Brussels, 14 April 2008

To the Representatives of the General Affairs and External Relations Council (GAERC),

As a wide range of European civil society organizations working in the field of children, HIV/AIDS and development, we very much welcome the increased and continued recognition by the EU that children in situations of fragility and exposed to armed conflict are particularly at risk, and that specific actions at the national and global level to respond to their particular needs are key.

In 2008, the European Commission adopted a Communication entitled *A Special Place for Children in EU External Action (*COM(2008)55), placing children at the centre of the EU's external relations, development and humanitarian aid policies. We fully support the Communication's statement that "**unless measures are taken to place children at the heart of development policies, the likelihood of achieving the Millennium Development Goals (MDGs) will be significantly reduced."**[1]

However, we feel that not enough emphasis has been placed in the Communication on the **particular vulnerability of children living with or affected by HIV and AIDS**, in particular in situations of fragility. In fact, we have already surpassed the forecasts which we communicated to the GAERC in 2004, that 20 million children would be orphaned or otherwise made vulnerable in sub-Saharan Africa due to HIV and AIDS by 2010. According to the UNAIDS 2007 epidemic update, the number of children who died of AIDS was 290,000, and the number of children living with HIV in 2007 was 2.1 million. Moreover, millions of children who are not infected with HIV are *directly* affected by the epidemic, as a result of the death and suffering that HIV causes in their families and communities. Over one third of these children live in situations of fragility and countries affected by armed conflict. [2] Moreover, 40-60% of orphaned children not living with a surviving parent in e.g. Tanzania, Zimbabwe and Namibia are cared for by their grandmothers[3]. Yet the vital role of older people in caring for vulnerable children in a context of poverty and age-related discrimination is rarely recognized in programmes targeted at vulnerable children.

When children are forced to flee their homes due to conflict situations, their vulnerability to violence, abuse and exploitation – all key factors for HIV infection – increases dramatically. As families break up and services are destroyed, children are denied their rights, including the right to special protection in times of conflict and to the services, information and skills that could help them remain free from HIV. Schooling and education, indicated by many as the most essential service in situations of fragility, is often disrupted during conflict, and children are not taught the life skills that will protect them from HIV. [4] This is particularly true for young women and girls, as among children, girls are especially vulnerable. Their education is often to prepare their role as caregiver or worker – to allow the boys to go to school. They often fail to access proper education and are thereby less empowered to protect themselves against sexually transmitted infections (STIs) and HIV. They are also often subject to early marriage, which leads to sex early age – making these girls particularly vulnerable to HIV.

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[1] *A Special Place for Children in EU External Action, EC COMM(2008)55, p. 3*
[2] UNICEF*, Factsheet Children, Armed Conflict and HIV/AIDS, September 2003*
*3 UNICEF 2007 State of the World's Children*
[4] UNICEF*, Factsheet Children, Armed Conflict and HIV/AIDS, September 2003*

In the light of the upcoming GAERC discussions on 26 and 27 May 2008 on this topic, we urge the Council to take the following nine recommendations into consideration:

1. The EU should support efforts to scale up services for all children, with particular focus on young women and girls, must be promoted by the EU if the global goal of moving towards **"universal access to comprehensive HIV prevention programmes, treatment, care and support" by 2010** is to be achieved. For example, in sub-Saharan Africa, only 13% of HIV-positive children have access to anti-retroviral treatment (ART).[5] And only 11% of HIV-positive pregnant women in need of ART to prevent mother-to-child transmission of HIV (PMTCT) in low-and middle-income countries are receiving them[6].

   In particular, **HIV prevention and mitigation efforts should be scaled up amongst all children most vulnerable to the HIV pandemic**, such as children affected by armed conflict, internally and externally displaced children, and trafficked children, but also young women and girls.

2. The EU should ensure that all children and their parents or carers should have **access to education systems** (formal and/or informal) - particularly in situations of fragility and armed conflict - which include a comprehensive life skills curriculum, including sex & sexuality education. This will empower them to protect themselves against HIV and other STIs. We urge the EU to place particular emphasis on young women and girls in this particular context.
   Moreover, there should be **a balanced approach** between the strengthening of social and educational sectors and outreach work to **children who are not reached by formal institutions**, such as street children, displaced children, children vulnerable to trafficking and children in rural settings.

3. The EU should promote the implementation of **social protection measures**, including increased funding for social cash transfer programmes benefiting children and their carers, including those affected by HIV and AIDS. According to a 2006 Report of the UN Secretary General, fewer than 10% of households supporting children orphaned or made vulnerable by HIV and AIDS are reached by community based or public sector support programmes.[7] **Social protection measures, including social cash transfers, family support services, and alternative care, also focusing on psychosocial support, can help mitigate the impact of HIV and AIDS by reducing poverty and separation from family or community**. The role of social pensions has proven impact in contexts where increasing numbers of vulnerable children are being cared for by grandparents in skipped-generation households[8]. Integrated social protection, in line with the internationally agreed Framework for Orphans and Vulnerable Children Living in a World with HIV and AIDS, contributes to better health, education and protection outcomes[9].

4. The EU should take into account in its policies and programmes **the active role of children, especially older children[10] not only as care recipients, but also as active contributors** in delivering services in the form of palliative care, peer education, psychosocial support and playing a supporting role in households where at least one of the adult carers is not present.

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[5] UNAIDS, *Towards Universal Access: Scaling up priority HIV/AIDS interventions in the health sector, April 2007*
[6] UNAIDS, *Towards Universal Access: Scaling up priority HIV/AIDS interventions in the health sector, April 2007*
[7] UN Secretary General Report, Declaration of Commitment on HIV/AIDS: five years later, March 2006
[8] *Stronger Together, Supporting the vital role played by older people in the fight against the HIV and AIDS pandemic*, Help Age International 2007
[9] UNICEF, *Enhanced Protection for Children Affected by AIDS; A Companion paper to the Framework for the Protection, Care and Support of Orphans and Vulnerable Children Living in a World with HIV and AIDS, May 2007*
[10] According to UNAIDS and UNICEF estimates for 2006, 48% of children who are orphaned in Sub-Saharan Africa are between 12 and 17 years old.

5. The EU should ensure that children are actively **and meaningfully involved in the development, implementation, monitoring and evaluation of policies and programmes that affect their lives;** including internally and externally displaced children. The more children participate in decision making processes, the more they develop confidence, competencies and aspirations which have a positive effect on their health and development and relationships in the future. Their active participation also positively influences the **effectiveness** of programmes developed because children are the "experts" of their own lives.

6. The EU should recognize **the vital role that communities play** in providing effective and sustainable support for orphans and other vulnerable children, whether they are affected by armed conflict or affected by and/or orphaned by HIV and AIDS. Moreover, attention should also be given to the role of older women and men in caring for vulnerable children including those affected by HIV and AIDS, so that urgent support can be targeted at these older carers. The EU should therefore support funding mechanisms that ensure the effective and efficient allocation of financial and technical resources to civil society.

7. **The EU must guard that all human rights, including those of children, are fully and systematically integrated into development cooperation policies and programmes promoting and implementing therefore EU human rights-based approaches to development cooperation policies**, cfr. the *European Commission Staff Working Paper on Children in External Action*, which includes a full section promoting "a holistic and coherent human rights-based approach", states that "The development and governance dialogue must include the issue of integrating children's rights issues within Poverty Reduction Strategy Papers, other country processes such as National Development Plans and aid modalities including budget support and MDG contracting. The EU should encourage partner governments to create National Action Plans for Children[11], through a participatory process including children and, where available, independent Children's Ombudsmen. If possible, discussions should focus **on the setting-up of clear benchmarks and measurable targets** including details about timelines and review mechanisms for such commitments."[12]

8. The EU should undertake **a systematic review of the progress regarding actions as stipulated in the Logical Framework of the Action Plan on Children in External Relations**, 2007-2013[13], which includes monitoring progress on the protection and promotion of children's rights globally, systematically taking on board children's rights commitments in policy and other dialogues with partner countries and in the international fora and promoting children's rights and needs in development and security- related cooperation.

9. The EU should dedicate itself to **produce concrete reports on its actions,** measured against *The Framework for the Protection, Care and Support of orphans and other vulnerable children living in a world of HIV and AIDS*[14] and the Commission's Communication on HIV and AIDS, TB and Malaria[15]. We believe that it has reneged on its commitments to provide **adequate and timely provision for care, treatment and support to communities**. The EU should reiterate its specific, measurable and time-bound financial commitment to implement the Framework. This commitment needs to be made again within the 2009 budget.

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[11] As *called for under the UN General Assembly "World Fit for Children" document: http://www.unicef.org/specialsession/press/outcomedocument.htm.*

[12] *Commission Staff Working Document: The European Union's Action Plan on Children's Rights in External Action: SEC(2008)136, p.5*

[13] *Commission Staff Working Document: The European Union's Action Plan on Children's Rights in External Action: SEC(2008)136, pp. 12-15*

[14] *The Framework for the Protection, Care and Support of orphans and other vulnerable children living in a world of HIV and AIDS, Unicef et al. July 2004*

[15] Council Conclusions on A European Programme for Action to Confront HIV/AIDS, malaria and tuberculosis through external action, May 2005

We very much hope you will take these recommendations into consideration and remain at your full disposal should you need further information on these issues. We are looking forward to continuous collaboration.

Yours sincerely,

On behalf of the EU Action Group on Children Living in a World with HIV and AIDS
Martijn Pakker
EU Policy Advisor
Stop AIDS Alliance

Co-signatories:

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European AIDS Treatment Group
Grupo Português de Activistas sobre Tratamentos de VIH/SIDA
International Child Support
International HIV/AIDS Alliance
International Planned Parenthood Federation – European Network
Marie Stopes International
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Plan International
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