to serve as a detailed reference for the cooperation, there are, however, no references to children or children’s rights.<sup>26</sup>

In addition to Africa, reducing inequalities and poverty respectively are among the objectives of the regional strategies for Latin America and Asia. However, there are no references to children in these strategies. Poverty reduction is also said to be compatible with the goals of EC support to the Mediterranean region.<sup>27</sup>

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21. Declaration by the Council and the Commission on the European Community’s development policy, ref 13458/00, 16 November 2000

22. Commission staff working document, EC Report on Millennium Development Goals 2000-2004, 29 October 2004

23. Declaration by the Council and the Commission on the European Community’s development policy, ref 13458/00, 16 November 2000

24. Programmes of action and annual reports on EC development policy and external assistance, 2001-2004

25. The Cotonou agreement, 2000

26. European Parliament Directorate-General for Research, Report on Integrating Children in the Development Policy of the European Union, DG IV Internal study IV/2003

27. EC, Latin America Regional Strategy 2002-2006, Strategy paper for multi-country programmes in Asia 2005-2006, Euro-Med partnership, Regional strategy paper 2002-2006

In the EC stock take report,<sup>28</sup> the Commission's active contribution to the development and implementation of Poverty Reduction Strategy Papers (PRSPs) is highlighted. According to the report, the EC priorities in relation to poverty are to leverage economic growth to boost pro-poor and social spending, and to strengthen consensus amongst Governments and donors that PRSPs should constitute a comprehensive development framework.

As several studies<sup>29</sup> have shown however, children and childhood poverty do not figure prominently in PRSPs. Most PRSPs discuss children as members of vulnerable groups and their situation is not explicitly connected with broader policies or trends. There is no comprehensive review of child poverty and only a limited range of interventions directed towards improving children's future opportunities are discussed. This is also the case for EC Country Strategy Papers (CSP).

Despite the stated poverty focus of its development policy, the EC must take a more strategic approach to tackling childhood poverty if it is serious about claiming leadership in the drive towards meeting the MDGs. Childhood poverty must become a central plank of the EC's poverty eradication strategy. This will require a significant policy shift from the EC's current approach that considers children as just one of a number of 'vulnerable groups' to be reached through targeted projects and whose problems can be solved through interventions in one or two particular sectors such as health and education. EC aid must therefore be used to tackle both the manifestations and the causes of childhood poverty, as defined by local and national actors.

### *Investing in basic services and social protection*

EC support for basic services, notably education and health, that benefit children most directly, is not significant. The EC partly recognises this in its own stock take report, acknowledging that in the drive towards meeting the MDGs it will have to increase and revise its budgetary allocations to basic services.

It is stated in the stock take report that the EC has allocated an estimated EUR 1.3 billion in support for education between 2002 and 2007. General EC support for health has decreased in recent years to favour increasing allocations to disease-specific interventions (with an emphasis on HIV/AIDS) and global funds. A more detailed analysis of funding trends and interventions in these areas is presented below under sections on MDG 2–6.

In its approach to social and human development, the EC has recognised the importance of social protection. This is reiterated in its recent Communication on the social dimension of globalisation<sup>30</sup>. Social protection, however, does not figure prominently in mainstream EC development cooperation and no identifiable policies and strategies have been developed.

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28. Ibid

29. See for example Marcus, R., Wilkinson, J., Whose poverty matters?, CPRC, 2002 and Robinson, S., Children First in the Poverty Battle, Save the Children Sweden, 2003

30. COM (2004) 383, May 2004 'The Social Dimension of Globalisation'.

### *Enhancing food security to avert livelihood crises*

A Council Regulation from 1996 establishes the framework for EC food aid and food security policy.<sup>31</sup> It identifies three main types of assistance: short-term food-aid, more long-term operations in support of food security and measures to improve storage and early warning systems. Priority is given to countries with serious food shortages, the poorest sections of the population and countries in post-crisis situations. Children are not mentioned in the regulation and child malnutrition is neither acknowledged or prioritised.

With regard to food security the EC prioritises more effective food crisis prevention systems, better integration of food security objectives into national development strategies and more sustainable use of food aid providing support to about 30 food insecure countries.<sup>32</sup>

According to the EC stock take report<sup>33</sup> food security policy is underpinned by a budget line of approximately EUR 450 million per year. Furthermore, the European Community Humanitarian Aid Department (ECHO) dedicates a significant part of its annual budget, of about EUR 600 million, to emergency inputs and supplies, including food aid. The report states that EC food aid is untied.<sup>34</sup>

Despite welcoming EC moves towards increasingly untying food aid, it is noted with concern that close to 50 percent of food aid is still directly supplied by EU Member States. In an effort to meet MDG 1 and to target child malnutrition, the EC, and ECHO in particular, should broaden the range of responses it makes to food insecurity, particularly in emergency contexts. This would include greater reliance on cash or market-based responses, supported by greater investment in food security information systems, in order to provide the information required to target responses to local needs. In addition, the staggering disparity between the support aid given to developing countries (less than five percent of the total EC budget for 2005), and the support for domestic agriculture (over 40 percent in 2005, and rising), which negatively impacts on producers in the poorest countries, continues to hinder the EC in making true progress in the fight against world poverty and hunger.

### **EC ACTION: Looking at country support strategies**

Issues relating to poverty reduction figure frequently in the CSPs for low-income countries. Normally, priorities are linked to PRSPs, but issues relating to children and poverty are dealt with mainly through health and education programmes.

In the absence of an overarching approach to childhood poverty in EC interventions on the ground, children are mostly overlooked or at best considered “a vulnerable group”. Nothing indicates that children are seen as holders of rights and interventions aimed at children are not underpinned by the four main principles of the CRC.

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31. Council Regulation No 1292/96 on food-aid policy and food-aid management, 1996

32. Commission staff working document, EC Report on the Millennium Development Goals 2000-2004, SEC(2004) 1379, 29 October 2004

33. Ibid

34. Food aid that is not tied to commodities from donor countries

A priority area of support to some countries, for example Afghanistan, Nicaragua and Tanzania, is rural development. Although the support focuses on agriculture, employment creation and other issues that do not directly target children, it is likely that these programmes, if successfully implemented, impact on child poverty.<sup>35</sup> The impact of these programmes on children however are not monitored and is not covered in the EC's own evaluations.

Food security is one of the strategic areas in aid given to Bangladesh<sup>36</sup> – a country where about half of the children under five are underweight. In the past the CSP admits, the support has predominantly benefited the moderate poor. An evaluation of the country strategy for Bangladesh, covering the period 1993–2002, concludes that programmes have recently become more targeted towards the poorest segments in society. Nevertheless, the use of performance indicators to monitor progress towards poverty alleviation objectives has been totally inadequate and it is not possible to demonstrate the impact which nearly EUR 1 billion has had on rural development and food security.<sup>37</sup> Increased efforts will therefore need to be made to reach the ultra-poor through, among other measures, targeted support to vulnerable women and employment generation for landless rural inhabitants.

Food security, through support to refugees and internally displaced people and labour intensive work schemes also figures in the CSP for Afghanistan.<sup>38</sup>

### **Recommendations – GOAL 1**

- In order to make a lasting contribution to achieving the MDGs, the EC and its Member States must place children – their survival, development and protection – at the centre of its policy and practice. In order to break current poverty cycles there must be an unprecedented level of investment in this generation of children.
- The EC should significantly expand financing for basic services.
- The EC should work with developing country Governments to put in place social protection mechanisms for the poorest as a key step in tackling childhood poverty.
- The EC must contribute to improving early warning systems and poverty analysis by providing increased and sustained funding to establish and institutionalise livelihoods-based food security information systems in the world's most food insecure areas.
- The EC should operationalise recent policy guidelines on untying its food aid, putting an immediate end to the continuing provision of food aid by EU Member States.

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35. Support for trade, transport and good governance, areas which figure prominently in the country strategies can have positive effects on child poverty. The effects however are, more indirect and it is sometimes difficult to establish whether the poor really benefit.

36. European Commission, Country Strategy Paper Bangladesh, 2002-2006

37. MWH, ECDPM, ODI, Evaluation of the European Commission's Country Strategy for Bangladesh, November 2003

38. European Commission, Country Strategy Paper (CSP) Afghanistan 2003-2004, February 2003

## **GOAL 2: Achieve universal primary education**

*Target 3:* Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling

### **Article 28 – CRC**

1. States Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
  - (a) Make primary education compulsory and available free to all;

### **Objective 5 – A World Fit For Children**

*Educate every child.* All girls and boys must have access to and complete primary education that is free, compulsory and of good quality as a cornerstone of an inclusive basic education.

Gender disparities in primary and secondary education must be eliminated.

### **Addressing the right to education for all children**

Education is a fundamental right, protected in numerous human rights Conventions. It promotes social development and it is possibly the most effective route out of poverty. However, over 100 million children around the world are still denied this right as they have no access to education, and another 150 million will not complete their primary education. More than half of these live in the midst of, or in countries recovering from conflict. Today, half of all children in Africa still fail to complete primary education.<sup>39</sup>

In order to re-energise global efforts to meet MDG 2, urgent action by the EC and EU Member States is required. The following areas of intervention will require particular attention in the run up to 2015:

- *Financing education:* Conservative estimates suggest that just achieving universal primary completion by 2015 will cost USD 5.6 billion in new aid per year – if Governments increase their investments in education sufficiently. The Education for All Fast-Track Initiative (FTI) was created in 2002, following the International Conference on Financing for Development in order to ensure more efficient use of available resources and accelerate mobilisation of external resources for those countries furthest away from reaching MDG 2. Improving the quality of education, while expanding access, requires a level of sustained investment that is beyond the reach of many poor countries, even if national budgets for education were to rise. External assistance, possibly through the FTI, will remain a key dimension of the international effort to achieve MDG 2. Current levels of spending on education by donors are simply too low and the FTI is currently underfunded.

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39. UNESCO EFA Monitoring Report 2002/3

Mobilising additional domestic resources for education is severely constrained by conditionalities attached to external aid imposed by donors. These policies include trade liberalisation, prioritising debt repayment, and fiscal austerity measures imposed through loan conditions of donor agencies, including the EC and EU Member States and the IMF. The IMF, which does not deal directly with education, nevertheless impedes progress on education by encouraging a country to ensure that it creates and maintains macroeconomic stability and sustainability. These conditionalities may create unnecessarily conservative fiscal constraints on national budget expenditure, often diverting resources from education to debt repayments, maintaining low budget deficit (or surpluses in some cases) and forcing countries to maintain low, single-digit rates of inflation. The ability (and independence) of recipient countries to increase spending on education and fund basic inputs, such as covering school fees and improving quality of education is effectively curtailed.

- *Increasing access to quality education:* Costs are by far the most significant deterrent to education. This is largely due to the financing gap in education resulting in costs being shifted to poor parents. Despite international calls to free universal primary education for all, it is still not free in 91 countries worldwide; 38 of them – the largest number – are in Africa<sup>40</sup>. The elimination of school fees is one of the “quick wins”, identified in the UN Millennium Project report.<sup>41</sup> This is also strongly supported by the report of the UK’s Commission for Africa<sup>42</sup>. Even where school fees have been eliminated, parents are asked to contribute to other costs including uniforms, text books, meals and infrastructure maintenance. Low quality and irrelevant education, due to lack of investment in teacher training and salaries and updating national curricula, discourages parents from spending scarce resources on schooling.
- *Including education in emergency response:* Education has traditionally been seen as a response within long-term development aid only. However, during recent years, as a number of humanitarian actors have increasingly focused on rights and recovery, education has received increased attention. Armed conflict is a major barrier to development in general, to educational progress in particular, and especially to gender equality. Children who drop out of school for any extended period often never return, and girls are particularly vulnerable. The lost years of education make post war recovery even more difficult. Providing quality education for boys and girls affected by armed conflict is crucial, and it is the foundation for reconstruction. The MDG 2 and the Education for All goals will never be achieved if children living in an armed conflict or in a post-conflict situation are neglected. Few donors, ECHO included, fund education in emergencies, a situation that has to be changed.

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40. Tomasevski, K., School Fees as Hindrance to Universalising Primary Education, 2003

41. UN Millennium Project, Investing in Development: A Practical Plan to Achieve the Millennium Development Goals, 2005

42. Our Common Interest, Report for the Commission for Africa, March 2005



## **EC policy contributing to MDG 2**

### ***Financing Education***

A recent review of the EU contribution to the MDGs, commissioned by Alliance 2015,<sup>43</sup> states that in 2002 only 0.33 percent of EC Official Development Assistance (ODA) was committed to basic education. This figure has been rejected by the EC, stating non-earmarked budget support makes the amount higher.<sup>44</sup> In its stock take report the EC states that it has allocated an estimated EUR 1.3 billion in support for education between 2002 and 2007. However, a recent report from the European Parliament confirms that basic education receives comparatively little support. In 2003, just 2.3 percent of social sector spending allocated to ACP countries was spent on basic education.<sup>45</sup> It is also noteworthy that the EC has not made any financial commitment to the Education for All Fast-Track Initiative - in spite of rhetoric in support of the initiative in policy documents. The Commission acknowledges this in its stock take report where it includes reinforced support for the FTI as a top priority towards meeting MDG 2.

Increased financial resources for education however, must be accompanied by a revision of EC aid conditionality. A core condition for disbursements under the Community's budget support is staying on track with macroeconomic reform programmes dictated by the IMF.<sup>46</sup> The entry of countries into the FTI is also dependent on compliance with these macroeconomic targets. This perpetuates unnecessarily conservative fiscal constraints on national budget expenditure, in some cases, perversely diverting resources away from education.

### ***Increasing access to quality education***

EC policy on education is outlined in the 2002 Communication on education and training in the context of poverty reduction in developing countries.<sup>47</sup> The policy focuses on three priority areas: basic education (in particular primary education) and teacher training, work related training and higher education.

The EC stock take report<sup>48</sup> states that since the 2000 World Conference on Education For All (EFA), EC policy and actions concerning education in development cooperation have focused increasingly on primary education. This is expressed in

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43. van Reisen, M., The EU contribution to the Millennium Development Goals, special focus HIV/AIDS, 2004

44. European Commission, Annex to letter from Commissioner P Nielson to Mr. Dijkstra, President of Alliance 2015, 23 July 2004

45. European Parliament, Draft report on the role of the European Union in the achievement of the Millennium Development Goals (2004/2252(INI), 2005

46. Commission staff working document, Annual Report 2004 on EC development policy and the implementation of the external assistance, Annex to the COM(Annex to the COM(2004) 536 final, July 2004

47. Communication from the Commission to the Council and the European Parliament, Education and training in the context of poverty reduction in developing countries, COM(2002) 116, March 2002

48. Commission staff working document, EC Report on the Millennium Development Goals 2000-2004, SEC(2004) 1379, 29 October 2004

EC policy, and implemented through country programmes and participation in international initiatives.

The 2002 Communication emphasises that there is now a world-wide consensus that primary education should be universal and free. However, no concrete policy conclusions are drawn from this. The EC must take a lead on this fundamental issue, through in-country dialogue, particularly in Africa, for an immediate end to school user fees.

EC policy on education has no specific child rights approach. Parents' and teachers' participation is emphasised but nothing is said about children's right to be heard and concepts relating to the child's evolving capacities or the best interests of the child are not discussed. Through the principle of non-discrimination the EC states that sector programmes and education budgets should be geared towards the most poor and vulnerable groups, like girls, disabled children, orphans and indigenous people.<sup>49</sup>

### *Including education in emergency response*

Despite growing recognition amongst donors of the importance of education for the protection and well-being of children, also in emergencies the EC is lagging behind.<sup>50</sup> The stock take report does not mention children in emergencies. However, ECHO is one of the few donors that does recognise the importance of supporting education programmes in emergencies in order to enhance the protection of children. This position has not been reflected in the stock take report and therefore shows a disjointed EU position. More attention needs to be placed on ensuring more joined up thinking on education, enhancing stronger linkages between relief and development interventions.

### **EC ACTION: Looking at country strategy papers**

The EC supports 29 Sector Policy Support Programmes, two thirds of which are in preparation. Most of them are in the ACP region and in Asia.

Education is a priority area in the Bangladesh, Tanzania and Nicaragua CSPs. In Tanzania<sup>51</sup> the recent abolishment of school fees is a "welcome decision" by the Tanzanian Government, according to the EC. An annex to the CSP states that the immediate challenges will be to manage the increase in enrolment, to avoid a negative impact on quality, and to compensate schools for the loss of revenue. The EC, however, pays no major attention to this issue, as the focus of education support to Tanzania is on eliminating gender disparity. (See next section.) School fees are not men-

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49. There is, however, no explicit reference to the concept of inclusive education, which, according to the International Save the Children Alliance definition is "a process of increasing the participation of all students in schools, regardless of gender, disability, ethnical belonging, et cetera. It is about restructuring the cultures, policies and practices in schools so that they respond to the diversity of students."

50. [www.ineesite.org](http://www.ineesite.org)

51. United Republic of Tanzania-European Community, Country Strategy Paper and National Indicative Programme 2001-2007

tioned in the CSP for Bangladesh and Nicaragua.

In Bangladesh<sup>52</sup> the EC will “strongly encourage” the Government to introduce a sector wide approach in primary education. An evaluation of EC education support in Bangladesh highlighted the problem of the education sector’s over-reliance on NGOs, in the absence of mechanisms for mainstreaming non-formal education into the formal education system. Despite warnings since the early 1990s, the result has been a dual education system. It is only with the present country strategy that an attempt has been made to address weaknesses and increase integration of the two systems under Government oversight. Evaluation is also very critical in other respects. For example it points out that in spite of the significant sums that have been spent, the absence of baseline data and benchmarks makes it difficult to assess whether the education programme has contributed to poverty alleviation, or has reached the poorest people and other vulnerable groups.

In Tanzania, the EC supports the Government’s Education Sector Development Programme. According to the CSP the EC will take an active role in donor coordination with the Government on policy issues, and will also support institutional capacity building and the promotion of gender balanced and equitable access to education.

The objective of the support to Nicaragua’s National Education Plan is to bring about improvements in the coverage and quality of public education, mainly in rural areas.<sup>53</sup> New and rehabilitated schools, scholarships, a more relevant curriculum and better trained teachers are presented as means to increase educational coverage and reduce dropout rates.

In the remaining six CSPs that are included in this study, education is sometimes mentioned, for example in relation to gender issues, but is not a priority area.

According to one EC official, children have become more visible in recent years:

*“In the field of education there is a much stronger focus today on children as specific beneficiaries – and on the fact that children need to be divided into different age groups so that one knows what sort of education one is talking about. This has made it clearer to all parties that focus is on primary education.”*

EC CSPs seldom take a child rights approach to education. The only feature of a rights-based approach that appears prominently in the Bangladesh, Tanzania and Nicaragua CSPs is non-discrimination. All three strategies aim at increasing access of disadvantaged groups. In Bangladesh, duty bearers’ responsibility is emphasised and the issue of accountability is also addressed.<sup>54</sup>

The near absence of a rights-based approach to education is reflected in the EC’s weak focus on quality and relevance of education for children. An evaluation of EC support to the education sector in the ACP countries<sup>55</sup> highlights this crucial issue:

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52. European Commission, Country Strategy Paper Bangladesh, 2002–2006

53. European Commission, Country Strategy Paper 2002-2006 Nicaragua

54. MWH, ECDPM, ODI, Evaluation of the European Commission’s country strategy for Bangladesh, 2003

55. FTP International, Evaluation of EC support to the education sector in ACP countries, May 2002

*“Monitoring tends to focus on quantitative improvement, and in none of the countries visited was it possible to see indicators addressing the quality of education in terms of learning outcomes.”*

The ACP evaluation recommends that specific measures to target the poor, and girls, and specific indicators to monitor impact on these groups, are included in the education programmes. In addition, the evaluation notes that EC aid to the education sector is far below donors’ average level, and recommends that the overall amount devoted to education is increased – in accordance with priorities set out in the Cotonou Agreement. This recommendation still remains unimplemented.

### **Recommendations – GOAL 2**

- The EC must step up its support to education, with a particular emphasis on basic education. This should include increasing resources to be allocated through budget support as well as to the Fast-Track Initiative.
- The EC and Member States must press for the removal of macroeconomic conditionalities imposed on countries by the International Financial Institutions, which have a negative impact on the financing and quality of education.
- The EC must lead the global effort to provide free quality education to all children by actively engaging in in-country dialogue to press for the immediate elimination of school fees and other additional costs to families.
- ECHO should promote children’s right to education, notably in its response to emergencies, by supporting and implementing the Interagency Network on Education in Emergencies (INEE) minimum standards for education in emergencies.

### **GOAL 3: Promote gender equality and empower women**

*Target 4: Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015*

#### **Article 2 – CRC**

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

#### **Objectives 3 and 5 – A World Fit For Children**

*Leave no child behind.* Each girl and boy is born free and equal in dignity and rights; therefore, all forms of discrimination affecting children must end.

Gender disparities in primary and secondary education must be eliminated.

## **Addressing girls' right to education**

Today, more than 60 million girls are still out of primary school; the greatest majority of them live in Sub-Saharan Africa, South Asia, East Asia and the Pacific. One hundred million girls who are currently in primary school will drop out before completing their education. Sub-Saharan Africa has by far the biggest gender gap in education: three out of four girls never attend primary school and 94 percent never go to secondary school. Achieving gender parity in education and ensuring that all children complete a full cycle of primary education (and preferably secondary and beyond) would mean pulling 300 million children out of abject poverty. It is estimated that if donors had reached the Millennium Development Goal of gender parity in education by 2005, more than 1 million childhood deaths could have been averted.<sup>56</sup>

Predictions indicate that only 46 out of 133 countries with available data will reach gender parity or reverse the gender gap in primary education by the end of 2005. In South Asia and Sub-Saharan Africa as many as 75 countries will fail to reach the gender parity target.

There are two overwhelming reasons why girls are still missing out disproportionately in fulfilling their right to education: poverty and discrimination. If the global community allows the failure of the gender parity target in education to pass without any significant response, then all MDGs will not only be discredited, but they are likely to fail too. Immediate action to step up EC support for education is required. Particular attention should be paid to the following areas of intervention that have been shown to successfully improve girls' participation in education.

- *Promoting gender parity in education:* A child rights-based approach to education inherently promotes gender awareness and parity in education. Greater involvement by communities, parents and children in education provision assures stronger monitoring of quality and non-discrimination in schools. In addition, ensuring that national curricula and teaching materials are gender sensitive and do not perpetuate negative gender stereotypes is fundamental. The existence of gender sensitive curricula, however, does not guarantee that these will be communicated to children. Teacher training programmes based on gender-sensitive active learning methods will have to be implemented, particularly encouraging female teachers' participation. Governments are increasingly recognising the importance of integrating gender concerns into curricula and teaching practices. Implementing these actions, however, will inevitably require increased investments in education, which national Governments often cannot afford without additional external support.
- *Supporting alternative, flexible schooling for girls:* Increasing girls' access to education includes creating a safe environment for them in school and removing barriers to their participation. Preventing gender-based violence is very important. Various interventions to stem violence in schools have been tried, from working

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56. Abu-Ghaida and Klasen S., 'The Cost of missing the Millennium Development Goal for Gender Equity' IZA Discussion Paper no.1031, February 2004

with Governments to enact laws against violence, to training teachers and identifying those who commit the crimes, and working with communities to address the underlying causes of violence. School feeding programmes aimed at improving girls' enrolment and retention have also proven successful in certain circumstances<sup>57</sup>. In addition, successful alternative (non-formal) basic education models aimed at particular groups of children, who are traditionally excluded from formal education such as working children, pastoralists and ethnic minorities should be increased.

### **EC policy contributing to MDG 3**

#### ***Promoting gender parity in education***

Girls education is not included in the EC stock take report.<sup>58</sup> According to the EC, priorities under MDG 3 include, ensuring the mainstreaming of gender equality in all MDGs, the integration of gender equality in PRSPs and CSPs, as well as the mainstreaming in EC programmes and projects – without further specifying which issues the EC will deal with.

The EC 2001 Programme of Action for the mainstreaming of gender equality in Community Development cooperation<sup>59</sup> establishes that gender has to be analysed and integrated into all EC development cooperation priority areas, with focus on, among other issues, social development. Gender also has to be mainstreamed within projects and programmes designed at country or regional level. In the communication there is, however, no specific mention of children or the situation for girls.

Gender equality, despite being a cross cutting theme, has generally been a problematic area for the EC. A thematic evaluation from 2003<sup>60</sup> of the integration of gender in EC development cooperation points out that, in spite of strong policy commitments, gender issues are poorly integrated into EC development cooperation. The policy commitments have not been disseminated in a form that is easy to understand, and accessible, to staff and partners, and are not operational. Financial resources and capacity at headquarters are limited, interest from top management appears weak, and in the CSPs, standard references to gender as a crosscutting issue are very seldom translated into any strategy.

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57. These programmes are only effective if long-term financing is available to ensure sustainability and are implemented as part of a combination of other locally appropriate interventions to remove barriers to girls' participation.

58. Commission staff working document, EC Report on Millennium Development Goals 2000-2004, SEC(2004) 1379, 29 October 2004

59. Communication from the Commission to the Council and the European Parliament, Programme of Action for The mainstreaming of gender equality in EC development cooperation, COM(2001) 295, June 2001

60. PARTICIP GmbH, Thematic evaluation of the integration of gender in EC development cooperation with third countries, March 2003

### *Supporting alternative, flexible schooling for girls*

The 2002 EC development policy for education<sup>61</sup> states that education strategies should be supported by gender analysis, including monitoring through sex disaggregated data. A number of points are recommended for inclusion in discussions on country strategies and sector programmes. Among them are, the removal of gender stereotypes from curricula and teaching materials, the promotion of girls' education among parents, and the introduction of measures to increase the number of female teachers. In 2004, a regulation on promoting gender equality in development cooperation<sup>62</sup> establishes that particular attention shall be paid to girl-child issues and to the education of girls.

These policy commitments mean that there is a clear basis for the integration of MDG 3 in EC development cooperation. However, there is no evidence of a child rights approach in the documents; there is nothing about the importance of analysing whether girls who are particularly marginalised and discriminated against, for example those from ethnic minorities or the poorest segments in society, are more subject to exclusion from education than others. There is no mention of taking the views of girls and boys themselves into account. As a result, education interventions, aimed at increasing the participation of these marginalised children are not included, and the EC does not provide significant support for the provision of alternative (non-formal) basic education. The important issue of violence in schools is also not included.

### **EC ACTION: Looking at country strategy papers**

Of the nine CSPs analysed for this study, girls' access to education is a priority in only two and there are only brief references to the issue in four more.

In the Bangladesh CSP<sup>63</sup> education is a strategic area and the objective of the cooperation is to increase the number of children who complete primary education and to promote girls' and disabled children's access to education. The role of the Government of Bangladesh as a duty bearer is highlighted as it has said that its support for non-formal primary education will continue as long as provision is inadequate. However, the provision of compulsory education is ultimately a state responsibility and the Government will be encouraged to cooperate with NGOs in order to mainstream successful approaches.

In Tanzania girls' illiteracy is about 40 percent and the education sector has seen a continuous deterioration over the last two decades, according to the country strategy.<sup>64</sup> The EC supports the Government's Education Sector Development programme in its aim to increase gender-balanced and equitable access to higher qual-

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61. Communication from the Commission to the Council and the European Parliament, Education and training in the context of poverty reduction in developing countries, COM(2002) 116, March 2002

62. Regulation (EC) No 806/2004 of the European Parliament and of the Council on promoting gender equality in development cooperation, 21 April 2004

63. European Commission, Country Strategy Paper Bangladesh 2002-2006

64. United Republic of Tanzania-European Community, Country Strategy Paper and National Indicative Programme 2001-2007

ity basic education. The CSP identifies curriculum design, teacher training, learning materials and basic education administration as areas where particular efforts should be made to address gender issues.

In the Nicaragua CSP<sup>65</sup> education is a “focal sector” and the EC supports the educational sector policy within the framework of the PRSP. The CSP mentions that girls’ educational achievements are limited, partly because they have to start work early in life. This information is not, however, translated into a priority in the strategy.

In the Afghanistan CSP<sup>66</sup> education is not prioritised. Gender is, however, a priority area and under the heading of gender it is briefly stated that the EC will promote access to education. In Congo, illiteracy is said to be twice as high for girls as for boys.<sup>67</sup> Still, girls education is not a priority area. In China universal enrolment has been broadly achieved, although there may be discrepancies for girls, according to the CSP.<sup>68</sup>

If the CSPs examined here are representative, the EC contributions to the achievement of MDG goal 3 are limited. Girls’ access to education is seldom a priority area and when it figures there are rarely any comprehensive strategies on how to address the issue of girls education.

### *Recommendations – GOAL 3*

- Recognising that cost is the single most important deterrent to girls’ education in poor countries, the EC must press for the immediate elimination of all school fees and support the development of social protection schemes to enable poor families to support their children through primary and secondary schooling. Particular attention needs to be given to Sub-Saharan Africa and South Asia.
- The EC, through its CSPs, should endorse and promote enhanced participation by children, parents and communities in educational management systems and decision-making.
- In an effort to improve access to education for marginalised children, who are most likely to be left out of MDGs 2 and 3, the EC should increase support for the development and scaling up of alternative basic education models.
- Attention should be paid by the EC in its education policy and practice to stopping violence in schools, with particular attention to gender-based violence, through the promotion of rights-based child protection schemes.

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65. European Commission, Country Strategy Paper 2002-2006 Nicaragua

66. European Commission, Country Strategy Paper (CSP) Afghanistan 2003-2004, February 2003

67. République Démocratique du Congo-Communauté européenne, Stratégie de co-opération et programme indicatif 2003-2007

68. Commission working document, Country Strategy Paper China 2002-2006



## **GOAL 4: Reduce child mortality**

*Target 5:* Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate

### **Article 6 – CRC**

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

### **Article 24 – CRC**

States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

- (a) To diminish infant and child mortality;
- (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

### **Objective 4 – A World Fit For Children**

*Care for every child.* Children must get the best possible start in life. Their survival, protection, growth and development in good health and with proper nutrition is the essential foundation of human development. We will make concerted efforts to fight infectious diseases, tackle major causes of malnutrition and nurture children in a safe environment that enables them to be physically healthy, mentally alert, emotionally secure, socially competent and able to learn.

## **Addressing children's right to health**

The state of children's health in the world today, five years into the new Millennium, is dismal. Death, disability and suffering are still rife and it is poor children who bear the brunt. Over 270 million children still have no access to health care. This results in over 10 million children dying each year from preventable or treatable diseases, with diarrhoea and pneumonia accounting for one third of all child deaths. Children under five carry up to 30 percent of the total burden of disease in developing countries.<sup>69</sup> Two thirds of these children's lives could be saved through improved delivery of effective health services.<sup>70</sup>

In order to ensure that today's children survive until 2015, now is the time to reverse negative funding and policy trends in health. As the largest donor in the world, the EC and the EU Member States have a critical role to play. The following interventions should be implemented by the EC and its Member States before 2006, in order to make a lasting contribution to meeting the MDGs.

- *Financing health:* It is widely recognised that current levels of expenditure in

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69. Watkins, K. Last Chance in Monterrey: Meeting the Challenge of Poverty Reduction, Oxfam Briefing paper no17, 2002

70. Bryce, J., Reducing Childhood Mortality: Can Public Services Deliver?, The Lancet Vol 362, 2003

health are inadequate to meet the health-related MDGs. Most poor countries, particularly in Sub-Saharan Africa, have never recovered from the drastic cuts to health budgets resulting from the macroeconomic structural adjustment programmes of the 1980s and 90s, which triggered the collapse of health systems. In the poorest African countries, health expenditures are in the range of USD 1–10 per capita, with a substantial proportion coming out of the pockets of users. This is well below the recommended level of investment.<sup>71</sup> In Ethiopia, however, although the Government allocates more than 20 percent of its national budget to social services, this still amounts to a mere USD 1.50 per person. Without additional substantial inflows of external assistance for health, particularly child health, most poor countries will not be able to fulfil their obligation to mobilise domestic resources to meet MDG 4.

- *Strengthening health systems:* Health systems must be viewed as core social institutions indispensable for reducing poverty and advancing development and human rights. They are key to the sustainable and equitable delivery of health care. MDGs 4 and 5 will not be met unless national and district level health systems are strengthened.<sup>72</sup> Donors must ensure that the support given to health effectively strengthens health care provision through: (a) strengthening health systems rather than focusing on short-term vertical, often disease-specific interventions; and (b) positively contributing to human resource development and the retention of health personnel in the poorest countries.

(a) Experience has shown that initiatives targeted at specific diseases have not helped nations build sustainable strategies and systems for delivering health services. Systems may work well when supported with technical, logistical and financial resources.<sup>73</sup> However, once those resources are removed, systems will collapse. Resources are often concentrated in one area at the expense of the overall health system in disease-specific programmes. Furthermore, many of these initiatives ignore some of the fundamental costs of supporting health systems. Recurrent costs, such as salaries, generally fall outside of donor policies. This can result in a drain on existing resources in the health system, rather than reinforcing them.

(b) Addressing the loss of valuable health professionals through increasing international migration is a matter of absolute urgency. The number of health professionals in a population can make an immense difference to whether the MDGs are met or not. Sub-Saharan Africa has one tenth of the nurses and doctors that Europe has. Sub-Saharan Africa must nearly triple its current numbers of workers through retention, recruitment and training if it is even to come close to meeting the health MDGs. All international stakeholders need to support developing countries in tackling this problem. The EU must acknowledge that poor countries are subsidising European health services and should financially compensate poor countries who have a shortage of health professionals.

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71. USD 30–40 by the WHO and the Commission on Macroeconomics and Health.

72. UN Millennium Project, *Investing in Development: A Practical Plan to Achieve the Millennium Development Goals*, 2005

73. Universal Child Immunisation is a successful example.

- *Improving equity in access to health care:* Making the link between poverty and health is the key to achieving MDGs 4 and 5. Adopting a child focus in health is also crucial to improving equity and tackling child mortality. Paying for health care is one of the principal causes of deepening poverty, particularly for women and children. Recent reports from the Millennium Project and the UK's Africa Commission<sup>74</sup> coincide in calling for the immediate removal of user fees in health in order to meet the MDGs. The introduction of user fees during the late 1980s, and increasing privatisation of services thereafter, have meant that while medicines and treatment may be available, the poorest people cannot afford them. Research shows that this health financing mechanism has not worked. User fees contribute less than 5 percent of the running costs of primary health care in developing countries. In countries where user fees have been removed, the number of people attending health services has increased, thus showing significant unmet demand.<sup>75</sup>

## **EC policy contributing to MDG 4**

### *Financing health*

In general terms, EC health sector support through country programming has decreased by a third since 2002. In contrast, the amount of money specifically allocated to confront HIV/AIDS, malaria and tuberculosis has increased substantially. In the period 2002–2006, the EC provides funding for health in only 27 countries.<sup>76</sup> Moreover, only 5.2 percent of social sector spending in the 2003 budget for the ACP countries was allocated to basic health.<sup>77</sup> Despite recognising the need to step up support for strengthening basic health systems and pro-poor service delivery, the EC MDG stock take report does not prioritise increasing overall budget allocations for health.

### *Strengthening health systems*

EC policy on health is outlined in the 2002 Communication on health and poverty reduction in developing countries. This covers interventions relevant to MDGs 4, 5 and 6 and more specifically policies related to HIV/AIDS, malaria and tuberculosis as well as reproductive and sexual health and rights.<sup>78</sup> Four main objectives are outlined in the Communication: 1) to improve health, AIDS and population outcomes

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74. Our Common Interest, Report for the Commission for Africa, March 2005

75. Witter, S., *The Unnecessary Evil? User fees for health care in low-income countries*, Save the Children UK, 2005

76. Commission Staff Working Paper, Second Progress report on the EC Programme for Action: Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction, SEC(2004) 1326, Brussels 26 October, 2004

77. European Parliament, Draft report on the role of the European Union in the achievements of the Millennium Development Goals (2004/2252(INI), 2005

78. Regulation (EC) No 1567/2003 of the European Parliament and of the Council on aid for policies and actions on reproductive and sexual health and rights in developing countries, 15 July 2003. Policies related to HIV/AIDS, malaria and tuberculosis are presented and discussed in the chapter dealing with Goal 6.

at country level, especially among the poorest; 2) to maximise health benefits and minimise potential negative health effects of EC support for other sectors; 3) to protect the most vulnerable from poverty through support for equitable and fair health financing mechanisms; and 4) to invest in the development of specific global public goods.

Despite the EC identifying strengthening basic health systems as a top priority towards 2015, EC support for health is increasingly skewed towards vertical disease-specific interventions. The EC supports a number of health initiatives and funds including the Global Fund to fight HIV/AIDS, Tuberculosis and Malaria, the WHO's 3 by 5 initiative<sup>79</sup>, GAVI<sup>80</sup> and others. If the EC is serious about contributing to sustainable and equitable health provision in developing countries, it must balance the focus on disease-specific interventions with adequate financing and policies aimed at strengthening health systems, with a particular focus on child and maternal health systems. In light of this, priorities identified by the EC in its MDG stock take report, including strengthening synergies between disease-oriented interventions, which deal with child health and increasing research on the prevention of the main childhood killers, are particularly welcome.

EC support for strengthening health systems will nevertheless have to deal with the fact that some of the wealthiest EU Member States are benefiting from the collapse of health services in developing countries due to increasing migration of health professionals to the EU. Failing to address this issue will seriously undermine EU efforts to meet the MDGs. Recent moves by the European Commission to initiate policy debate on this issue are welcomed. Mechanisms for mitigating this inequality in health provision must include financial restitution mechanisms aimed at supporting health systems and human resource development.

### *Improving equity in health*

Although the EC stock take report<sup>81</sup> states that most EC support to health aims at equitable health services where child health is a priority, EC policy on health has a fairly weak child focus. The 2002 Communication mentions "vulnerable groups", without specifying who they are, and that all action shall be geared to "the most poor". One sole reference is made to poor children, as the group most affected by nutritional deficiencies. This shortcoming was remedied by the Council in its resolution of May 2002, which required the Commission to place special emphasis on the needs of women and children.<sup>82</sup> Despite this, children's rights are left out altogether in the EC's approach to health. The Communication makes no mention of children's participation, but states that the Community will encourage stakeholder

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79. A WHO initiative which launched at the end of 2003 to provide three million people living with HIV/AIDS access to anti-retroviral therapy by 2005, see section on MDG 6 for a further discussion of the initiative

80. Global Alliance for Vaccines and Immunisations

81. Commission staff working document, EC Report on Millennium Development Goals 2000-2004, SEC(2004) 1379, 29 October 2004

82. 8958/02, 2429th Council meeting, May 30, 2002.

consultation “where appropriate”, without, however, specifying when this could be the case. Regarding accountability, the Communication emphasises that Governments must ensure that health policies are coordinated and pro-poor. The document does not discuss children’s right to survival and development or the best interests of the child.

In the Communication the EC concludes, with regards to user fees, that pro-poor health policy must include fair financing mechanisms that reduce the burden of health service utilisation. Such out-of-pocket payments by the poor should gradually be reduced and risk pooling expanded through community, private, social, and national insurance schemes. Nothing is, however, said on how or when this will be achieved. This leaves the EC with an unclear policy on health financing. Now is the time for the EC to heed international calls against user fees by taking a clear position in favour of their abolition and financially supporting poor countries to make the move towards more equitable health financing mechanisms.

### **EC ACTION: Looking at country strategy papers**

In the nine CSPs reviewed in this report, health is a priority sector in only four: the Democratic Republic of the Congo, Afghanistan, South Africa and Bangladesh. This reflects a general trend in CSPs. This has been justified by the Commission by its traditional expertise in other sectors (for example transport), and the lack of health expertise in those EC delegations able, and willing to, advise and argue for health support in discussions with Governments, and also in many countries, the weak position of the Ministry of Health in the policy dialogue.<sup>83</sup>

In the CSP for the Democratic Republic of the Congo, poverty reduction focusing on health is a priority area of EC cooperation.<sup>84</sup> EC support includes increasing access to medicines, support to basic health services and to the Ministry of Health, and the development of a health area sector policy. The CSP makes no mention of children’s rights.

Afghanistan suffers some of the worst health indicators in the world, especially for women and children. Health is thus a priority area. According to the CSP,<sup>85</sup> the EC has a long-standing experience in this area and was, by the end of the Taliban period, supporting over 200 rural clinics (roughly one third of all clinics) and three provincial hospitals. The EC finances service delivery for 3 million Afghans for primary health care, notably mother and child care. The objective is to reduce the high rates of infant and maternal mortality.

A recent evaluation, of the EC’s track record in supporting the health sector, concludes that countries where the EC has supported large health programmes are those

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83. Commission Staff Working Paper, Second Progress report on the EC Programme for Action: Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction, SEC(2004) 1326, Brussels 26 October, 2004

84. République Démocratique du Congo – Communauté européenne: Stratégie de co-opération et programme indicatif 2003-2007

85. Country strategy paper Afghanistan 2003-2006, national indicative programme 2003-2004.

with a long tradition of support in this area. The poorest ACP countries, especially in Africa, have received little attention, particularly in the area of sexual and reproductive health and rights.<sup>86</sup>

The evaluation attempts to assess the impact of EC supported actions on the lives of target populations. The conclusion is discouraging: a lack of reporting and, in particular, the scarcity of proper baseline and post-project surveys, makes it impossible to measure results. Indicators that specify the target populations are rare, and if available, may not be broken down by sex. Aggregate indicators such as the national maternal mortality rate, which is crucial to monitoring progress towards MDGs, reflect a large number of determinants, making it impossible to single out what may be attributable to EC financed interventions.

According to the evaluation, there is a widespread assumption among project and delegation staff that projects and programmes that provide better health services for women and children will inevitably be used by them and will therefore contribute to better health but no empirical evidence to substantiate this exists.

#### **Recommendations – GOAL 4**

- The EC must provide long-term financial and technical support for the poorest nations to build sustainable health care systems that deliver essential health services to the poorest. This will require a shift of focus in EC policy, away from vertical, disease-specific interventions, to a broader approach, and a funding strategy to support primary health care and systems strengthening. Support for recurrent costs should also be prioritised, including salaries and capacity building programmes.
- The EC should lead the international donor community in 2005 in a drive to abolish user fees to ensure free universal access to essential health care in order to reduce childhood mortality and meet the MDGs.
- The EC must establish mechanisms to mitigate the adverse impact on developing countries of the loss of their health professionals through increasing migration to the EU. These should include financial restitution mechanisms to sustain effective health care in developing countries. An adequate policy framework to redress this imbalance should be debated in the ACP–EU Joint Parliamentary Assembly and elsewhere.

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86. Particip GmbH, Thematic Evaluation of Population and Development Programmes in EC External cooperation, Final Report, March 2004

## GOAL 5: *Improve maternal health*

*Target 6:* Reduce by three-quarters, between 1990 and 2015, the maternal mortality ratio

### **Article 24 – CRC**

States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

- ... (d) To ensure appropriate pre-natal and post-natal health care for mothers;
- ... (f) To develop preventive health care, guidance for parents and family planning education and services.

### **Addressing neonatal and maternal mortality**

Four out of ten children under the age of five, who die every year in the developing world, do not survive their first month. Despite achievements in lowering child mortality rates over the past decade, neonatal mortality has remained virtually unchanged. Progress on maternal mortality has been even more limited. Fifteen years into the global Safe Motherhood Initiative, mortality rates have stagnated, with over 500,000 women still dying every year in pregnancy and childbirth<sup>87</sup>. Maternal mortality is the leading cause of death for young women aged 15 to 19 in the developing world. One in every ten births worldwide is to a mother who is still herself a child.<sup>88</sup> Gender-based violence, discrimination against women and girls and sexually transmitted infections, including HIV/AIDS, contribute to preventing significant advances in maternal and neonatal health.

Despite this gloomy picture, achieving MDG 5 is not impossible and some interventions have been proven to work. Strategies for tackling maternal and neonatal mortality should focus both on prevention and effective care.

- *Upholding sexual and reproductive rights:* Despite a significant decline in fertility in poor countries, over 200 million women cannot yet fulfil their right to quality contraception. This results in almost 80 million unintended pregnancies each year. One of the “quick wins” mentioned in the UN Millennium Project report is the need to expand access to sexual and reproductive health information and services, including family planning and contraceptive information and services, and close existing funding gaps for supplies and logistics.<sup>89</sup> Good quality HIV/AIDS education or life-skills education may also help prevent the spread of sexually transmitted diseases by informing girls and boys about self-protection and safe behaviour. However, one of the most effective ways to help girls in poor countries who are at risk of becoming mothers at a very early age remains to focus

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87. UN Millennium Project, *Investing in Development: A Practical Plan to Achieve the Millennium Development Goals*, 2005

88. Save the Children, *Children having children – State of the World’s Mothers 2004*

89. UN Millennium Project, *Investing in development: a practical plan to achieve the Millennium Development Goals*, 2005

on girls' education. Achieving gender parity in education will have a direct impact on decreasing maternal and neonatal mortality.

- *Saving mothers' and newborn lives*: Unless immediate priority is given to strengthening primary health care systems – with a strong focus on putting in place effective referral systems, providing comprehensive emergency obstetric care and training health personnel – mothers and children will continue to die unnecessarily and MDGs 4 and 5 will not be met.

## **EC policy contributing to MDG 5**

### *Upholding sexual and reproductive rights*

EC policy on sexual and reproductive health provides a comprehensive framework for meeting MDG5. The EC regards improvements in sexual and reproductive health as a policy priority and attaches particular importance to the issue of maternal health. The Community is committed to the achievement of the goals and objectives of the UN International Conference on Population and Development in Cairo in 1994.

The Communication on health and poverty reduction<sup>90</sup> sets out the overall policy framework for health, including maternal health (see previous section). Specific policy guidelines on maternal rights to health are elaborated in a 2003 Council regulation on aid for policies and actions on reproductive and sexual health and rights in developing countries<sup>91</sup>. The regulation takes a strong rights-based approach. It asserts that the highest attainable standard of physical and mental health is a fundamental human right. The document further states that:

*“In order to guarantee the fulfilment of human rights, particular attention shall be given to the need to improve the health systems of developing countries. In this process, the participation and consultation of local communities, families and stakeholders, with special attention to the poor, women and adolescents, shall be ensured.”*

The EC states that special emphasis is placed on “the rights of young people in developing countries to improve sexual and reproductive health”. Furthermore, the regulation addresses the principle of non-discrimination by referring to the poorest and most vulnerable, with specific reference to women and adolescents. The document states that service providers are to be held accountable.

### *Saving mothers' and newborn lives*

Maternal health continues to be an area of specific policy neglect globally<sup>92</sup>. Despite its life-saving potential, there has been a pervasive underinvestment in emergency

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90. Communication from the Commission to the Council and the European Parliament, Health and Poverty Reduction in Developing Countries, COM(2002) 129 final, Brussels 22 March 2002. Policies related to HIV/AIDS, malaria and tuberculosis are presented and discussed in the chapter dealing with MDG 6

91. Regulation (EC) No 1567/2003 of the European Parliament and of the Council on aid for policies and actions on reproductive and sexual health and rights in developing countries, 15 July 2003

92. UN Millennium Project, Investing in development: a practical plan to achieve the Millennium Development Goals, 2005



obstetric care and in the health systems to deliver it. This in turn reflects low public attention to women's needs and inadequate access to sexual and reproductive health information and services.

On a country level, the EC supports health sector reform and health care delivery approaches, and stresses human resources development, which is interlinked with improving the availability of trained health personnel. An average of EUR 200 million were allocated to interventions in this area for the period 2002–2004. An additional financial envelope of EUR 74 million was allocated from 2003 to 2006 for maternal health programmes.

Despite this, as shown in the previous section, EC health sector support (including sexual and reproductive health) has decreased in the last few years. This will need to be reversed if the EC is to make a significant contribution to meeting MDGs 4 and 5.

### **Recommendations – GOAL 5**

- If MDG 5 is to be met, the EC must reverse the decrease in funding for sexual and reproductive health programmes. The EC should work with Governments of developing countries to address stagnating neonatal and maternal mortality rates through interventions, including increasing the number of skilled attendants in the poorest countries, supporting basic and comprehensive obstetric care, and ensuring that effective referral systems are in place.

## **GOAL 6: Combat HIV/AIDS, malaria and other diseases**

*Target 7:* Have halted by 2015 and begun to reverse the spread of HIV/AIDS

*Target 8:* Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases

### **Article 24 – CRC**

States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

....(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

### **Objectives 4 and 8 – A World Fit For Children**

*Care for every child.* Children must get the best possible start in life.... We will make concerted efforts to fight infectious diseases.

*Combat HIV/AIDS.* Children and their families must be protected from the devastating impact of human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS).

## **Supporting children living in a world with HIV/AIDS**

Children are the most affected by HIV/AIDS. More than 15 million children under the age of 15 have lost their parents to AIDS. Most of these children live in sub-Saharan Africa and are being cared for by their extended family, mainly older women. During 2004, 640,000 children were infected with HIV and over half of the 3.1 million people who died of AIDS were children. In five years time the number of children orphaned by AIDS is expected to spiral to 25 million. In the absence of significant change, by 2010, children orphaned by AIDS will make up almost one in four of the global total of orphans, rising to 50 percent of all orphans in Sub-Saharan Africa. As well as losing the care of their parents, which leaves them more vulnerable to malnutrition and disease, many have to head households and take on the responsibility of caring for younger siblings. More children are dropping out of school, and many are facing higher risks of physical and sexual abuse, which in turn increases their risk of HIV infection.

The crisis faced by children affected by HIV/AIDS should be a priority for poor countries' and donor Governments. This is the generation of children that will be reaching adulthood in ten years time, when the MDGs should be met. In order to contribute to meeting MDG 6 the EC must prioritise the support to orphans and vulnerable children in its HIV/AIDS policy and develop, with southern Governments, coherent and coordinated multi-sectoral actions for the protection, care and support of these children.

- *Prioritising orphans and vulnerable children:* In spite of the importance given to tackling the AIDS pandemic globally, coupled with recent increases in funding (despite persisting funding gaps), the plight of orphans and vulnerable children has barely been recognised. So far, the only two Governments to have prioritised action and ear-marked funding for AIDS-affected children are the US and the UK. Notwithstanding the leading role played by the EC in the fight against HIV/AIDS in recent years, it has yet to effectively prioritise action to address the impact of the pandemic on children. This will seriously jeopardise its contribution to meeting MDG6.
- *Developing adequate responses for the protection, care and support of children:* The world has agreed on what needs to be done to help children affected by HIV/AIDS. The UN Declaration of Commitment on HIV/AIDS (2001) and the Framework for the Protection, Care and Support for Orphans and Vulnerable Children Living in a World with HIV/AIDS (2004) clearly state the principles and responses required to ensure that the impact of AIDS on children is minimised. The obligations of the international community and national Governments are defined but, so far, there has been little progress<sup>93</sup>.

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93. "Beyond the Targets – Ensuring children benefit from expanded access to HIV/AIDS treatment" – Save the Children, July 2004

## **EC policy contributing to MDG 6**

### *Prioritising orphans and vulnerable children*

The stock take report<sup>94</sup> states that the EC has developed a comprehensive framework to accelerate action targeted at HIV/AIDS, malaria and tuberculosis, focusing on the continuum between prevention, treatment and care. The EC has particularly supported the development of new medicines, research and capacity building.

Funding to combat the three diseases has increased four-fold with an annual average of EUR 259 million programmed for 2003–2006, compared to the EUR 59 million annual averages committed for 1994–2002. The area of research has increased four-fold and additional instruments have been put in place to support innovative action at a global level. The European Union is the largest contributor to the Global Fund to fight HIV/AIDS, tuberculosis and malaria, set up in 2001, by the United Nations.<sup>95</sup>

A comparison of policy instruments over time shows improvement regarding references to human rights.<sup>96</sup> In the most recent of these Communications (2004), it is emphasised that commitments to the MDGs and human rights are core pillars of the EU vision for confronting the three diseases. Regarding children, the Communication states that consideration of vulnerable children, including AIDS orphans, remains a challenge. Also, enabling youth, women and people affected to have a stronger voice in planning, policy and implementation is considered crucial to address needs.<sup>97</sup>

When presenting EC action at country and global level, however, nothing is said on tackling these challenges. How will the EC consider vulnerable children? How will the EC enable youth to participate? The lack of answers is noteworthy, especially considering that children are presented as a priority objective in the reporting on EC action towards the fulfilment of MDG 6.<sup>98</sup> The report states that the EC will:

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94. Commission staff working document, EC Report on Millennium Development Goals 2000-2004, SEC(2004) 1379, 29 October 2004

95. Commission Staff Working Paper, Second Progress report on the EC Programme for Action: Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction, SEC(2004) 1326, Brussels 26 October 2004

96. Communication from the Commission to the Council and the European Parliament, A Coherent European Policy Framework for External Action to Confront HIV/AIDS, Malaria and Tuberculosis, COM(2004) 726 final, Brussels 26 October 2004; Communication from the Commission to the Council and the European Parliament, Update on the EC Programme for Action, Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction, Outstanding policy issues and future challenges, COM(2003) 93 final, Brussels 26 February 2003; Communication from the Commission to the Council and the European Parliament, Programme for action: Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction, COM(2001) 96, Brussels 21 February 2001; Communication from the Commission to the Council and the European Parliament, Accelerated action targeted at major communicable diseases within the context of poverty reduction, COM(2000) 585, Brussels 20 September 2000

97. Communication from the Commission to the Council and the European Parliament, A Coherent European Policy Framework for External Action to Confront HIV/AIDS, Malaria and Tuberculosis, COM(2004) 726 final, Brussels 26 October 2004

98. Commission staff working document, EC Report on Millennium Development Goals 2000-2004, SEC(2004) 1379, 29 October 2004

*"pursue existing programmes and service delivery that are particularly targeted at poor communities and groups worst affected by poverty diseases (women, children and especially orphans)"<sup>99</sup>*

Despite recognising that children, and especially orphans, are among those worst affected by poverty diseases, this issue is not, translated into a priority at programming level. Officials interviewed at the Commission agree that children are not very visible in EC policy regarding HIV/AIDS and other poverty diseases.<sup>100</sup> One official says:

*"It's not a matter of children's rights being controversial or that we are against them – we are just careful to not specify specific groups in a policy document. It would not be meaningful. If we mention children, we also have to say what we will do for children."*

In conclusion, although children are mentioned to a larger extent than in earlier policy documents, predominantly they are still absent. The brief reference to young people's participation is positive but except for this, children's issues are not addressed from a rights-based approach. It would appear that children's issues are seen as another "add-on".

#### ***Developing adequate responses for the protection, care and support of children***

EC policy for the protection, care and support of orphans and vulnerable children is virtually non-existent. EC endorsement of the WHO initiative<sup>101</sup> is welcomed. However, any scale-up of treatment must also ensure equitable access and support for national health care systems. The WHO target is unlikely to be met in 2005, and it is necessary to move beyond short-term goals towards implementing programmes that will strengthen national systems and provide a continuum of prevention, treatment and care for people affected and infected by HIV/AIDS. Steps must be taken to ensure resources safely reach all people equally, including women and children. Recent moves by the EC to support the research and development of paediatric formulations of anti-retroviral drugs are a step in the right direction. As a key donor for HIV/AIDS, with a particular interest in access to treatment, the EC has a key role to play in this area. Another policy area, which is currently under-prioritised, and should be central to the EC's response to orphans and vulnerable children, is social protection. The EC must focus on supporting community-based care models for orphans, mitigating stigma and discrimination, and increasing access of AIDS-affected children to education.

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99. Commission Staff Working Document, EC Report on Millennium Development Goals 2000-2004, SEC(2004) 1379, Brussels 29 October 2004

100. According to interviewed Commission officials, there will be more "room" for children and children's rights in the upcoming plan of action for 2007-2013, on which work will commence early 2005

101. Provide 3 million people living with HIV/AIDS with access to anti-retroviral therapy by the end of 2005

## **EC ACTION: Looking at country strategy papers**

EC supported actions aimed at orphans and vulnerable children on the ground are limited. With the exception of South Africa, HIV/AIDS is hardly addressed, the impact is unsatisfactory and there are not enough adequate tools to measure the effect of EU actions on reducing the spread of the disease.<sup>102</sup> In South Africa, the fight against HIV/AIDS is an overall objective of EC cooperation. The country strategy concludes that the HIV/AIDS pandemic is a threat to any development progress in South Africa. The issue is therefore systematically integrated in to all development programmes. EC support will cover prevention and care, as well as human rights, and social issues such as the impact on women and children (orphans in particular). Vulnerable children will be supported by public and private initiatives.<sup>103</sup>

HIV/AIDS is a priority sector in the Tanzania PRSP but the EC has decided to concentrate on other issues, due to substantial funding from other donors, it is stated in the CSP.<sup>104</sup> A study on EC performance regarding HIV/AIDS notes, that while it is important that the guidelines for programming take note of the high political priority attached to fighting HIV/AIDS, this is not translated into actual implementation.

In Nigeria, HIV/AIDS has not been a focal sector. A recent evaluation states this to be a “tragically missed opportunity”, considering the high prevalence of the disease.<sup>105</sup>

### **Recommendations – GOAL 6**

- The EC must include specific, time bound and measurable commitments, including earmarked resources to orphans and vulnerable children in the new Programme for Action on HIV/AIDS, Tuberculosis and Malaria, in line with the Framework for the Protection, Care and Support of Orphans and Vulnerable Children living in a World with HIV and AIDS.<sup>106</sup>
- The EC must allocate adequate resources for the implementation of the Framework in future EU annual budgets and visible and identifiable funding allocations must be ensured for this in the new Financial Perspectives (2007–2013), particularly in the financing instrument for development cooperation and economic cooperation.
- The EC must develop a coherent and coordinated multi-sectoral, and multilevel EC response to the pandemic, including in education, health (including sexual and reproductive health), trade, development, and Common Foreign and Secu-

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102. Van Reisen, M., The EUs contribution to the Millennium Development Goals, Special Focus: HIV/AIDS, Alliance 2015, May 2004

103. Commission of the European Communities, South Africa – European Community Country Strategy Paper and Multi-annual Indicative Programme for the period 2003-2005, July 2003

104. United Republic of Tanzania-European Community, Country Strategy Paper and National Indicative Programme 2001-2007

105. Particip GmbH, Thematic Evaluation of Population and Development Programmes in EC External cooperation, Final Report, March 2004.

106. UNICEF et al The Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS, July 2004

rity Policies and investment in the research and development of paediatric Anti-Retroviral (ARV) formulations. International efforts to provide free anti-retroviral therapy for all who need it should be endorsed by the EC and the EU Member States.

- The EC must provide adequate support (technical and financial) through its CSPs for countries to develop national plans for orphans and vulnerable children in line with the Framework for the Protection, Care and Support of Orphans and Vulnerable Children living in a World with HIV and AIDS.

## **GOAL 7: Ensure environmental sustainability**

*Target 9:* Integrate the principles of sustainable development into country policies and programs and reverse the loss of environmental resources

*Target 10:* Halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation

*Target 11:* Have achieved by 2020 a significant improvement in the lives of at least 100 million slum dwellers

### **Article 24 – CRC**

States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

- (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

### **Objective 10 – A World Fit for Children**

*Protect the Earth for children.* We must safeguard our natural environment, with its diversity of life, its beauty and its resources, all of which enhance the quality of life, for present and future 17 generations. We will give every assistance to protect children and minimize the impact of natural disasters and environmental degradation on them.

## **Addressing children’s right to a sustainable environment**

There is a strong link between the physical world children occupy and the quality of their lives. Their housing, the water they drink, the air they breathe, the hazards and stresses in the close environment and the quality of their schools and neighbourhoods, all these factors impact on their health, happiness and long term development. Unfortunately, today 400 million children still have no access to safe water and 500 million children have no access to sanitation. The significance of these environmental influences on girls and boys tends to be poorly understood and is often overlooked in policy and programming affecting children. The environment is also

the area children themselves are most likely to mention when asked about their views and concerns.

### **EC policy contributing to MDG 7**

The EC has developed a comprehensive policy on environmental sustainability in recent years, the stock take report,<sup>107</sup> states. Several Communications have been adopted, covering areas such as water management, energy, rural poverty and climate change.<sup>108</sup>

None of the policies, however, mention children's rights, nor regard children as stakeholders in development processes. In a few rare cases, reference is made to vulnerable groups, such as landless and ethnic minorities. Although the physical environment of children has an essential impact on the quality of their lives, and the effects more pronounced for children than for adults, the significance is poorly understood and often overlooked by the EC. Several documents emphasise the importance of stakeholder participation, without detailing who those stakeholders are or how participation should be ensured. Children, however, are not listened to or involved in planning or monitoring.

The Communication on water management strongly emphasises the need to see water resource management as a cross-sectoral issue to be mainstreamed within development policies of the Community. No mention, however, is made of other issues that are to be mainstreamed.

Some progress has been made through ECHO Policy guidelines regarding children affected by humanitarian crises, where it is stated that children should have access to clean water, shelter and sanitation facilities. These guidelines, however, can be improved by including the right to a good environment including, for example child friendly spaces.

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107. Commission staff working document, EC Report on Millennium Development Goals 2000-2004, SEC(2004) 1379, 29 October 2004

108. Communication from the Commission to the Council and the European Parliament, Establishment of an EU Water Fund, COM(2003) 211 final, Brussels 23 April 2003; Communication from the Commission to the Council and the European Parliament, Climate change in the context of development cooperation, COM(2003) 85 final, Brussels 11 March 2003; Communication from the Commission to the Council and the European Parliament, Fighting rural poverty: European Community policy and approach to rural development and sustainable natural resources management in developing countries, COM(2002) 429 final, Brussels 25 July 2002; Communication from the Commission to the Council and the European Parliament, Water management in developing policy and priorities for EU development cooperation, COM(2002) 132 final; 12 March 2002; Communication from the Commission to the Council and the European Parliament, Towards a global partnership for sustainable development, COM(2002) 82 final; Brussels 13 February 2002; Communication from the Commission to the Council and the European Parliament, Biodiversity Action Plans in the areas of Conservation of Natural Resources, Agriculture, Fisheries, and Economic and Development cooperation, Volume 1-5, COM(2001) 162 final; Brussels 27 March 2001

## **EC ACTION: Looking at country strategy papers**

Environment and related issues are present in all nine CSPs studied for this report but without specific references to children's needs and rights to protection and development. The case of China is noteworthy. It is the only CSP<sup>109</sup> studied where environment is one of three priority areas for EC intervention. Among the strategic objectives identified are the prevention of environmental degradation, integration of environmental consideration into other policy areas and actions to pursue improved balance between environmental protection and social development in the context of rapid economic growth.

The strategy for South Africa states that environmental assessments of all EC interventions will be carried out. In the CSPs for Afghanistan, Tanzania and Congo, the environmental dimension is presented as an issue to be mainstreamed in all EC development cooperations. The strategy for Nicaragua links environment with disaster prevention.<sup>110</sup>

Regional strategies for Latin America, Asia and the Mediterranean region also mention the environment. In Latin America there is a link to natural disasters, in the strategy for Asia urban environment, water and sanitation, are given priority. For the Mediterranean countries, it is stated that the planned free trade area will consider environmental consequences.<sup>111</sup>

An evaluation of EC development cooperation in Bangladesh<sup>112</sup> concludes that "some progress has been made on gender and environmental problems". Environmental concerns have, for example, been reflected in the education sector, although not in a systematic manner. In the non-formal primary education programme, environmental themes are prominently interwoven into the different courses. Also, in the food security and rural development sector, gender and environmental issues are generally well integrated into interventions with positive impacts.

### **Recommendations – GOAL 7**

- The EC should, in CSPs and related processes, ensure proper assessments of poor children's physical environments, in terms of water and sanitation, pollution, hazards and stressors in their neighbourhoods, to identify and address key problem areas.
- The EC should emphasise support to water and sanitation as key to addressing child survival and health as outlined under MDG 4.
- The EC should enhance and support child-friendly urban development with

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109. Commission working document, Country Strategy Paper China

110. European Commission, Country Strategy papers, South Africa, Afghanistan, Tanzania, Congo and Nicaragua

111. Latin America Regional Strategy 2002-2006, 2002, European Commission, Strategy paper and indicative programme for multi-country programmes in Asia 2005-2006, 2004, Euro-Med partnership, Regional strategy paper 2002-2006

112. MWH, ECDPM, ODI, Evaluation of the European Commission's country strategy for Bangladesh, 2003



regard to urban planning and slum area reforming. Children's involvement as stakeholders in analysis, planning, monitoring and evaluation is essential.

## **GOAL 8: Develop a global partnership for development**

*Target 12:* Develop further an open, rule-based, predictable, non-discriminatory trading and financial system

*Target 13:* Address the special needs of the Least Developed Countries

*Target 14:* Address the special needs of landlocked developing countries and small island developing states

*Target 15:* Deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term

*Target 16:* In cooperation with developing countries, develop and implement strategies for decent and productive work for youth

*Target 17:* In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries

*Target 18:* In cooperation with the private sector, make available the benefits of new technologies, especially information and communications technologies

### **Article 4 – CRC**

States Parties shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation.

### **A World Fit For Children**

*“Chronic poverty remains the single biggest obstacle to meeting the needs, protecting and promoting the rights of children. It must be tackled on all fronts, from the provision of basic social services to the creation of employment opportunities, from the availability of micro-credit to investment in infrastructure, and from debt relief to fair trade practices.”*

### **Contributing a fair share to development?**

The EU contributes over 50 percent of worldwide ODA. One fifth of the combined EU aid is managed by the European Commission, which makes it the world's third largest donor, according to the EC stock take report. Still, only four Member States: Denmark, Sweden, the Netherlands and Luxembourg, have achieved the development assistance target set by the United Nations, of 0.7 percent of GNI.<sup>113</sup>

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113. Commission staff working document, EC Report on Millennium Development goals 2000-2004, SEC (2004) 1379

At the International Conference on Financing for Development in Monterrey 2002, the EU pledged to examine the means and timeframe for each EU Member State to reach the UN target of 0.7 percent, with an intermediary target of 0.39 percent by 2006 (at least 0.33 percent of GNI for Member States individually). According to the most recent monitoring report from the Commission, the implementation of the intermediary target on ODA is on track.<sup>114</sup>

This is, however, contradicted in a new report from Oxfam, Eurodad and Actionaid<sup>115</sup> which states Italy is unlikely to reach the intermediary target. In terms of aid, Italy is clearly the leading villain on the EU stage, the report says. Except for the new Member States, Italy is last on the list of European donors, currently allocating a mere 0.17 percent of its GNI to development assistance. Austria, Greece, Portugal and Spain, with scores of approximately 0.2 percent, also lag far behind. Germany, with 0.28 percent, will only meet its 2006 0.33 percent commitment because it has agreed to write off Iraqi debt.

The 2004 Communication on the follow-up to the International Conference on Financing for Development<sup>116</sup> states that “the Union should exercise leadership in the global aid process”. Besides the slow and disparate performance of EU Member States on increasing aid levels, few concrete steps have been taken on other aid related commitments, including closer coordination and harmonisation of EU development cooperation.

### ***Improving policy coherence between trade and development?***

Another Commission communication<sup>117</sup> spells out the way the EU can fulfil its commitments in support of the efforts of developing countries to reap the benefits of trade and investment. It stresses the fact that trade reform is important but must be part of a wider, country-owned poverty reduction strategy. Among the concrete proposals are: a stronger emphasis on trade issues in dialogue on PRSPs; ensuring funding for trade-related assistance in CSPs; and a review of EU trade-related assistance before the end of 2005.

No attention is paid to human rights or children’s rights in the communication. Gender and environment are briefly mentioned as it is stated that trade related assistance should raise trade capacity in a way that promotes sustainable development and gender equality. No further explanation of what this means is provided.

A recent evaluation of trade-related assistance investigates the extent to which

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114. Communication from the Commission to the Council and the European Parliament, Translating the Monterrey Consensus into practice: the contribution by the European Union, COM(2004) 150 final, March 2004

115. Oxfam, Eurodad, Actionaid, EU Heroes and Villains – Which countries are living up to their promises on aid, trade and debt? 2005

116. Communication from the Commission to the Council and the European Parliament, Translating the Monterrey Consensus into practice: the contribution by the European Union, COM(2004) 150 final, March 2004

117. Communication from the Commission to the Council and the European Parliament, Trade and development, assisting developing countries to benefit from trade, COM(2002) 513 final, September 2002

three of the cross cutting issues (human rights, gender and environment) have been taken into account. As a general finding, the evaluation concludes that the design of trade-related assistance does not take account of cross cutting issues. This is largely explained by the fear, often expressed by partners, for further complicating already excessively complex trade-related activities.<sup>118</sup>

The EU's highly subsidised agricultural sector is impeding market access for poor countries. The UK's report on contributions towards achieving the MDGs, however, states that subsidies have fallen in recent years – although much remains to be done.<sup>119</sup> The reform of the Common Agricultural Policy in 2003 is said to be a step along this path, as decoupling subsidies from production will reduce excessive production, which can result in agricultural products being dumped on world markets, harming producers in developing countries.

In 2001 the EU opened up its market to exports from the least developed countries, the so-called Everything But Arms initiative. This scheme ensures quota and tariff free access to the EU for all products but arms – albeit with transitional periods for rice, bananas and sugar.<sup>120</sup>

When formal market access exists, however, poor countries' market access is low. This is partly due to non-tariff barriers and other complex entry requirements. Simplification of trade regulations therefore remains a priority for some member countries.<sup>121</sup>

### **Lifting the debt burden from poor countries?**

The Highly Indebted Poor Countries Initiative (HIPC) was initiated in 1996 as a coordinated approach to bring down unsustainable debts of poor countries. Over 40 countries are potentially eligible for HIPC support. In late 2004, 27 countries had entered the initiative. Of these, 14 had reached "completion point" making them eligible for relief. The EC has pledged about EUR 1,6 billion to the initiative and has also supported HIPC eligible countries in the clearance of their arrears to the EC and other multilateral institutions.<sup>122</sup>

In summary, children are absent in policy documents on development assistance, trade, debt and other issues in relation to MDG 8.

*"The children's perspective is seldom included in discussions", says an MEP. "Children are mentioned in general terms, as a group, and when it comes to severe abuse, wars and so on. Otherwise not."*

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118. ADE, Evaluation of Trade-Related Assistance by the European Commission in Third Countries, May 2004

119. UK Government, The UK's contribution to achieving the Millennium Development Goals

120. Commission staff working document, EC Report on Millennium Development goals 2000-2004, SEC(2004) 1379

121. Ministry for Foreign Affairs, Making it happen, Sweden's Report on the Millennium Development Goals 2004

122. Commission staff working document, EC Report on Millennium Development Goals 2000-2004, SEC(2004) 1379

### *Recommendations – GOAL 8*

- The EC must reinforce the increase in aid by Member States by allocating more funding for development aid under the new financial perspectives.
- At least 35 percent of development aid must be allocated to basic services such as education, health, water and sanitation.
- The EC must ensure that its trade policies are consistent with its obligation to promote children's rights and eradicate childhood poverty. This is particularly the case for negotiations on services where the aim is to liberalise public services including education. Such initiatives may have potentially devastating effects on the issue of non-discrimination in children's access to education.
- The EU must take the lead on the cancellation of development countries debt. Meanwhile, funding for debt relief should be additional to funds required for reaching the 0.7 percent target.

### 3. Conclusions and recommendations

*“.. I intend to develop a strategy on how we can further develop and strengthen our efforts to do all that is within our powers to ensure the full respect of the rights of the children and their protection in Europe as well as in the rest of the world”<sup>123</sup>*

*“We don’t do childhood poverty [...] we do large roads”<sup>124</sup>*

#### **Context**

One in two people living in absolute poverty in the world today is a child, most often a girl. Children are hardest hit by poverty because it strikes at the very roots of their potential for development – their growing bodies and minds. Yet children make up nearly half the total population in most developing countries.

The Millennium Development Goals (MDGs) are stepping stones towards changing this situation – six of the eight MDGs refer directly to children. They have become the most important reference for international development cooperation and, as the world’s biggest donor the EU – and the European Commission in particular – has the opportunity to play a major role in their achievement. The EU’s development policy<sup>125</sup> constitutes the framework for EC contributions to them.

Tackling childhood poverty is a fundamental part of achieving the MDGs and long-term poverty reduction – development aid must contribute more to breaking poverty cycles. Childhood poverty must become a mainstream poverty issue; children are not just one of the “special groups” to be reached through special projects. Their problems are not going to be solved through action in one or two particular sectors alone such as health and education. Aid should be used to support policies, sectors, programmes and activities that tackle both the manifestations and the causes of childhood poverty, as defined by local and national actors. The EU must ensure aid makes a difference for the poorest and most marginalised children, their families and communities, rather than assuming that a “trickle down” of benefits will eventually occur. Action to address poverty affecting children and young people has the potential to break poverty cycles: without it the MDGs and broader poverty reduction objectives will not be reached and children’s rights will not be realised.

#### **Make child poverty history now**

The EU has reviewed how far it has contributed towards meeting the MDG targets and will take part in a special meeting of the UN General Assembly to take stock of

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123. Franco Frattini, Vice-President of the European Commission, Responsible for Justice, Freedom and Security in a speech to the Bundestag 14th of February 2005

124. Interview with former EC Macroeconomist to Tanzania, Dar es Salaam, June 2002

125. The European Community development policy, Statement by the Council, 2304th Council meeting, 12929/00 (presse421), 10 November 2000

the world's progress on implementing the MDGs. This report shows that it needs to do much more if it is to make a real difference to children's lives and to uphold children's rights.

At EU level, children's rights are now included in the external objectives of the EU in the Constitution, demonstrating the political importance attached to children's rights. The European Commission has stated its intention to draft a cross cutting children's strategy. The European Parliament has also stressed the importance of EU policy reflecting the rights of the child – for example, through including children's rights in the development budget, passing several resolutions on children's rights,<sup>126</sup> calling for a Communication on Children's Rights and publishing a report on children's rights in 2003.<sup>127</sup>

Moreover, some EU Member States have already shown how children can be given priority in development cooperation – closely related to the overarching goal of poverty reduction.<sup>128</sup>

### **The example of Sweden**

In 1999 the Swedish International Development cooperation Agency (Sida) developed guidelines for the mainstreaming of children's rights in Swedish development cooperation. The guidelines state that the process of developing a child rights perspective should be based on the CRC's principles on non-discrimination, the best interests of the child, the right to life, survival and development and the participation of the child. The guidelines emphasise that the focus should not primarily be on certain groups of vulnerable children, but on the rights and needs of all children.

Several steps have been taken to make the guidelines operational. The first has been to integrate a child rights perspective in different Sida guidelines, policies, action plans and country strategies. The second step has been to integrate children's rights into four strategic areas, identified by the Government; health, social sector reforms, education and especially vulnerable children. The importance of using the CRC as a point of departure in the dialogue with partner countries is emphasised.

*Sources: Sida, Children's rights in Swedish development cooperation, 1999; Sida, Barnets rättigheter – en samhällsfråga (in Swedish), 2003*

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126. E.g. European Parliament resolution on trafficking of women and children in Cambodia P6\_TA(2005)0012, European Parliament resolution on trafficking in children and child soldiers P5\_TA(2003)0334 and European Parliament resolution on the EU position in the Special Session on Children of the UN General Assembly P5\_TA(2002)0191

127. European Parliament Directorate-General for Research, Report on Integrating Children in the Development Policy of the European Union, DG IV Internal study IV/2003)

128. For more information on Member States' commitments, see van Reisen, M., Invisible children, Towards Integration of Children's Rights in EU and Member States' Development cooperation Policies, Save the Children Europe Group, 2002

In the recent hearing at the European Parliament in September 2004, the then Commissioner designate for Development, Louis Michel, was questioned on children's rights.

*"In the hearing Louis Michel... stated that the arguments in favour of a plan of action for children were good".* (Official responsible for development cooperation at a Member State's permanent representation).

There is now political support for a child rights-focused development policy promoting the Convention on the Rights of the Child, as well as recognition of the need for mainstreaming and specific targeting. As shown in this report, such a policy would also enable the EU to make a more effective and targeted contribution towards the achievement of the MDGs.

### **Making Children Visible?**

In this report Save the Children aimed to find out firstly, whether children and child poverty issues are highlighted in policies, strategies, evaluations and documents relating to the MDGs within EC development cooperation and secondly, whether children's issues are considered from a child rights approach.

In an earlier report, "Invisible Children",<sup>129</sup> Save the Children found that children were virtually invisible in EU development cooperation. Three years later, this study has found children are still only referred to in a limited way in Communications, strategies, action plans and other policy documents relating to the MDGs. Even in policies and action plans on health, HIV/AIDS and poverty and food security there are relatively few references to children and in documents that relate to environment, trade and debt, children are virtually absent. Although there are some important examples of good practice but these remain limited.

#### **Positive practice in promoting children's rights**

There are examples of good practice where the Commission and the Council have made children a priority:

*Council:* In 2003, the Council adopted guidelines on children and armed conflict.<sup>130</sup> These state that monitoring and reporting by the EU on conflict or looming conflict should include an analysis of the effects on children. The tools for action, among others political dialogue and funding of projects, will take into account the needs of children and ensure that they are considered in preventive approaches as well as the conflict phase and peace agreements.

*Commission:* The European Commission's Humanitarian Aid Office (ECHO) considers children to be a priority in its aid strategy. ECHO's policy

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129. Van Reisen, M., Invisible children, Towards Integration of Children's Rights in EU and Member States' Development cooperation Policies, Save the Children Europe Group, 2002

130. Council of the EU, Guidelines on Children and Armed Conflict, 8 December 2003

guidelines regarding children affected by humanitarian crisis<sup>131</sup> state that the CRC is the key reference document and that ECHO will support health, nutrition and education as well as protection measures, like child registration, for children affected by humanitarian crisis.

The European Initiative for Human rights and Democracy (EIDHR), which funds cooperation carried out by NGOs worth about EUR 100 million a year, has opened for special projects on awareness-raising, advocacy and training on children's rights, female genital mutilation and other issues that directly concern children.<sup>132</sup> Simultaneously, the mainstreaming approach will be reinforced.

Other positive examples of how children's issues are taken into account within the Commission include the training on human rights and children's rights that is given to Commission and delegations' staff and the establishment of an Inter-Institutional Group on Children's Rights, aiming at improved coordination and the exchange of information.

In many of the Commission's key tools for implementing the MDGs children remain invisible or relatively marginal:

*a) Children in Country strategy papers*

Despite the fact that children constitute around half of the population in many developing countries, there is no mention of children's rights in the Framework for Country Strategy Papers (CSP)<sup>133</sup>. Although special interventions relating to children, like education and health, figure prominently in some of the CSPs, this omission means that childhood poverty is not included in the country strategies.

*b) Resources allocated to children*

Due to the way that the EC budget and annual reports are structured it is not possible to assess the sums directly allocated to tackling childhood poverty as a part of the EC contribution to achieving the MDGs. However, the breakdown by sector in the annual report gives a general overview. In 2003, of a total ODA of EUR 6.3 billion, EUR 84 million (1.3 percent) was allocated to basic education and EUR 351 million (5.6 percent) to basic health. Almost EUR 70 million was spent on population and reproductive health and EUR 186 million on water supply and sanitation.

*c) Children in evaluations and statistics*

There is no mention of children in the European Commission guide for evaluations and no specific questions on the impact of interventions on children were found in the evaluations that were examined. On the few occasions where effects on children were considered it was primarily in relation to education and health

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131. ECHO, Policy guidelines regarding children affected by humanitarian crisis, ECHO 4/D 2004

132. EIDHR, Programming for 2005 and 2006

133. Commission staff working paper: Community cooperation: Framework for Country Strategy Papers, SEC (2000) 1049



projects – where lack of baselines and monitoring make impact assessment difficult. One reason given for this is that:

*“Children’s rights are judged as human rights. When evaluating, we design around ten questions, based on DAC criteria, which are to be answered. We avoid using too many indicators, the reports then become impossible to use”,* a Europe Aid-official states.

Standard references to children in statistical background sections or as an example of “vulnerable and marginalised groups” are often found. These are, however, seldom translated into concrete strategies and interventions.

### **Children’s Rights is a Forgotten Issue In EC Development Cooperation**

*“Quite rightly you have identified the issue of mainstreaming as problematic.”*<sup>134</sup>

This report has found that children are scarcely referred to in EC policy and practice, and are strangely under-represented in discussions about the MDGs. Where children’s issues are examined they are not addressed from a child rights-based perspective, despite the fact that the development policy statement establishes that children’s rights is a cross cutting concern to be mainstreamed. It states that children’s rights need to be integrated in all actions aimed at combating poverty and hunger, ensuring that children have equal access to education and health, can grow up in a healthy environment and are taken into account in the global partnership for development. However, mainstreaming has failed to deliver these outcomes for children. A number of evaluations indicate shortcomings regarding how mainstreaming is dealt with in practice within EC development cooperation. In most documents concerning the European Community’s development cooperation – for example, programmes of action, annual reports and CSPs – children’s rights are left out when other cross cutting themes are referred to. The reasons given for this vary:

*“I had no idea that it was in the policy, I haven’t checked myself... We only ever speak about three cross cutting themes; gender equality, environment and human rights”,* one official in DG Development says.

*“Human rights is the overall concept. This implies that the heading human rights includes other issues as well, including women’s and children’s rights”,* a head of unit in DG Relex states.

Those who recognise that children’s rights should be treated as a separate issue encounter other problems:

*“Until now it has not been clear to Commission staff what is meant by mainstreaming of children’s rights or how it should be done. So, it has been a question*

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134. Letter from Commissioner Louis Michel to Save the Children. 19th of January 2005

*of different people doing their best in their respective fields of work*”, an official in DG Development states.

The Council is aware of the problems:

*“We know that mainstreaming issues are not properly dealt with, they are only included for the sake of mentioning. Lack of resources and time limits make them ‘glued on’ instead of integrated”*, says the official in charge of development cooperation in a Member State’s permanent representation in Brussels.<sup>135</sup>

The recently published assessment on EC Development Policy<sup>136</sup> also finds that cross cutting issues have not been successfully implemented.

### **Conclusions and Recommendations**

*“In the end, true mainstreaming of children’s rights will require a top-down decision, a strong political signal from above, as well as resources.”* (Official interviewed for this report).

The EU claims leadership in worldwide efforts towards achieving the MDGs. In accordance with this – and with statements at the UN General Assembly Special Session on Children in 2002 – the stock take and synthesis report of the EC’s and member countries’ contributions to the fulfilment of the MDGs should clearly outline how future commitments will lead to a better future for children.

Given the political commitment to children’s rights within the EU institutions and the references within the EU Constitution, now is the time to implement a child focused development policy and cross cutting children’s strategy. This requires a political lead giving clear signals of commitment to develop the necessary tools for implementation.

### **Recommendations for meeting the millennium goals**

What should the EC and the Member States do in order to support the achievement of the Millennium Development Goals for children? Save the Children calls on the EC and its Member States to follow a two stage process, implementing the following immediate “quick win” actions by 2006 and then carrying out a series of further actions in the medium-term.

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135. In its conclusions on the 2004 Annual Report on the development policy, the Council urged the Commission to give more attention to the impact on gender, children and sustainable development in the 2005 Annual Report. Council of the EU, 2622nd Council Meeting, External Relations, 22-23 November 2004, 14724/04 (Presse 325))

136. ICEI, ODI, ECPDM, Assessment of the EC Development Policy – DPS Study report February 2005)

## “Quick Wins”

1. The Commission and the Council should adopt a *communication on children's rights and a cross cutting children's strategy*. The communication should include concrete mechanisms to ensure the adoption of a child rights approach in EC development policy and practice. Issues that should be covered include:
  - All proposed EU legislation, policy and programmes to be made fully compatible with the UN Convention on the Rights of the Child
  - Political dialogue between the EU and its partner countries in development cooperation to include children's rights
  - Children's rights to be explicitly integrated into existing frameworks, guidelines and other planning instruments
  - References to children's rights in relevant budget lines to be strengthened implemented and assessed for their impact
  - Results require resources. Departments within the EC, such as the Interservice Quality Support Group and the Evaluation Unit, to be strengthened with staff familiar with or specialised in children's rights and mainstreaming. More training programmes and seminars should be organised in order to enhance capacity among Commission staff
  - A high level post for children's rights to be created in the Commission.
  - Internal coordination in the Commission services on children's rights to be strengthened.
2. The revision of the EC's development policy should include an explicit focus on child poverty and children's rights.
3. A commitment should be made to increase official development assistance (ODA) to an EU average of 0.6 percent GNI to ODA by 2009, with the aim of meeting the UN target of 0.7 percent by 2013 at the latest. The focus on low-income countries in EU allocations must be strengthened alongside an improvement in ODA quality (including harmonisation, predictability and grants-based budget and sectoral support).
4. The EC and Member States should take a firm stand on ending user fees for education and essential health services, including anti-retroviral therapy, to be compensated by increased aid as necessary, by 2006.
5. Support for the care and treatment of orphans and vulnerable children in EC HIV/AIDS policy should be prioritised, through endorsing and adopting the international Framework for the Protection, Care and Support of Orphans and Vulnerable Children living in a World with HIV and AIDS (the Framework).<sup>137</sup>
6. Increased support should be provided for the poorest nations to build sustainable health care strategies and systems reversing current financing trends towards vertical, disease specific, interventions to support recurrent costs and human resource development to counteract the loss of health professionals.

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137. UNICEF et al The Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS, July 2004

## **Medium Term Recommendations**

In the medium term, Save the Children recommends that the following recommendations are implemented to progress towards meeting MDGs 1–8.

### **GOAL 1**

In order to make a lasting contribution to achieving the MDGs, the EC and its Member States must place children – their survival, development and protection – at the centre of its policy and practice. In order to break current poverty cycles there must be an unprecedented level of investment in this generation of children.

- The EC should significantly expand financing for basic services.
- The EC should work with developing country Governments to put in place social protection mechanisms for the poorest as a key step in tackling childhood poverty.
- The EC must contribute to improving early warning systems and poverty analysis by providing increased and sustained funding to establish and institutionalise livelihoods-based food security information systems in the world's most food insecure areas.
- The EC should operationalise recent policy guidelines on untying its food aid, putting an immediate end to the continuing provision of food aid by EU Member States.

### **GOAL 2**

- The EC must step up its support to education, with a particular emphasis on basic education. This should include increasing resources to be allocated through budget support, as well as to the Fast-Track Initiative.
- The EC and Member States must press for the removal of macroeconomic conditionalities imposed on countries by the International Financial Institutions, which have a negative impact on the financing and quality of education.
- The EC must lead the global effort to provide free quality education to all children by actively engaging in in-country dialogue to press for the immediate elimination of school fees and other additional costs to families.
- ECHO should promote children's right to education, notably in its response to emergencies, by supporting and implementing the Interagency Network on Education in Emergencies (INEE) minimum standards for education in emergencies.

### **GOAL 3**

- Recognising that cost is the single most important deterrent to girls' education in poor countries, the EC must press for the immediate elimination of all school fees and support the development of social protection schemes to enable poor families to support their children through primary and secondary schooling. Particular attention needs to be given by the EC to Sub-Saharan Africa and South Asia.
- The EC, through its CSPs, should endorse and promote enhanced participation

by children, parents and communities in educational management systems and decision-making.

- In an effort to improve access to education of marginalised children who are most likely to be left out of MDGs 2 and 3, the EC should increase support for the development and scaling up of alternative basic education models.
- Attention should be paid by the EC in its education policy and practice to stopping violence in schools, with particular attention to gender-based violence, through the promotion of rights-based child protection schemes.

#### **GOAL 4**

- The EC must provide long-term financial and technical support for the poorest nations to build sustainable health care systems that deliver essential health services to the poorest. This will require a shift of focus in EC policy away from vertical, disease-specific interventions to a broader approach and funding strategy to support primary health care and systems strengthening. Support for recurrent costs should also be prioritised, including salaries and capacity building programmes.
- The EC should lead the international donor community in 2005 in a drive to abolish user fees to ensure free universal access to essential health care in order to reduce childhood mortality and meet the MDGs.
- The EC must establish mechanisms to mitigate the adverse impact on developing countries of the loss of their health professionals through increasing migration to the EU. These should include financial restitution mechanisms to sustain effective health care in developing countries. An adequate policy framework to redress this imbalance should be debated in the ACP-EU Joint Parliamentary Assembly and elsewhere.

#### **GOAL 5**

- If MDG 5 is to be met, the EC must reverse the decrease in funding for sexual and reproductive health programmes. The EC should work with developing country Governments in order to address stagnating neonatal and maternal mortality rates through interventions including increasing the number of skilled attendants in the poorest countries, supporting basic and comprehensive obstetric care, and ensuring that effective referral systems are in place.

#### **GOAL 6**

- The EC must include specific, time bound and measurable commitments, including earmarked resources to orphans and vulnerable children in the new Programme for Action on HIV/AIDS, Tuberculosis and Malaria, in line with the Framework for the Protection, Care and Support of Orphans and Vulnerable Children living in a World with HIV and AIDS.<sup>138</sup>

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138. UNICEF et al The Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS, July 2004

- The EC must allocate adequate resources for the implementation of the Framework in future EU annual budgets and visible and identifiable funding allocations must be ensured for this in the new Financial Perspectives (2007–2013), particularly in the financing instrument for development cooperation and economic cooperation.
- The EC must develop a coherent and coordinated multi-sectoral, and multilevel EC response to the pandemic, including in education, health (including sexual and reproductive health), trade, development, and Common Foreign and Security Policies and investment in the research and development of paediatric Anti-Retroviral (ARV) formulations. International efforts to provide free anti-retroviral therapy for all who need it should be endorsed by the EC and the EU Member States.
- The EC must provide adequate support (technical and financial) through its CSPs for countries to develop national plans for orphans and vulnerable children in line with the Framework for the Protection, Care and Support of Orphans and Vulnerable Children living in a World with HIV and AIDS.

### **GOAL 7**

- The EC should in CSPs and related processes ensure proper assessments of poor children's physical environments in terms of water and sanitation, pollution, hazards and stressors in their neighbourhoods to identify and address key problem areas.
- The EC should emphasise support to water and sanitation as key to addressing child survival and health as outlined under MDG 4.
- The EC should enhance and support child-friendly urban development with regard to urban planning and slum area reforming. Children's involvement as stakeholders in analysis, planning, monitoring and evaluation is essential.

### **GOAL 8**

- The EC must reinforce the increase in aid by Member States by allocating more funding for development aid under the new financial perspectives.
- At least 35 percent of development aid must be allocated to basic services such as education, health, water and sanitation.
- The EC must ensure that its trade policies are consistent with its obligation to promote children's rights and eradicate childhood poverty. This is particularly the case for negotiations on services where the aim is to liberalise public services including education. Such initiatives may have potentially devastating effects on the issue of non-discrimination in children's access to education.
- The EU must take the lead on the cancellation of development countries debt. Meanwhile, funding for debt relief should be additional to funds required for reaching the 0.7 percent target.

# Annex I:

## **Acknowledgements**

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A special thanks to the documentation department at DG Development for their help.

## **Theoretical approach**

The study focuses on two issues:

1. Are children, and issues that relate to children, highlighted in policy statements, country strategies, evaluations and other documents that relate to the MDGs?
2. Are children's issues considered from a child rights perspective in these documents?

In order to find out whether a rights perspective is applied, the review departs from the view that human rights add value to the agenda of development:

- The emphasis it places on the accountability of policy-makers.
- The priority it gives to the most deprived and excluded.
- The attention it directs to the need for information, participation and political voice for all.<sup>139</sup>

Children's rights are part of the overall human rights approach. The above mentioned areas are also reflected in the Convention on the Rights of the Child (CRC); the first is found in Article 4,<sup>140</sup> while the second and third are drawn from the general principles.

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139. UNDP, Human Development Report, 2000

140. State Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, State Parties shall undertake such measures to the maximum extent of their available resources, and, where, needed, within the framework of international cooperation.

These general principles form the umbrella provisions of the CRC and underpin all other children's rights. The general principles of the CRC are:

1. Non-discrimination (Article 2);
2. The best interests of the child (Article 3);
3. The right to survival and development (Article 6); and
4. The right to be heard and to participate (Article 12).<sup>141</sup>

## **Methodology**

Firstly, it should be emphasised that this is a study, and not an evaluation. The standards of an evaluation (defined as "the systematic inquiry into the worth and merit of an object") have, however, been adhered to. This implies an aim to arrive at valid and reliable conclusions that are useful in practical work.

For a study of this kind there are basically four ways of collecting data; studies of documentation, interviews, surveys and observation.

Studies of documentation and qualitative analysis of relevant written materials has been a prominent instrument in carrying out the assignment. Regulations, communications, programmes of action, annual reports, regional strategies, guidelines on different stages of the programming cycle and evaluations, as well as other relevant documents, have been included in this review.

A sample of nine country strategy papers (CSPs) were also examined. They were selected to represent different kinds of partner countries; low and middle income, different regions, countries where the focus of development cooperation is on poverty reduction and countries with more emphasis on other issues, like trade. (For a list of documents that have been included in the review, see annex 3.)

A number of interviews have been carried out with programme officers and heads of unit in the Commission and EuropeAid, members of the European Parliament, officials from Member States' permanent representations in Brussels, officials in Member State ministries for foreign affairs and policy advisors in member organisations of Save the Children. Most interviewees preferred to provide information off the record. Therefore, quotes in this study are presented anonymously.

Surveys have not been used as the complexities of the issues at hand required a more qualitative treatment. Observation has not been used.

Triangulation, implying crosschecking from different perspectives (mainly documents and interviews), has been used to enhance the validity of results. When relevant, standard criteria for judging the reliability of sources have been considered.

In order to deal with the issues outlined under the Theoretical approach heading a format for the review of documents and a format for interviews have been developed.

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141. See for example, International Save the Children Alliance, *Child Rights Programming – How to Apply Rights-Based Approaches in Programming*, 2002 or [www.unicef.org](http://www.unicef.org)



## **Format for review of documentation**

### *The interests of children*

Are there references to children in EC policies, plans of action, annual reports, CSPs, evaluations and other documents relevant to the MDGs?

What issues, in relation to children, are highlighted in the documents, regarding:

- MDG 1: Reduce by half the proportion of people living on less than a dollar a day,  
Reduce by half the proportion of people who suffer from hunger.
- MDG 2: Ensure that all girls and boys complete primary schooling.
- MDG 3: Eliminate gender disparity in education.
- MDG 4: Reduce by two thirds the mortality rate among children under five.
- MDG 5: Reduce by three quarters the maternal mortality ratio.
- MDG 6: Begin to reverse the spread of HIV/AIDS,  
Begin to reverse the incidence of malaria and other major diseases.
- MDG 7: Integrate the principles of sustainable development into country policies,  
Reduce by half the proportion of people without access to drinking water,  
Achieve improvements for 100 million slum dwellers.
- MDG 8: Create a global partnership for development.

### *The child rights-based approach*

Issues relating to the accountability of decision-makers, and the four general principles of the CRC, constitute the basis, for the part of the review that considers whether children's issues are addressed from a rights-based approach.

- Are documents that concern specific countries, like region and country strategies, informed by the country/countries international human rights commitments? Are there explicit references to these commitments in the documents?
- How are children portrayed? Are children seen as holders of rights?
- Are the notions of accountability, non-discrimination and participation reflected in the documents available for the review?
- Are the four general principles of the CRC, taken into account:
  1. Is the principle of non-discrimination applied? Are marginalised and discriminated groups considered and measures to improve their situation considered?
  2. Is "the best interests of the child" considered? Have these interests been a primary consideration in decisions affecting children and are possible conflicts of interests made visible?
  3. Is the child's right to survival and development taken into account? Children's need for protection and support as well as their capacities should be taken into consideration in measures regarding education, health and all other issues that concern children.
  4. Are girls and boys given the right to express their views and are these views given due weight?

## **Limitations**

Due to the large amounts of documents produced by the Commission and other EU institutions, the existence of relevant information that has not been found and, therefore, is not included in this study cannot be excluded. Still, the information that has been available provides a consistent picture. There is, hence, no apparent evidence that important information or trends have been left out of the review.

As some EC funding is provided through external channels, for example the Global Fund to Fight AIDS, Tuberculosis and Malaria, the examination of CSPs in this study might, in some cases, not give the full picture of important EC commitments in relation to children and to the MDGs. Still, it is considered that the CSPs provide a good indication of EC policies and practice at country level.

It has not been part of this assignment to assess EC expenditure towards children through different budget lines. Moreover, such estimates might not be possible to make. According to a study from 2002<sup>142</sup> the Commission does not provide information on the amounts that reach children.

Figures are even more difficult to establish due to the fact that the Commission states that a large proportion of its support to basic social services is provided in the form of budget support.

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142. van Reisen, M., *Invisible Children, Towards Integration of Children's Rights in EU and Member States' Development cooperation Policies*, Save the Children Europe Group, 2002

# Annex 2:

## Glossary

### EU Institutions

*The Council of Ministers* is the EU's principal decision-making body, and each Member State Government has a seat on the Council (although voting is weighted). In practice, unanimity tends to be the rule, but some decisions can be taken by qualified majority. The EU Presidency is responsible for setting the priorities for the Council of Ministers and will set particular objectives it hopes to achieve. The Presidency is held for a six-month term by every Member State in turn.

The European Commission proposes and executes Community policies. It also acts as a mediator between Member States and can take cases to the European Court of Justice for breaches of Community law (Member States can also take the Commission to the ECJ). It is composed of 24 directorates general, each headed by a Commissioner.

*The European Parliament (EP)* does not have legislative powers in the same way as a national parliament, as most important EU law is made by the Council of Ministers. Nevertheless, very few texts can be adopted without the Parliament's opinion being sought. The Parliament also adopts the EU's budget every year.

*The European Court of Justice (ECJ)* rules on questions of EU law and whether actions of the Commission, the Council of Ministers, Member State Governments and other bodies are compatible with the Treaties. Judgements are directly binding on all parties. It should not be confused with the European Court of Human Rights (see "other" below).

*The Economic and Social Committee (ECOSOC)* is an advisory body (composed of employers, workers, and other interest groups) which can be consulted by the Commission and the Council of Ministers, and must be consulted where the EU Treaties so provide. It can also develop opinions on its own initiative.

### EU law and action

#### Primary law

The EU Treaties make up the primary law of the European Union, operating as a written constitution. The original *1957 Treaty of Rome* has been amended on several occasions. The *1986 Single European Act* aimed to promote the free movement of goods, services and people and brought about significant changes to the EU institutions. *The 1991 Treaty on European Union* (*'The Maastricht Treaty'*) expanded many of the existing responsibilities of the European Community (introducing the Social Chapter; further institutional reform; setting the goal of EMU; extension of competence in relation to several policy areas). The 'European Community' also became only one of the three pillars of 'European Union', the other two being foreign and security policy, and justice and home affairs. These latter activities would be con-

ducted largely on an Inter-Governmental basis. *The 1997 Amsterdam Treaty* marks a number of limited further changes. For example, asylum policy moves from the “third pillar” to the “first pillar”; new anti-discrimination and social exclusion provisions are written into the Treaty; and a chapter on employment is added to the Treaty.

### **Secondary law**

*Regulations* are immediately binding on Member States once they have been adopted (usually by the Council of Ministers). They may also bind individuals without further implementing legislation.

*Directives* are forms of EU law which require legislation in each Member State to give effect to them. Member States have typically two or three years to implement a directive.

*Communications* are advisory statements produced by the European Commission which examine the context and content of particular policy issues and explore EU policy objectives in relation to these. However they are not binding on Member States.

*Recommendations and Opinions* are advisory statements on policy, but have no binding legal force. They are usually aimed at encouraging good practice across the Community. Like other forms of EU legislation, national courts are bound to take them into consideration when interpreting national law.

*Joint Actions* are Actions adopted under the third pillar of the EU Treaty (i.e. on an Inter-Governmental basis). Under Joint Actions, Member States jointly agree to meet certain goals by a certain time.

*Council of Ministers Conclusions* are a statement of policy or intent arising from Council of Ministers meetings which have no binding force, but can be used as a limited basis for Community action.

*Action Programmes* have been adopted in the social policy field on several occasions, and have been used to develop policy statements and fund research studies and awareness-raising activities. The issues covered have included poverty and social exclusion; disability, and the needs of older people. However a ruling by the European Court of Justice on 12 May 1998 has tended to undermine the legal basis for Action Programmes (and other relevant social budget lines).

### **Other**

*The Council of Europe* should not be confused with the Council of Ministers of the European Union. The Council of Europe is a distinct organisation with a wider membership than the EU, which focuses on the protection and promotion of human rights and democracy.

*The European Convention on Human Rights (ECHR)*, the most important instrument developed by the Council of Europe, enables one State to sue another for breaches of human rights, and under certain circumstances empowers citizens to sue their Governments for such breaches. Complaints go to the European Court of Human Rights for final decision.

*The UN Convention on the Rights of the Child (CRC)* was formally adopted by the UN in 1989 and has been ratified by 191 states worldwide (only the USA and Somalia have failed so far to do so). The CRC provides a set of minimum standards relating to children's civil, political, economic, social and cultural rights. By ratifying, a Government is under a duty to comply with the CRC provisions, and must report regularly to the UN Committee on the Rights of the Child on its progress towards implementation.

*Country Strategy Papers*, framework structuring EU's relations with third countries. The framework provides instructions on the expected content of the CSPs. It introduces a number of headings that should be presented in each CSP; EU/EC cooperation objectives, situation analysis, overview of ongoing EC cooperation and the EC response strategy.



# Annex 3:

## **Reviewed documentation**

- Treaty establishing a Constitution for Europe CIG 87/2/04, signed by the Inter Governmental Conference on 29 October 2004
- The Cotonou agreement, Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States on the one part, and the European Community and its Member States, of the other part, June 2000

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- Communication from the Commission to the Council and the European Parliament, The EU's role in Promoting Human Rights and Democratisation in Third Countries, COM(2001) 252, Brussels 8 May, 2001
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- Communication from the Commission to the Council and the European Parliament, Integrating Migration Issues in the European Union's Relations with Third Countries, COM(2002) 703, December 2002
- Communication from the Commission to the Council and the European Parliament, Education and training in the context of poverty reduction in developing countries, COM(2002) 116, March 2002
- Communication from the Commission to the Council and the European Parliament, Health and poverty reduction in developing countries, COM(2002)129 final, March 23, 2002

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- Communication from the Commission to the Council and the European Parliament, Reinvigorating EU actions on Human Rights and democratisation with Mediterranean partners, COM(2003) 294, May 2003
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- Communication from the Commission to the Council and the European Parliament, Climate change in the context of development cooperation, COM(2003) 85 final
- Communication from the Commission to the Council and the European Parliament, Annual Report 2003 from the Commission to the Council and the European Parliament on the EC development policy and the implementation of the external assistance in 2002, COM(2003) 527 final
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- Communication from the Commission to the Council and the European Parliament, The Social Dimension of Globalisation – the EU's policy contributing on extending the benefits to all, COM(2004) 383, Brussels 24 May 2004
- Commission staff working document, Second Progress report on the EC Programme for Action: Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction, SEC(2004) 1326, October 26, 2004



- Communication from the Commission to the Council and the European Parliament, Translating the Monterrey Consensus into practice: the contribution by the European Union, COM (2004) 150 final, March 2004
- Commission staff working document, Annual Report 2004 on EC development policy and the implementation of the external assistance, Annex to the COM (2004) 536 final, July 2004
- European Commission: Evaluation in the European Commission A Guide to the Evaluation procedures and Structures currently operational in the Commission's External cooperation Programmes, 2001
- Commission staff working paper, Community cooperation: Framework for Country Strategy Papers, SEC (2000)1049
- Commission staff working paper, The European Community's development policy: Programme of Action, SEC( 2001) 808, May 2001
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- Council of the EU, Conclusions of 26 April 2004

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- European Parliament, Draft report on the role of the European Union in the achievement of the Millennium Development Goals (2004/2252(INI), 2005
- European Parliament resolution on Education and training, June 2003

## **Country strategy papers**

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period 2003–2005, July 2003

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- European Commission, Country Strategy Paper (CSP) Afghanistan 2003–2004, February 2003
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- European Commission, Country Strategy Paper 2002–2006 Nicaragua, May 2002
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### **Regional strategy papers**

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