Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2366 (2021)[1]

Impact of labour migration on "left-behind" children

Parliamentary Assembly

1. The Parliamentary Assembly is concerned about the devastating impact of poverty-driven labour migration on the children left behind when their parents emigrate and 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. However, "left-behind" children remain largely invisible in public discourse and policy making. The Council of Europe member States need to address the root causes of this situation and to provide specific support to the left-behind children and their families, as underscored by the Assembly in its Resolution 2310 (2019) on labour migration from eastern Europe and its impact on socio-demographic processes in these countries.

2. The Assembly deplores the complacency of both countries of origin and countries of 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. Labour migration has been growing across Europe, due to economic disparities between countries and freedom of movement within the European Union. For example, it is estimated that in Romania, Bulgaria and Poland 500 000 to 1 million children are affected, while in Ukraine the estimate is approximately 9 million. Such large-scale migration has profound socio-economic consequences, both for the countries of origin and those of destination of labour migration.

4. Moreover, the Assembly is alarmed by the hardship of children in the regions affected by military conflicts. Military actions lead to displacement and migration, which put children at risk of being left without parents. Many families are separated because of ongoing frozen or protracted conflicts across Europe.

5. Protecting children from the adverse effects of labour migration should be a priority for the Council of Europe member States. Specific obligations should be entered into by receiving countries to refrain from policies driven exclusively by economic interests, including the race for the cheapest labour on the market. Such policies are contrary to human rights protection commitments. In addition, specific obligations should be entered into by sending countries to reduce the poverty rates of families with children and to ensure that when children are left behind the State provides adequate protection for them.

6. 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 of the child. (Article 6), the right to know and be cared for by his or her parents (Article 7), the 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

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 19 March 2021 (see Doc. 15173, report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Mr Viorel Riceard Badea; and Doc. 15183, opinion of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Mr Oleksii Goncharenko).
See also Recommendation 2196 (2021).

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”.

7. 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 that are child centred, human rights based, gender sensitive and socially and economically sustainable.

8. To this end, the Assembly urges member States:

8.1. with respect to addressing the “care drain” and poverty-driven labour migration:

8.1.1. 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;

8.1.2. 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 to reduce 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;

8.1.3. promote public discourse on labour migration that is based on human rights, acknowledges the 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;

8.1.4. 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;

8.2. with respect to strengthening child protection:

8.2.1. 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; and 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;

8.2.2. 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, healthcare and education;

8.2.3. notify parents who intend to emigrate about social services that may be provided for their children in their absence and their parenting obligations towards them; ensure that adequate delegation of responsibility or guardianship is in place and is in accordance with a child’s best interests; create opportunities for keeping contacts with children (including through new technologies) using public service centres; and reduce obstacles that discourage parents from informing the authorities about their departure;

8.2.4. improve data collection on left-behind children by social services and promote evidence-based care provision; set up information management systems to monitor the well-being of children who receive social services, legal aid and guardianship as well as those who are not receiving such services or aid; 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, online platforms and day-care centres for left-behind children, and avoid institutionalisation of children; facilitate evidence-based reporting of known or suspected child abuse or neglect; prevent and combat 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 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, "Lanzarote Convention"); furthermore, adequate information should be provided to children in a manner they can understand and that is appropriate for their age and education level;

8.2.5. 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; strengthen the capacity of education professionals, school psychologists and medical workers to detect and prevent child neglect and abandonment; and address negative public health concerns, including mental health issues, eating disorders, substance abuse and early pregnancies;

8.2.6. taking into account the gendered implications and the feminisation of migration, introduce specific support measures in the wider frameworks of action to support women, assisting them to maintain contact with their children as much as possible (including using new technologies) and favouring family reunification whenever possible;

8.3. with respect to family reunification:

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

8.3.2. 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 human trafficking, 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 childcare centres;

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

8.4.1. break the vicious cycle 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;

8.4.2. ensure appropriate assistance to vulnerable households that have been affected by the sharp decrease in their remittances;

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

8.5.1. make full use of the European Social Charter (revised), the Lanzarote Convention, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention"), the Council of Europe 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;

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

9. The Assembly takes note of 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.