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Linking Policy and Practice

The Case of EU-UNICEF Cooperation on
the Rights of the Child in Third
Countries

Gosia Pearson

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ABSTRACT

This Working Paper offers detailed analysis of EU-UNICEF cooperation on the rights of the child in the European Union's external relations, in particular as regards linkages between the EU policy priorities and concrete actions to advance the protection and promotion of child rights in third countries. It addresses a number of crucial questions: how has the EU's external policy on the rights of the child developed over the past decade, what were these developments influenced by and what role did UNICEF play in these processes; what is the legal and policy framework for EU-UNICEF cooperation in foreign policy and what added-value it brings; what mechanisms are used by the EU and UNICEF to improve child rights protection in third countries and what are the motivations behind their field cooperation. The study starts by examining the development of the EU's foreign policy on the rights of the child and covers the legal basis enshrined in EU treaties, the policy framework, and the implementation instruments and then investigates the evolution of the EU's relations with the United Nations. The paper focuses on the EU's cooperation with UNICEF by looking into the legal and political framework for EU-UNICEF relations, the policy-oriented cooperation and joint implementation of projects on the ground in third countries. This section outlines the rationale behind the practical cooperation as well as the factors for success and obstacles hindering the delivery of sustainable results. Finally, the Working Paper concludes with suggestions on how EU-UNICEF cooperation could be further enhanced following recent developments, namely the 2012 EU Strategic Framework and the Action Plan on Human Rights as well as human rights country strategies.

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Dr Gosia Pearson has experience in human rights from both academia (Jagiellonian University, Oxford University) and as a policy-maker and practitioner (European Commission, European External Action Service). All views expressed in this Working Paper are solely of the author and may not necessarily reflect the views of EU institutions and services.

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Abbreviations

ECOSOC	Economic and Social Council of the United Nations
CFSP	Common Foreign and Security Policy
CRC	UN Convention on the Rights of the Child
CSDP	Common Security and Defence Policy
CSP	Country Strategy Paper
EEAS	European External Action Service
EIDHR	European Instrument on Democracy and Human Rights
EU	European Union
FAFA	Financial and Administrative Framework Agreement
FAO	Food and Agriculture Organisation of the United Nations
GRULAC	Latin American and Caribbean Group
GSP	Generalised System of Preferences
GSP+	Generalised System of Preferences Plus
HR CFSP	High Representative for the Common Foreign and Security Policy
ILO	International Labour Organisation
UN SGSR CAAC	UN Special Representative on Children in Armed Conflicts
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNGA	United Nations General Assembly
UNHRC	UN High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WFP	World Food Programme
WHO	World Health Organisation

1 Introduction

One of the aims of the European Union's (EU) human rights policy is to defend children's rights by working closely with partner countries, international organisations and civil society to advance the implementation of the United Nations (UN) Convention on the Rights of the Child (CRC). The United Nations Children's Fund (UNICEF) has been one of the closest EU allies in the pursuit of this policy approach over the past years, as reflected in discussions at Brussels level and practical cooperation through concrete projects around the globe. The 2010 special edition of the UNICEF report "The State of the World's Children", which marked the 20th anniversary of the Convention, quoted three European Commissioners and the EU High Representative for the Common Foreign and Security Policy (HR CFSP), who confirmed the EU's commitment to enhance the application of the Convention and to closely cooperate with UNICEF in this regard (UNICEF, 2010a).

This Working Paper aims to explore the extent to which EU-UNICEF cooperation has developed over the past years. It is an attempt to provide a comprehensive and systematised overview of EU-UNICEF relations, in particular as regards linking policy goals with concrete projects to advance children's rights in third countries. It raises a number of critical questions: how has the EU's external policy on the rights of the child developed over the past decade? What were these developments influenced by and what role did UNICEF play in these processes? What is the legal and policy framework for EU-UNICEF cooperation in foreign policy and what added-value it brings? What mechanisms are used by the EU and UNICEF to advance child rights in third countries and what are the motivations behind their field-level cooperation? What are the factors determining and hindering the delivery of sustainable results of such cooperation?

To place the topic in a broader context, the study offers analysis of the EU's external policy on the rights of the child and covers the legal bases enshrined in EU treaties, the policy framework and the implementation instruments, and then examines an evolution of the EU's relations with the UN looking in particular into the factors that contributed to the development of this cooperation. The paper then focuses on the EU-UNICEF practical actions on the ground in third countries based on the EU's policy framework. Finally, the paper concludes with suggestions on how EU-UNICEF cooperation could be further enhanced.

The study covers the period 2007-2013, during which the EU's external policy on the rights of the child significantly expanded and which corresponds to the current EU financial perspective that included instruments providing funds for cooperation with UNICEF. At the same time, to contextualise the topic, the paper provides brief analysis of the situation prior to 2007. To offer focused analysis, the study covers the EU's child rights policy falling under the CFSP and development policy, and leaves outside of its scope the humanitarian policy while fully acknowledging EU-UNICEF close cooperation in this field. The paper does not contain analysis of the rights of the child inside the EU.

Data collection employed for this paper rests on a review of primary documents, such as EU treaties, European Commission Communications, European Commission programming documents and CFSP documents. Data supporting the empirical part of the research has been collected through press releases, public statements, and reports of the EU and UNICEF as well as interviews with EU officials. Additionally, academic literature on EU-UN relations and the EU's human rights policy has been reviewed for the purpose of the study.

2 EU external relations and the rights of the child – a fully fledged policy

2.1 Legal provisions

The EU legal framework for the protection of child rights developed due to several factors: economic considerations related to the functioning of the internal market, social integration and the expansion of the fundamental rights agenda (Stalford H., 2012). Until the late 1990s, the EU addressed child rights mainly through internal policies. The expansion of the social agenda, that gained the momentum when the European Social Charter was adopted in 1989, led to increased awareness of the need to ensure that child rights were not negatively affected by the competition in the single market. Consequently, a number of Community laws and policies impacting directly or indirectly on children were adopted, among them: the Directive on toys and playgrounds safety, the Directive on harmful media and the young workers Directive. During that time, the European Community had very limited competences as regards child rights. It was allowed to take actions only when dealing with children as part of a family on issues such as childcare and reconciliation of work and family. It should also be noted that until the early 1990s, there were no treaty provisions on human rights. They were mentioned in the Single European Act in the mid-1980s but only in the Preamble to express the Community's commitment to promote and protect human rights.

The Treaty of Maastricht introduced in the mid-1990s provisions in the pursuit of a human rights policy in both the internal and external spheres, however, with no specific reference to child rights. The situation changed with the landmark Dutroux case in 1996 in Belgium, which gained worldwide attention, highlighting for the first time at the EU level the need to protect children from being victims of criminal offences. The case initiated public discussion in Europe on sexual abuse, exploitation and violence against children (European Commission, 2006). A number of initiatives subsequently followed, including a resolution of the European Parliament on measures to protect children (European Parliament, 1996) and the European Commission programme "Daphne" aimed to prevent and fight all forms of violence occurring in the public or the private domain, including sexual exploitation and trafficking of children (European Commission, 2012).

As a result of these initiatives, the Treaty of Amsterdam included for the first time references to child rights in relation to selected policy areas. Article 29 of the Treaty on the European Union on police and judicial cooperation in criminal matters introduced intergovernmental cooperation to combat offences against children. The Treaty on the European Community in article

13 extended the principle of non-discrimination to cover additional equality grounds, including based on age, and article 137 provided a basis for combating social exclusion with the subsequent fight against child poverty established as one of the key priorities of EU actions. As a result, the EU treaty law offered legal foundations for tackling offences against children in the EU internally, on a case-by-case basis and via intergovernmental cooperation.

From the mid-1990s a number of factors occurred that pushed child rights more visibly on the EU agenda. The demographic change initiated a debate on falling birth rates, a declining workforce and the increasing needs of an aging population; within the enlargement process, the EU assessed child rights protection in candidate countries; increasing globalisation prompted a discussion on cross-border challenges linked to child trafficking, sex tourism, child abduction, migrant and unaccompanied children. A number of responses followed at the EU level, including the establishment of an informal intergovernmental group on children's rights consisting of experts from Member States meeting twice a year; the European Commission published a Communication proposing to develop a comprehensive EU strategy to promote and protect child rights internally and externally; the biannual European Children Forum was created to bring all relevant stakeholders to discuss thematic issues related to child rights; the Fundamental Rights Agency included children's rights among priority areas of their monitoring and reporting work (Ruxton S., 2009).

Following these developments, the Lisbon Treaty was a milestone in providing the legal basis for the EU's policy on child rights confirming and further strengthening its commitments in this field. It introduced in article 3 of the Treaty on the European Union the protection of children's rights among the EU's objectives of its internal and external actions:

“The Union [...] shall promote [...] protection of the rights of the child. In its relations with the wider world, the Union shall contribute to [...] eradication of poverty and the protection of human rights, in particular the rights of the child [...]”.

While this change did not create any new competences for the EU, it provided a basis to implement effective measures to ensure that children's rights are taken into account and mainstreamed in all relevant policy areas. As regards external relations, article 3 also obliged the EU to strictly observe and develop the international law, which includes the UN Convention on the Rights of the Child. In this context, it should be mentioned that the Lisbon Treaty included in article 216 of the Treaty on the Functioning of the EU a possibility to conclude international treaties, which could open a way for the EU to accede to the UN Convention on the Rights of the Child in the same

way the EU signed the UN Convention on Persons with Disabilities. However, the UN Convention on the Rights of the Child allows only states, and not international organisations, to become a party to the treaty making it legally difficult, if not impossible, for the EU to join the Convention. Nevertheless, the Convention became an important reference document within official EU policy documents (Stalford H., Drywood E., 2011).

There are also a number of other articles of the Treaty on the Functioning of the EU of the Lisbon Treaty that placed special importance on child rights, however, mainly as regards EU internal policies. For example article 79 on family reunification and combating trafficking in children, and article 83 on judicial cooperation in criminal matters that covers sexual exploitation of children. Furthermore, the Declaration on combating domestic violence attached to the Treaty covers violence against children, and although not legally binding, expresses commitment to combat all forms of domestic violence, prevent and punish these criminal acts as well as support and protect the victims.

The Lisbon Treaty also gave a binding force to the Fundamental Rights Charter, lifting its status to primary EU law. It contains a comprehensive catalogue of human rights of all categories, including new generation rights, referred to on many occasions by the European Court of Justice (Douglas-Scott S., 2011). Article 24 of the Charter is dedicated to children's rights. While it does not specifically mention the UN Convention on the Rights of the Child, it incorporates its main principles, including the best interest of the child and child participation. Furthermore, article 32 of the Charter prohibits child labour (Stalford H., Drywood E., 2009). The Charter applies to actions by all EU institutions and bodies. It concerns in particular the legislative work of the European Parliament, the Council and the Commission, which must be in full conformity with the Charter in order to comply with the requirements of EU law. The Charter also applies to the external action of the EU. The Charter applies to Member States only when they are implementing EU law. It does not apply in situations where EU law is not involved and it does not extend the powers of the Union as defined in the Treaties (European Commission, 2011). The extent to which the Charter will be applied as regards external relations is still to be determined by practice (Wouters J., 2001).

Finally, the Lisbon Treaty allows for better integration of child rights into the decision-making and implementation processes as well as offers new tools to develop policy, budgetary and research responses (Stalford H., Schuurman M., 2011).

2.2. Policy framework

While the legal reference to child rights in the EU's external actions occurred only in the Lisbon Treaty, the EU's external policy on the rights of the child has developed rapidly over the past decade supporting an integrated approach to advance children's rights.

In the context of the CFSP, out of the seven EU Human Rights Guidelines, two deal with children's rights. The EU Guidelines on the Rights of the Child, adopted in 2007, aim to promote the rights of the child worldwide, in particular by advancing the implementation of the UN Convention on the Rights of the Child and its two Optional Protocols and by ensuring that the rights of the child are taken into account in all EU policies and actions, including the EU's political contacts with third countries. The adoption of the Guidelines was one of the priorities of the German Presidency to respond to challenges facing child rights and to follow-up on international developments, such as the UN General Assembly's (UNGA) Special Session on Children, the monitoring work of the Committee on the Rights of the Child showing that the Convention was insufficiently implemented, and the UN study on violence against children (German Federal Foreign Office, 2012). The objective of the Guidelines is to encourage third countries to fulfil their legal obligations, raise awareness to promote better understanding of the principles and provisions of the UN Convention on the Rights of the Child; complement ongoing EU efforts in multilateral fora and in its relations with third countries; and to improve coherence between activities undertaken by Member States as well as in the EU's external action on children's rights. The Implementation Strategy attached to the Guidelines provides for general actions to be taken in order to achieve their purpose. These actions are in full conformity with the UN general implementation measures, enshrined in the UN Convention on the Rights of the Child, namely legislative reform, independent institutions, monitoring/coordination mechanisms and child-friendly budgeting. The Guidelines envisage that the monitoring of the progress in the implementation of the Guidelines will take place in close cooperation with UN bodies and civil society. In the first phase of the implementation of the Guidelines, the EU concentrated on violence against children. The implementation of the Guidelines started with a pilot programme on combating violence against children, with a special focus on ten countries from different continents (Armenia, Russian Federation, India, Brazil, Jordan, Morocco, Kenya, Ghana, Barbados and Iran) to underline the global character of the problem. They were chosen among states where governments undertook efforts to combat violence against children, but would require further international assistance to progress on their efforts. To focus on specific needs of every pilot country, each of them had an individual country implementation strategy (Council of the European Union, 2007). In

2012, the EU started a review of the Guidelines and the process is due to be completed in 2013 (Council of the European Union, 2013).

The second set of guidelines, the EU Guidelines on Children in Armed Conflicts, developed in 2003 and updated in 2008, on the initiatives of the Greek and Slovenian Presidencies respectively, commit the EU to address the short, medium and long term impact of armed conflict on children in an effective and comprehensive manner, making use of the variety of tools at its disposal, and building on past and on-going activities (Council of the European Union, 2008a). The Guidelines are complemented by an Implementation Strategy adopted in 2008 and revised in 2010 under the lead of the Belgian Presidency. The Implementation Strategy assigns concrete actions (e.g. in the area of monitoring and reporting, awareness-raising, cooperation with other stakeholders) to concrete EU actors (EU Delegations, European External Action Service (EEAS), European Commission, Member States) to provide for sustainable and tangible results. The EU gives particular attention to 18 priority countries (Afghanistan, Burundi, Chad, Colombia, Côte d'Ivoire, Democratic Republic of Congo, Haiti, Iraq, Lebanon, Myanmar, Nepal, OPT/Israel, Philippines, Somalia, Sri Lanka, Sudan and Uganda), the list of which is coherent with the priority countries of the UN Special Representative on Children in Armed Conflicts (UN SGSR CAAC) (Council of the European Union, 2010a). To complement activities implemented under the Guidelines, in 2008 the EU issued a study "Enhancing the EU response to children affected by armed conflict, with particular reference to development policy" and developed the Checklist for the Integration of the Protection of Children Affected by Armed Conflict into CSDP Operations. To implement its policy in this field, the EU funded numerous projects aimed at, inter alia, reintegration of children affected by armed conflicts into society, capacity building in areas affected by armed conflicts, increased access to childhood development and basic education, improved health conditions of vulnerable groups, promotion of the culture of respect for children's rights in conflict zones, rehabilitation of torture victims, reduced risk of recruitment of children and young people by armed actors, demobilisation, rehabilitation, and reintegration of child soldiers, return and resettlement of displaced people and combating impunity (European External Action Service, 2012). All these developments were also in response to numerous international developments, including the Paris Commitments and Principles of 2007, the 2009 Security Council 1882 Resolution on monitoring and reporting of grave violations of rights of children caught up in conflicts, the 2009 10-Year Strategic Review of the Machel Report on children affected by conflicts, reports of the UN Secretary General's Special Representative for Children and Armed Conflicts, and the work of the International Criminal Court.

Also, the European Commission was active in developing its child rights policy by adopting a set of communications dealing with child rights, including in external relations, over the past years. The European Commission Communication “A Special Place for Children in EU External Action” and its Action Plan, both of 2008, identify the policy framework, the priority areas at country, regional and global levels, the programming tools and the guiding principles of the European Commission’s actions during the period of 2007-2013 to progress on the UN Convention on the Rights of the Child objectives by using the different instruments available to it in its external relations. The Communication was adopted to structure and systematise the Commission’s actions on child rights in all relevant areas of its external relations. It divides the proposed EU response into six priority areas: development cooperation, trade policy, political dialogue; regional and global actions, empowerment of children and adolescents, humanitarian aid (particularly separated and unaccompanied children, children associated with armed forces or armed groups and children’s education in emergencies) (European Commission, 2008). Another European Commission Communication, “An EU Agenda for the Rights of the Child”, adopted in 2011, aims at “reinforcing the rights of the child by putting the principles of the EU Charter of Fundamental Rights into practice”. The agenda listed 11 actions that the Commission would take over the next years to protect children’s rights, including promoting child-friendly justice, better informing children about their rights, combating violence against children, among others. This is the first document, which seeks to integrate the internal and external aspects of the EU’s policy on child rights (European Commission, 2011b). Finally, the 2011 Communication “Human Rights and Democracy at the Heart of EU External Action” selected the rights of the child as one of three priorities based on the existing policy framework until 2014 (European Commission and External Action Service, 2011).

In addition, EU Member States also took up the rights of the child in the Council of the EU Conclusions in the recent years. In 2008, the Conclusions on the promotion and protection of the rights of the child in the EU’s external action, with a special focus on the development and humanitarian dimensions, dealt with the child rights aspects of poverty eradication and the achievement of the Millennium Development Goals, the need to improve mainstreaming of child rights into humanitarian actions, address the needs of the most vulnerable children in crisis and link relief, rehabilitation and development efforts (Council of the European Union, 2008b). In 2010, the conclusions on child labour proposed a comprehensive approach through a number of policy areas, namely political dialogue, development cooperation, corporate social responsibility, trade incentives and actions at multilateral fora. Cooperation with international organisations and civil society constitutes an integral part of this policy approach (Council of the European

Union, 2010b). The existing policy framework comprehensively guides EU actions to promote and protect children's rights in third countries.

2.3. Implementation instruments

The EU adopted a comprehensive approach to implement the policy framework defined in the above documents by linking various instruments, notably development cooperation, political dialogue, actions at multilateral fora and trade incentives.

EU development assistance addresses child rights primarily through its focus on poverty eradication, but also through programmes that specifically target sectors such as education, nutrition, health, food security, water and sanitation, trafficking and child labour. During the current 2007-2013 financial perspective, the EU's development action in this field is financed through three types of instruments. Firstly, the implementation at national and regional levels is conducted under geographical instruments, namely the European Development Fund (in the African, Caribbean and Pacific countries), the Development Cooperation Instrument (in Latin America, Asia and South Africa), and the European Neighbourhood and Partnership Instrument (in the neighbouring regions). Secondly, the thematic programme "Investing in People" funds projects on protection and participation of children and youth worth €90 million. Thirdly, the European Instrument for Democracy and Human Rights (EIDHR) provides €11 million for projects implemented by civil society and international organisations, including for the implementation of the EU Guidelines dealing with child rights as well as thematic issues relevant for third countries (European Commission, 2012b). In addition, in 2012 a special funding campaign was launched for children affected by armed conflicts following the Nobel Prize award to the EU. The EU matched the money received from the award with €2 million to support humanitarian projects in the field of education in emergency situations (Council of the European Union, 2013).

The EU seeks to raise human rights issues, including child rights, in all appropriate political dialogue meetings with third countries, and mainly during the human rights dialogues and consultations established with some forty countries worldwide (Council of the European Union, 2008c). Child rights are discussed in most human rights dialogues, however, the extent to which human rights dialogues can contribute to enhancing children's rights depends upon the degree of commitment shown by the partner country. Issues addressed during human rights dialogues include: the ratification of international conventions on child rights, notably the Convention on the Rights of the Child and its Optional Protocols, or lifting reservations to such conventions; adoption or revision of national laws to ensure protection of

child rights; development of independent national institutions to protect child rights; the application of international standards in practice and exchange of good practices; and possibilities for technical assistance in this field (European Commission, 2010). Apart from the political dialogue, the EU can pass on its concerns by issuing a demarche. They are normally delivered on relevant topics and developments with an impact on child rights; and in practice mostly refer to issues related to children in armed conflicts.

The EU is also very active on multilateral fora concerning child rights. The EU together with Latin American countries (GRULAC) is an author of the annual UN resolution on the rights of the child both at the UN General Assembly and the Human Rights Council. At the UNGA, the EU and GRULAC propose an omnibus resolution covering a broad scope of child rights issues and highlighting the interconnectedness of the different rights of children. At the Human Rights Council, a thematic resolution is proposed covering each time a selected theme, most recently on the highest standard of health for children in 2013. The EU regularly presents statements at international fora as regards child rights, e.g. in support of the UN Special Representative on violence against children and the UN Special Representative on children in armed conflicts (European Union, 2010). It also organises side events, such as an event on implementing child rights in early childhood at the UNGA in New York in 2010 or an event on a holistic approach for the protection and promotion of the rights of children working and/or living on the street organised at the margins of the Human Rights Council in Geneva in 2011 (OHCHR 2011).

For some child rights, for example the prohibition of child labour, the EU also uses its trade policy instruments. The main instrument for this is the Generalised System of Preferences (GSP) and in particular the special incentive arrangement for sustainable development and good governance (GSP+). The latter has helped speed up the ratification of ILO core human rights conventions in a number of partner countries. Under certain conditions GSP preferences can be withdrawn because of serious and systematic violations of principles laid down in UN Conventions, including the CRC (European Commission, 2012c).

The EU takes the position that these instruments need to be accompanied by awareness-raising and cooperation with other stakeholders. Addressing child rights needs to be done through a comprehensive policy approach involving all stakeholders: governments, UNICEF and the NGO community.

3 Cooperation between the European Union and the United Nations - a long-standing partnership

EU-UNICEF cooperation can represent broader EU-UN relations. Firstly, the EU UNICEF and EU's partnerships with UN agencies have been based on the same fundamental values, notably the maintenance of international peace and security, the promotion of international cooperation, and the promotion and consolidation of the respect of human rights and fundamental freedoms for all people. The EU's approach to cooperation with the UN has been framed within the concept of multilateralism as a basic principle and a strategic objective of the EU's foreign policy. This approach was reflected already in the 2001 European Commission Communication "European Union and United Nations: the choice of multilateralism", which underlined the EU's commitment to multilateral cooperation and the UN as the key component of the multilateral system. Regarding human rights, the Communication emphasised the need to increase the EU's support for efforts to promote human rights in third countries. In this respect, the Commission envisaged a greater use of its bilateral instruments to that end, drawing on the human rights priorities identified in the Country Strategy Papers (CSP), which are the EU's main documents programming assistance to third countries, and combined with the use of the European Initiative for Democracy and Human Rights (European Commission, 2003a).

Secondly, the EU's cooperation with UNICEF and with other UN agencies has a long history that led to increasing EU financial contributions to the UN as well as the establishment of legal basis for EU-UN cooperation. These relations were initiated in the form of agreements on practical cooperation concluded in 1953 and 1958 between the EU and UN specialised agencies, usually as an exchange of letters. Based on these arrangements, the European Commission officials could take part, as observers, in the work of the partner organisation and discuss the various aspects of the Communities' policy concerning social and economic matters (European Economic Community, 1961). The first practical agreement was concluded in 1953 between the European Coal and Steel Community and the International Labour Organisation (Brückner S., 1990). Since 1958, the European Economic Community signed a number of agreements, including with ECOSOC, the UN Economic Commission for Asia and the Far East and the UN Economic Commission for Latin America and the Caribbean Food and Agriculture Organisation (European Economic Community, 1959), and the Conference on Trade and Development (European Economic Community, 1965). These arrangements continued to be the main form of cooperation in the following three decades with the cooperation focused on economic and social matters.

The EU-UN relations entered a new phase in the early 1990s due to a significant development of the EU's foreign policy, which allowed for a strengthening of the existing cooperation and extending it to new areas. The Maastricht Treaty listed among EU foreign policy objectives to preserve peace and strengthen international security, as well as develop and consolidate democracy and the rule of law, respect for human rights and fundamental freedoms. It also included several provisions on cooperation between the EU and international organisations as regards development cooperation, education, public health, research and technology and environment. Even though in 1993 only 1.7% of EU assistance was channelled through multilateral organisations, the EU quickly doubled this amount in the following year and simultaneously became involved in numerous UN initiatives, for example it acted as a mediator during the Balkan conflict, established its own administration under the auspices of the UN Protection Force in Bosnia, and participated in an UN-led humanitarian relief operation in Rwanda (Crawford G., 2001). During the next year, the EU significantly increased its financial and personnel contributions to programmes and projects run by UN agencies, and as a result, wished to ensure its visibility and control over how the UN spent its funds. Consequently, a detailed financial and administrative agreement was signed between the EU and the UN (European Council, 2004). In December 1994, the EU and the UN signed the Financial and Administrative Framework Agreement (FAFA) between the European Community, and the UN, entering into force in January 1995. The agreement contained numerous clauses that were to be included in future conventions and financial agreements concerning projects and activities administered by the UN, and financed or co-financed by the EU. This agreement referred only to financial, technical and operational matters and did not contain any provisions on common goals, areas and methods of cooperation (European Commission, 1995).

The EU progressively developed its relations with the UN throughout the 1990s. In 1995, the EU contributed almost €700 million to the UN budget and participated in UN human rights field operations in Burundi and Rwanda (Dwan R., 2002). The following year, the personnel provided by the EU constituted the majority of all employees of the EU-UN operations and the EU contributed 37% of the UN budget for peacekeeping operations (European Union, 1996). EU-UN cooperation intensified in 1997 when the EU funded over a half of all UN humanitarian and development aid, provided approximately 40% of the financial aid for the reconstruction of Bosnia and Herzegovina and 60% of all international aid to Russia and former Soviet republics, and contributed one third of all international aid to the stabilisation process in the Middle East (European Union, 1997). The EU's financial and personnel contributions to a wide range of UN operations involved dealing with large contracts and financing arrangements. The EU noticed that, despite an increased EU participation in UN initiatives on human

rights, the EU's visibility was low and it had difficulties in controlling the spending of its funds by the UN (Smith K. E., 2002).

After two years of negotiations, a new Agreement between the UN and the European Community on the Principles Applying to the Financing or Co-Financing by the Community of Programmes and Projects Administered by the UN was approved by both parties in August 1999. The agreement provided for cooperation within joint programmes, increased contacts and improved the exchange of information. The document also contained detailed information as regards technical and operational matters (European Commission, 1999).

Since 1999, the EU increased its engagement in crisis management and peacekeeping under UN auspices, including in south-eastern Europe, the Middle East, South- and South-East Asia and Africa (European Union, 1999). At the same time, it strengthened cooperation with UN agencies on development in line with the UN "Millennium Declaration" and the European Commission Communication on Development Policy of 2000, which included commitments to promote sustainable development and combating poverty. At the same time, a discussion started to extend the cooperation from providing financial and personnel support to a more strategic policy-oriented cooperation. In 2003 EU-UN cooperation entered a new dimension when an EU operation succeeded an UN operation in Bosnia-Herzegovina to assist national authorities to put in place a professional police force. This project was soon followed by other military and civilian missions. Later that year, the EU established a military operation in the DRC in support of the UN mission in that country (Novosseloff A., 2004). In 2001-2003, the EU contribution to the UN increased to 37% of the regular budget. In addition, the EU was extensively funding the UN agencies.

The development of EU-UN relations led again to a revision of the 1999 Financial and Administrative Agreement. A new agreement was signed in April 2003, and provided numerous technical and operational provisions (European Commission, 2003b). In order to provide practical guidance for the interpretation of the relevant articles of the Financial and Administrative Framework Agreement, the "Joint Visibility Guidelines for EU-UN actions in the field" were adopted in April 2008. The execution of the FAFA is overseen by a Working Group that meets annually (United Nations and the European Commission, 2008).

Thirdly, current political EU-UNICEF engagement, as well as relations between the EU and other UN agencies, takes place at the highest level in the form of contacts between the institutions of the EU and the UN Secretary- General and Deputy Secretary-General. There are also exchanges on country-level policies aimed at regular reviews of political affairs and operations. Regular

exchange are also organised at the Brussels-level on draft documents between the Commission and UN team to mutually support policy formulation. The main trend of the development of EU-UN relations is a progressive move towards an increasing number of more detailed arrangements driven by the development of the EU's activities in the sphere of external relations and concerns over the spending of EU contributions to UN projects. These arrangements, however, mainly refer to financial cooperation when the EU funds UN-implemented projects, and consequently, the EU-UN cooperation mainly reflects donor-beneficiary relations. Even though the EU-UN partnership is progressively growing, their cooperation lacks a comprehensive agreement that would in a coherent and detailed manner define aims, priorities, guidelines for joint actions, areas of cooperation and prospects (Gorska M., 2007).

4 Policy basis for EU-UNICEF cooperation – political will and more?

The EU's child rights policy is based on the UN Convention on the Rights of the Child and its two Optional Protocols taking account of the principles of non-discrimination, the best interests of the child, child participation, child survival and development. UNICEF is the only UN agency with a mandate recognised in an international human rights convention with a broad range of activities necessary to carry out the mandate. Consequently, it is a natural partner of the EU in the development and implementation of its child rights policy, and there is a clear EU commitment to cooperate with UNICEF.

This approach is reflected in the EU's policy documents in this field, namely the EU Guidelines on the Rights of the Child, the EU Guidelines on Children in Armed Conflicts, the Communication "A Special Place for Children in EU External Action" together with its Action Plan, and the Communication "An EU Agenda on the Rights of the Child", all of which show a clear political will and commitment to cooperate with UNICEF. They acknowledge the Convention on the Rights of the Child and its two Optional Protocols as a comprehensive set of legally binding international standards for the promotion and protection of children's rights, confirm the EU's commitment to respect the Convention and its key principles, and reiterate the EU's coherent approach to promote and protect child rights across all relevant EU actions based on the Convention. They also confirm the EU's support to the work of relevant international actors, including relevant UN organisations, particularly UNICEF.

This policy framework also makes a number of references to develop partnerships and intensify cooperation with UNICEF to strengthen implementation of the EU's policy recognising UNICEF as a provider of expertise. In this context, four areas received particular attention. Firstly, when selecting priority actions at the country and regional level, the EU should be guided by data and information provided, inter alia, by UNICEF. These priorities should be linked to the overall efforts carried out by UNICEF to build synergies and strengthen already existing partnerships with UN agencies on the ground. Secondly, the EU should rely on the expertise of UNICEF when responding to alarming situations, which call for immediate attention, for example the EU should consult UNICEF before issuing a demarche to react to topical and relevant developments with an impact on the promotion and protection of children's rights, particularly with the aim of reminding third countries to undertake effective measures to promote and protect children's rights. Thirdly, as regards monitoring and reporting, the EU should cooperate closely with relevant actors outside the EU, in particular UN bodies and mechanisms, such as UNICEF to review activities on the ground. Fourthly, in the area of progress assessment, the EU should

cooperate with UNICEF's annual report "The State of the World's Children" and the concluding observations of the UN Committee on Child Rights should be considered as sources for verification of the goal to progress on the protection and promotion of children's rights globally.

While there is political will and commitment to closely cooperate, there is no separate agreement signed with UNICEF that would provide a structure for such cooperation. UNICEF was included among ten UN agencies, funds and programmes for which the European Commission initially decided to establish strategic partnerships, as foreseen in the 2001 Communication on building an effective partnership with the UN in the fields of development and humanitarian affairs (European Commission, 2001). To date, the European Commission has signed eight strategic partnerships with the following UN agencies and bodies: United Nations Development Programme, World Health Organisation, International Labour Organisation, and Food and Agriculture Organisation (2004), United Nations High Commissioner for Refugees and World Food Programme (2005), UN Women (2012) and the UN Educational, Scientific and Cultural Organisation (2012). The main purpose of strategies partnerships is to promote policy dialogue, common policy approaches, and to ensure a more strategic framework for cooperation at all levels between the EU and the partner UN agencies and bodies. Strategic partnerships are signed as a "Memorandum of Understanding" and outline shared goals, scope and areas of joint actions as well as the financial framework, however, they do not have a direct link to the funding of the UN system (United Nations, 2006).

The issue of a possible EU-UNICEF strategic partnership was discussed on several occasions during bilateral meetings with a view to develop a longer-term and more strategic relationship. An idea was to establish cooperation regarding policy formulation and policy implementation going beyond the traditional development and humanitarian assistance, to cover for example security-related cooperation, stabilisation in neighbourhood regions, technical cooperation on standards and norms. The EU tended to favour a thematic approach, rather than institution-specific arrangements, on specific areas of joint interest that would be reflected in policy exchanges or practical cooperation initiatives (e.g. joint missions, methodology and training). The EU also preferred an agreement that would move away from the donor-beneficiary cooperation, reflected mainly in projects funded by the EU and implemented by UNICEF, to a more policy-oriented partnership (Interview 1, 2010).

These talks were not finalised, and in the meantime, a new idea emerged to conclude a comprehensive EU-UN cooperation agreement guiding the EU's relations with different UN agencies, programmers and bodies. In practice, however, many questions would need to be addressed before signing such

an agreement. First, on the UN side, such an agreement might require a resolution of the UN General Assembly requiring support of a substantial number of states worldwide to be passed. Second, such an agreement would need to be extremely precise when describing specific roles and tasks allowing the EU to have an influence on cooperation with the UN and in order to prevent a flexible interpretation of the agreement. Third, there would need to be political will of the various UN bodies and agencies to consent an agreement that would also serve EU interests. For example, UN agencies could share their expert knowledge with relevant services of the EU, however, at the same time they would need to give up some of their independence to share this kind of information, as UN agencies do not have their own exclusive competences enshrined in an international treaty but base their activities on UNGA mandates that can be changed. Fourth, before signing such an agreement, it would be important to undertake a study on the effectiveness and utility of the current agreements (within 15 years since the first FAFA) to use the best practices and lessons learnt for a broader political agreement. Fifth, there is also a need to establish joint EU-UN visibility guidelines that would not only refer to joint work in the field but also to wider political cooperation. Sixth, the EU would need to decide if such expanded cooperation would be linked to increased financial resources provided by the EU to UNICEF, and if yes, to indicate priority areas for such assistance and develop internal rules to ensure coherence and avoid duplication in this regard (Interview 1, 2010).

While a strategic partnership between the EU and UNICEF was not concluded, both sides agreed in 2008 to further strengthen cooperation at the country level. Relevant instructions were sent to EU Delegation and UNICEF offices to encourage cooperation with a focus on the following key actions: providing analysis of children's situation; raising specific issues related to children in the EU political dialogue with partner governments; mainstreaming children's rights in the policy and sector dialogue and country cooperation programmes; defining specific actions focusing on priority issues; monitoring the situation of children, among others on the basis of UNICEF's reports on the implementation of the Convention of the Rights of the Child and information provided by civil society. Again, the role of UNICEF was considered as a centre of expertise on children, providing analysis and responding to the situation of children and the implementation of the Convention. In practice, UNICEF was recognised as a major partner of the EU in delivering programmes for children funded by the EU (Interview 1, 2010).

5 Practical EU-UNICEF cooperation – connecting commitment and actions?

5.1. Financial support of the EU to projects implemented by UNICEF – an overview

UNICEF is among the top UN agencies in terms of financial assistance received from the EU for the implementation of projects, with an overall contribution of almost €700 million over the years 2000-2012 (European Commission, 2012d). The EU is also among the top 10 donors to UNICEF’s activities (UNICEF, 2010a). The level of the EU’s support fluctuated over the years with no clear patterns as the allocations were made depending on the needs in each particular year.

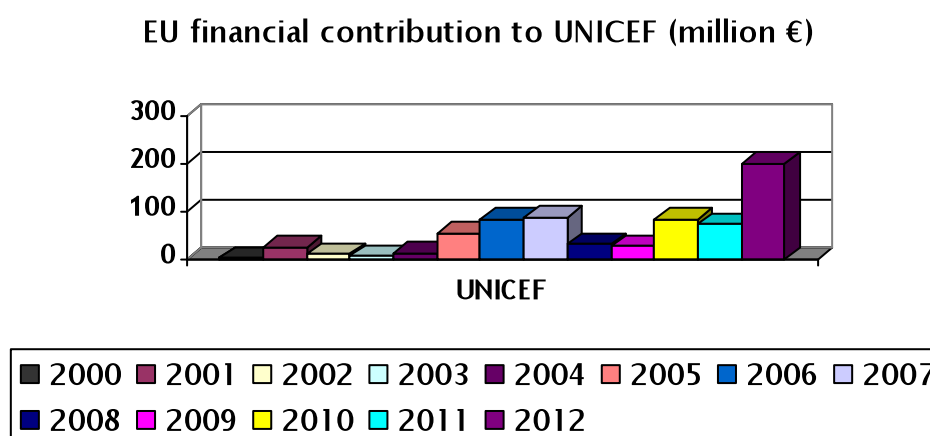


Chart 1. Source: European Commission, 2012d.

The EU-funded and UNICEF-implemented projects cover a wide range of issues. Most of the areas covered are related to the achievement of the Millennium Development Goals and poverty eradication: the right to education, access to water and sanitation, food security, health, and malnutrition. Other areas include actions in support of children affected by armed conflicts, building juvenile justice systems, support to child-friendly administrative institutions, child trafficking, birth registration, and support to empowerment of adolescents. The projects were implemented around the globe, with a majority of them put in place in Africa, over 20% in Asia, and slightly less than 10% in the European neighbourhood countries, both to the East and South. The projects were funded under various EU financial instruments, mainly geographical ones (the European Development Fund, the Development and Cooperation Instrument, the instruments in support of the European Neighbourhood Policy) and thematic instruments, in particular the European Instrument for Democracy and Human Rights (EuropeAid, 2011).

5.2. Rationale behind the selection of projects funded by EU and implemented by UNICEF

The projects funded by the EU and implemented by UNICEF in third countries can be divided into three categories. The first group covers projects with clear policy bases in Country Strategy Papers, which serve as main programming documents of EU development assistance in third countries for the years 2007-2013. For example, the CSP for Somalia identified education as one of priority areas of EU's aid in the country, and in particular to strengthen or establish the education institutional frameworks for the delivery of accessible and good quality education for all Somalis including formal and non-formal education (European Commission, 2007a). One of the projects to meet this objective is implemented by UNICEF. The project aims to build capacity of the national administration to manage the education sector at all levels that would contribute to increased participation in non-formal and formal quality education and training, with particular focus on girls and women is achieved. Activities include developing a common and unified educational policy at all levels, building proper financial management and training of administrative staff in the educational sector, providing dedicated funding to support girls' participation in primary and secondary education (UNICEF 2010d). Another example of a project supporting the overall EU development assistance objectives is a project implemented by UNICEF to improve access to quality basis education in Myanmar. The CSP for Myanmar identified education as one of the focal areas for EU development assistance, including as regards access to education (European Commission, 2007b). The project implemented by UNICEF was a multidonor initiative with the overall objective to increase participation and performance in good quality pre-school and primary education programmes, with extended learning opportunities for all children, especially in disadvantaged and hard-to-reach communities (EU Delegation to Myanmar, 2008). Also the Country Strategy Paper for Burundi identified human development, especially in the sectors of health, education, water supply and sanitation, with a focus on refugees, internally displaced people and other vulnerable groups (European Commission, 2007c). Consequently, the EU supported a UNICEF project on rehabilitation and reintegration of children affected by armed conflicts by providing them access to safe drinking water and sanitation. The activities included providing drinking water supply and sanitation in targeted communities, schools and health centres through: the rehabilitation of existing water infrastructure, the creation of new water systems and extension of existing supply networks and functional. The projects also provided training and equipment for water points committees as well as awareness-raising about hygiene in targeted communities (UNICEF, 2009a). In Pakistan, UNICEF implemented an EU project aimed at supporting the development of a comprehensive juvenile justice system in Pakistan to address and prevent juvenile delinquency while respecting the dignity and rights of children. The projects included activities to develop structures for

diversion of juveniles from the formal criminal justice system; introduce juvenile justice law and policy reform to promote higher standards of protection for children in conflict with the law; and provide rehabilitation support to children at risk of offending or reoffending (European Commission, 2009b). This followed on priorities enshrined in the Country Strategy Paper for Pakistan, which included human rights and democratisation, including access to justice for the most vulnerable groups (European Commission, 2007d).

The second group includes projects not envisaged in Country Strategy Papers but responding to particular urgent needs. The CSP for Niger does not identify food security among its focal areas, however, the EU funds a UNICEF project to support the implementation of the national strategy for nutrition in Niger as a response to 2010 to the impacts of soaring prices and thus the escalating nutrition crisis in Niger. The project aims to treat severely malnourished children, buy medical equipment to treat infection and to communicate amongst Nigerien families the essential nature of nutritional and feeding practices for children, as well as the importance of mothers' own well-being (UNICEF, 2010c). Also, the CSP for Russia did not include child rights among its priorities, however, the EU funded a UNICEF project to strengthen regional childcare planning and promote greater childcare dialogue, with particular attention to prevention of family separation, among the regions. The project built on the momentum established with a previous project that just finished (European Commission, 2007g).

The third category includes projects implemented in areas that were not included among EU priorities of development aid, and were implemented on a more ad-hoc basis. For example, in Cuba UNICEF is implementing a project to build a youth centre to facilitate social and economic inclusion of adolescents funded by the EU. While the Country Strategy Paper for Cuba mentions specifically this project among other organisations' activities, it is not included among any of the priority areas for development assistance, which include: food security, environmental issues and expert exchanges on selected topics (European Commission, 2007e). Similarly, UNICEF is implementing a project on women and children's rights in Ukraine to reform the institutions-based system of state care of children without parental care. This issue was not included in the CSP for Ukraine. However, this category of projects is the least numerous.

5.3. EU-UNICEF cooperation in the field – success stories and lessons learned

The long-standing field cooperation between the EU and UNICEF brought tangible results in many third countries and the hereunder selection sample provides illustration for it.

A project implemented in Cambodia aimed at strengthening local capacity of health care providers was instrumental in achieving a goal of increasing the proportion of women who access early antenatal care, with a significant raise from just over 5% to over 35% post-campaign. UNICEF assisted in reviewing and revising the national health policy by the National Centre for Health Promotion, which was later endorsed by the Ministry of Health and widely disseminated. At the provincial level, training was given to health care providers and health centre staff received counselling and interpersonal communication training, which proved particularly useful in changing care providers' attitudes at health centres resulting in better service delivery. Fora were established that were key in providing a platform to discuss and spread awareness about health issues at the community level (UNICEF, 2013a).

A project to establish a preventive and restorative juvenile justice in Albania contributed to preparing and passing a comprehensive legislation on juvenile justice and the draft children's code. Thanks to numerous training workshops, improvements in the understanding of child rights were observed among police, prosecutors' offices, courts and the related sections for minors, penitentiary institutions, and in the schools and communities. The project also strengthened integration of minors in conflict with law by providing vocational training and education, which prevented them from falling into conflict again with the law. Furthermore, the project contribution has been positive and influential on the overall justice related reform process towards full legal approximation with EU legislation (UNICEF, 2009b).

EU-UNICEF contribution to building child welfare reform in Azerbaijan also brought concrete results: the state programme on de-institutionalisation and alternative care has been endorsed by the President; wider discussions of child care topics have been initiated, including through media coverage; a draft guidelines in social work have been delivered; numerous members of the State Commission on Minors, managers and staff of child care institutions, and representatives of NGOs have been trained in basics of the social work methodology. Overall, the assessment concluded that the project increased the government capacities by direct involvement of different governmental and non-governmental organisations in this process and preparation of methodological ground for the transfer to the community-based child care system (UNICEF, 2013b).

In Somalia, a project on creating an institutional framework for formal and informal education is increasing the capacity of the Ministry of Education to more effectively manage, plan for and deliver formal and non-formal educational services in an equitable and efficient manner. Capacities of the Ministry increased in terms of human resources and organisational development, financial management, gender mainstreaming and quality assurance in Somaliland and Puntland. There are positive signs of the Ministry staff becoming more gender sensitive and girls' enrolment and retention rate improved through scholarships in schools and universities. A positive trend was that parents understood the value of girls' education and tried to minimise girls' household chores in creating space for learning. This has set the base for awareness of gender issue in Somalia, with particular emphasis on the barriers and constraints women and girls face in pursuing educational opportunities in rural/urban and formal/informal settings (EU Delegation to Kenya, 2009).

A project to reform the juvenile justice system in Pakistan resulted in better-trained government and enforcement officials via numerous workshops on juvenile and restorative justice. The Police Training College integrated training on child rights in their curriculum. Coordination groups, consisting of social welfare officials, prison representatives, probation officers and influential members of communities were formed to support rehabilitation activities for children. Childcare centres as well as mother and childcare centres were established in prisons offering psychological support, non-formal education, legal aid and nursery assistance. A complaint mechanism in prisons was developed allowing to address complaints of juvenile offenders to courts (UNICEF, 2006).

Nevertheless, some projects faced obstacles that prevented from achieving all envisaged results. Most of them relate to external factors in the countries of the project implementation.

Firstly, the limited capacity of national institutions (e.g. delays in approval of legislation or in establishment of relevant institutions) hindered the delivery of concrete results, for example as regard the juvenile justice system in Albania (UNICEF, 2009b).

Secondly, national-level coordination mechanism were not the most efficient due to complex structures and hierarchies, which caused inefficiencies in collaboration between different national structures, local authorities and civil society limiting the ownership and timely delivery of activities, as for example during the implementation of a child health project in Cambodia, a HIV prevention and care project in Myanmar and a project to build institutions for childcare in Ukraine (UNICEF 2013a, UNICEF 2013c, UNICEF 2010e).

Thirdly, the lack of access to certain key institutions hampered the projects causing very little or no work with the most vulnerable groups, such as centres for HIV-treated patients, migrants, sex workers, youth workplaces or children in remote areas (for example a HIV prevention and care project in Myanmar) (UNICEF 2013c).

Fourthly, security concerns linked to civil wars made implementation of some projects very challenging, for example a project against abduction of children and women in Sudan, which proved difficult to achieve reunification of children and mothers because of major travel constraints (UNICEF, 2013d).

Fifthly, the absence of a long-term approach and of willingness to build on the project results by governments, as reflected in poor investment in human resources and low remuneration, questioned the sustainability of project. As a result, beneficiaries were not in a position to afford paying for services themselves and further donor support was required, for instance as a follow-up to a child health project in Cambodia, a juvenile justice project in Albania, a HIV prevention and care project in Myanmar, a project against abduction of children and women in Sudan.

Some barriers also referred to the management of projects. A project experienced many rotations of project directors creating a challenge of institutional knowledge for effective coordination and sustainability of the project. Another one experienced high staff turnovers at all levels. Yet

another one saw limited training results due to poor definition of the participants' selection criteria and lack of practical application of the skills acquired during the training.

5.4. Policy-oriented cooperation

UNICEF regularly contributes to the development of EU policy on child rights by providing contributions to the EU Guidelines, Communications and Council conclusions dealing with the topic. It also occasionally offers input in advance of EU human rights dialogues with third countries when child rights are on the agenda.

As a specific recognition of UNICEF's expertise on child rights, the EU decided at the end of 2007 to contract UNICEF to develop "A Comprehensive Toolkit to Address Children's Rights in Development Cooperation and Government Planning". The Toolkit will include training activities in 10 regions around the world and the elaboration of a series of practical tools that can be used by the EU, other international organisations, donor and partner governments as well as other institutions involved in the protection and the promotion of children's rights. Regarding the latter, it will comprise a variety of materials with the aim of providing both a reference resource on child rights as well as practical tools and approaches to guide policy and programming work such as resource handbooks, guidance on including child rights in political dialogues, child rights in development policy, poverty reduction strategies and the programming process, child rights impact assessment and child rights indicators, child-friendly budgeting, legislative reform, child participation and work with civil society. The EU is contributing €4 million (80%) to develop the Toolkit (the UN is contributing the remaining 20% - €1 million). The funds come from the "Children and Youth" part of the "Investing in People" component of the "Development Co-operation Instrument (European Commission, 2007f).

The EU and UNICEF also cooperate on awareness-raising activities. For example, at the occasion of the 20th anniversary of the UN Convention on the Rights of the Child in 2009, the EU and UNICEF organised jointly a global campaign to promote the principles and standards enshrined thereby. Several events and actions to highlight this important event were undertaken throughout the year, including a school project "Human Rights - Children's Rights Education", a conference on child rights, input of former Commission Vice-President Barrot, former Commissioners Ferrero-Waldner and Michel, and former HR CFSP Javier Solana to UNICEF's "The State of the World's Children", European Forum on the Rights of the Child, and the EU-NGO Human Rights Forum on Violence against Children. In the week of the anniversary, the EU together with UNICEF and the UN Regional Information Centre (UNRIC) prepared a series of activities in Brussels to celebrate the anniversary, including a photo exhibition, a cinema screening, a day event on

children's rights and wide publicity. In addition, the EU organised a global campaign involving its Delegations in third countries to mark the anniversary by organising a local event and ensuring adequate visibility. Around 60 EU Delegations organised numerous activities to celebrate the anniversary. Some examples include: high-level conferences with the President of State in FYROM, the First Lady in Albania, Ministers in Indonesia, Child Ombudsmen in Kazakhstan and Turkey; numerous conferences with specialised NGOs and panel debates open to wide public for example in Yemen and Georgia; events with extensive child participation, e.g. thematic workshops with the youth (Gaza/OPT, Georgia, Haiti, Kazakhstan), essay competitions for children (Albania, FYROM), performances of children's bands and children's theatres (Albania, DRC), youth film festivals (FYROM), children's fair (Georgia, Guinea Bissau, Honduras); training on children's rights in Georgia (and Philippines); wide media publicity, including participation in TV programmes (Benin, Georgia, Guinea Bissau) and radio talk-shows (Georgia), production and distribution of TV spots (Albania, Philippines, Zambia), newspaper coverage (Barbados, Moldova). In these endowers, the majority of Delegations cooperated closely with the local office of UNICEF. Some examples of joint activities include: the signing of the "International Declaration of UNICEF and the EU in Afghanistan" and events to present the UNICEF's "State of the World's Children Report" in Barbados, Indonesia, Geneva; a series of activities in China, Georgia, Haiti, Honduras, Kazakhstan, Kosovo, FYROM, Moldova, Philippines and Zambia (European External Action Service, 2009).

The EU and UNICEF prepare and provide training on various aspects of children's rights for EU staff. The training is designed and provided by experts from UNICEF and Save the Children. Six training sessions took place so far. This 2-day course provides an introduction to children's rights with a specific focus on how EC Delegations and EU Member State missions can build attention children's rights into their work. The programme of the training evolved and covers: the policy EU framework for the protection of children's rights in external relations; the EU programming on child rights and child rights based approach to programming; child protection and child protection systems; child protection in development and fragile state contexts, child protection in crises (natural disasters and armed conflicts).

6 Conclusions and prospects

The EU's external policy on the rights of the child has developed rapidly over the past decade providing for strong treaty provisions, a clear policy framework and a variety of implementation instruments. Given the EU's tradition of close links with UN agencies, UNICEF became a natural partner of the EU in advancing its child rights policy. This paper has demonstrated that there is a clear commitment on the EU's side to work closely with UNICEF, which was specifically expressed in policy documents guiding EU actions in this field: namely, the EU Guidelines on the Rights of the Child, the EU Guidelines on Children in Armed Conflicts, the Communication "A Special Place for Children in EU External Action" and the Communication "An EU Agenda for the Rights of the Child", all of which recognise UNICEF's expert role and the need to ensure close cooperation. This paper has shown that there is active practical EU-UNICEF cooperation in third countries, which mainly takes place in the form of projects that are jointly developed by the EU and UNICEF, and subsequently implemented by UNICEF with funds coming from the EU. These projects are in most cases linked to EU policy and development objectives in third countries, as envisaged by EU programming documents, and focus on issues such as education, water and sanitation, food security and health nutrition. Other projects that were not envisaged among priorities responded to urgent needs as requests to unforeseen developments.

At the same time, a more policy-oriented cooperation both at the Brussels-level and in third countries has developed over the past years. It could, however, be further enhanced to respond to child rights challenges in a more strategic manner. This could involve signing a Memorandum of Understanding confirming the cooperation so far and establishing clear priorities for future actions. Another possibility would be to set up a EU-UNICEF rolling agenda with concrete objectives to be achieved each year in a selected number of priority areas. These goals could then be strategically linked to funds provided by the EU to UNICEF to implement projects in the field. At the same time, the aim of cooperation should also include policy-oriented initiatives; for example, UNICEF could systematically provide input to EU Human Rights Dialogues with third countries whenever child rights are on the agenda, as well as cooperate closely with EU Delegations to exchange information on child-related issues.

The EU is interested in a long-term thematic cooperation around specific issues of common interest that would involve different EEAS and Commission services, and on the UN side with one agency in the lead (inter-agency approach) with the aim of a more policy-oriented dialogue.

The 2012 Communication “EU Strategic Framework and Action Plan on Human Rights and Democracy” and its Action Plan, which identified child rights among EU priorities for the next three years, could serve as an impetus to regularise and systematise EU-UNICEF cooperation. Action 19 is devoted to the protection and promotion of child rights. It envisages a targeted campaign on the rights of the child with a specific focus on violence against children; implementing the Revised Implementation Strategy of the EU Guidelines on Children and Armed Conflict, and in particular continuing to support the work of the UN SGSR CAAC and UNICEF; ensuring EU input to the World Conference against Child Labour and promoting the establishment of up-to-date hazardous work lists. Furthermore, child rights are mainstreamed in other actions relating to conflict prevention and crisis management, social and employment policies and gender-based violence (Council of the European Union, 2012).

Additionally, the EU human rights country strategies developed for all third countries as of 2011/2012 could serve as a basis for more focused and structured EU-UNICEF cooperation on the ground, especially that most of them identified child rights among the priority areas for the years to come.

Taking advantage of the Strategic Framework and the human rights country strategies, the EU-UNICEF cooperation could cover situational analysis, monitoring and reporting, where UNICEF could share its situational analysis on children in the country, including the sources of relevant data and information. This information could be linked to the on-going monitoring of the situation of children in the country as EU Delegations have the obligation to regularly report on human rights and children’s rights. UNICEF could also help identify key issues for children in the country and region that the EU Delegation can support through the modalities they have available to them – political dialogue, sector policy dialogue, development and humanitarian programming for children. This could provide a framework for discussion on programming or other joint country or regional initiatives that could be promoted between the EU and UNICEF. EU Delegations could also be assisted by UNICEF’s offices in reflecting on and addressing how positive impacts for children could be enhanced in their current suite of programming actions to deliver better results for children and how possible negative impacts could be mitigated or eliminated. Where the EU is supporting governments with general or sector budget support, start (or continue) a discussion with the Delegation and government partners on budgeting for children could take place drawing on UNICEF’s increasingly extensive work in this area.

UNICEF is an expert organisation with extensive field presence and good working relations with EU institutions and Member States. This cooperation will undoubtedly continue and could be further enhanced through upcoming EU initiatives, including the implementation of the 2011 Communication on

human rights in EU external action, which listed child rights as one of three focus areas, as well in the process of this year's revision of the EU Guidelines on the Rights of the Child. Furthermore, this cooperation could be strengthened on the ground in third countries, especially where the EU selected child rights among priorities under the local human rights country strategies that were developed since 2011 for almost 160 countries worldwide.

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