

A World Fit for children:

Joint reaction to the Council Conclusions on the EU Strategy on the Rights of the Child

July 2022



This position paper is endorsed by the undersigned organisations :



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The Council Conclusions on the EU Strategy on the Rights of the Child come at a crucial and challenging time for children worldwide.

The impact of the war in Ukraine and the socio-economic fallout from the COVID-19 crisis threaten children's well-being and development across the world. Pre-existing inequalities have been exacerbated, risking to leave the most vulnerable children, such as girls, children with disabilities, migrant children and separated or unaccompanied children, stateless children, LGBTQI children, deprived of their rights.

In this context, the undersigned organisations strongly welcome the Council Conclusions on the EU Strategy on the Rights of the Child, published in June 2022. We commend the efforts of the French Presidency for bringing together all Member States to find common ground to promote the best interests of all children.

The EU Strategy on the Rights of the Child represents an ambitious roadmap to mainstream children's rights in EU policies. Adopted by the European Commission in March 2021, it outlines proposals, actions and initiatives to further the rights of children across six thematic areas, each one defining the priorities for action within the EU and globally for the years to come. The undersigned organisations have been advocating for Council Conclusions since we welcomed the Strategy with a [joint statement](#) in July 2021.

Now that we have Council Conclusions, the undersigned organisations call on the European Commission and all EU Member States to follow up on and implement the Strategy and the recommendations laid out by the [Council Conclusions on the EU Strategy on the Rights of the Child](#).

1. Rights of All Children

We welcome the Council's commitment to reiterate the importance of child participation by supporting the development and creation of dedicated mechanisms at national and EU level.

We applaud the Council for calling for improvements in the collection of comparable age and gender disaggregated data across the EU by respecting national circumstances and promoting child-focused research.

We particularly appreciate the Council's recommendation to underline the importance of developing and providing child friendly information about children's rights to the public and to children specifically.

We appreciate the reference to the 14th June 2021 Council Conclusion on the

Child Guarantee as an important framework to prevent and combat the social exclusion of children in need by guaranteeing effective access to a set of key services to them and their families. We call on Member States to urgently submit and start implementing ambitious and comprehensive national actions plans for the realisation of socio-economic rights of children and families in need.¹

To ensure efficient implementation of these recommendations we draw attention to the following:

Right to information: To make sure information reaches all children, we recommend involving children in identifying adequate and accessible dissemination tools for information. For inclusivity purposes, we also recommend extending the translation of these texts to all EU languages. All EU instruments and legal texts impacting children's lives should be included.

Inclusive and rights-based participation: In order to put child empowerment at the heart of the policy agenda and enable all children to become drivers of democratic societies and agents of change, we recommend ensuring inclusive and rights-based participation of children in all their diversity² in policy-making, within Europe and worldwide. We also propose to create a child friendly and accessible monitoring framework at the disposal of all children after they have participated in decision-making. We recommend that the development of the mainstreaming checklist on the rights of the child involves civil society.

Children in EU external action: With the impact of the COVID-19 pandemic and increased exposure to crises, we call on all Member States to commit to ensuring the protection of all children, without discrimination, particularly in emergency settings and hardest to reach areas. We call for age- and gender-specific, inclusive and ambitious actions for children outside of the EU particularly regarding their wellbeing, access to services, as well as access to democratic and political participation. These actions should acknowledge the disproportionate impact of harmful practices on girls³, particularly in emergencies and humanitarian contexts, and support resources to prevent, mitigate, and respond to such practices.

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<https://coface-eu.org/eu-alliance-for-investing-in-children-statement-on-the-related-submission-of-the-child-guarantee-national-action-plans/#:~:text=The%20EU%20Alliance%20for%20Investing%20in%20Children%20has%20been%20advocating,Alliance%20for%20Childhood>

² This means younger children, vulnerable and marginalised children including girls, children with a migration background, undocumented children, stateless children, Roma children, children with disabilities, working children, children victims of violence (or at risk of), LGBTQIA+ children, etc

³ Terre des Hommes Indifesa Dossier 2021, Global report on the condition of girl children worldwide

Children affected by the war in Ukraine:

In the context of Russia's war against Ukraine, we call on EU Member-States to look at the impact of this war on low income countries and to take action to ensure millions of children and families do not go hungry and are lifted out of poverty. The war in Ukraine exacerbates the weaknesses of the European Child Protection Systems. We draw attention to the need for better coordination on cross-border information sharing, protection mechanisms. The need for rules on guardianship has been exemplified by the recent huge influx and movement of children fleeing Ukraine, many without parental care.⁴ Improved monitoring and evaluation systems at national level can also facilitate better comparability and coordination.⁵ We call on Member States to invest in scaling up community and family-based alternatives to meet the huge demand placed on national child protection systems. EU funds should not be directed towards the refurbishing, building, renovating, or extending of institutional care facilities⁶.

2. Preventing and combating violence against children

We welcome the Council's call to prevent and combat all forms of violence against children. We particularly commend the Council for calling on Member States who have not yet done so, to sign and ratify the [Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography](#) and the [Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure](#).

We salute the Council's will to strengthen the implementation of the legal and policy framework on preventing and combatting child sexual abuse and to strengthen the development, evaluation and promotion of integrated child protection systems, and more specifically salute the mention of the Barnahus system.

We commend the Council for calling on Member States to provide adequate measures to prevent and combat domestic violence, sexual exploitation and abuse, early forced and child marriage, female genital mutilation and other harmful practices.

We salute the Council for welcoming the initiative of the European Commission to work towards ensuring that supply chains of EU companies are free from child

⁴ Eurochild's working together with Child Circle and UNICEF ECARO can provide an instructive overview of country-level systems in 13 countries & highlight key areas for action for reform.

<https://www.eurochild.org/resource/how-can-we-support-children-fleeing-ukraine/>

⁵ Evidence from the DataCare project led by Eurochild & UNICEF's, demonstrates how such indicators could be developed for children in alternative care.

<https://www.eurochild.org/resource/better-data-for-better-child-protection-systems-in-europe/>

⁶ European Expert Group on the transition from institutional to community based care and Hope and Homes for Children <https://deinstitutionalisationdotcom.files.wordpress.com/2021/07/updated-checklist-new-eeg-logo.pdf>

labour as part of EU efforts to eliminate child labour around the world.

At the same time we call attention to the following:

Child protection monitoring: Child-friendly reporting mechanisms must be in place to identify various forms of violence against children. We encourage more guidance and strong recommendations to EU Member-States to develop comprehensive and sustainable reporting, data collection and statistical mechanisms on violence against children. In the long term, robust data collection and reporting mechanisms will lead to policies, legislations and practices able to respond to the needs of children and end violence against children. Improved

monitoring and evaluating systems at national level can also facilitate better comparability and coordination between EU Member-States⁷.

Child sexual abuse: We call on all EU Member States to combat all forms of child sexual abuse and exploitation, both online and offline and support the Commission's [proposal for a regulation](#)⁸. Since an issue must be fully understood before we can attempt to address it, we call on EU Member-states to fund research, prevention and awareness campaigns on pedophilia, pedocriminality and incest.

Child labour: We call on Member States to recognise that child labour constitutes a fundamental act of violence against children, incompatible with childhood. We call on to strongly commit to the elimination of child labour by supporting and enforcing effective legislation against child labour, including in small businesses in the informal, unregulated sector, in which the most exploitative and dangerous forms of child labour are often found⁹. The eradication of child labour can only be achieved through social dialogue, including with working children themselves¹⁰.

⁷ Evidence from Eurochild & UNICEF's DataCare project demonstrates how such indicators could be developed for children in alternative care to improve how national data collection can be strengthened:

<https://www.eurochild.org/resource/better-data-for-better-child-protection-systems-in-europe/>

⁸ As 1 July 2022, over 80 civil society organisations have welcomed the European Commission proposal in an [open letter](#)

⁹ Evidence provided by [CLARISSA network](#): Terre des hommes; ChildHope; Consortium for Street Children; Children-Women in Social Service and Human Rights; Voice of Children; Grambangla Unnayan Committee and BRAC Institute of Governance and Development. It is a consortium generating innovative solutions for children to avoid hazardous and exploitative labour <https://clarissa.global/>

¹⁰ [Terre des Hommes Child Labour Report 2022 – Building Back Better After Covid-19 – together with children as protagonists](#) (May 2022)

https://www.terredeshommes.org/wp-content/uploads/2022/05/TDHIF_Child-Labour-Report_2022.pdf

3. Children on the move and in crisis and emergency situations

We commend the Council for calling on EU Member States to develop and support the adequate implementation of EU legal guarantees for the protection of the fundamental rights of the child in crisis or emergency situations without discrimination, hearing and taking into account the opinions of children, in accordance with age and degree of maturity, while duly respecting the child's best interests.

We salute the Council's will to improve and address child protection needs arising in emergency situations and to support the development of effective and viable alternatives to the detention of children in migration.

At the same time we draw attention to:

Ending child detention: In line with the Committee on the Rights of the Child, detention of children constitutes a child rights violation and is never in the best interests of the child. We therefore reiterate our call to end child detention and to fully implement the recommendations set out in the Global Study on Children Deprived of Liberty.¹¹ We wish to see the EU Strategy on the Rights of the Child mirrored in all related migration policy debates including the ongoing negotiations on the Pact on Migration and Asylum. To ensure a safe Europe for children in migration, the Strategy on the Rights of the Child must permeate all EU policies, upholding the principle of non-discrimination. Every child, regardless of origin or status should have access to safe and just reception conditions.

Children in migration: We call on EU Member-States to provide equal access to quality migration procedures, reception conditions and services to all children¹² coming into the European Union, in full respect of their inalienable human rights. Some of these children are unaccompanied or separated, meaning they are particularly exposed to harm such as abuse, violence, exploitation, trafficking, and denial of fundamental rights. All these factors endanger their well-being and later life and may lead to them going missing. We therefore urge all EU Member-States to invest in quality infrastructure and services, including migration procedures and policies, material and human resources, mental health and psychosocial support to ensure that the rights of children in migration are protected and promoted. Children in migration must be fully protected and have equal access to healthcare and education services and child protection systems.

¹¹ <https://www.ohchr.org/EN/HRBodies/CRC/StudyChildrenDeprivedLiberty/Pages/Index.aspx>

¹² This means younger children, vulnerable and marginalised children including girls, children with a migration background, undocumented children, stateless children, Roma children, children with disabilities, working children, children victims of violence (or at risk of), LGBTQIA+ children, etc

We call on Member States to promote and invest more in changing the narrative about children and young people in migration which plays a fundamental role in guaranteeing equality, the fundamental rights of migrants and the development of sustainable and democratic societies¹³. Humanitarian actions should systematically integrate adapted mental health and psychosocial support.

Child Trafficking: To ensure no child becomes the victim of trafficking, EU Member States must establish and strengthen existing safeguarding mechanisms, including early risk detection, solid reporting systems, cross-border information sharing, and child-friendly judicial procedures for victims of trafficking, as well as develop and strengthen pathways for migration. These measures necessitate strong political will, robust legislative, judicial and policy frameworks and sustained investment in the capacity of child protection authorities and non-governmental organisations combating child trafficking and supporting victims.

4. Child-friendly Justice

We salute the Council for stating that the best interests of the child should be the primary consideration in all judicial proceedings relating to children, including providing the necessary support services and promoting interdisciplinary cooperation among different services.

We commend the Council for encouraging the development of child-friendly proceedings from the very beginning, including through the provision of age-appropriate and child-friendly information and possible ways of participation.

At the same time we draw attention to:

Non-discrimination in judicial proceedings: Resilient child-friendly justice systems should be grounded in dignity, equity, equality and non-discrimination, toward children in all their diversity. The strategy does not include any concrete action to ensure that child-friendly justice systems are resilient and that procedural safeguards, including e-justice procedural safeguards, are fully respected. To this respect, we also would like to underline that procedural

¹³ Destination Unknown Network Guidelines "Stories shape societies: Creating new hope-based narratives about children, young people and migration"
<https://destination-unknown.org/worldwide/global/creating-new-hope-based-narratives-about-children-young-people-and-migration/>

safeguards, including e-justice procedural safeguards, are fully respected. To this respect, we also would like to underline that necessary support during and after the proceedings should be available for all children. We strongly recommend the development of appropriate Victim Assistance Training, Child and Family training of all people working within the judicial system and involved with children, at all levels of the judiciary chain. These trainings should be duly monitored and evaluated.

Improving the use of technology: Drawing upon the lessons learned from the COVID-19 pandemic and promising practices to safeguard children's rights in the justice sector in times of crises, we call on the Council to collect data and provide guidance in collaboration with ICT partners. It should also explore how digital tools can be created or adapted to be safe by design, and for appropriate and child-friendly use of technology. This should also include using technology to inform children of their rights in judicial procedures and to train professionals on child-friendly justice.

Addressing childhood statelessness: The Ukraine crisis has served to underline the urgent need to have comprehensive measures in place to identify (risks of) childhood statelessness, and ensure every child's right to birth registration, an identity, and nationality. Not having a nationality makes it difficult to access some of the basic services such as healthcare and education, and can lead to situations of violence and exploitation. In line with the EU Strategy on the Rights of the Child, EU Member States must promote and ensure universal, free and immediate access to birth registration and certification for all children. Moreover, the capacity of frontline officials to respond to statelessness and nationality-related problems in the context of migration must be increased, particularly in light of the Ukraine crisis.

5. Children in Digital Society

We welcome the Council's recognition of the need for equal access to digital technologies and skills, as well as its focus on digital literacy, privacy and online safety.

We salute the Council for calling on developing support for children victims of online abuse.

We commend the Council for calling on improving the collection of age and sex disaggregated data in a comparable manner across the EU and salute that the Council's commitments are in line with the new UN endorsed guidance on

Statistics on children¹⁴.

At the same time we draw attention to:

Digital Gender Divide : We call on strengthening the focus on the digital gender divide, and the ability of all children to engage with the digital society not just as users, but also as creators of digital content. We call on EU Member-States to recognise that girls are particularly vulnerable to online violence and misinformation, face greater barriers in accessing and meaningfully engaging with digital technologies and experience the consequences of bias in digital content creation. In this regard, it is critical to address girls' unique needs in using, engaging with, and creating digital technologies in order to eliminate the digital gender divide and benefit children in all their diversity. We call on ensuring all actions are in line with the General Comment 25 on children's rights in relation to the digital environment".¹⁵

Cyberbullying, online sexual abuse and exploitation, including grooming:

We call on EU Member-States to combat online child sexual abuse and exploitation, including grooming, by ensuring that digital environments are safe by design and that legislative frameworks incorporate safety by design in their requirements¹⁶. We also draw attention to the exponential growing issue of cyberbullying which strongly correlate with young children and adolescents suicide. Supporting legal frameworks that condemn and address this issue directly is of utmost importance. A comprehensive and robust 'model' policy on children's online safety as one approach that policymakers can implement or build to make children's rights to protection and participation real and effective as they engage with the digital world is strongly needed¹⁷. Children's online protection should be integrated within national protection policies.

The Strategy states that the digital environment can provide many opportunities for realising the rights of the child, but does not recognise that this also includes their health and wellbeing. A balanced perspective on the use of digital technologies, beyond the concept of screentime, is crucial for realising children's rights in the digital environment.¹⁸

¹⁴ 20-22 June 2022 United Nations Economic Commission for Europe - Conference of European Statisticians : Guidance on statistics on children: spotlight on children exposed to violence, in alternative care and with disability: https://unece.org/sites/default/files/2022-04/04_Guidance%20on%20Statistics%20of%20Children_long%20version%20sent%20for%20consultation.pdf

¹⁵ <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-25-2021-childrens-rights-relation>

¹⁶ Research Paper 'Child Safety by design that works against online sexual exploitation of children, May 2022. Down to Zero Alliance: Terre des Hommes, Plan Netherlands, Defence for Children - ECPAT, Free a Girl and ICCO Cooperation <https://www.terredeshommes.org/wp-content/uploads/2022/05/1652864615-child-safety-by-design-report-final-1.pdf>

¹⁷ Child Online Safety Toolkit-Making Child Online Safety a Reality. <https://childonlinesafetytoolkit.org/wp-content/uploads/2022/05/5Rights-Child-Online-Safety-Toolkit-English.pdf>

¹⁸ [DigiGen working paper 'Combining innovative methodological tools to approach digital transformations in leisure among children and young people' \(2022\)](#)

6. EU Network for Children's Rights

We welcome the Council's commitment to collaborating with different bodies and institutions, in and outside of the EU, to ensure children's rights. We particularly appreciate the launch of the EU Network for Children's Rights by the European Commission and its aim of reinforcing dialogue and mutual learning between the EU Member States and civil society organisations on children's rights.

To ensure an efficient implementation we call attention to the following:

We call on EU Member-States to meaningfully include children and civil society organisations working for and with children in the implementation, monitoring and evaluation of the EU Strategy on the Rights of the Child. The undersigned organisations welcome opportunities to provide child rights training and capacity building to EU and Member-States agents, to ensure that children in all their diversity can benefit from the implementation of the EU Strategy on the Rights of the Child.