

At the heart of the EU policies

Strategy on the Rights of the Child and European Child Guarantee

1 April 2021



Too many children still face severe and regular violations of their rights. Children continue to be victims of different forms of violence; suffer from socio-economic exclusion and discrimination, in particular on the grounds of their sex, sexual orientation, racial or ethnic origin, religion or belief, disability – or that of their parents. Children’s concerns are not sufficiently listened to, and their views are often not considered enough in matters important to them.

The EU needs a new, comprehensive approach to reflect new realities and enduring challenges. By adopting this first comprehensive Strategy on the Rights of the Child, the Commission is committing to putting children and their best interests at the heart of EU policies, through its internal and external actions and in line with the principle of subsidiarity. This strategy aims to bring together all new and existing EU legislative, policy and funding instruments within one comprehensive framework.

The Strategy proposes a series of targeted actions across six thematic areas, each one defining the priorities for EU action in the coming years. This will be supported by strengthening the mainstreaming of children’s rights across all relevant EU policies. The specific needs of certain groups of children, including those in situations of multiple vulnerabilities and facing intersecting forms of discrimination, are duly taken into account.

Children are more at risk of poverty or social exclusion than adults, making many of them across the European Union less likely to find a decent job and more likely to remain socially excluded when they are adults.

To fight child poverty and promote equal opportunities for all, the European Commission has launched the first ever Strategy on the Rights of the Child, as well as a proposal for a Council Recommendation establishing a European Child Guarantee.

The strategy takes stock of the rights of children inside and outside the EU and proposes a wide range of actions, while the guarantee focuses on targeted support to children in need, to give them better access to services.

Extract of the Communication from the European Commission to the Parliament, the Council, the Economic and Social Committee and the Committee of the Regions about the EU strategy on the rights of the child (24 March 2021).

Available at <https://bit.ly/3d7bl7J>

Proposal for a Council Recommendation

With the aim of preventing and combating social exclusion, the Proposal supports Member States in their efforts to guarantee access to quality key services for children in need: early childhood education and care, education (including school-based activities), healthcare, nutrition, and housing.

While most children in the EU already have access to these services, inclusive and truly universal access is vital for ensuring equal opportunities for all children, and in particular those who experience social exclusion due to poverty or other forms of a disadvantage.

The core recommendations to Member States include:

1. Guarantee for children in need effective and free access to early childhood education and care, education and school-based activities, at least one healthy meal each school day and healthcare.
2. Guarantee for children in need effective access to healthy nutrition and adequate housing.

Member States should also identify children in need and within this group take into account, wherever appropriate in designing their national integrated measures, specific disadvantages experienced by:

- homeless children or children experiencing severe housing deprivation;
- children with a disability;
- children with a migrant background;
- children with a minority racial or ethnic background (particularly Roma);
- children being in alternative (especially institutional) care;
- children in precarious family situations..

Other recommendations refer to the following topics:

- enabling policy framework;
- early childhood education and care, education and school-based activities, a healthy meal each school day;
- healthcare;
- healthy nutrition;
- adequate housing;
- governance and reporting.

* Proposal for a Council Recommendation establishing a European Child Guarantee (24 March 2021). Available at: <https://bit.ly/3rku89T>.

1. Participation in political and democratic life

Too many children do not feel considered enough in decision-making. Challenges include stereotypes and perceptions that children's participation is difficult, costly, demanding resources and expertise. This is why, the EU needs to promote and improve the inclusive and systemic participation of children at the local, national and EU levels.

This will be driven through a new EU Children's Participation Platform, to be established in partnership with the European Parliament and child rights organisations, to ensure children are better involved in decision-making. The Conference on the Future of Europe also presents an excellent opportunity to put child participation into action.

2. Socio-economic inclusion, health and education.

Each child has the right to an adequate standard of living, and to equal opportunities, from the earliest stage of life.

Each child has the right to the highest attainable standard of healthcare and quality education, irrespective of their background and where they live.

2.1 Combating child poverty and fostering equal opportunities

Children from low-income families are at the higher risk of severe housing deprivation or overcrowding, and are more exposed to homelessness.

This translates into deep inequality of opportunities, which remains an issue for children even in countries with low levels of poverty and social exclusion.

2.2 Ensuring the right to healthcare for all children

Vaccination is the main tool to prevent serious, contagious, and sometimes deadly diseases, and is a basic element of childcare. Thanks to widespread vaccination, smallpox has been eradicated and Europe made polio-free. However, outbreaks of vaccine-preventable diseases still occur due to insufficient vaccination coverage rates.

2.3 Building inclusive, quality education

All children have the right to develop their key competences and talents, starting in early childhood and throughout their schooling and vocational training, also in non-formal learning settings. Access to inclusive, non-segregated,

quality education should be guaranteed, amongst others, through a non-discriminatory treatment regardless of racial and ethnic origin, religion or belief, disability, nationality, residence status, sex and sexual orientation.

3. Combating violence against children and ensuring child protection

Violence against children, in all its possible forms, is widespread. Children can be victims, witnesses, as well as perpetrators of violence – starting from their own homes, in school, in leisure and recreational activities, in the justice system, offline as well as online.

Exposure to violence severely affects a child's physical, psychological and emotional development. It may affect their ability to go to school, to interact socially and to thrive. It can lead to mental health issues, chronic diseases, self-harm tendencies, even suicide. Children in vulnerable situations can be particularly affected.

Violence in schools and among peers is common. According to the 2018 PISA results, 23% of students reported being bullied at school (physical, verbal or relational bullying) at least a few times a month.

The promotion of integrated child protection systems is intrinsically linked to the prevention and protection from violence. With the child at the centre, all relevant authorities and services should work together to protect and support the child, in their best interests.

4. Child-friendly justice

Children may be victims, witnesses, suspects or accused of having committed a crime, or be a party to judicial proceedings – in civil, criminal, or administrative justice. In all cases, children should feel comfortable and safe to participate effectively and be heard.

5. Digital and information society

The development of the digital environment, and the use of new technologies, have opened up many opportunities. Children play, create, learn, interact and express themselves in an online and connected environment, from a very young age.

Digital technologies allow children to be part of global movements and play the role of active citizens. As digital natives, they are better placed to thrive in an increasingly digitalised and connected education and future labour market systems.

The use of digital tools can help children with disabilities in learning, connecting, communicating

Effects of the pandemic in children

The Strategy takes into account how the COVID-19 pandemic has increased some of the challenges children have to face in some of the thematic areas:

1. It has exacerbated existing challenges and inequalities and created new ones. Children have been exposed to increased domestic violence and online abuse and exploitation, cyberbullying⁷ and more child sexual abuse material has been shared online. Procedures such as on asylum or family reunification experienced delays. The shift to distance learning disproportionately affected very young children, those with special needs, those living in poverty, in marginalised communities, such as Roma children, and in remote and rural areas, lacking access to internet connections and IT equipment. Many children lost their most nutritious daily meal, as well as access to services that schools provide. The pandemic also strongly affected children's mental health, with a reported increase in anxiety, stress and loneliness. Many could not participate in sports, leisure, artistic and cultural activities that are essential for their development and well-being.

2. It has threatened the continuity of childhood vaccination programmes in Europe. The European Commission and EU Member States share the objectives to fight disinformation, improve vaccine confidence, and ensure equitable access to vaccines for all.

3. It has led to an increase in certain forms of violence, such as domestic violence, while complaint and reporting mechanisms need to adapt to the new circumstances.

4. It has amplified the challenges related to children and justice. Some court proceedings have stopped or have been delayed; the right to visit family members in prison has been affected.

5. It has significantly increased the time children spend online, with schools, cultural and social life shifting online. This led to heightened online risks and a widening of digital inequalities. One child out of 10 reported no online activities and infrequent teacher contact during the spring lockdown. Access to the Internet remains a challenge for a considerable number of children in the EU: it is 20% higher for high-income households, and is markedly lower in rural areas. In its recent Communication on Europe's Digital Decade, the Commission's announced ambitious connectivity targets for all households in Europe.

and participating in recreational activities online, provided they are accessible.

However, children's online presence increases their exposure to harmful or illegal content, such as child sexual abuse or exploitation materials, pornography and adult content, sexting, online hate-speech or mis- and disinformation, due to the lack of effective parental control/ age verification systems.

Online exposure also harbours risks of harmful and illegal contact, such as cyber-grooming and sexual solicitation, cyberbullying or online abuse and harassment. Almost one third of girls and 20% of boys experienced disturbing content once a month in the past year; and children from minorities encounter upsetting events online more frequently.

6. The Global Dimension

The EU's commitment to promote, protect, fulfil and respect the rights of the child is a global commitment. Through this strategy, the EU aims to strengthen its position also as a key global player in this respect.

The EU already plays a leading role in protecting and supporting children globally, by strengthening access to education, services, health, and in protecting from all forms of violence, abuse and neglect, including in humanitarian context.

Despite significant progress over the last decades, too many children worldwide still suffer from or are at risk of human rights violations, humanitarian crisis, environment and climate crisis, lack of access to education, malnutrition, poverty, inequalities and exclusion.

The situation of girls is particularly difficult; they continue to be victims of discrimination and gender-based violence including child, early and forced marriages, and of female genital mutilation as early as at the age of 4.

Almost two thirds of the world's children live in a country affected by conflict. Children are also victims of recruitment and use in armed conflict.

A total of 152 million children (9.6% of all children globally) are victims of child labour, with 73 million in hazardous work likely to harm their health, safety and development.

7. Embedding a child perspective in all EU actions

To achieve the objectives set out in the strategy, the Commission will ensure that a children's rights perspective is mainstreamed in all relevant policies, legislation and funding programmes.

This will be part of efforts to create a child-friendly culture in EU policy-making and will be supported by providing training and capacity building to EU staff, and enhanced internal coordination through the team of the Commission's coordinator for the rights of the child. A mainstreaming checklist on the rights of the child will be developed.

Reliable and comparable data are needed to develop evidence-based policies.

The strategy will also help with the mainstreaming and coordination of initiatives at national level and among key stakeholders to ensure better implementation of existing EU and international legal obligations.

EU funding is key to support the implementation of EU policies in the Member States.

For real progress to be made on the ground, this strategy needs to be accompanied by commitments and investments at the national level.

Conclusion

The European Commission is fully committed to support children develop their potential as engaged, responsible citizens. For this to happen, participation in democratic life needs to start during childhood.

All children have the right to express their views on matters that concern them, and to have them taken into account. To enable their active participation, we also must tackle poverty, inequalities and discrimination to break the intergenerational cycle of disadvantage.

The Commission invites the European Parliament and the Council to endorse the strategy and work together on its implementation. The Commission calls on the Committee of the Regions and the European Economic and Social Committee to promote dialogue with local and regional authorities and civil society.