



**2021/2523(RSP)**

3.3.2021

## **MOTION FOR A RESOLUTION**

further to Question for Oral Answer B9-0000

pursuant to Rule 136 of the Rules of Procedure

on Children's Rights in view of the EU Strategy on the rights of the child  
(2021/2523(RSP))

**Juan Fernando López Aguilar**

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

**B9-0000/2021**

**European Parliament resolution on Children’s Rights in view of the EU Strategy on the rights of the child  
(2021/2523(RSP))**

*The European Parliament,*

- having regard to the UN Convention on the Rights of the Child of 20 November 1989;
- having regard to the General Comments of the Committee on the Rights of the Child<sup>1</sup>;
- having regard to the UN Guidelines for the Alternative Care of Children<sup>2</sup>;
- having regard to UN Global Study on children deprived of liberty of July 2019<sup>3</sup>;
- having regard to the UN Secretary General Policy briefing: the impact of COVID 19 on children published on the 15 April 2020 and the positive response co-led by the EU and GRULAC and signed by 173 countries;
- having regard to the OECD policy brief “What is the impact of the COVID-19 pandemic on immigrants and their children?” of 19 October 2020<sup>4</sup>;
- having regard to the Declaration of the Committee of Ministers of the Council of Europe on the Rise of Anti-Gypsyism and racist violence against Roma in Europe, adopted on 1 February 2012;
- having regard to Article 3(3) and 3(5) of the Treaty on European Union;
- having regard to the Charter of Fundamental Rights of the European Union;
- having regard to Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography<sup>5</sup>;
- having regard to the EU Directives on Procedural Rights<sup>6</sup>;

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<sup>1</sup> In particular, General Comments No. 5 on general measures of implementation of the Convention on the Rights of the Child, No. 6 on the treatment of unaccompanied and separated children outside their country of origin, No. 10 on children’s rights in juvenile justice, No. 12 on the right of child to be heard, No. 13 on the right of the child to freedom from all forms of violence, No. 14 on the right of the child to have his or her best interests taken as a primary consideration, No. 15 on the right of the child to the enjoyment of the highest attainable standard of health and No.16 on State obligations regarding the impact of business sector on children’s rights

<sup>2</sup> As enshrined in the resolution of the UN General Assembly A/RES/64/142 of 24 February 2010

<sup>3</sup> Note by the UN Secretary-General A/74/136 of 11 July 2019

<sup>4</sup> <https://doi.org/10.1787/e7cbb7de-en>

<sup>5</sup> OJ L 335, 17.12.2011

<sup>6</sup> In particular, Directive (EU) 2016/800 of the European Parliament and of the Council on procedural safeguards for children who are suspects or accused persons in criminal proceedings, Directive (EU) 2010/64/EU on the right to interpretation and translation in criminal proceedings, and Directive (EU) 2012/13/EU on the right to information in criminal proceedings

- having regard to the Commission Recommendation on Investing in children: breaking the cycle of disadvantage of 20 February 2013<sup>7</sup>;
- having regard to the International year for the elimination of child labour 2021 and European Commission zero tolerance approach towards child labour;
- having regard to the Commission communication on the protection of children in migration of 12 April 2017<sup>8</sup>;
- having regard to the Council conclusions on the protection of children in migration of 8 June 2017;
- having regard to the EC Communications adopted with the aim at creating a Union of Equality, in line with the Political Guidelines for the next European Commission 2019-2024<sup>9</sup>;
- having regard to the EC Communication EU Strategy on victims' rights (2020-2025) of 24 June 2020<sup>10</sup>
- having regard to its Resolution on children's rights on the occasion of the 30th anniversary of UN Convention on the Rights of the Child of 26 November 2019<sup>11</sup>;
- having regard to its Resolution on the protection of children in migration of 3 May 2018<sup>12</sup>;
- having regard to European Parliament resolution of 12 February 2019 on the need for a strengthened post-2020 Strategic EU Framework for National Roma Inclusion Strategies and stepping up the fight against anti-gypsyism<sup>13</sup> and its resolution of 17 September 2020 on the implementation of National Roma Integration Strategies: combating negative attitudes towards people with Romani background in Europe<sup>14</sup>;
- having regard to the question to the Commission on Children's Rights in view of the EU Strategy on the rights of the child (O-0000 – B9-0000),
- having regard to Rules 136 and 132(2) of its Rules of Procedure,
- having regard to the motion for a resolution of the Committee on Civil Liberties, Justice and Home Affairs,

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<sup>7</sup> 2013/112/EU

<sup>8</sup> COM(2017)0211

<sup>9</sup> EC Communication Action plan on Integration and Inclusion 2021-2027 of 24 November 2020 (COM(2020) 758 final); EC Communication: A Union of equality: EU anti-racism action plan 2020-2025 of 18 September 2020 COM(2020) 565 final; EC Communication A Union of Equality: Gender Equality Strategy 2020-2025 of 5 March 2020 (COM(2020) 152 final); EC Communication Union of Equality: LGBTIQ Equality Strategy 2020-2025 of 12 November 2020 (COM(2020) 698 final)

<sup>10</sup> COM/2020/258 final

<sup>11</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2019-0066\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2019-0066_EN.html)

<sup>12</sup> (2018/2666(RSP))

<sup>13</sup> (2019/2509(RSP))

<sup>14</sup> (P9\_TA(2020)0229)

- A. whereas a child is first and foremost a child, regardless of the child's ethnic origin, gender, nationality or social and economic background, ability, migration or residency status and needs special protection and is entitled to all the rights enshrined in the UN Convention on the Rights of the Child;
- B. whereas the best interests of the child must be a primary consideration in all actions and decisions concerning them and their physical and mental wellbeing;
- C. whereas children have the right to inclusive, affordable early childhood education, care of good quality, and the right to leisure; whereas children, particularly children from disadvantaged backgrounds, have the right to protection from poverty and to specific measures to enhance equal opportunities and combat discrimination and segregation in education; whereas investment in early childhood development brings high returns from an economic and societal perspective
- D. whereas before the outbreak of COVID-19, children were twice as likely as adults to be living in extreme poverty<sup>15</sup>; whereas as a consequence of the pandemic, it is estimated that the number of children living below their respective national poverty line could soar by as many as 117 million, and approximately 150 million additional children are living in multidimensional poverty<sup>16</sup>; Whereas the current pandemic has further exacerbated the inequalities and put children at a further risk of extreme poverty, at a higher pace than the pre-COVID period, where already 1 in 4 children in Europe was at risk of poverty<sup>17</sup>;
- E. whereas up to 1.6 billion children worldwide have been affected by school closures as a result of the current pandemic and it is estimated that at least 24 million students could drop out of school due to the current COVID-19 pandemic<sup>18</sup>; and whereas 370 million children worldwide – many of whom are reliant on school meals as a key source of their daily nutrition – have missed 40 per cent of in-school meals, on average, since COVID-19 restrictions shuttered classrooms<sup>19</sup>; whereas children, and in particular girls and children with disabilities, from socioeconomically disadvantaged backgrounds are particularly affected by the impact of school closures and in accessing education, both in schools and with distance learning;
- F. whereas the right to education has been severely impacted by the COVID- 19; whereas, while education policy remains a competence of Member States, the COVID-19 and inequalities in education caused by it, represents a common challenge that demands a common Union approach, policies and tools;
- G. whereas Eurostat<sup>20</sup> research shows that 88.3 per cent of children in 2018 in the EU aged between three years and the minimum compulsory school age received formal childcare, showing increased need for establishing more day care facilities for children as an important tool for the cognitive and social development of children from an early

<sup>15</sup> <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/DDN-20200305-1>

<sup>16</sup> <https://data.unicef.org/resources/impact-of-covid-19-on-multidimensional-child-poverty/>

<sup>17</sup> <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/DDN-20200305-1>

<sup>18</sup> <https://data.unicef.org/topic/education/covid-19/>

<sup>19</sup> Office of Research- Innocenti working paper UNICEF and WFP COVID-19: Missing More than a Classroom

<sup>20</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php/Living\\_conditions\\_in\\_Europe\\_childcare\\_arrangements](https://ec.europa.eu/eurostat/statistics-explained/index.php/Living_conditions_in_Europe_childcare_arrangements)

age;

- H. whereas home schooling is still not an option for more than two thirds of the children worldwide because of lack of internet access; whereas home schooling highlighted the educational divide and the digital in many EU Member States and worldwide , impacting children's life chances, as well as their physical and mental health and that young girls and young people in vulnerable situations and from racialized groups, are particularly affected by the digital divide;
- I. whereas worldwide, 1 in 4 girls aged 15-19 are in neither education, employment nor training, compared with 1 in 10 boys and promoting gender equality and the empowerment of girls is central to achieving the Sustainable Development Goals<sup>21</sup>;
- J. whereas the current global pandemic seems to have spared children from the most severe health consequences, the COVID-19 crisis is, however, having a huge toll on children, posing an increasing and direct threat to their wellbeing and development, including on their mental health; in particular, children from disadvantaged backgrounds, unaccompanied minors, and children belonging to minorities such as Romani children; and whereas to date, it is estimated that an additional 1.2 million children and 56,700 mothers could die in 6 months due to disruption in basic interventions such as routine health service coverage and insufficient access to healthcare services can affect all areas of life<sup>22</sup>;
- K. whereas there has been an increase in the suicide rate in many EU Member States, according to a recent survey with young people across the EU, almost 1 in 5 responded that they suffered from mental health problems or symptoms such as depression or anxiety<sup>23</sup>; and whereas the UN has warned of a global mental health crisis and lack of action could have a devastating long-term social and economic cost to society – with children and adolescents among those most at risk<sup>24</sup>;
- L. whereas shortcomings in the national child protection systems and lack of transnational cooperation mechanisms among Member States can further contribute to social exclusion as well as to exploitation of children, in particular of children on the move; Whereas some discrimination has been reported as a result of the procedures and practices adopted by the authorities in cross-border family disputes involving children<sup>25</sup>; whereas the hotlines also report an increase of the number of calls related to cases of child abduction, especially during the last months, due to the aggravation of existing international family conflicts;
- M. whereas according to the latest report of the Commission on the progress made in the fight against trafficking in human beings<sup>26</sup>, children accounted for nearly a quarter of all

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<sup>21</sup> <https://www.unicef.org/reports/global-annual-results-2019-gender-equality>

<sup>22</sup> The State of Food Security and Nutrition in the World - FAO, UNICEF, WFP 2020.

<sup>23</sup> Child fund, Eurochild, Wold vision, Save the children, UNICEF, Our Europe. Our Rights. Our Future, Jan 2021

<sup>24</sup> <https://news.un.org/en/story/2020/05/1063882>

<sup>25</sup> [https://www.europarl.europa.eu/doceo/document/TA-8-2018-0476\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-8-2018-0476_EN.html)

<sup>26</sup> [https://ec.europa.eu/anti-trafficking/sites/default/files/staff\\_working\\_document\\_2020.pdf](https://ec.europa.eu/anti-trafficking/sites/default/files/staff_working_document_2020.pdf)

registered victims in the EU 27;

- N. whereas 152 million children are involved in child labour worldwide and approximately 73 million of these children are subjected to one of the worst forms of child labour, slavery, bonded labour, dangerous work, sexual exploitation<sup>27</sup>; whereas the Commission has declared “zero tolerance on child labour” a policy priority that must be adhered to;
- O. Whereas 1 out of 3 girls experience female genital mutilation (FGM) and 1 out of 5 will be married while they are still children; whereas FGM is recognised internationally as a violation of human rights; whereas child marriage is still an issue in some Member States and has a devastating impact on the rights and health of girls and women;
- P. Whereas as a result of the pandemic and as a consequence of the lockdown domestic and gender-based violence and, according to the latest Europol Report<sup>28</sup> child sexual abuse online in the EU have increased; whereas between 70% and 85% of children know their abuser and the vast majority of children are victims of people they trust<sup>29</sup>; whereas other risks also linked to increased periods of time online, such as cyberbullying, have also risen because of these measures;
- Q. whereas children with disabilities are vulnerable and can face, social exclusion, marginalization, discrimination and reduced access to service; whereas they are more likely to be neglected, exploited, sexually abused; whereas children with disabilities have greater health-care needs and dependence on community-based services<sup>30</sup>;
- R. whereas in 2019, 30.3% of asylum seekers were children, representing 207 215 children in the EU27+ and 7.1% of these children were unaccompanied minors<sup>31</sup>; whereas many children are exposed to unacceptable humanitarian situations at the European external borders, or outside the EU; whereas unaccompanied children represent a highly vulnerable group and face various risks including being victims of criminal networks, violence, abuse, and exploitation along migration routes towards and within the EU<sup>32</sup>; whereas migrant children are often denied access to integration and inclusion measures, protection and social security; whereas unaccompanied asylum-seeking children turning 18 face particular challenges as they often have to leave their child-specific accommodation; whereas children applying for international protection might suffer due to the delays in the final decisions to be issued;
- S. whereas special safeguards and procedural guarantees for children provided in the Common European Asylum System face strong gaps of implementation and deficiencies, with variations between the Member States, for example on the possibility for children to remain with their family members and/or guardians in non-custodial context, and in particular in, family reunification in line with Council Directive 2003/86/EC, reception conditions, appointment of legal representatives and guardians,

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<sup>27</sup> [https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\\_575499.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575499.pdf)

<sup>28</sup> <https://www.europol.europa.eu/publications-documents/exploiting-isolation-offenders-and-victims-of-online-child-sexual-abuse-during-covid-19-pandemic>

<sup>29</sup> <https://www.coe.int/en/web/human-rights-channel/stop-child-sexual-abuse-in-sport>

<sup>30</sup> <https://data.unicef.org/resources/children-with-disabilities-ensuring-inclusion-in-covid-19-response/>

<sup>31</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum\\_statistics#Number\\_of\\_asylum\\_applicants:\\_increase\\_in\\_2019](https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics#Number_of_asylum_applicants:_increase_in_2019)

<sup>32</sup> 4<sup>th</sup> Annual Activity report EMSC

access to child-friendly information, health and social services or education;

- T. whereas children continue to be born stateless, including in the EU, and continue to be excluded from accessing basic rights, whereas an estimated 200 million children worldwide do not have a birth certificate, heightening the risk of statelessness and putting them at severe disadvantage in access to rights and services; whereas the right of the child to acquire a nationality and be registered immediately after birth is enshrined in Article 7 of the UN Convention on the Rights of the Child;
- U. whereas children are amongst the most vulnerable to the impact of climate change, which is affecting their life expectancy, their health, their right to education and their right to be protected and causing displacement in regions prone to natural disasters; Whereas environmental risks account for 1 out of 4 child deaths<sup>33</sup>;
- V. whereas children's participation is still scarce in EU internal and external policy-making; whereas systemic ways to embed rights-based child participation in policy making both at EU and at national and local levels should be implemented; whereas children have a right to participate in democratic life and in decisions that directly or indirectly affect them, whereas the most marginalised and excluded groups have even fewer opportunities to participate in policy and decision making processes;
- W. whereas a significant number of children are still detained in the European Union; whereas the UN Committee on the Rights of the Child has clarified that children should never be detained for immigration purposes, and detention can never be justified as in a child's best interests also in line with the New York Declaration for Refugees and Migrants of 19 September 2016; Whereas Member States must provide adequate, humane and non-custodial alternatives to detention including ensuring that COVID-19 measures never lead to the detention of children; whereas Member States should systematically collect disaggregate data on detention of children in the context of migration, while the Commission should encourage the comparability of such data through Eurostat;
- X. Whereas children placed in closed institutions have been particularly affected by the pandemic; whereas confinement measures exacerbate the vulnerability of children living in psychiatric and social care institutions, orphanages, refugee camps, detention centres and other closed facilities; whereas cases of violence of children confined in these premises are likely to go undetected and child and family welfare services are over-stretched and disrupted;
- Y. whereas the General Data Protection Regulation recognises that children merit specific protection with regard to their personal data and that they require information about their data presented to them in child-friendly language; whereas children's access to social media platforms must go hand in hand with children's enhanced understanding of digital technologies; whereas promoting digital education, literacy and skills is key to clamp down on social media misuse, particularly in the case of underage users accessing platforms that do not require age verification, in the interest of protecting

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<sup>33</sup> UNICEF, [Reimagining our Future: Building Back Better from COVID-19](#), June 2020



vulnerable groups, particularly children;

1. Welcomes the initiative of the Commission to prepare a new comprehensive Strategy on the rights of the child, ten years after the 2011 EU Agenda for the Rights of the Child; calls for adequate legislative and non-legislative proposals and binding and non-binding European instruments to address the challenges children are facing;
2. Stresses that the child is first and foremost a child, regardless of the child's ethnic origin, gender, nationality or social and economic background, ability, migration or residence status, and that the best interests of the child must be embedded in all the EU policies procedures and actions concerning children;
3. Reiterates its call on the Commission to include in the EU Strategy on the Rights of the Child all the provisions set out in the European Parliament Resolution on children's rights on the occasion of the 30th anniversary of the UN Convention on the Rights of the Child of 26 November 2019;
4. Stresses that the EU Strategy must take a gender balance approach, integrating a gender perspective across all programming sectors, targeting the well-being and empowerment of girls, and addressing their specific needs and recognising their rights;
5. Stresses that the Strategy should call on Member States to allocate all the necessary resources for effective implementation of the UN Convention of the Rights of the Child; further calls on the Member States to address structural inequalities and prioritise public investment in education, healthcare, housing, family support and childcare, and to invest in high-quality universal services that reach all children and calls on Member States to strengthen the capacities of the social service workforce to support children and families facing special challenges and to support frontline operators in the child protection services;
6. Calls on the Member States to guarantee the right to education to every child and to set up measures to combat and prevent early school leaving and to ensure gender-equitable access to quality inclusive education from early childhood to adolescence, including for Romani children and children with disabilities, stateless and migrant children and those living in humanitarian and emergency settings;
7. Emphasises that digital education should never permanently replace in-person learning particularly where access to technologies is limited and should only be used in times of great difficulty such as pandemics or complementary to in-person and face-to-face learning:calls on the Commission to make a thorough assessment on how the right to education has been affected by the crisis and to propose recommendations to Member States based on the results of this analysis;
8. Calls on Member States to put in place specific 'safe school' operations including providing hygiene supplies and sharing information in a child-friendly manner on handwashing and other hygiene measures during the COVID-19 pandemic;
9. Calls on Member States to guarantee the right to inclusive education and to ensure access to comprehensive, age-appropriate information about sex and sexuality, and access to sexual and reproductive healthcare and relationship education; recalls that



education in this area is necessary to ensure the full education and protection of children and to the latest report of the Commission;

10. Reiterates its call on stepping up EU action to end all forms of violence and discrimination against children, including physical, sexual, economic, psychological violence, or injury, abuse, neglect, mistreatment or exploitation, perpetrated both online and offline including forced marriage, trafficking, abuse and exploitation of migrant children, torture, honour killing, FGM, incest, forced leaving of school and the use of children as soldiers; stresses that, in order to ensure consistency as regards the protection of children from violence, trafficking and exploitation, all legislative and non-legislative initiatives concerning children's rights have to take into account the EU Strategy on the Rights of the Child; calls on the Commission to publish a timetable concerning such proposals, while ensuring the implementation of its recommendations through an appropriate and efficient monitoring mechanism;
11. Calls on the Commission and Member States to end, in law and in practice, all child labour and all other forms of work likely to harm children's health and safety; Stresses the urgent need to tackle this issue considering the impact of the Covid-19 crisis on the most vulnerable, affected by income shocks and a lack of access to social protection and as a consequence with more children forced into work; Calls therefore on the Commission to embed children's rights in the upcoming EU sustainable governance framework, including the EU mandatory due diligence and to support third countries to eliminate child labour through cooperation programmes; Recommends adopting cross-sectoral mandatory due diligence and ensuring that all EU policies, are child-friendly by committing to undertake ex-ante and ex-post human rights;
12. Calls on the Commission and the HR/VP to intensify efforts to prevent and end grave violations against children affected by armed conflict; is extremely alarmed by the fact the association and recruitment of children into armed groups often happens when children have no other options left to them; stresses the importance of advancing the Child Rights and Armed Conflicts (CAAC) agenda in the EU external action, and counter-terrorism and security policies, in line with EU action plan on human rights and democracy, integrating it in the political dialogues, such as CSDP missions and operations, security sector reforms and mediation; calls on the Commission and the HR/VP to set up special child protection officers and units in the EU Delegations; Calls on Member States to protect child nationals who may be detained for security-related offences or association with armed groups, and facilitate the child's return to their country of origin for rehabilitation, reintegration and/or prosecution, as appropriate, in full compliance with international law;
13. Stresses that protection from the sexual exploitation and abuse of children is essential; Deplores that the Child Sexual Abuse Directive has not yet been implemented by 23 Member States; notes the Council of Europe's emphasis on multi-stakeholder cooperation being identified as the basis for the response against Child Sexual Abuse (CSA) online including law enforcement authorities, national authorities, reporting mechanisms and service providers/industry; Welcomes the Commission's intention to propose a more long-lasting legislative framework to combat CSA in the first semester of 2021; Reiterates its supports for the creation of an European centre to prevent and counter child sexual abuse, a possibility which is being currently assessed by the

Commission; Welcomes the work of Europol in prevention, namely through awareness raising campaigns to prevent child sexual exploitation online<sup>343536</sup>;

14. Stresses that violence and abuse against children have worryingly increased, while social services and protective institutions became highly inaccessible, during the COVID-19 pandemic; Underlines the importance of developing preventive policies to counter violence against children at EU level; highlights the role of EU agencies and bodies to implement the EU legislative framework concerning children rights; Calls upon the Commission to incorporate within the Strategy an EU action plan with standards and benchmarks for online service providers and technology companies to keep children safe online beyond protecting them from being the subjects of illegal content and keeping them safe from harmful content; Calls upon EU Member States that have not yet done so to criminalise online grooming and, cyberstalking;
15. Calls on the Commission to ensure the EU Strategy is consistent with priorities and legislative proposals laid out in the recent EU Strategy for a more effective fight against child sexual abuse, EU Roma strategic framework on equality, inclusion and participation, the EU Gender Strategy and the EU LGBTQ Equality Strategy 2020-2025 of 11 November 2020;
16. Believes it is crucial to include in the EU Strategy concrete measures to invest in children in order to eradicate child poverty, including the establishment of a European Child Guarantee with appropriate resources; Calls on the Commission to present its proposal establishing the European Child Guarantee in the first quarter of 2021 as committed to and on the Member States to speed up their implementation and to invest all possible resources including European funds such as ESF+, ReactEU and Recovery and Resilience Facility European Regional Development Fund, InvestEU and Erasmus+ and AMF in the fight against child poverty and social exclusion; highlights that Member States should establish both multi-annual national strategies for tackling child poverty and social exclusion and Child Guarantee National Action Plans;
17. Is concerned that in the context of the recovery from the COVID-19 crisis, the need to tackle child poverty will become stronger; and will have an ever greater impact on children as the most vulnerable group among the most disadvantaged; urges that this be complemented by a comprehensive Anti-Poverty Strategy including measures ensuring decent and affordable housing and tackling homelessness; recalls that any strategy to eradicate child poverty must take into account the reality of single parenthood and families with large numbers of children, given that single-parent households and households with many children are among the vulnerable groups;
18. Stresses the importance for the EU Strategy to introduce measures to ensure good access to healthcare for children and families in line with the programme EU4Health whilst taking into account difficulties for children to access to this right; 19. Stresses the importance for the EU Strategy to introduce measures to update the existing EU Framework for action on mental health and well-being which should be fully inclusive

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<sup>34</sup> <https://www.europol.europa.eu/activities-services/public-awareness-and-prevention-guides/online-sexual-coercion-and-extortion-crime>

<sup>35</sup> <https://www.europol.europa.eu/stopchildabuse>

<sup>36</sup> <https://www.europol.europa.eu/stopchildabuse>

to also meet the needs of children in vulnerable situations and from marginalised and racialized groups; Calls on the Commission and Member States to scale-up investments in mental health and psycho-social services for children and families, particularly in low- and middle-income countries and in fragile and humanitarian contexts; Calls on Member States to put mechanisms in place for early detection of mental health issues; calls for the full integration of psycho-social and mental health support in national and transnational child protection systems, as well as for training of professionals on the specific needs of children;

20. Reiterates its call to ensure a child-friendly justice system with appropriate and inclusive proceedings which take into account the needs of all children; Stresses the importance to ensure the child's right to be heard , to be assisted by a legal representative and fully informed in a child-friendly manner at all stages of proceedings in the justice system in accordance with Art. 4 and 16 of the Directive (EU) 2016/800 and with Art.22 and 24 of the Directive (EU) 2012/29, including for children in migration, with a particular focus to unaccompanied minors; Calls on Member States to swiftly transpose and enforce the Directives; Calls on the Member States to ensure that child and family courts function as an essential service, continuing to hold emergency hearings and executing court orders for the care and protection of children who are at an immediate risk of neglect or abuse; Recalls that specific safeguards should be put in place for children who come into contact with any judicial related proceedings and stresses the need to train specialized staff;
21. Notes with regret that 11 out of 27 Member States did not provide access to online targeted information for children about the judicial system, such as interactive education on legal rights, and calls upon all Member States to ensure that children can access this information in a child-friendly manner, taking into account any disabilities that might impair access<sup>37</sup>;
22. Highlights the importance of the child's best interests in cross-border family litigation, calls on Member States to ensure their obligations, as provided for in the Brussels II Bis Regulation, for national authorities to recognise and enforce judgments delivered in another Member State in child-related cases, such as custodial judgments, access rights and maintenance obligation; Emphasises the importance of close cooperation and efficient communication between the different national and local authorities involved in childcare proceedings; calls on Member States to respect the right of children to see their parents despite the restrictive measures linked to the pandemic, if this does not endanger their safety and health;
23. Calls on the EU, its agencies and Member States to end childhood statelessness both within and outside the EU, including through improved capacity of frontline officials to identify, record and respond appropriately to statelessness in the migration and asylum context, promoting and ensuring universal access to birth registration and certification regardless of the parents' status, including LGBTIQ+ families, the introduction, improvement and implementation of legal safeguards to prevent childhood statelessness, the introduction and improvement of child rights-based statelessness determination procedures in order to meet international obligations towards stateless

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<sup>37</sup> [https://ec.europa.eu/info/sites/info/files/justice\\_scoreboard\\_2019\\_en.pdf](https://ec.europa.eu/info/sites/info/files/justice_scoreboard_2019_en.pdf)

people in a migratory context in line with the child's best interests, and their right to acquire nationality;

24. Stresses the inclusion in the EU Strategy measures to improve the situation of children in migration and protect their interests both within and outside the EU, and at every stage of asylum procedures; Calls on the Commission and Member States to ensure the implementation of the safeguards and procedural rights for children in the Common European Asylum System, with a particular focus on swift family reunification processes in line with Council Directive 2003/86/EC, access to adequate reception conditions, social and medical care, timely appointment of qualified legal representatives and guardians for unaccompanied minors, or access to child-friendly information;
25. Stresses the importance of integration and inclusion of migrant and refugee children; reiterates the importance of removing all barriers to access basic services and to all integration and inclusion measures, including psycho-social and mental health support and to provide opportunities for children to increase social inclusion; Calls on the Commission to take urgent action to raise awareness of the importance of changing narratives on migration and fighting negative stereotypes;
26. Takes the view that the Strategy should set as a priority the rights of children in relation with deprivation of liberty in line with the UN Global Study on Children Deprived of Liberty; Urges the EU and the Member States to step up action to end the detention of children, particularly in the context of migration, and to work out community-based alternatives to detention; that meet the best interests of the child and allow children to remain with their family members and/or guardians in non-custodial context, while their migration status is being resolved;
27. Takes the view that the EU Strategy should mainstream and promote the rights of vulnerable children across all policy areas and adopt an intersectional approach that takes into consideration the multiple forms of discrimination suffered by, among others, children from racialized groups, children with disabilities, children without or at risk of losing parental care, children in institutional care, LGBTI children, children from ethnic minority groups, migrant and refugee children, stateless and undocumented children, child victims of violence and sexual abuse, children directly or indirectly impacted by justice systems, children experiencing mental health problems, homeless children, girl children and children of imprisoned parents; Recalls that social services and family support are essential in order to avoid family separation and social exclusion;
28. Stresses that Romani children, in particular Romani girls, across Europe face the additional burden of racism as well as gender discrimination, which push them to the margins of their societies. Low educational achievement, high rates of irregular attendance and school dropouts, non-inclusive school systems, high unemployment rates and poor employment opportunities deprive Romani boys and girls of realistic possibilities for integration and full participation in society; recalls that the lack of personal documents hinders the possibility for many Romani girls to access education, health care and other related services, and further recalls that increased racism and anti-gypsyism affect the safety of Romani girls, making them increasingly vulnerable to

social exclusion, exploitation, trafficking and violence<sup>38</sup>;

29. Takes the view that the EU Strategy should propose an inclusive approach to protect the most vulnerable children in line with the EU Charter on Fundamental Rights, the CRC and its General Comments , the SDGs and its child-related targets, leaving no one behind; Reiterates the importance of creating a safe environment for vulnerable children and their families through social investment and acknowledges that housing conditions of children and families should be recognized and integrated into the definition of vulnerability; Stresses the importance developing and strengthening integrated national and transnational child protection systems with resources, implementation and monitoring schemes;
30. Stresses the importance for the EU to address the physical (poor infrastructure and geography), technological (low functionality devices), cultural (gender and social norms, cultural practices, disability or minority status) and economic and social barriers to digital technologies across its internal and external policies;
31. Highlights the importance for the EU to invest in digital literacy to guarantee free access to digital literacy and digital education for all children, particularly children from underserved or marginalized communities, focusing on their resilience and psychosocial support, as part of the Updated Skills Agenda for Europe of the European Education Area and of EU development and humanitarian funds; Points out that investments in ensuring that education systems can provide digital education, literacy and skills to all children are key to promote children’s understanding of digital technologies, overcome inequalities, improve digital inclusion as well as to empower and protect children and their rights online and offline; recalls that the development of digital education, literacy and skills should equip children to fight against the dangers as well as managing their responsibilities when interacting in the digital space;
32. Calls on the Commission to include the voices of children by establishing formal mechanisms for dialogue and consultation and ensure their full and meaningful participation in decision-making, with a particular focus on elevating the voices of the most vulnerable such as girls, children living in poverty, displaced and migrant children and those with disabilities;
33. Calls on the European Commission and the EU Member States to put in place specific assessment mechanisms on the COVID-19 impact on all children, in order to collect data to better design national action plans to tackle the issues affecting children and based on children’s views; calls on the EU Member States to have a specific children rights approach in defining National Recovery Plans;
34. Calls on the Council to adopt Conclusions on the EU Strategy setting out a new mandatory framework for the EU Institutions and EU Member States following the example of the European Consensus for Development, and ensuring the implementation of well-designed, comprehensive and properly funded integrated national and transnational child protection systems;
35. Calls on the Commission and EU Member States to ensure that the rights of the child

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<sup>38</sup> <https://rm.coe.int/16800c0a86>

are prioritised and mainstreamed in all internal and external EU policies, actions and programmes that affect children directly or indirectly, to ensure consistency and coherence among all different instruments;

36. Calls on the Commission to develop a child marker in the allocation of its budgets to allow EU Institutions and partners to measure and monitor EU investment in children, through the collection of disaggregated and specific data to be able to identify gaps between policy and financial commitments, thereby providing an estimate of EU's support to child rights;
37. Calls on the EU Member States to work out an annual action plan to implement the provisions set out in the EU Strategy on the Rights of the Child and integrate their national actions plan in the EU Recovery and Resilience Plan;
38. Calls on the Commission and the EU Member States to ensure that the EU Strategy on the Rights of the Child is adequately financed making sure that the EU internal and external funding instruments, as well as national budgets, support the implementation of the priorities set out in the EU Strategy;
39. Calls on the Commission to ensure the proper monitoring of the implementation of the EU Strategy by the Member States; recalls the need to ensure rights-based meaningful and inclusive child participation throughout the whole process of the creation and in the implementation of the Strategy, and to use benchmarks and indicators to better monitor progress;
40. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States.