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## Impact of labour migration on left-behind children

### Report<sup>1</sup>

Committee on Social Affairs, Health and Sustainable Development

Rapporteur: Mr Viorel Riceard BADEA, Romania, Group of the European People's Party

### Summary

The unprecedented scale of labour migration in Europe has a devastating impact on the well-being of the children who are left behind. In the absence of one or both parents, these children's vital needs, such as proper food or health care, are often not met, and they lack emotional care and support. The Assembly deplores the complacency of both countries of origin and destination of labour migration, which tend to tolerate excessive labour migration as it has significant short-term benefits in the form of remittances for the former, and of a flexible labour force for the latter. This situation is not acceptable, and it is not sustainable. Leaving millions of children without parental care is a mass violation of human rights, and an unnecessary threat to the stability and prosperity of our countries. Targeted ad hoc measures are not enough to improve the situation. To maximise the benefits of labour migration, while eliminating its harmful consequences on children left behind, all countries need to acknowledge the scale of this phenomenon and the long-term damage it creates, and to put into place comprehensive approaches to labour migration, which are child-centred, human-rights based, gender-sensitive and socially and economically sustainable.

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1. Reference to Committee: [Doc. 14537](#), Reference 4385 of 1 June 2018.



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## A. Draft resolution<sup>2</sup>

1. The Parliamentary Assembly is concerned about the devastating impact of poverty-driven labour migration on the left-behind children, who are often deprived of basic care, protection and support. The scale of this phenomenon is alarming in some countries, with up to one third of adults working abroad. Yet, left-behind children remain largely invisible in public discourse and policy making.
2. The Assembly deplores the complacency of both countries of origin and destination of labour migration, which tend to tolerate excessive labour migration as it has significant short-term benefits in the form of remittances for the former, and of a cheap, flexible labour force for the latter. This situation is not acceptable and it is not sustainable. Leaving millions of children without parental care is a mass violation of human rights and an unnecessary threat to the stability and prosperity of our countries.
3. All the Council of Europe member States have ratified the United Nations Convention on the Rights of the Child and have undertaken to respect the rights enshrined in this convention, including the right to life, survival and development (Article 6), right to know and be cared for by his or her parents (Article 7), right to the enjoyment of the highest attainable standard of health (Article 24), the protection from all forms of violence (Article 19) and from all forms of exploitation (Article 36). More needs to be done to ensure effective implementation of these commitments with respect to the children left behind. Such action is also essential for achieving the United Nations Sustainable Development Goals (SDGs), including Goal 1 “No poverty”, Goal 3 “Good health and well-being” and Goal 8 “Decent work and economic growth”.
4. The Assembly is convinced that targeted ad hoc measures are not enough to improve the situation. To maximise the benefits of labour migration, while eliminating its harmful consequences on children left behind, all countries need to acknowledge the scale of this phenomenon and the long-term damage it creates, and to put into place comprehensive approaches to labour migration, which are child-centred, human-rights based, gender-sensitive and socially and economically sustainable.
5. To this end, the Assembly urges member States:
  - 5.1. with respect to addressing the “care drain” and poverty-driven labour migration:
    - 5.1.1. in line with the United Nations SDG Target 10.7 “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies”, ensure that relevant policies are in line with international standards, such as the Multilateral Framework on Labour Migration of the International Labour Organization, and are coherent, effective and fair;
    - 5.1.2. reduce reliance on migrant labour by developing effective public social services, such as child and elderly care, and by improving working conditions and remuneration in labour-intensive sectors; favour community-based services and non-institutional care; invest in strategies tackling unemployment and in-work poverty; increase public spending on social services, including by means of improving tax collection rates and fighting tax evasion and corruption;
    - 5.1.3. promote public discourse on labour migration which is human-rights based; acknowledges structural conditions and public responsibility for excessive labour migration; prevents stigmatisation of left-behind children and their families; encourages solidarity; and builds public support for anti-poverty strategies;
    - 5.1.4. support co-operation between countries of origin and destination of labour migration, in particular by means of bilateral and regional agreements while taking into account the current demographic challenges;
  - 5.2. with respect to strengthening child protection:
    - 5.2.1. improve legal frameworks and facilitate the application of the law in accordance with the United Nations Convention on the Rights of the Child, with a focus on the best interests of the child and the right to be heard, and ensuring that children are treated as individual rights holders; implement and review relevant policies in consultation with the diaspora communities and civil society organisations representing migrants and their families; ensure that relevant institutions, including human rights bodies and ombudspersons for children’s rights, address the situation of left-behind children, and work in a co-ordinated manner;

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2. Draft resolution adopted unanimously by the committee on 22 September 2020.

5.2.2. privilege labour migration which enables children to migrate together with their parents if they so wish, giving migrant families access to all relevant social rights guaranteed in the European Social Charter (revised) (ETS No. 163), including to social protection, health care and education;

5.2.3. reduce obstacles which discourage parents from informing the authorities about their departure; deliver appropriate support to left-behind children and their carers, including social, psychological and legal services, with particular attention paid to grandparents; set up helplines, on-line platforms and day-care centres for left-behind children, and avoid institutionalisation of children; facilitate reporting of known or suspected child abuse or neglect; prevent and tackle child trafficking, abuse and exploitation, including sexual exploitation, in line with the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, "Lanzarote Convention");

5.2.4. take measures to promote equal opportunities for left-behind children, in particular by guaranteeing continued contact with their parents; ensuring access to education, supporting quality educational outcomes, providing tutoring and preventing school dropout; address negative public health impacts, including mental health issues, eating disorders, substance abuse and early pregnancies;

5.3. with respect to family reunification:

5.3.1. review relevant policies to ensure their compliance with the international standards on family reunification, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the European Social Charter (revised);

5.3.2. develop strategies for family reunification, which address the existing obstacles, are sustainable and build public support for integration of migrants and their families; promote legal avenues for migration, to prevent irregular work and exploitative conditions of employment; improve access to social and education services, and to appropriate reception facilities for migrants, such as housing and child-care centres;

5.4. with respect to the situation of left-behind children and their families in the context of the Covid-19 pandemic:

5.4.1. break the vicious circle of income loss, job insecurity and stigmatisation of this vulnerable group by adapting the national legal framework to the challenges brought by the current global sanitary crisis;

5.4.2. ensure appropriate assistance to the vulnerable households, which have been affected by the sharp fall of their remittances;

5.5. with respect to Council of Europe and United Nations instruments and institutions:

5.5.1. make full use of the European Social Charter (revised), the Lanzarote Convention, the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention"), the Convention on Action against Trafficking in Human Beings; and Recommendation CM/Rec(2011)12 of the Committee of Ministers on children's rights and social services friendly to children and families;

5.5.2. sign and ratify the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization and support its effective implementation.

6. The Assembly takes note of the European Union legislation and guidance on labour migration, including on the subjects of posted workers, cross-border workers, seasonal workers and domestic workers and expresses its hope that all these tools will become useful in practice for improving the situation of left-behind children. It calls for closer co-operation between the European institutions with a view to harmonising relevant approaches between the European Union and the Council of Europe member States that are not members of the European Union.

## B. Draft recommendation<sup>3</sup>

1. The Parliamentary Assembly refers to its Resolution ... (2020) “Impact of labour migration on left-behind children”, and notes that the Council of Europe has a broad range of legal instruments that can help its member States in improving the situation of left-behind children, including the European Social Charter (revised) (ETS No. 163), the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, “Lanzarote Convention”), the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “Istanbul Convention”) and the Convention on Action against Trafficking in Human Beings (CETS No. 197). However, the Assembly is concerned that the impact of labour migration is often underestimated, and that left-behind children are a particularly vulnerable group who are largely invisible and are not given sufficient attention.

2. The Assembly calls on the Committee of Ministers to encourage the relevant bodies of the Council of Europe, including the Commissioner for Human Rights, the Special Representative of the Secretary General on Migration and Refugees, the European Committee of Social Rights, the Steering Committee for the Rights of the Child, the Committee of the Parties to the Istanbul Convention and the Group of Experts on Action against Trafficking in Human Beings (GRETA) to systematically consider the issue of left-behind children in their work.

3. The Assembly recalls its [Recommendation 2108 \(2017\)](#) “A comprehensive humanitarian and political response to the migration and refugee crisis and the continuing flows into Europe” and its [Recommendation 2109 \(2017\)](#) “Migration as an opportunity for European development”, and reiterates its calls for the possible creation of bodies or committees to support co-operation among the member States in the area of migration. The Assembly is convinced that such bodies would provide a useful “common platform for exchange, experience sharing and policy making among Council of Europe member States, as well as a solid basis for directing the Organisation’s action”.

4. The Assembly notes that the European Convention on the Legal Status of Migrant Workers (ETS No. 93), which entered into force in 1983, has only been ratified by 11 Council of Europe member States. It invites the Committee of Ministers to examine the barriers to the ratification of this convention; consider reviewing this legal instrument in view of the latest developments in the area of labour migration; and examine the modalities for monitoring effectively its implementation.

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3. Draft recommendation adopted unanimously by the committee on 22 September 2020.

## C. Explanatory memorandum by Mr Viorel Riceard Badea, rapporteur

### 1. Introduction

1. The unprecedented scale of labour migration in Europe has a strong impact on the well-being of the children who are left behind by their parents in the country of origin. Parents should ensure the primary role in the upbringing of their children and fulfil a crucial responsibility in supporting them in their physical, mental and social development. In the absence of one or both parents, these children's vital needs, such as proper food or health care, are often not met, and they lack emotional care and support.
2. It is estimated that left-behind children have a 52% increased risk of depression, 70% increased risk of suicidal thoughts, and an 85% increased risk of anxiety.<sup>4</sup> "Euro-orphans" or "EU orphans" are neologisms used metaphorically to describe children whose parents have migrated to another member State for economic reasons. While this term is meant to describe temporary child abandonment, rather than the death of both parents, its harshness reflects the daily reality of abandonment, lack of protection and emotional deprivation.
3. Labour migration has been growing across Europe, due to economic disparities between different countries on one hand, and to the freedom of movement within the European Union on the other. It is estimated that in Bulgaria, Poland and Romania altogether 500 000 to one million children are affected. In Ukraine, the estimate is as high as nine million.<sup>5</sup> Such large-scale migration has profound socio-economic consequences, both for the countries of origin and of destination of labour migration.
4. This report explores the situation of left-behind children and the measures currently taken to improve their situation, as well as remaining challenges. It also contains recommendations for future action to better protect children left behind, as well as to address the root causes of poverty-driven labour migration. Last year, Mr Ionuț-Marian Stroe (Romania, EPP/CD) addressed the broader implications of labour migration in his report on "Labour migration from Eastern Europe and its impact on socio-demographic processes in these countries". I hope that this report will reinforce and complement his findings and recommendations, in particular with respect to the situation of the children affected.
5. In the context of the preparation of this report, I went on a fact-finding visit to Italy, where I met with parliamentarians, government officials and civil society organisations, and discovered many good practices, as well as areas of concern with respect to the situation of migrant workers with left-behind children. My meeting with the Romanian Women's Association helped me understand the difficulties, needs and concerns of labour migrants and their families. In January 2020, a public hearing on the "Impact of labour migration on left-behind children" was held by our Committee in Strasbourg, with the participation of Ms Elena Madan, Country Director, Terre des Hommes Moldova, and Ms Tatiana Puiu, Member of the European Committee of Social Rights of the Council of Europe. This hearing provided useful insight into the situation of left-behind children in the Republic of Moldova, Romania and Ukraine, as well as into possible ways of improving their situation with the help of international legal instruments, such as the European Social Charter (revised) (ETS No. 163).<sup>6</sup> In October 2018, a round table held in Tbilisi by the Assembly Sub-Committee on Children and Sub-Committee on Education, Youth and Sport, with the participation of UNICEF and Save the Children Romania, allowed for a discussion of the lessons learned from national and international programmes.
6. Finally, I believe that it is important to acknowledge that this report was finalised in the highly challenging context of the Covid-19 pandemic. While no one can predict how and when this crisis will end, it is clear that the world will be very different at that time. As is the case in any other crisis, it forces us to rethink what is truly important and what needs to be changed in our societies to make them more resilient. With respect to the topic of this report, what is already obvious is that families divided by labour migration are among the most vulnerable groups in times of crisis. When children and grandparents are left to face the pandemic on their own in countries with poor public health services, this is a recipe for a humanitarian disaster. I hope that solidarity at all levels will prevent this from happening. I also hope that bold societal change will follow in the aftermath of this pandemic, so that no more children are left behind in the first place.

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4. [www.ncbi.nlm.nih.gov/pmc/articles/PMC6294734/](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC6294734/).

5. [www.dw.com/en/the-plight-of-europes-euro-orphans/a-17268091](http://www.dw.com/en/the-plight-of-europes-euro-orphans/a-17268091).

6. [AS/Soc\(2020\)PV01add](https://www.assembly.europa.eu/en/soc/2020/PV01add).

## 2. The impact of labour migration on left-behind children

### 2.1. Background

7. The phrase “left-behind children” often refers to children left behind in their home country by their parents, who have migrated to another country. It can also be applied to internal migration, for example between rural and urban areas. This expression should be used with care, in order to avoid stigmatising children whose parents have migrated and demonising their parents for “leaving” to provide for their children.<sup>7</sup> In most cases, parents see migration as a temporary solution and a way of improving the socio-economic situation of the family, which is in many cases characterised by poverty, weak social protection and lack of prospects.

8. Many left-behind children are unreported and statistics in this area are highly unreliable. Research is patchy and interventions tend to be ad hoc and driven by international donors and civil society organisations.

9. Some countries are more affected than others – both within and outside the European Union. Countries with a poorer socio-economic situation are most affected. Within Europe, there is a clear divide between Eastern and Central European and Western European countries. It is estimated that five million Romanians have emigrated and work abroad,<sup>8</sup> with 350 000 children being left behind in their country. In the Republic of Moldova, about one third of adults work abroad<sup>9</sup> and more than half of the children grow up without a mother or father at some point.<sup>10</sup> Almost 40% of all Georgian children live in households where at least one member has migrated abroad.<sup>11</sup> In Bulgaria’s north-west, almost half of the children aged 10-17 have one or both parents working abroad.<sup>12</sup>

10. In Romania, an interinstitutional working group was set up in 2016, under the patronage of the President of Romania, to address the situation of the significant number of children whose parents are working abroad. The conclusions of this report, which were made public in 2018, contain an array of recommendations such as: more accurate data collection, as well as harmonisation and streamlining of the legal and administrative provisions, in order to facilitate the access of parents, children and caregivers to appropriate child protection services.

11. There are substantial differences in the impact of parents’ departure, depending on who is leaving, whether it is both parents or just one of them, and what his/her role in the family was before the departure. Other differences relate to whether the parent’s employment abroad is legal, short- or long-term, existence / level of remittances, possibility of reunification, regularity of communication and who the caregivers are. The living environment has a considerable influence on the situation of the child.

### 2.2. Who takes care of the left-behind children?

12. Most of the time, the children are left in the care of their grandparents or other relatives. In some countries, entire villages are left with virtually no parents, just children and grandparents. Due to the rapid pace of social change in recent years there is an important generational gap and huge discrepancies in perceptions between grandparents and their grandchildren, which can result in failure to ensure their safety and well-being.

13. The parents who have migrated are not always in a position to provide the care and support that their children need. Many of them find themselves in situations of hardship and distress. The term “The Italian Syndrome” is sometimes used to describe symptoms common to many Moldovans, Romanians and Ukrainians working in Western Europe, such as depression, insomnia, anxiety, hallucinations and obsessive behaviour.<sup>13</sup> In extreme cases, the parents who have migrated end up as victims of human trafficking, forced labour and sexual exploitation.<sup>14</sup> Some of them never get in touch with their children and never come back.

7. [www.unicef.org/media/61041/file](http://www.unicef.org/media/61041/file).

8. [www.intellinews.com/comment-remittances-bring-large-benefits-and-dire-consequences-141733/](http://www.intellinews.com/comment-remittances-bring-large-benefits-and-dire-consequences-141733/).

9. <https://journals.sagepub.com/doi/abs/10.1177/0047244118796077> accessed on 23 November 2018.

10. [www.dw.com/en/the-plight-of-europes-euro-orphans/a-17268091](http://www.dw.com/en/the-plight-of-europes-euro-orphans/a-17268091) accessed on 23 November 2018.

11. [www.ncbi.nlm.nih.gov/pmc/articles/PMC5805820/#CR39](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC5805820/#CR39).

12. <https://balkaninsight.com/2020/02/26/where-did-everyone-go-the-sad-slow-emptying-of-bulgarias-vidin/>.

13. [www.corriere.it/english/19\\_aprile\\_08/italy-syndrome-the-clinic-of-our-carers-3255a5cc-5a11-11e9-9773-c990cfb7393b.shtml?refresh\\_ce-cp](http://www.corriere.it/english/19_aprile_08/italy-syndrome-the-clinic-of-our-carers-3255a5cc-5a11-11e9-9773-c990cfb7393b.shtml?refresh_ce-cp).

14. [www.theguardian.com/global-development/2017/oct/31/terrible-conditions-police-uncover-abuse-and-exploitation-on-farms-in-sicily](http://www.theguardian.com/global-development/2017/oct/31/terrible-conditions-police-uncover-abuse-and-exploitation-on-farms-in-sicily).

### **2.3. Access to services**

14. In most cases parents do not inform the authorities about their departure, either because of lack of relevant information or for fear of excessively bureaucratic procedures and the risk of institutionalisation of the children.

15. The children's access to health services, education, legal protection and social benefits can be limited. In many cases, their carers do not have the legal authority to represent them and thus do not undertake the necessary steps to gain access to available benefits and services.

16. Schools are often not informed about the parents' departure and find out because children who used to be fine suddenly show lack of concentration and start to misbehave. Consequently, these children often experience difficulties at school, including absenteeism, and often drop out.

### **2.4. Increased risk of violence, abuse and exploitation**

17. Left-behind children are particularly vulnerable to labour exploitation, as well as sexual exploitation and abuse, human trafficking including for sexual and/or labour exploitation and organ trafficking. The need for affection, attention, self-esteem, and at the same time the confusion and crisis of adolescence make some adolescents more easily believe the promises of traffickers and enter national and international trafficking networks ending in situations of sexual exploitation or begging. Many of them end up in the justice system, either as victims or perpetrators of criminal offences.

18. Recent research shows that left-behind children often face responsibilities and pressures incongruent with their age and maturity. One of the educators in the Republic of Moldova mentioned that "In one of the classes there is a 12-year-old girl who, instead of doing her homework, has to prepare food, clean the house and work in the garden, because the grandparents are old and cannot take proper care". Another expert pointed out that "In the absence of parental education, without developing social skills at school, and with poor sexual education, young girls get pregnant at the age of 12 and 13, and both boys and girls are facing problems with alcohol abuse or drugs". A day care centre manager in Romania, with 25 years of experience, pointed out that when children become young adults they encounter a lot of difficulties fitting into society and most of them fail.<sup>15</sup>

### **2.5. Impact on physical and mental well-being**

19. The parents' departure is a dramatic change in the children's lives and has a deep psychological impact on their well-being. It is a very difficult decision, which is very hard for the parents to explain and even more difficult for the children to understand and accept. Often, parents tell their children that they are going to another country for the good of the child, which inadvertently makes children blame themselves for the situation.<sup>16</sup> In many cases, parents do not discuss the situation with children prior to the departure and do not prepare them for the changes that will follow. I have heard stories of parents going away without saying "goodbye" to their children, for fear that this would be too painful for the children to bear.

20. Maintaining contact at a distance is essential for the well-being of children, but it can be difficult for many reasons, including lack of access to the internet, difficulties for parents and children in expressing their emotions, providing support and advice while being separated, and feelings of guilt or resentment. In many cases, lack of contact results in growing distance, and it is not uncommon for parents to have difficulties in re-connecting with their children upon their return.

21. While health consequences on children left behind have received limited attention, higher levels of nutritional neglect and mental health issues have been extensively reported. Many children become anxious, depressed, withdrawn and isolated, and are more likely to self-harm and – in extreme cases – to commit suicide. The International Organization for Migration points out that "international labour migration, despite the remittances and other benefits received, can also at times create a negative influence on health, break down family and social cohesion and, increase the burden on health systems".<sup>17</sup>

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15. Terre des Hommes, 2018, "Mapping the Situation of Children Left Behind in Romania, Ukraine and the Republic of Moldova".

16. [www.efe.com/efe/english/destacada/the-romanian-children-left-home-alone-in-skills-exodus/50000261-4030320](http://www.efe.com/efe/english/destacada/the-romanian-children-left-home-alone-in-skills-exodus/50000261-4030320).

17. [www.iom.int/health-families-left-behind](http://www.iom.int/health-families-left-behind).

## **2.6. Stigmatised and invisible in the public discourse**

22. Paradoxically, due to the improved material situation of some of these children, they are not necessarily perceived as vulnerable by teachers and other public officials, but rather as privileged and spoiled. They are often bullied and discriminated against by their peers.

23. In most countries, left-behind children are neither a topic of public discourse, nor on the political agenda of the country. As many of the countries concerned face difficult or dire economic situations, the benefits from the remittances make them reluctant to act forcefully to address this situation. Maintaining the status quo seems to be a favoured course of action.

## **2.7. The situation of left-behind children in the context of the Covid-19 pandemic**

24. While it might be too early today to evaluate the impact of the Covid-19 pandemic on the situation of left-behind children, it is already clear that they have been particularly badly affected by this crisis.

25. Host countries need migrant labour, but fear importing infection. Countries of origin need remittances, but also fear infection brought in by the returning migrants. Migrants fear exploitation and inadequate safeguards against infection with Covid-19.

26. As a consequence of the Covid-19 pandemic, remittances are projected to decline sharply in 2020, by about 20%, due to a fall in the wages and employment of migrant workers, representing a loss of the crucial financing lifeline for many vulnerable households.<sup>18</sup>

27. Many migrants have lost their jobs and have no certainty as to what the future holds for them at home in terms of employment. Others, without proper work permits, have been stranded in the host countries, where they have stopped going to work for fear of being questioned by the police.<sup>19</sup>

28. Abrupt loss of remittances, owing to the Covid-19 emergency, makes labour migrants' families dependent on occasional charity and food assistance.<sup>20</sup> Caught in a vicious circle of income loss, job insecurity and stigmatisation, migrants and their families are particularly vulnerable to criminal networks.

29. In this context, I would like to welcome the rapid response by the European Union institutions, including the issue by the European Commission of "Guidelines concerning the exercise of the free movement of workers during the Covid-19 outbreak"<sup>21</sup> in March 2020 and "Guidelines on seasonal workers in the EU in the context of the Covid-19 outbreak"<sup>22</sup> in July 2020, and the adoption by the European Parliament of a resolution on the situation of cross-border and seasonal workers in the context of the Covid-19 crisis and beyond<sup>23</sup> in June 2020. It remains to be seen to what extent these measures are effective in addressing the difficulties that migrant workers and their families are facing due to the current pandemic.

## **3. Case-study: Romanian migrant workers in Italy and their left-behind children**

30. When you speak to Italians about Romanian workers, there is always a sense of recognition. Everyone either has employed or knows someone who employs a Romanian nanny, caretaker or cleaning lady. These workers are often perceived as part of the family. They are often hard-working, patient and keep to themselves. Many speak good Italian and do not look too different from the local population. Romanians are very present in Italy today and, as a matter of fact, they are the most numerous foreign labour force in the country. However, when you talk about the left-behind Romanian children, this is not something that many people think about.

31. During my fact-finding visit to Italy in May 2019, I wanted to find out how the migrant communities were coping, what the government was doing to improve the situation of labour migrants who have left their children behind, and who else could offer advice and support. I also wanted to know how to make sure that the voice of labour migrants is heard, and that their story evokes understanding and compassion.

18. [www.worldbank.org/en/news/press-release/2020/04/22/world-bank-predicts-sharpest-decline-of-remittances-in-recent-history](http://www.worldbank.org/en/news/press-release/2020/04/22/world-bank-predicts-sharpest-decline-of-remittances-in-recent-history).

19. [www.theguardian.com/world/2020/may/11/covid-19-crisis-stokes-european-tensions-over-migrant-labour](http://www.theguardian.com/world/2020/may/11/covid-19-crisis-stokes-european-tensions-over-migrant-labour).

20. [www.childinthecity.org/2020/06/18/the-struggles-of-children-left-behind-by-migration-at-the-time-of-covid-19/](http://www.childinthecity.org/2020/06/18/the-struggles-of-children-left-behind-by-migration-at-the-time-of-covid-19/).

21. [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020XC0330\(03\)&from=FR](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020XC0330(03)&from=FR).

22. [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_1342](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1342).

23. [www.europarl.europa.eu/news/en/headlines/society/20200618STO81511/parliament-calls-for-better-protection-of-cross-border-and-seasonal-workers](http://www.europarl.europa.eu/news/en/headlines/society/20200618STO81511/parliament-calls-for-better-protection-of-cross-border-and-seasonal-workers).

### **3.1. What the Italian public authorities say**

32. In my discussions with government officials I had the opportunity to discover a broad range of good practices with respect to addressing the situation of labour migrants in Italy. I am very grateful to the representatives of the Ministry for Family and Disability, the Ministry of the Interior, the Ministry of Labour and Social Policies and the Parliamentary Committee on Childhood and Adolescence, for their warm welcome and the useful information that they have shared with me.

33. In 2018, an institutional group was set up to devise a new strategy to fight illegal employment and labour exploitation in agriculture. The National Fund for Migration Policies finances the operational costs of this group. Participation in the group is open to social partners and civil society organisations. The group aims to address illegal hiring, intermediation between labour demand and supply, enhance the role of Employment Centres and provision of temporary accommodation. A public call, with a total budget of 23 million Euros, was launched in January 2019 for projects for the promotion of regular employment in agriculture and the fight against labour exploitation. Action was also foreseen to support the social and economic integration of migrants who are victims or potential victims of exploitation in agriculture.<sup>24</sup>

34. The Italian Government's website on integration<sup>25</sup> provides information on the policies and projects carried out by the Ministry in the field of migration and integration. It includes a database of services. The "International protection" section has been developed in co-operation with the United Nations High Commissioner for Refugees. The "Migrants associations" section aims to build a community among associations. On-line consultations with civil society organisations are held on specific policy issues.<sup>26</sup>

35. Substantial funding is provided to regional projects on integration through the 2014-2020 EU Asylum, Migration and Integration Fund. The lines of intervention include: 1) quality of school systems within a multicultural context; 2) ease social integration through access to basic services; 3) provide qualified information services; and 4) enhance the degree of migrants' participation in socio-economic and cultural life.<sup>27</sup>

36. Since 2017, the Ministry of Labour and Social Policies has co-operated with the Ministry of Foreign Affairs and International Co-operation in the framework of a project "National Summit of Diasporas", to support and encourage the participation of diasporas in development co-operation.

37. Schooling is obligatory and free, and access to education is guaranteed to all children, regardless of their status. Access to health care is generalised and free of charge.

### **3.2. What civil society organisations say**

38. While on paper all EU citizens have the same rights, in practice, Romanians do not have access to the same types of jobs and must often perform heavy physical tasks in domestic care, agriculture and construction. With about one million Romanian carers working in Italy,<sup>28</sup> many of them are poorly paid and in short-term employment. It is estimated that 85% of Romanian women and 47% of Romanian men working in Italy earn less than 1200 Euros a month. In cases of illegal employment, the employer holds unlimited power, and abuse is widespread. While it is particularly difficult for non-EU citizens to find legal employment, it is not necessarily easy for EU citizens to do so either.

39. Although family reunion is foreseen by legislation, in many cases it is very difficult or even impossible. Romanian women are often employed in households, looking after the elderly, doing housework and taking care of children. In many cases they live with the family and have no housing of their own. This often implies no time off and no possibility for bringing additional family members. Furthermore, when they go back to their home country, they risk losing their employment. This makes it very difficult to visit their family and children back home.

40. Migrant workers feel that no one represents them, no one cares about their situation and no one mediates on their behalf. Many Romanians report experience anxiety and depression. They worry about their families back home, their children and their own parents, who also need care, but are not getting it.

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24. Ministry of Labour and Social Policies (2019), "Caporalato' and labour exploitation in agriculture".

25. [www.intergrazionemigranti.gov.it](http://www.intergrazionemigranti.gov.it).

26. Ministry of Labour and Social Policies, The involvement of civil society organisations.

27. Ministry of Labour and Social Policies, Interventions for migrant integration in co-operation with regions.

28. [www.corriere.it/english/19\\_aprile\\_08/italy-syndrome-the-clinic-of-our-carers-3255a5cc-5a11-11e9-9773-c990cfb7393b.shtml?refresh\\_ce-cp](http://www.corriere.it/english/19_aprile_08/italy-syndrome-the-clinic-of-our-carers-3255a5cc-5a11-11e9-9773-c990cfb7393b.shtml?refresh_ce-cp).

41. Associations representing migrant workers in Italy report that in many cases the children left behind put on a brave face, work extremely hard at school and do not talk about their problems. They try to be strong for their parents, but they often struggle to cope, and the consequences on their mental and physical well-being can be harsh. Shockingly, child suicide is largely under-reported. According to non-official statistics 80 Romanian children, whose parents worked in Italy, had committed suicide. A 13-year-old girl living with her father and four smaller brothers had taken her own life one day before my trip to Italy.<sup>29</sup> My deepest sympathy lies with this family and all others who have suffered such unspeakable loss. Nothing can bring these children back. However, the poverty and deprivation that underlie such tragedies are not an unfortunate accident, but a direct consequence of the social and economic policies of our countries. We can and we must try to prevent future loss of life.

42. It is important to acknowledge that the measures taken, both by the Italian and Romanian governments, to improve the situation in recent years are not sufficient. The experiences of migrants and their families remain unacceptably harsh. We need to be aware of policies and practices put in place, of the impact that they have on the people concerned and of the problem areas that need to be addressed. For this, there should be channels for communication between the decision makers, the public authorities and the community, including labour migrants and their families.

#### **4. International and European standards**

43. With respect to future action, several international and European legal instruments can be of help for the member States in this area. While it is not possible to provide an exhaustive overview of relevant standards, the examples below can be used as illustrations. From my perspective, it is important to highlight a few fundamental principles. I would also suggest that the key areas for action should be as follows: 1) reducing poverty-driven labour migration, 2) strengthening child protection and 3) supporting family reunification.

##### **4.1. Fundamental principles**

44. The UN Convention on the Rights of the Child (UN CRC) requires States Parties to ensure that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration (Article 3).

45. Parents play a key role in the upbringing, personal development and protection of their children. In the framework of the UN CRC, the States Parties undertake to ensure, as far as possible, the right for children to be cared for by their parents (Article 7).

46. The European Committee of Social Rights (ECSR) stresses the importance of treating children as individual rights holders, as well as of granting children specific rights, such as the right to shelter, the right to health, the right to education, protection of the family and the right to family reunification, protection against danger and abuse, prohibition of child labour for those under the age of 15 and specific working conditions for those aged between 15 and 18.

##### **4.2. Reducing poverty-driven labour migration**

47. I am convinced that an effective way of improving the situation of left-behind children is to tackle poor quality employment and in-work poverty in their countries. Likewise, the destination countries of migrant workers have to do more, in close co-operation with the countries of origin in order to ensure decent working conditions. For this, ambitious social and economic reforms are needed. International and European co-operation is essential for such reforms to succeed. I hope that the lessons learned during the Covid-19 pandemic will enable far-reaching social change that will put the well-being of people first, and ensure that the most vulnerable among us, including left-behind children, are duly protected and supported.

48. The European Social Charter provides a clear framework for ensuring a decent standard of life for all. It needs to be given a higher status, and its implementation needs to be strengthened.

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29. [www.stiridiaspora.ro/silvia-dumitrache-mesaj-cutremurator-dupa-ce-o-feti-a-de-13-ani-s-a-sinucis-de-dorul-mamei\\_415273.html](http://www.stiridiaspora.ro/silvia-dumitrache-mesaj-cutremurator-dupa-ce-o-feti-a-de-13-ani-s-a-sinucis-de-dorul-mamei_415273.html).

### **4.3. Improving child protection**

49. The UN CRC requires States Parties to recognise for every child the right to benefit from social security, including social insurance, and to take the necessary measures to achieve the full realisation of this right in accordance with their national law (Article 26). It also envisages that States Parties should render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children (Article 18).

50. Article 16 of the European Social Charter guarantees the right of children and young persons to social, legal and economic protection. It is a wide-ranging provision covering issues such as the legal status of the child, protection from ill-treatment and abuse, rights of children in public care, children in conflict with the law and the right to assistance.

51. The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, “Lanzarote Convention”), the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, “Istanbul Convention”) and the Convention against Trafficking in Human Organs (CETS No. 216) provide a useful framework for addressing violence, exploitation and human trafficking of left-behind children.

### **4.4. Supporting family reunification**

52. The right to respect for family life is enshrined in many international and regional human rights treaties<sup>30</sup> and includes a positive obligation of States to protect the family and a prohibition of arbitrary interference with the exercise of the right to family life. The Council of Europe publication on “Family reunification for refugee and migrant children: standards and promising practices” provides an overview of the latest developments in this area.<sup>31</sup>

53. In many cases migrants do not even envisage family reunification due to the precarity of their employment and poor living conditions. In this respect, the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization (ILO) is an important tool for improving the situation of migrant workers in the sector, which is particularly exposed to the risk of exploitation and abuse. It entered into force on 5 September 2013. Regretfully, so far it has only been ratified by seven Council of Europe member States.<sup>32</sup>

### **4.5. Global framework for action**

54. Finally, the United Nations Sustainable Development Goals (SDGs), which provide a global blueprint to achieve a better and more sustainable future for all, cover many of the issues that need to be addressed in order to improve the situation of left-behind children, be it with respect to addressing poverty-driven labour migration, improving child protection or supporting family reunification. Some examples include Goal 1 “No poverty”, Goal 3 “Good health and well-being” and Goal 8 “Decent work and economic growth”. SDG Target 10.7 encourages countries to “facilitate orderly, safe, regular and responsible migration and mobility and of people, including through implementation of planned and well-managed migration policies” and SDG Target 8.8 stresses the need to “protect labour rights and promote safe and secure working environments of all workers, including migrant workers, particularly women migrants, and those in precarious employment”.

## **5. Examples of good practice and useful resources**

55. The ILO promotes bilateral and regional agreements as an effective collaboration mechanism between countries of origin and destination of labour migration. Such agreements can take the form of formal agreements or memoranda of association to ensure that migration takes place in accordance with agreed principles and procedures.<sup>33</sup> One example of such an agreement is a memorandum of understanding between Romania and Vietnam, which aims to reduce the acute labour shortage in Romania, while respecting

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30. Universal Declaration of Human Rights, Articles 12 and 16(3); International Covenant on Civil and Political Rights, Articles 17 and 23(1); International Covenant on Economic, Social and Cultural Rights, Articles 10(1); UNCRC preamble, Articles 9, 16; International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Articles 14 and 44(1); European Social Charter (revised), Part 1, principle 16 and Part 2, Article 16; European Convention on Human Rights, Article 8; EU Fundamental Rights Charter, Article 7.

31. Council of Europe (2020), *Family reunification for refugee and migrant children: standards and promising practices*.

32. Belgium, Finland, Germany, Ireland, Italy, Portugal and Switzerland, see: [www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:2551460](http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:2551460).

33. [www.ilo.org/global/docs/WCMS\\_226300/lang--en/index.htm](http://www.ilo.org/global/docs/WCMS_226300/lang--en/index.htm).

the social rights of Vietnamese workers.<sup>34</sup> Within the European Union, bilateral initiatives often focus on specific sectors. For example, Bulgaria and Croatia have signed agreements with Germany on facilitating the employment of seasonal workers in the German service sector.<sup>35</sup>

56. UNICEF supports a broad range of programmes in countries across the world which aim to improve the situation of left-behind children (through research, advocacy work, capacity building and support to policy reforms). One example is the joint initiative of UNICEF and the Centre for Child Rights and Corporate Social Responsibility, which supports an e-parenting platform that brings left-behind children in China closer to their parents. On the platform, there are basic explanations of children's health problems, tips on how to prevent injuries, as well as substantive content on communication with children as a migrant worker. Posts like "Effective long distance communication", "A list of activities to do with your children during the New Year's holiday", and "How to say goodbye to your child" offer practical guidance to migrant parents on dealing with difficult situations and building trust with their children.<sup>36</sup>

57. Since 2010, Save the Children Romania has run a large-scale intervention on protection and education for children affected by their parents' labour migration, in co-operation with the National Authority for Child Rights Protection and Adoption and the Ministry of National Education. This includes direct intervention services (such as support to children and counselling for caregivers), advocacy aimed at improving the legal framework, facilitating the application of the law, information campaigns and a helpline.<sup>37</sup> There are 17 local centres providing left-behind children with complementary school preparation, social, psychological and legal services for both parents and children, networking activities in their spare time, including the facilitation of contacting their parents. Since the beginning of this project ten years ago, over 8 500 children and 5 900 caregivers have received the support of the Save the Children Romania team.

58. The most highly valued support offered to left-behind children in the Republic of Moldova is day-care centres. In these centres, which have been set up across the country, children can get a warm meal, have supervision while preparing homework, take part in out-of-school activities depending on their own interests and, most importantly, contact their parents by Skype or e-mail.<sup>38</sup>

59. The mayor of the village of Botosani in Romania, has organised the signing of regular employment contracts and more humane work shifts in Germany and Spain. In Butea, the village has paved the road, opened kindergartens for left-behind children, and purchased minibuses that bring the mothers home every month.<sup>39</sup>

60. Pro bono Italia<sup>40</sup> has organised training sessions for refugees and asylum seekers entitled "Know your rights", which covered different areas of Italian laws and regulations, including the right to work, education, healthcare, housing, literacy, entrepreneurship, contracts, police, and the Italian legal system. The goal was to give participants basic legal knowledge on a variety of topics, to allow them to have a better understanding of their rights and reach their goals in Italy.

61. In March 2020, the ECSR published its annual conclusions in the framework of the reporting procedure on Thematic Group 4: Children, families, migrants.<sup>41</sup> The main findings concern child labour, as well as the protection of children from all forms of violence, abuse and exploitation. Moreover, the Committee highlighted the issue of child poverty and social exclusion, emphasising the obligation of States Parties to take all appropriate and necessary measures to combat and eradicate these phenomena.

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34. [www.romania-insider.com/romania-workers-vietnam-bilateral-agreement/](http://www.romania-insider.com/romania-workers-vietnam-bilateral-agreement/).

35. <https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1421&context=intl>.

36. [www.unicef.cn/en/stories/e-parenting-initiative-brings-left-behind-children-closer-their-parents](http://www.unicef.cn/en/stories/e-parenting-initiative-brings-left-behind-children-closer-their-parents).

37. [www.salvaticopiii.ro/](http://www.salvaticopiii.ro/).

38. Terre des Hommes, op.cit.

39. [www.corriere.it/english/19\\_aprile\\_08/italy-syndrome-the-clinic-of-our-carers-3255a5cc-5a11-11e9-9773-c990cfb7393b.shtml?refresh\\_ce-cp](http://www.corriere.it/english/19_aprile_08/italy-syndrome-the-clinic-of-our-carers-3255a5cc-5a11-11e9-9773-c990cfb7393b.shtml?refresh_ce-cp).

40. Pro bono Italia is the first association of lawyers, law firms and forensic associations formed with the goal of promoting and spreading a culture of pro bono throughout Italy. Launched in May 2017, the association brings together lawyers and law firms that offer free legal advice as a means of upholding human rights and improving the judicial system.

41. [www.coe.int/en/web/european-social-charter/-/social-rights-of-children-families-and-migrants-in-danger-across-europe-latest-annual-conclusions-from-the-european-committee-of-social-rights](http://www.coe.int/en/web/european-social-charter/-/social-rights-of-children-families-and-migrants-in-danger-across-europe-latest-annual-conclusions-from-the-european-committee-of-social-rights).

## 6. Conclusions and recommendations

### 6.1. Reduce poverty-driven labour migration

62. Labour mobility is an important element of competitive economies. The reason for high levels of migration within Europe lies in the strong “pull” and “push” factors, such as labour shortages in specific areas and lack of socio-economic prospects in certain regions. For example, some 75% of the domestic sector’s workforce in Italy are migrant workers, and the rate is 60% in Spain.<sup>42</sup> The demand for these services stems from changes in the demographic situation, cutbacks in public services and excessive costs of existing private sector services. On the other hand, many Eastern and Central European countries have been struggling to adapt to a globalised economy and new challenges and imperatives. The levels of unemployment, in-work poverty and social exclusion are staggering in some regions.

63. It is true that labour migration can bring certain benefits. At the national level, in some cases, such migration provides the “lion’s share” of gross domestic product (GDP). In 2016 or later, in Ukraine, remittances amounted to 7.9 billion USD, in Romania – 7.2 billion USD (2019)<sup>43</sup> and in the Republic of Moldova – 1.2 billion USD. In the case of Romania, the remittances amounted to about 3% of GDP while in the Republic of Moldova, the remittances constituted 21.7% of GDP. At the individual level, labour migration has the potential of providing families with additional income. It can allow for better education, health, future employment and quality of life.

64. While the countries of origin of labour migration benefit considerably from remittances, these benefits come at a cost. They create dangerous disequilibria in the labour market and the economy of the countries of origin of migration and can have disastrous long-term consequences. The drain of workers introduces additional challenges for these countries regarding the balance of public finances, especially for a redistributive pension system. The reliance on remittances sometimes results in reluctance to invest in public services such as kindergartens, schools and hospitals, assuming that those receiving remittances will use private services.<sup>44</sup>

65. The human cost of labour migration driven by poverty and deprivation is seen in the broken lives of children and their families. In the countries of origin of migration, the foundations of their future well-being are being dismantled. In the countries of destination, there is fertile ground for criminality and abuse. It is therefore essential that both countries of origin and migration take action to address the situation, with a particular focus on the well-being of the left-behind children.

### 6.2. Improve child protection in the countries of origin of labour migration

66. Access to quality, accessible and affordable services for left-behind children and their families should be ensured across the continuum of care. Possible interventions include lobbying, campaigning and structural changes. Interventions aimed at empowerment have to address children and families together. Increased capacity-building opportunities are needed for public institutions and for NGOs. With respect to prevention, social media should be used. Children and families should be supported outside of schools.

67. Parents should be reassured that informing the authorities about their departure will be welcome and will not have negative consequences on their situation but will provide an additional layer of protection for their children.<sup>45</sup>

### 6.3. Support family reunification

68. Countries of origin of migration should design and implement economic policies to reduce migration and to incite migrants to return home through better work opportunities and policies facilitating the reunification of families. Recommendation [CM/Rec\(2011\)12](#) of the Committee of Ministers provides useful guidance to member States on children’s rights and social services friendly to children and families.<sup>46</sup>

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42. European Trade Union Institute (2019), “The status of migrant female domestic workers in Europe: time for an overhaul”, [www.etui.org/Publications2/Periodicals/HesaMag-20-Migrant-workers-in-Fortress-Europe](http://www.etui.org/Publications2/Periodicals/HesaMag-20-Migrant-workers-in-Fortress-Europe).

43. <https://www.zf.ro/business-international/problema-economia-romaneasca-cate-miliarde-euro-vor-scadea-banii-ii-19092945>.

44. <https://www.migrationpolicy.org/article/children-left-behind-impact-labor-migration-moldova-and-ukraine>.

45. <http://www.childpact.org/2019/04/18/enhanced-protection-of-children-in-families-divided-by-work-related-migration-joint-statement/>.

69. Countries of destination of migration should address exploitation of migrant workers and facilitate family reunification. The common practice of reporting undocumented workers to immigration services through labour inspection helps to perpetuate the cycle of exploitation and should be discontinued. Financial benefits for those who employ domestic workers in a formal way should be introduced (for example, in the form of tax credits, as is the case in Belgium and France).<sup>47</sup> Information about the services such as health care, education, and other benefits that migrant families may be entitled to, as well as access to free legal services, should be made available to the people concerned.

#### **6.4. Ensure respect of common standards and promote international and European co-operation**

70. The Council of Europe member States should do more to bring their policy and practice into compliance with the European Social Charter, starting with the acceptance of relevant provisions of the Charter and ratification of the Charter by those who have up until now only signed it.

71. The Domestic Workers Convention, 2011 (No.189) of the ILO is an important tool for improving the situation of migrant workers in this sector, which is particularly exposed to the risk of exploitation and abuse. Regretfully, it has only been ratified by seven Council of Europe member States. The Assembly should encourage Council of Europe member States to ratify this Convention, and to support its effective implementation.

72. Full use should be made of the Lanzarote Convention, the Istanbul Convention and the Convention against Trafficking in Human Organs, to address violence, exploitation and human trafficking of left-behind children.

73. I believe that the scale of labour migration in Europe today entails serious challenges to human rights protection, including children's rights, and requires a stronger involvement of the Council of Europe in this area. In this respect, it might be worth examining why the European Convention on the Legal Status of Migrant Workers (ETS No. 93), which entered into force in 1983, has only been ratified by 11 Council of Europe member States and exploring possible ways of improving its coverage and its effectiveness. Relevant bodies of the Council of Europe should systematically consider the issue of left-behind children in their work. Furthermore, it might be a good time to recall Assembly's [Recommendation 2108 \(2017\)](#) on "A comprehensive humanitarian and political response to the migration and refugee crisis and the continuing flows into Europe" and [Recommendation 2109 \(2017\)](#) on "Migration as an opportunity for European development", which called for the creation of a steering committee on migrants and refugees and a European migration and intercultural development observatory. I am convinced that "a common platform for exchange, experience sharing and policy making among member States"<sup>48</sup> would be most useful in the current context.

74. The United Nations 2030 Agenda for Sustainable Development calls on countries to implement research, policies and practices safeguarding the rights and well-being of migrant workers and their children. With a number of high-profile events on the SDGs on the agenda, now is a good time to draw attention to the situation of left-behind children and to encourage stronger action.

75. Today, the situation of left-behind children remains largely on the margins of the public conscience and debate. Indeed, this problem concerns some countries more than others. However, it is a symptom of a bigger ailment that Europe fails to acknowledge. In a globalised world our countries are intimately inter-connected. The socio-economic decline of some Eastern and Central European countries and their dependency on remittances are not sustainable, and neither is Western Europe's dependency on cheap and flexible labour. To tackle these issues, targeted ad-hoc actions will not suffice. The cure must be comprehensive, and action needs to be taken on both sides.

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46. [Recommendation CM/Rec\(2011\)12 of the Committee of Ministers to member States on children's rights and social services friendly to children and families](#) (adopted by the Committee of Ministers on 16 November 2011 at the 1126th meeting of the Ministers' Deputies).

47. <https://fra.europa.eu/en/publication/2018/out-sight-migrant-women-exploited-domestic-work>.

48. [Recommendation 2108 \(2017\)](#), paragraph 3.