

The Rt Hon Margaret Beckett MP
Secretary of State
Foreign and Commonwealth Office
King Charles Street
London
SW1A 2AH

Cc: The Rt Hon Geoffrey Hoon MP
Europe Minister

13 June 2006

Dear Ms Beckett,

Re: 15/16 June European Council – Children’s Rights in the EU Treaties

The EU’s latest Annual Report on Human Rights, presented by the UK Presidency in 2005, highlights the significance of the draft Constitutional Treaty for reinforcing the protection and promotion of children’s rights within and outside the EU. The report makes particular reference to “*Article I-3 which includes the protection of children’s rights in the internal and external objectives of the Union for the first time*”.

The NSPCC and Save the Children, as part of the European Children’s Network, have been campaigning for the inclusion of children’s rights in the EU Treaties since 1995. The legal status of the child in the TEU is extremely unclear, and the EU’s 95 million youngest citizens are not recognised by the TEU as holders of human rights. Although the EU passes legislation with direct and indirect bearing on children, the EU still has no formal obligation to respect the UNCRC.

In practice children are only considered in an ad hoc manner in EU legislation. In law children are usually seen as “victims”, “dependents”, or “barriers to work” which is in contradiction to their status in the UN Convention on the Rights of the Child (UNCRC).

The broad consensus achieved in favour of the inclusion of children’s rights in the draft Constitutional Treaty demonstrates the importance attached in Europe to protecting children and ensuring they have access to the rights they are entitled to.

It also shows that whatever solution is chosen to the current impasse on the draft Treaty, maintaining the references to children’s rights is a realistic and politically desirable goal. This includes in particular the wording in Article I-3, and the incorporation of the Charter of Fundamental Rights into the Treaties.

NSPCC and Save the Children therefore call on you to ensure that the European Council conclusions of 15-16 June 2006 explicitly mention children’s rights as a priority issue that must be included in any future EU Treaty. The UK Government can help to ensure that the European Union works in the interests of its children. We urge you to seize this opportunity during coming weeks and beyond.

Please find attached for your information an analysis of the draft Constitutional Treaty from a children's rights perspective. If you would like any further information please do not hesitate to contact us.

Yours sincerely,

Mary Marsh
Chief Executive, NSPCC

Colette Marshall
UK Regional Director, Save the Children