



Council of the  
European Union

Brussels, 29 March 2021  
(OR. en)

7453/21

JAI 344  
FREMP 73  
COHOM 67  
SOC 167  
JEUN 29  
EDUC 107  
ECOFIN 294  
ANTIDISCRIM 18

#### COVER NOTE

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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 25 March 2021

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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No. Cion doc.: COM(2021) 142 final, COM(2021) 142 final Annex 1 and COM(2021) 142 final Annex 2

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Subject: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU strategy on the rights of the child

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Delegations will find attached document COM(2021) 142 final, COM(2021) 142 final Annex 1 and COM(2021) 142 final Annex 2.

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Encl.: COM(2021) 142 final, COM(2021) 142 final Annex 1 and COM(2021) 142 final Annex 2



Brussels, 24.3.2021  
COM(2021) 142 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**EU strategy on the rights of the child**

*We need a strategy that is inclusive of all children and that supports children in vulnerable situations and we need a strategy that promotes and supports our right to participate in decisions that affect us. Because nothing that is decided for children should be decided without children. It's time to normalise child participation.*

(Children's conclusions, 13th European Forum on the rights of the child, 2020).

## Introduction

**Children's rights are human rights.** Every child in Europe and across the world should enjoy the same rights and be able to live free of discrimination, recrimination or intimidation of any kind.

This is a social, moral and human imperative on which children – who account for almost one in five people living in the EU<sup>1</sup> and one in three in the world<sup>2</sup> – and the wider community depends on. It is about ensuring all children can fulfil their potential and play a leading role in society– whether it be in fighting for fairness and equality, strengthening democracy or driving the twin green and digital transitions.

This is why the **protection and promotion of the rights of the child is a core objective of the European Union's** work at home and abroad<sup>3</sup>. It is enshrined in the Charter of Fundamental Rights of the EU<sup>4</sup> which guarantees the protection of children's rights in implementing Union law. It cuts across all policy areas and forms part of the core priorities of the European Commission, as set out in President von der Leyen's Political Guidelines<sup>5</sup>.

This **strategy's overarching ambition is to build the best possible life for children in the European Union and across the globe.** It reflects the rights and the role of children in our society. They inspire and are at the forefront of raising awareness on the nature and climate change crises, discrimination and injustice. They are as much the citizens and leaders of today as they are the leaders of tomorrow. This strategy seeks to fulfil our shared responsibility to join forces to respect, protect and fulfil the rights of every child; and to build together with children healthier, resilient, fairer and equal societies for all.

The United Nations Convention on the Rights of the Child<sup>6</sup> (UNCRC), which all EU Member States have ratified, continues to guide our action in this field. More than 30 years after its entry into force, significant progress has been made and children are increasingly recognised as having their own set of rights.

The Convention recognises the right of all children to have the best possible start in life, to grow up happy and healthy, and to develop to their full potential. This includes the right to live in a clean and healthy planet, a protective and caring environment, to relax, play, and enjoy cultural and artistic activities, and to enjoy and respect the natural environment. Families and communities also need to be provided with the necessary support so that they can ensure children's wellbeing and development.

<sup>1</sup> A child is a person below 18 years old. Population data. [[yth\\_demo\\_010](#)], [[yth\\_demo\\_020](#)], Eurostat, 2020

<sup>2</sup> Demographics. [State of the World's Children 2019 Statistical Tables](#), UNICEF

<sup>3</sup> Article 3(3) of the Treaty on European Union (TEU) establishes the objective for the EU to promote the protection of the rights of the child. Article 3(5) TEU sets forth that in its relations with the wider world, the Union shall contribute to (...) the protection of human rights, in particular the rights of the child.

<sup>4</sup> [EU Charter of Fundamental Rights](#), 2012/C 326/02

<sup>5</sup> [A Union that strives for more. My agenda for Europe. By candidate for President of the European Commission Ursula von der Leyen. Political Guidelines for the next European Commission 2019-2024](#)

<sup>6</sup> [Convention on the Rights of the Child](#), United Nations, 1989

**Never before have children across the EU enjoyed the rights, opportunities and security of today.** This is notably thanks to EU policy actions, legislation and funding over the last decade, working alongside Member States. In past decades, the Commission has put forward important initiatives addressing child trafficking, child sexual abuse and exploitation, missing children, and on promoting child-friendly justice systems. We have elaborated and included child-friendly provisions in asylum and migration policies and law. We have stepped up efforts to make the internet safer for children and continue to combat poverty and social exclusion. The revamped 2017 EU Guidelines for the promotion and protection on the rights of the child were a milestone for children's rights globally, together with the many humanitarian and developmental programmes promoting the right to health and education. The impact of these initiatives has largely improved the life of children in the EU, and the concrete fulfilment of their rights.

**This progress was hard won but should not be taken for granted.** Now is the time to build on those efforts, address persisting and emerging challenges and to define a comprehensive strategy to protect and promote children's rights in today's ever-changing world.

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 COVID-19 pandemic has exacerbated existing challenges and inequalities and created new ones.** Children have been exposed to increased domestic violence and online abuse and exploitation, cyberbullying<sup>7</sup> and more child sexual abuse material has been shared online<sup>8</sup>. 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.

**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.

It 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.

This strategy builds on previous Commission communications on the rights of the child<sup>9</sup>, and on the existing legal and policy framework<sup>10</sup>. It also contributes to achieving the aims of the European

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<sup>7</sup> [How children \(10-18\) experienced online risks during the COVID-19 lockdown in spring 2020](#), JRC, European Commission, 2020

<sup>8</sup> [Exploiting Isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic](#), Europol, 2020

<sup>9</sup> [Towards an EU Strategy on the Rights of the Child](#), COM(2006)367 and [An EU Agenda for the Rights of the Child](#), COM(2011)60

<sup>10</sup> See Annex 2 - Rights of the Child - EU *acquis* and policies

Pillar of Social Rights<sup>11</sup>. The strategy is anchored in the UNCRC and its three Optional Protocols, the UN Convention on the Rights of Persons with Disabilities (UNCRPD)<sup>12</sup> and will contribute to achieving the United Nations Sustainable Development Goals (SDGs)<sup>13</sup>. It also links to the Council of Europe standards on the rights of the child, as well as with its Strategy for the Rights of the Child (2016-2021)<sup>14</sup>.

The strategy draws upon the substantive contributions from the European Parliament<sup>15</sup>, Member States, child rights organisations, other stakeholders and individuals, collected during the preparatory phase, including through an open public consultation<sup>16</sup> and the 2020 European Forum on the Rights of the Child<sup>17</sup>.

This strategy has been developed **for children and together with children**. The **views and suggestions of over 10.000 children** have been taken on board in preparing this strategy<sup>18</sup>. Children have also been involved in preparing its child-friendly version<sup>19</sup>. This marks a new chapter and an important step for the EU towards genuine child participation in its decision-making processes.

## 1. Participation in political and democratic life: An EU that empowers children to be active citizens and members of democratic societies

*“If not us, then who?”* (Boy, 16, 13<sup>th</sup> European Forum on the Rights of the Child, 2020)

The sight of young people lining the streets around the world to call for climate action or as child human rights defenders<sup>20</sup> show us that children are active citizens and **agents of change**. While in most EU Member States children do not have the rights to vote until age 18, they do have the right to be active members of democratic societies and can help to shape, implement and evaluate political priorities.

There are good examples of how different levels of governments and public authorities are promoting children’s meaningful participation, leading to a real influence on decisions in the public sphere<sup>21</sup>. At EU level, these include EU Youth Dialogues<sup>22</sup> and the Learning Corner<sup>23</sup>.

Nonetheless, **too many children do not feel considered enough in decision-making**<sup>24</sup>. Challenges include stereotypes and perceptions that children’s participation is difficult, costly, demanding

<sup>11</sup> [The European Pillar of Social Rights in 20 principles](#)

<sup>12</sup> [Convention on the Rights of Persons with Disabilities](#), United Nations, 2006

<sup>13</sup> [UN Sustainable Development Goals: a 2030 Agenda](#). See Annex 1: Comparative table detailing the relevant rights enshrined in the EU Charter of Fundamental Rights, the UN Convention on the Rights of the Child and the goals and targets of the UN Sustainable Development Goals, as protected and promoted by the different strands of this strategy.

<sup>14</sup> [Council of Europe Strategy for the Rights of the Child](#) (2016-2021). The Council of Europe is also preparing the future strategic framework, for the period 2022-2027.

<sup>15</sup> European Parliament [Resolution of 26 November 2019 on children’s rights on the occasion of the 30th anniversary of the UN Convention on the Rights of the Child](#) (2019/2876(RSP)) – [European Parliament Resolution of 11 March 2021 on children’s rights in view of the EU Strategy on the rights of the child](#) (2021/2523(RSP))

<sup>16</sup> [Summary report of the open public consultation to the EU Strategy on the Rights of the Child](#), 2021

<sup>17</sup> [13<sup>th</sup> European Forum on the Rights of the Child](#), 2020

<sup>18</sup> UNICEF, Eurochild, Save the Children, Child Fund Alliance, World Vision: *Our Europe, Our Rights, Our Future*. - SOS Children’s Villages consultation with children [in residential care](#) and [children receiving family strengthening services](#) and the [summary report](#), Defence for Children International, Terre des Hommes and its partners.

<sup>19</sup> [EU strategy on the rights of the child: child-friendly versions](#)

<sup>20</sup> [Report of the 2018 Day of General Discussion on Protecting and Empowering Children as Human Rights Defenders](#), UN Committee on the Rights of the Child, 2018; [Implementation Guide on the Rights of Child Human Rights Defenders](#), Child Rights Connect, 2020

<sup>21</sup> [Study on child participation in EU political and democratic life](#), European Commission, 2021 and its [accessible version](#)

<sup>22</sup> [EU Youth Dialogues](#) (16-30 years old)

<sup>23</sup> [Learning corner](#)

resources and expertise. Gender stereotypes, in particular, limit boys' and girls' aspirations and create barriers to their participation and life choices. While a majority of children seem to be aware of their rights, only one in four consider their rights respected by the whole of society<sup>25</sup>. This adversely affects child participation in schools, in sports, culture and other leisure activities, in justice and migration systems or the health-care sector, as well as in families.

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.

The Commission will also help children, professionals working with and for children, the media, the public, politicians and policy-makers to increase awareness of children's rights, and to ensure the right of the child to be heard and listened to. It will also promote a meaningful and inclusive participation of children in the policy-making process of the European institutions and EU agencies, notably through child-specific consultations where relevant.

#### **Key actions by the European Commission:**

- establish, jointly with the European Parliament and child rights organisations, an EU Children's Participation Platform, to connect existing child participation mechanisms at local, national and EU level, and involve children in the decision-making processes at EU level;
- create space for children to become active participants of the European Climate Pact through pledges or by becoming Pact Ambassadors. By involving schools in sustainable climate, energy and environment education, the Education for Climate Coalition will help children to become agents of change in the implementation of the Climate Pact and the European Green Deal<sup>26</sup>;
- develop and promote accessible, digitally inclusive and child friendly versions and formats of the Charter of Fundamental Rights, and other key EU instruments;
- develop and promote guidelines on the use of child friendly language in documents and in stakeholders' events and meetings with child participants;
- include children within the Fundamental Rights Forum of the EU Agency for Fundamental Rights (FRA) and the Conference on the Future of Europe;
- conduct child-specific consultations for relevant future initiatives;
- strengthen expertise and practice on child participation among Commission staff and the staff of EU agencies, including on child protection and safeguarding policies.

#### **The European Commission invites Member States to:**

- establish, improve and provide adequate resources for new and existing mechanisms of child participation at local, regional and national level, including through the Council of Europe's child participation self-assessment tool<sup>27</sup>;
- increase awareness and knowledge of the rights of the child, including for professionals working with and for children, through awareness campaigns and training activities;
- strengthen , education on citizenship, equality and participation in democratic processes in school curricula at local, regional, national and EU level;
- support schools in their efforts to engage pupils in the school's daily life and decision-making.

<sup>24</sup> [Europe Kids Want survey, \*Sharing the view of children and young people across Europe\*](#), UNICEF and Eurochild, 2019

<sup>25</sup> [Our Europe. Our Rights. Our Future](#), *op. cit.*

<sup>26</sup> [European Green Deal](#)

<sup>27</sup> [Child Participation Assessment Tool](#), Council of Europe



## 2. Socio-economic inclusion, health and education: An EU that fights child poverty, promotes inclusive and child-friendly societies, health and education systems.

*“I think that at some point I feel some anxiety. I would like to talk to a psychologist to give me an opinion on how it would be good to deal with things.”* (Child, Greece).

*“School lets you open up to the world and talk to people. School is life.”* (Child seeking asylum, France).

**Each child has the right to an adequate standard of living, and to equal opportunities, from the earliest stage of life.** Strengthening the socio-economic inclusion of children is essential to address the passing of poverty and disadvantage through generations. Social protection and support to families is essential in this respect.

Each child has the right to the highest attainable standard of healthcare and quality education, irrespective of their background and where they live. However, children at risk of poverty and social exclusion are more likely to experience difficulties in accessing essential services, in particular in rural, remote and disadvantaged areas.

The European Pillar of Social Rights<sup>28</sup> and the 2013 Commission Recommendation ‘Investing in Children: breaking the cycle of disadvantage’<sup>29</sup> remain important tools to reduce child poverty and improving child well-being. The EU funding instruments are equally key to support these policy objectives. Between 2021 and 2027, Member States with a rate of child at-risk-of-poverty or social exclusion higher than the EU average (in 2017-2019) will have to earmark 5% of the European Social Fund Plus (ESF+) for combatting child poverty, while all others should equally allocate appropriate amounts. The European Regional Development Fund (ERDF) will contribute to investments in infrastructure, equipment and access to mainstream and quality services, with a strong focus on the poorest regions of the Union, where public services tend to be less developed. The Recovery and Resilience Facility will help achieve fast and inclusive recovery from the COVID-19 pandemic, including through the promotion of policies for children and youth, and enhancing economic, social and territorial cohesion.

### 2.1 Combating child poverty and fostering equal opportunities

Despite a decrease over the past years, in 2019, 22.2% of children in the EU were at risk of poverty or social exclusion. Depending on the Member State, the poverty risk for children raised by a single parent, in families with three or more children, living in rural and the most remote areas of the EU, or with a migrant or Roma background is up to three times higher than that of other children<sup>30</sup>. Around half of children whose parents’ level of education was low, were at risk of poverty or social exclusion, compared with less than 10% of children whose parents’ level of education was high. 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<sup>31</sup>. Children from disadvantaged backgrounds are less likely than their better-off peers to perform well in school, enjoy good health and realise their full potential later in life.

<sup>28</sup> [The European Pillar of Social Rights in 20 principles](#)

<sup>29</sup> [Commission Recommendation Investing in Children: breaking the cycle of disadvantage](#) (2013/112/EU)

<sup>30</sup> Commission proposal for a Joint Employment Report 2021 [Commission proposal for a Joint Employment Report](#), 2021

<sup>31</sup> [Combating child poverty: an issue of fundamental rights](#), FRA, 2018

All children, including those with disabilities and from disadvantaged groups, have an equal right to live with their families and in a community. Integrated child protection systems, including effective prevention, early intervention and family support, should provide children without or at risk of losing parental care the necessary conditions to prevent family separation. Poverty should never be the only reason for placing children in care. The shift to quality community and family-based care, and support for ageing out of care, need to be ensured.

With the Action Plan on implementing the European Pillar of Social Rights<sup>32</sup>, the Commission has set out the ambitious target of reducing by at least 15 million the number of people at risk of poverty or social exclusion in the EU by 2030 – including at least 5 million children. One of its main deliverables is the Commission’s proposal for Council recommendation establishing the **European Child Guarantee**<sup>33</sup>, which complements this Strategy and calls for specific measures for children at risk of poverty or social exclusion. The proposal recommends to Member States that they guarantee access to quality key services for children in need: early childhood education and care, education (including school-based activities), healthcare, nutrition, and housing.

The Commission monitors how Member States address child poverty or social exclusion in the **European Semester** process and, where necessary, propose relevant country specific recommendations. The reinforced Youth Guarantee<sup>34</sup> stipulates that all young people from the age of 15 receive an offer of employment, education, traineeship or apprenticeship within a period of four months of becoming unemployed or leaving formal education.

**Key actions by the European Commission:**

- establish a **European Child Guarantee**;
- ensure the complementarity with the **European Strategy for the rights of persons with disabilities**<sup>35</sup> to respond to the needs of children with disabilities and provide better access to mainstream services and independent living.

**The European Commission invites Member States to:**

- swiftly adopt in the Council the Commission proposal for a Council recommendation establishing the European Child Guarantee and implement its provisions;
- implement the reinforced Youth Guarantee and promote the involvement of young people in Youth Guarantee services.

## 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. The COVID-19 pandemic has also 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.

In 2020, over 15,500 children and adolescents were diagnosed with cancer in the EU, with over 2,000 young patients losing their lives to it. Cancer constitutes the primary cause of death by

<sup>32</sup> [The European Pillar of Social Rights Action Plan](#), COM(2021) 102 final

<sup>33</sup> Proposal for a Council Recommendation establishing a European Child Guarantee, COM(2021)137

<sup>34</sup> [Council Recommendation on A Bridge to Jobs – Reinforcing the Youth Guarantee](#), (2020/C 372/01)

<sup>35</sup> Strategy for the rights of persons with disabilities 2021-2030, COM(2021) 101 final



disease beyond the age of one. Up to 30% of children affected by cancer suffer severe long-term consequences and the number of childhood cancer survivors continues to grow.

Adopting a healthy and active lifestyle at a young age will help reduce cancer risks later in life. The **Europe's Beating Cancer Plan**<sup>36</sup> steps up early preventive actions and launches new initiatives on paediatric cancer to help young patients recover and ensure an optimal quality of life. Children suffering with cancer have often at their disposal a reduced number of validated treatments. The revised Regulation on medicines for children, a flagship initiative of the Pharmaceutical Strategy for the EU<sup>37</sup>, aims to foster targeted medicinal products for children, including paediatric oncology.

**Childhood is a crucial stage in life in determining future physical and mental health.** However, children's mental health issues are widespread and can sometimes be linked to isolation, education environment, social inclusion and poverty, and the prolonged use of digital tools. Up to 20% of children worldwide experience mental health issues, which if untreated, severely influence their development, educational attainment and their potential to live fulfilling lives. School is recognised amongst the fundamental determinants of mental health of children<sup>38</sup>. The European Education Area<sup>39</sup> will also address mental health and well-being in education. Cultural participation, spending time in nature and physical exercise can have a positive impact on children's mental health<sup>40</sup>, by building self-esteem, self-acceptance, confidence and self-worth.

Migrant children often suffer from mental health problems from situations experienced in the country of origin, on the migratory route, from uncertainty or degrading treatment in the country of arrival. The ongoing work of the European Asylum Support Office (EASO) Vulnerables Network ('VEN') focuses, amongst other things, on mental health for asylum seekers. Some other groups of children, such as children with disabilities and LGBTIQ children, might have specific needs when it comes to mental and physical health that need to be addressed in an appropriate way.

**A healthy diet**, together with regular physical activity, **is vital to children's full physical and mental development.** Even today, there are children in the EU who suffer from hunger, in particular Roma and Travellers children<sup>41</sup>, making them more susceptible to diseases and preventing their proper brain development. Homeless children and migrant children residing in overcrowded or substandard reception facilities also face similar problems.

On the other hand, during the past 30 to 40 years, the increased availability and affordability of ultra-processed, unhealthy foods, led to escalating overweight and obesity. One in three children in the EU aged 6-9 is overweight or obese. This can increase the risk of diabetes, cancer, cardiovascular diseases or premature deaths. Commission actions include the School fruit, vegetables and milk scheme<sup>42</sup>, and the 2014-2020 EU Action Plan on Childhood Obesity<sup>43</sup>, which will be evaluated in view of a follow-up.

The Commission Farm to Fork Strategy<sup>44</sup> calls on the food industry and the retail sectors to make healthy and sustainable food options increasingly available and affordable. In this context, the Commission will propose harmonised mandatory front-of-pack nutrition labelling to facilitate informed, healthy food choices, and will set nutrient profiles to restrict the promotion (via nutrition

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<sup>36</sup> [Communication Europe's Beating Cancer Plan](#), COM(2021) 44 final

<sup>37</sup> [Communication Pharmaceutical Strategy for Europe](#) COM(2020) 761 final

<sup>38</sup> [European Framework for Action on Mental Health and Wellbeing](#), Joint Action on Mental health and Well-being 2013- 2016

<sup>39</sup> [Council Resolution on a strategic framework for European cooperation in education and training towards the European Education Area and beyond \(2021-2030\)](#) (2021/C 66/01)

<sup>40</sup> [What is the evidence on the role of the arts in improving health and well-being?](#), WHO, 2019

<sup>41</sup> [Roma and Travellers in six countries](#), FRA, 2020

<sup>42</sup> [School fruit, vegetables and milk scheme](#), European Commission

<sup>43</sup> [EU Action Plan on Childhood Obesity \(2014-2020\)](#), European Commission

<sup>44</sup> [Farm to Fork Strategy](#), COM(2020) 381 final

or health claims) of foods high in fat, sugars and salt. The HealthyLifestyle4All campaign will promote healthy lifestyles for all, across generations and social groups, notably children.

#### **Key actions by the European Commission:**

- step-up the implementation of the Council Recommendation to strengthen EU cooperation on vaccine-preventable diseases<sup>45</sup>;
- provide information and exchange of best practices to address children’s mental health, via the Best Practice Portal<sup>46</sup> and the Health Policy Platform;
- review the EU school scheme legal framework to refocus on healthy and sustainable food;
- develop best practices and a voluntary code of conduct to reduce online marketing to children of products high in sugar, fat and salt within the Joint Action on Implementation of Validated Best Practices in Nutrition.

#### **The European Commission invites Member States to:**

- identify children as a priority target group in their national mental health strategies;
- build up networks with families, schools, youth, and other stakeholders and institutions involved in mental health of children.

### **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.

Early childhood education and care (ECEC) is particularly beneficial to children’s cognitive, language and social development. Both the ET2020 benchmark<sup>47</sup> and the Barcelona objectives<sup>48</sup> on participation of children to ECEC have been met at EU level, although with a wide variation across Member States.

Enrolment rates in ECEC for children with disabilities and children from disadvantaged groups, children with a migrant background and Roma children, are much lower, even though they are among the children who would benefit the most from participation. Countries have targeted measures to facilitate ECEC access to children living in poverty, yet few countries target support measures to children from migrant backgrounds or those from regional or ethnic minorities<sup>49</sup>. This is particularly problematic for children with a migrant background, for whom access to ECEC is particularly beneficial in terms of language development. The Commission will propose the revision of the Barcelona targets to support further upward convergence among Member States of participation in early childhood education and care<sup>50</sup>.

Designing inclusive school education means building meaningful learning experiences in different environments. To this end, the Commission will put forward proposals to support online and distance learning in primary and secondary education which will promote the development of more flexible and

<sup>45</sup> [Council Recommendation on strengthened cooperation against vaccine-preventable diseases](#) 2018/C 466/01

<sup>46</sup> [Best Practice Portal, Public Health](#), European Commission

<sup>47</sup> [European policy cooperation \(ET 2020 framework\)](#), Education and Training, European Commission

<sup>48</sup> [Barcelona objectives on the development of childcare facilities for young children with a view to increase female labour participation, strike a work-life balance for working parents and bring about sustainable and inclusive growth in Europe \(the „Barcelona objectives“\)](#), European Commission, 2018

<sup>49</sup> [Key data on early childhood education and care in Europe - 2019 Edition](#), Eurydice, 2019

<sup>50</sup> [Communication on Gender Equality Strategy 2020-2025](#) (COM/2020/152 final)

inclusive education via a blend of different learning environments (school site and distance) and tools (digital, including online, and non-digital), while taking into account the particular issues of disadvantaged groups and communities.

Despite recent progress, early leavers from education and training still represent around 10% of young people in the EU (and more than 60% among Roma youth) and only 83% have completed upper secondary education (only 28% among Roma). Of Roma children in primary schools, 44% attend segregated primary schools, undermining their chances of succeeding in subsequent stages of education<sup>51</sup>. Children with disabilities leave school early, and fewer learners with disabilities complete a university degree (gap of 14.4 percentage points). There is a persistent gender gap, with more boys than girls leaving school early. Moreover, the 2018 results from Programme for International Student Assessment (PISA) of the Organisation for Economic Cooperation and Development (OECD)<sup>52</sup> show that one in five young Europeans still lack adequate reading, maths or science competences. To help address this trend and support all students to complete their upper secondary education, the Commission will put forward a recommendation to open up pathways for school success with a focus on disadvantaged pupils.

Vocational education and training (VET) can help equip students with a balanced mix of vocational skills and key competences to thrive in the evolving labour market and society, as well as to foster inclusiveness and equal opportunities.

#### **Key actions by the European Commission**

- propose, in 2022, the revision of the Barcelona targets to support further upward convergence among Member States of participation in early childhood education and care;
- propose a Council recommendation on online and distance learning in primary and secondary education;
- propose a new initiative “Pathways to School Success”, that will also contribute to decouple educational attainment and achievement from social, economic and cultural status.
- set up an expert group for creating supportive learning environments for groups at risk of underachievement and supporting well-being at school;
- support Member States in implementing the 2020 Council recommendation on VET for sustainable competitiveness, social fairness and resilience;
- promote the Toolkit for inclusion in early childhood education and care<sup>53</sup>.

#### **The European Commission invites the Member States to:**

- work towards achieving the targets proposed within the European Education Area;
- continue implementing fully, in close cooperation with the European Commission, all relevant actions recommended in the Action Plan on Integration and Inclusion 2021-2024<sup>54</sup> in the area of education and training.

<sup>51</sup> [Analytical document accompanying the EU Roma Strategic framework SWD \(2020\) 530 final, Annex 2 – Baselines for EU headline indicators](#), European Commission

<sup>52</sup> PISA 2018 Results *What School Life Means for Students' Lives*, OECD. Average across OECD countries.

<sup>53</sup> [Toolkit for inclusion in early childhood education and care](#), European Commission, 2020

<sup>54</sup> [Action plan on Integration and Inclusion 2021-2027](#) COM(2020)758 final

### 3. Combating violence against children and ensuring child protection: an EU that helps children grow free from violence

*“The fact that we live in an institution says absolutely nothing about us, except that we have already experienced something in our lives.” (Child, Slovenia).*

*“I wish there were fewer fights and tensions in my family.” (Child, Greece).*

**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.

It is estimated that half of all children worldwide suffer some form of violence each year. Nearly three quarters of the world’s children between the age of 2 and 4 regularly suffer physical punishment and/or psychological violence at the hands of parents and caregivers<sup>55</sup>. In Europe, 1 in 5 children will fall victim to some form of sexual violence<sup>56</sup>, while children account for almost a quarter of victims of trafficking in the EU - the majority being girls trafficked for sexual exploitation<sup>57</sup>. More than 200 million women and girls worldwide are survivors of female-genital mutilation<sup>58</sup>, including over 600.000 in the EU<sup>59</sup>. 62% of intersex people<sup>60</sup> who had undergone a surgery said neither they nor their parents gave fully informed consent before medical treatment or intervention to modify their sex characteristics<sup>61</sup>.

The COVID-19 pandemic 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. The capacity and access to the child helplines (116 111) and the missing children hotlines (116 000) need to be improved.

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. A recent LGBTI survey by the Fundamental Rights Agency found that 51% of 15-17 years old respondents reported harassment in school.

In 2019, 12% of global international migrants (or 33 million) were children. Children in migration, including child refugees, are very often exposed to risks of abuse and have suffered from extreme forms of violence – war, violent conflict, exploitation, human trafficking, physical, psychological and sexual abuse - before and/or after their arrival on EU territory<sup>62</sup>. Children may go missing or become separated from their families. Risks increase when children travel unaccompanied or are obliged to share overcrowded facilities with adult strangers. The particular vulnerability of children

<sup>55</sup> [Global status report on preventing violence against children](#), UNICEF/WHO, 2020

<sup>56</sup> [One in Five campaign](#), Council of Europe

<sup>57</sup> [Third report on the progress made in the fight against trafficking in human beings \(2020\) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims](#), COM(2020) 661 final SWD(2020) 226 final

<sup>58</sup> [Female Genital mutilation/cutting: a global concern](#), UNICEF, 2016

<sup>59</sup> [FGM in Europe](#). End FGM

<sup>60</sup> Intersex people: who are born with sex characteristics that do not fit the typical definition of male or female, [LGBTIQ Equality Strategy](#)

<sup>61</sup> [A long way to go for LGBTI equality](#), FRA, 2020

<sup>62</sup> [Communication on the protection of children in migration](#), COM(2017) 211 final

in the migration context or due to their migration background requires additional and targeted protection and support. This is also true for those outside the EU, such as the almost 30.000 children, including children of foreign fighters, estimated to live in the Al Hol camp in Syria, suffering from conflict trauma and extremely dire living conditions<sup>63</sup>.

The Commission will address and support Member States to combat violence, including gender-based violence, against all children. As part of this, the Commission will continue to support Member States and monitor the implementation of the actions identified in the 2017 Communication on the protection of children in migration<sup>64</sup>.

The Commission will also work with all stakeholders to raise awareness on all forms of violence to ensure effective child-friendly prevention, protection and support for child victims and witnesses of violence. The CERV programme<sup>65</sup> will continue to fund child protection projects.

The Commission will seek solutions to address the lack of comparable, age and sex-disaggregated data on violence against children at national and EU levels, and draw on the expertise of the Fundamental Rights Agency, as appropriate.

This strategy will complement, and reinforce where necessary, the actions envisaged under the new EU strategy on combatting trafficking in human beings, as well as the EU strategy for a more effective fight against child sexual abuse<sup>66</sup>. As part of this, the Commission is also exploring setting up a European centre to prevent and counter child sexual abuse to work with companies and law enforcement bodies, to identify victims and bring offenders to justice.

**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. The Commission will further support the establishment of Children's houses (*Barnahus*<sup>67</sup>) in the EU. Special attention should be given to prevention measures, including family support.

#### **Key actions by the European Commission:**

- put forward a legislative proposal to combat gender-based violence against women and domestic violence, while supporting the finalisation of the EU's accession to the Council of Europe Convention on preventing and combatting violence;
- table a recommendation on the prevention of harmful practices against women and girls, including female genital mutilation;
- present an initiative aimed at supporting the development and strengthening of integrated child protection systems, which will encourage all relevant authorities and services to better work together in a system that puts the child at the centre;
- support the exchange of good practices on ending non-vital surgery and medical intervention on intersex infants and adolescents to make them fit the typical definition of male or female without their or their parents' fully informed consent (intersex genital mutilation).

#### **The European Commission invites the Member States to:**

<sup>63</sup> [Protect the rights of children of foreign fighters stranded in Syria and Iraq](#), UNICEF, 2019

<sup>64</sup> [Communication on the protection of children in migration](#), *op. cit.*

<sup>65</sup> Citizenship, Equality, Rights and Values Programme (2021-2027), European Union

<sup>66</sup> [EU Strategy for a more effective fight against child sexual abuse](#), COM(2020)607

<sup>67</sup> [Barnahus](#)



- raise awareness of, and invest in capacity building and measures for (i) a more effective prevention of violence, (ii) protection of victims and witnesses, including with the necessary safeguards for child suspects or accused;
- provide adequate support to children with specific vulnerabilities who suffer violence, as well as to violence that occur in schools;
- adopt legislation to ban corporal punishment in all settings, if not yet available, and work towards its elimination;
- improve the functioning of child protection systems at national level, in particular:
- ✓ establish (where not yet available), and improve child helpline (116 111) and missing children hotline (116 000)<sup>68</sup>, including through funding and capacity building;
- ✓ promote national strategies and programmes to speed up de-institutionalisation and the transition towards quality, family- and community-based care services including with an adequate focus on preparing children to leave care, including for unaccompanied migrant children.

#### 4. Child-friendly justice: An EU where the justice system upholds the rights and needs of children

*“[Child-friendly justice is...] A child surrounded by a system in which he/she is protected/listened to/safe”. (Girl, 17, Romania).*

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. Judicial proceedings** must be adapted to their age and needs, must respect all their rights<sup>69</sup> and give primary consideration to the best interests of the child. While EU action in this field has been significant so far, and standards have been set within the Council of Europe framework<sup>70</sup>, national justice systems must be better equipped to address children’s needs and rights. Professionals sometimes lack training to interact with children in an age-appropriate way, including when communicating about the results of a proceeding, and to respect the child’s best interests. The right of the child to be heard is not always observed and mechanisms to avoid multiple child’s hearings or evidence gatherings are not always in place<sup>71</sup>.

Children face difficulties to access justice and to obtain effective remedies for violations of their rights, including at European and international level. Vulnerable children are often exposed to multiple and intersecting forms of discrimination. Children with disabilities experience difficulties due to reduced accessibility of justice systems and judicial proceedings, and lack accessible information on rights and remedies. Data collection of children involved in judicial proceedings, including in the context of specialised courts, should be improved.

The COVID-19 pandemic 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.

Children are in contact with the civil justice system following their parents’ separation or divorce; or when they are adopted or placed in care. Substantive family law is a national competence. In cross-border cases, the Brussels IIa Regulation (with its 2019 Recast) or the Maintenance

<sup>68</sup> Commission Decision on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value, (2007/116/EC), subsequently amended, and Directive establishing the European Electronic Communications Code, 2018/1972/EU, Article 96 - Missing children and child helpline hotlines

<sup>69</sup> [Children and Justice reports](#), FRA

<sup>70</sup> [Child friendly justice Guidelines](#), Council of Europe

<sup>71</sup> [EU Justice Scoreboard](#), child-friendly justice



Regulation, and a closer judicial cooperation are key to protect the rights of children and ensure their access to justice. While unnecessary family separation should be prevented, any decision on the placement of a child in care should ensure the respect of the rights of the child<sup>72</sup>. Where courts or national authorities are aware of a close connection of the child with another Member State, appropriate measures to ensure these rights should be considered at the earliest possible stage.

In 2022, the Commission will update the Practice Guide for the application of the Brussels IIa Regulation (Recast). Specific challenges arise in cross-border situations, - including for families with divorced or separated parents, and for rainbow families.

In 2020, one third of the total number of asylum applications lodged were children<sup>73</sup>. The principle of best interests of the child must be the primary consideration in all actions or decisions concerning children in migration. Despite progress made so far including with the implementation of the 2017 Communication on the protection of children in migration, children are still not always provided with age-appropriate information on proceedings, nor effective guidance and support throughout asylum or return procedures. The Pact on Migration and Asylum underlined the need to both implement and reinforce EU law safeguards and protection standards for migrant children. The new rules, once adopted, will speed up the appointment of representatives for unaccompanied children, and will ensure the resources to support their special needs, including their transition to adulthood and independent living. Children will be always offered adequate accommodation and assistance, including legal assistance, throughout the procedures. The new rules will also strengthen solidarity between Member States in ensuring full protection for unaccompanied children.

Even today in Europe, there are children who are stateless, either since birth or, often, because of migration. Not having a nationality makes it difficult to access some of the basic services such as healthcare and education, and can lead to situation of violence and exploitation.

For **child victims of crime**, there is often a serious underreporting due to the age of the victim, a lack of awareness of their rights and a lack of accessible, age and gender-appropriate reporting and support services. Specific challenges arise in identifying victims of certain crimes, such as trafficking or sexual abuse, as highlighted in the EU Strategy on victims' rights<sup>74</sup>.

The 2019 United Nations Global Study on children deprived of liberty<sup>75</sup> highlighted that too many children are still deprived of their liberty because they are in conflict with the law or related to migration and asylum procedures. National authorities, including in the EU Member States, need to make available and increase the use of **viable and effective non-custodial measures**, in line with EU *acquis*, and ensure that detention is used only as a last resort and for the shortest appropriate time. When parents are imprisoned, policies and practices respecting the right of their children should also be fostered. The complete and correct implementation and application in practice of the Procedural Safeguards Directive<sup>76</sup> will ensure better protection of children suspects or accused in criminal proceedings.

#### **Key actions by the European Commission:**

- propose in 2022 a horizontal legislative initiative to support the mutual recognition of parenthood between Member States;

<sup>72</sup> This includes respect of the right of children to maintain contact, where appropriate, with the parents or with other relatives, in line with Article 9 UNCRC

<sup>73</sup> Asylum and first time asylum applicants by citizenship, [[migr\\_asyappctza](#)], Eurostat, 2020

<sup>74</sup> [EU Strategy on victims' rights \(2020-2025\)](#), COM(2020) 258 final

<sup>75</sup> [UN Global Study on Children Deprived of Liberty](#), Manfred Nowak, 2019

<sup>76</sup> [Directive on procedural safeguards for children who are suspects or accused persons in criminal proceedings](#); 2016/800/EU

- contribute to training of justice professionals on the rights of the child and child friendly justice, in line with the European judicial training strategy for 2021-2024<sup>77</sup>, and through the European Judicial Training Network (EJTN)<sup>78</sup>, the Justice and CERV programmes, as well as the European Training Platform of the EU e-justice portal<sup>79</sup>;
- strengthen the implementation of the 2010 Guidelines on Child-friendly Justice with the Council of Europe;
- provide targeted financial support for trans-national and innovative projects to protect children in migration under the new Asylum, Migration and Integration Fund (AMIF)<sup>80</sup>;
- support Member States in the development of effective and viable alternatives to the detention of children in migration procedures.

### **The European Commission invites the Member States to:**

- support judicial training providers and all relevant professionals’ bodies to address the rights of the child and child friendly and accessible justice in their activities. To this end, allocate necessary resources for the above capacity building activities, and take advantage of the support of the FRA to strengthen capacities on topics such as child-friendly justice and children in migration;
- develop robust alternatives to judicial action: from alternatives to detention, to the use of restorative justice and mediation in the context of civil justice;
- implement the Council of Europe’s Recommendation on children with imprisoned parents<sup>81</sup>;
- strengthen guardianship systems for all unaccompanied children, including through participation to the activities of the European Guardianship Network<sup>82</sup>;
- promote and ensure universal, free and immediate access to birth registration and certification for all children. Moreover, increase capacity of front-line officials to respond to statelessness and nationality-related problems in the context of migration;
- enhance cooperation in cases with cross-border implications, to ensure the full respect of the rights of the child.

## **5. Digital and information society: An EU where children can safely navigate the digital environment, and harness its opportunities**

*“I didn’t have a computer, the internet didn’t reach my village, and I didn’t have any data. (...)I couldn’t connect for the last 3 months, and I had to repeat.” (Girl, 15, Spain).*

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

<sup>77</sup> [European Judicial Training strategy for 2021-2024](#) COM(2020) 713 final

<sup>78</sup> [European Judicial Training Network](#)

<sup>79</sup> [E-justice portal](#), European Judicial training platform

<sup>80</sup> To be adopted towards end of June/beginning of July 2021

<sup>81</sup> [Recommendation concerning children with imprisoned parents](#), Council of Europe, CM/Rec(2018)5

<sup>82</sup> [European Guardianship Network](#)

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<sup>83</sup>. Amongst LGBTI 15-17 years old respondents, 15% have experienced cyber harassment due to their sexual orientation<sup>84</sup>. More and more traffickers use Internet platforms to recruit and exploit victims, children being a particularly vulnerable target group<sup>85</sup>.

In the context of the EU strategy for a more effective fight against child sexual abuse<sup>86</sup>, the Commission put forward an interim proposal to allow Information and Communication Technologies (ICT) companies to continue voluntarily reporting child sexual abuse to the authorities to the extent such practices are lawful, and calls on the co-legislators to swiftly agree on its adoption. For the longer term, the Commission will present a legislative proposal to effectively tackle child sexual abuse online.

The over-exposure to screens and online activities are a concern for children's health, mental well-being, leading to heightened stress, attention deficit, eyesight problems and a lack of physical activity and sport.

The COVID-19 pandemic 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<sup>87</sup>. 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<sup>88</sup>. In its recent Communication on Europe's Digital Decade, the Commission's announced ambitious connectivity targets for all households in Europe<sup>89</sup>.

The EU has developed legal instruments and policy initiatives to cater to children's rights in the digital environment<sup>90</sup>. When necessary, these should be adapted and updated as new threats emerge or developments and technologies change. The revised Audiovisual Media Services Directive has strengthened the protection of children from harmful content and inappropriate commercial communications. The recent Digital Services Act<sup>91</sup> proposes due diligence obligations for service providers to ensure safety of users online, including children. The Code of Practice on Disinformation<sup>92</sup> will establish a co-regulatory regime tailored for tackling the risks linked to the

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<sup>83</sup> "[Our Europe. Our Rights. Our Future.](#)", *op. cit.*

<sup>84</sup> [A long way to go for LGBTI equality](#), FRA, 2020.

<sup>85</sup> [Third Report on the progress made against trafficking in human beings](#) COM(2020) 661 final and SWD(2020) 226 final; [The challenges of countering human trafficking in the digital era](#), Europol, 2020

<sup>86</sup> [EU Strategy for a more effective fight against Child sexual abuse](#), *op. cit.*

<sup>87</sup> [How families handled emergency remote schooling during the COVID-19 lockdown in spring 2020](#), 2020, JRC

<sup>88</sup> Eurostat. Survey on ICT usage in households and by individuals [[isoc\\_i\\_ci\\_in\\_h](#)], 2019

<sup>89</sup> [Commission Communication on '2030 Digital Compass: the European way for the Digital Decade'](#), COM(2021) 118 final

<sup>90</sup> [Directive on combating the sexual abuse and sexual exploitation of children and child pornography](#), 2011/93/EU; [Framework Decision on combating certain forms and expressions of racism and xenophobia](#), 2008/913/JHA; [Directive on the Audiovisual Media Services](#), 2018/1808/EU; [Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data](#), 2016/679/EU; [Directive on Unfair Commercial Practices](#), 2005/29/EC; [Communication on Tackling online disinformation: a European Approach](#), COM(2018)236; [European Strategy for a Better Internet for Children](#), COM(2012)196.

<sup>91</sup> [Commission Proposal for a Regulation on a Single Market for Digital Services \(Digital Services Act\)](#), COM/2020/825 final)

<sup>92</sup> The Code of Practice on Disinformation includes a set of commitments that major online platforms and trade organisations representing the ad industry and advertisers have undersigned to limit the impact of disinformation online. The signatories of the Code will be asked to strengthen the Code following a Guidance that the Commission will issue in Spring 2021.

spread of disinformation. The new Digital Education Action Plan (2021-2027)<sup>93</sup> promotes digital literacy in view of tackling disinformation and puts education and training at the heart of this effort. Internationally, guidance has just been released on the interpretation of the rights of the child in the digital environment<sup>94</sup>.

On data protection and privacy rules, children advocate for companies to develop understandable privacy policies for digital services and applications and ask to be involved in the design and development of new digital products they will use. The Commission is ready to support these efforts, in particular through the Youth Pledge for a Better Internet<sup>95</sup> and the Youth Call for Action<sup>96</sup>.

The Commission will continue to provide support through the Digital Programme to the Safer Internet Centres and the Better Internet for Kids platform<sup>97</sup> to raise awareness of and build capacity around cyberbullying, recognition of mis- and disinformation, and promotion of healthy and responsible behaviour online. The upcoming Pathways to School Success initiative<sup>98</sup> will promote the prevention of cyberbullying. The Erasmus+ programme<sup>99</sup> will fund initiatives to support the acquisition of digital skills by all children.

Artificial intelligence (AI) has and will have a great impact on children and their rights<sup>100</sup>, for example in the fields of education, leisure and healthcare provision. However, it can also entail some risks related to privacy, safety and security. The upcoming Commission proposal on a horizontal legal framework for AI will identify the use of high-risk AI systems that pose significant risks to fundamental rights, including of children.

#### **Key actions by the European Commission:**

- adopt an updated Better Internet for Kids Strategy in 2022;
- create and facilitate a child-led process aimed at developing a set of principles to be promoted and adhered to by the industry<sup>101</sup>;
- promote the development and use of accessible ICT and assistive technologies for children with disabilities such as speech recognition, closed captioning and others<sup>102</sup>, including in Commission's conferences and events;
- ensure the full implementation of the European Accessibility Act<sup>103</sup>;
- step up the fight against all forms of online child sexual abuse, such as by proposing the necessary legislation including obligations for relevant online services providers to detect and report known child sexual abuse material online.

#### **The European Commission invites the Member States to:**

- ensure effective equal access to digital tools and high-speed Internet connection, digital literacy, accessible online educational material and education tools etc. for all children;

<sup>93</sup> [Digital Education Action Plan 2021-2027](#), COM(2020)624

<sup>94</sup> [General Comment No. 25 \(2021\) on Rights of children in relation to the digital environment](#), UN Committee on the Rights of the Child

<sup>95</sup> [Youth Pledge for a Better Internet](#)

<sup>96</sup> [Youth Call for Action](#)

<sup>97</sup> [Better internet for kids](#)

<sup>98</sup> Announced in the [Communication Achieving the European Education Area by 2025](#), COM(2020) 625 final

<sup>99</sup> [Erasmus+ Programme](#)

<sup>100</sup> [Draft Policy Guidance on AI for Children](#), UNICEF, 2020

<sup>101</sup> Building on the upcoming proposal of a set of digital principles as announced in the 'Digital Decade' Communication

<sup>102</sup> Harmonised European Standards, [Accessibility requirement for ICT products and services](#), ETSI, 2018

<sup>103</sup> [Directive on the accessibility requirements for products and services](#), 2019/882/EU

- support the development of children’s basic digital competences, through the Digital Competence Framework for citizens<sup>104</sup>;
- support media literacy actions as part of education, to develop children’s ability to critically evaluate online content, and detect disinformation and abusive material;
- support and promote the work of the EU co-funded Safer Internet Centres, and support child helplines and hotlines in developing online avenues for communication;
- encourage children’s and especially girls’ participation in science, technology, engineering and mathematics (STEM) studies and dismantle gender stereotypes in this field to ensure equal opportunities in the digital labour market.

**The European Commission invites ICT companies to:**

- ensure that children’s rights, including privacy, personal data protection, and access to age-appropriate content, are included in digital products and services by design and by default, including for children with disabilities;
- equip children and parents with adequate tools to control their screen time and behaviour, and protect them from the effects of overuse of and addiction to online products;
- strengthen measures to help tackle harmful content and inappropriate commercial communication, such as through easy-to-use reporting and blocking channels or effective age-verification tools;
- continue their efforts to detect, report and remove illegal online content, including child sexual abuse from their platforms and services, to the extent that those practices are lawful.

**6. The Global Dimension: an EU that supports, protects and empowers children globally, including during crisis and conflict.**

*“The EU has a force that unites many countries of the world for peace, cooperation, equality between people, funds projects for organisations working to protect the rights of children”.* (Child, Albania).

*“You have got to get deep into the mining pit by a rope, take what you have been ordered and then go back to the surface. I nearly suffocated inside the pits due to an inadequate supply of oxygen”* (Boy, 11, Tanzania).

**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. Of these, 1 in 6 live within 50km of a conflict zone<sup>105</sup>. This not only threatens the physical and mental health of children

<sup>104</sup> [Digital Competence Framework 2.0](#), EU Science Hub, European Commission

<sup>105</sup> [Children affected by armed conflict, 1990-2019](#), Peace Research Institute Oslo, Conflict trends, 2020



but it can often deprive them of education<sup>106</sup> and negatively impact on their future life opportunities, as well as those of the communities they come from.

**Children are also victims of recruitment and use in armed conflict.** Their participation in conflict seriously affects their physical, psychological and emotional well-being. Both girl and boy child soldiers are also often victims of sexual violence, which is too often being used as a weapon of war.

An estimated 5.2 million children<sup>107</sup> under 5 years die each year, mostly from preventable and treatable causes, many of which are driven by poverty, social exclusion, discrimination, gender norms and neglect of basic human rights. The COVID-19 pandemic and climate change have further exacerbated existing forms of discrimination against children as well as exposure to vulnerable situations of children and families worldwide. At the height of the pandemic, some 1.6 billion children were out of school globally<sup>108</sup>.

The EU action in the external dimension will be in line with the commitments set out in the framework of the EU Action Plan on Human Rights and Democracy 2020-2024<sup>109</sup> and supported by targeted actions included in other relevant initiatives, such as the Guidelines on the Promotion and Protection of the Rights of the Child<sup>110</sup>, the Guidelines on Children and Armed Conflict<sup>111</sup>, the EU Gender Action Plan for external action (2021-2025)<sup>112</sup>, and the Child Rights Toolkit<sup>113</sup>.

In all contexts, the EU will continue to contribute to ensuring quality, safe and inclusive education, social protection, health services, nutrition, clean drinking water, housing, clean indoor air, and adequate sanitation. In particular, the EU **development policies** will (i) advance universal health coverage to ensure essential services for maternal, new-born, child and adolescent health, including mental health and psychosocial support; (ii) call for food systems to deliver nutritious, safe, affordable, and sustainable diets that meet the needs and rights of children and (iii) further invest in the development of quality, accessible education systems, including early childhood, primary, lower and upper secondary schooling. In addition, financial assistance will support access to affordable and sustainable connectivity for schools, as well as to include digital skills in school curricula and teacher's training.

In **humanitarian crises**, the EU will continue to support children while applying a needs-based approach in accordance with the humanitarian principles, as well as ensure that its aid is gender and age sensitive. The EU will continue to place an emphasis on child protection, addressing all types of violence against children as well as providing mental health and psychosocial support. Moreover, continued access to safe, quality and inclusive education, is of great importance to equip children and young people with essential skills, to offer protection and sense of normality, as well as to contribute to peace, and be a vehicle for reintegration and resilience.

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<sup>114</sup>. The Commission's political guidelines announced a zero tolerance approach against **child labour**, thus contributing to the global efforts in the framework of the UN 2021 International Year for the

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<sup>106</sup> [Inter-agency Network for Education in Emergencies](#), 2020

<sup>107</sup> [Children: improving survival and well-being](#), World Health Organisation, 2019

<sup>108</sup> [Policy Brief: Education during COVID-19 and beyond](#), United Nations, August 2020

<sup>109</sup> Joint communication on an [EU Action Plan on Human Rights and Democracy 2020-2024](#) (JOIN/2020/5 final)

<sup>110</sup> [Guidelines on the promotion and protection on the rights of the child](#), 2017

<sup>111</sup> [EU Guidelines on children in armed conflict](#), 2008

<sup>112</sup> [EU Gender Action Plan for external action](#) (2021-2025)

<sup>113</sup> [Child Rights Toolkit. Integrating Child Rights in Development Cooperation](#)

<sup>114</sup> [Global estimates of child labour](#), International Labour Organisation, 2017



Elimination of Child Labour<sup>115</sup>. The EU Action Plan on Human Rights and Democracy<sup>116</sup> also includes an action to reduce substantially the global incidence of child labour, in line with the target date of 2025 proclaimed by the United Nations for the full elimination of child labour worldwide. This will cover supporting free and easily accessible compulsory education for children until reaching the minimum age for work, as well as extending social welfare programmes to help lifting families out of poverty.

EU trade and investment agreements, as well as the Generalised System of Preferences (GSP) have played an important role in promoting respect for core human and labour rights, as reflected in the UN fundamental conventions of the International Labour Organization (ILO). Particular priority will be given to the implementation of these commitments, including action against child labour. The EU will insist on third countries to update regularly national lists of hazardous occupations children should never be tasked to do. The EU will also step up efforts to ensure the supply chains of EU companies are free from child labour, notably by promoting sustainable corporate governance.

In line with the Action Plan on Human Rights and Democracy, the EU will step up its efforts to ensure **meaningful child participation**; to prevent, combat and respond to all forms of violence against children, including gender-based violence; to eliminate early, forced and child marriage, female genital mutilation, child trafficking, smuggling, begging, (sexual) exploitation and neglect. Work will be intensified also to prevent and end grave violations against children affected by armed conflict, including with advocacy activities promoting compliance with International Humanitarian Law. The Action Plan also supports partner countries in building and **strengthening child-friendly justice and child protection systems**, including for migrant, refugee and forcibly displaced children and children belonging to minorities, notably Roma. The EU will continue supporting the resettlement of children and other vulnerable people in need of international protection to the EU. The EU will support actions to address the issue of street children as well as invest in the development of quality alternative care and the transition from institution-based to quality family- and community-based care for children without parental care and children with disabilities.

The EU will continue to include children's rights in the political dialogue with partner countries, and in particular in the context of accession negotiations and the stabilisation and association process. It will also promote measures to tackle violence and discrimination, in particular against vulnerable children, including support for civil society organisations. The EU will support the monitoring and collection of disaggregated data on the situation of children in the region, and continue to report on this in the annual enlargement package of country reports.

**To achieve these objectives**, the EU will coordinate the use of all its available spending programmes under the 2021-2027 multiannual financial framework, in particular the Neighbourhood, Development and International Cooperation instrument (NDICI), the Instrument for Pre-accession Assistance III (IPA III) and the humanitarian aid instrument.

It will also promote actions in multilateral and regional human rights fora, advocacy and awareness raising campaigns, as well as with civil society, children and adolescents, national human rights institutions, academia, the business sector and other relevant stakeholders.

#### **Key actions by the European Commission:**

- dedicate 10% of overall funding under the NDICI in Sub-Saharan Africa, Asia and the Pacific, and Americas and the Caribbean to education;

<sup>115</sup>[International Labour Organisation](#)

<sup>116</sup> [EU Action Plan on Human Rights and Democracy 2020-2024](#), *op.cit.*

- continue allocating 10% of humanitarian aid funding for education in emergencies and protracted crises, and promote the endorsement of the Safe Schools Declaration;
- work towards making supply chains of EU companies free of child labour, notably through a legislative initiative on sustainable corporate governance;
- promote and provide technical assistance to strengthen labour inspection systems for monitoring and enforcement of child labour laws;
- provide technical assistance as Team Europe to partner countries’ administrations through its programmes and facilities, such as SOCIEUX+, the Technical Assistance and Information Exchange instrument (TAIEX) and TWINNING programmes;
- prepare a Youth Action Plan by 2022 to promote youth and child empowerment and participation;
- designate Youth focal points and strengthen child protection capacities within the EU Delegations.

## 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<sup>117</sup>. 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 Commission will invite the FRA to continue providing Member States with technical assistance and methodological support, inter alia, on the design and implementation of data-collection exercises. More age and sex-disaggregation of Eurostat data, and data generated by other EU agencies, will also be pursued, as will research on specific thematic areas covered by this strategy. This will be done through the research and innovation framework programme Horizon Europe (2021-2027)<sup>118</sup>.

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. For this, the Commission will also establish the **EU Network for Children’s Rights** by end of 2021. Building on the work of the existing informal expert group on the rights of the child<sup>119</sup>, the Network will reinforce the dialogue and mutual learning between the EU and Member States on children’s rights, and support the implementation, monitoring and evaluation of the strategy. It will be composed of national representatives, and will include in some of its activities international and non-governmental organisations, representatives of local and regional authorities and children, among others. The Commission will also develop closer collaboration with regional and local authorities, and with other relevant institutions, regional and international organisations, civil society and ombudspersons for children.

This strategy should be read in conjunction with the Strategy to strengthen the application of the Charter of Fundamental Rights in the EU, and the European Democracy action plan. It complements targeted efforts to make EU rights and values more tangible in areas such as<sup>120</sup> the

<sup>117</sup> See Annex 2

<sup>118</sup> [Horizon Europe](#)

<sup>119</sup> [Informal expert group rights of the child](#), European Commission

<sup>120</sup> [Communication on the protection of children in migration](#), COM(2017)211 final; [Communication on Gender Equality Strategy 2020-2025](#), COM/2020/152 final; [Communication on an EU Roma strategic framework for equality, inclusion and participation](#), COM/2020/620 final and the [Council Recommendation on Roma equality, inclusion and participation](#) (2021/C 93/01) ;

protection of children in migration, equality and inclusion, gender equality, anti-racism and pluralism, EU citizenship rights, victims' rights, the fight against child sexual abuse, social rights and inclusive education and training<sup>121</sup>. It is also in line with the priorities set out in the EU Action Plan on Human Rights and Democracy<sup>122</sup>.

## 7.1 Contribution of EU funds to the strategy's implementation

**EU funding is key to support the implementation of EU policies in the Member States.** With this strategy, the Commission will support Member States to make the best use of EU funds in their initiatives to protect and fulfil the rights of the child. It should also encourage child rights budgeting and explore ways to track spending of EU budget in this area, so that funds are channelled towards the most pressing needs. Funding for child rights should be prioritised by Member States in the EU funding programmes, according to identified needs at national and regional level. Under the 2021-2027 multiannual financial framework,

The European Social Fund Plus (ESF+) and the European Regional Development Fund (ERDF) support investments in human capacity and infrastructure development, equipment and access to services in education, employment, housing, social, health and child care, as well as the shift from institutional to family- and community-based services.

Member States that have a rate of child at-risk-of-poverty or social exclusion higher than the EU average (in 2017-2019) will have to earmark 5% of the ESF+ for combatting child poverty, while other Member States will be required to earmark an appropriate amount. In the 2021-2027 programming period, Member States should fulfil several enabling conditions, which might have a close link to child rights measures. This includes policy frameworks in the field of poverty reduction, Roma inclusion and compliance with the UNCRPD and the Charter. The new AMIF will reinforce the protection of unaccompanied migrant children by recognising and providing financial support and incentives for their particular reception, accommodation and other special needs, with a co-financing rate up to 75%, which may be increased to 90 % for projects implemented under specific actions.

Other EU funds and programmes can be used for the realisation of children's rights, include the Justice Programme, the CERV Programme, Erasmus+, Horizon2020, the Digital Programme, the Recovery and Resilience Facility, the European Agricultural Fund for Rural Development (EAFRD), REACT-EU, and InvestEU. In addition, the Technical Support Instrument is able, on request, to provide technical support to Member States to develop capacity-building actions.

Member States are invited to ensure a coordinated approach at national, macro-regional<sup>123</sup>, regional and local level in the programming and implementation of EU funds, as well as involve local and regional authorities, civil society organisations, including organisations working with and for children, and social and economic partners in preparing, revising, implementing and monitoring programmes for the 2021-2027 EU funds.

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[Communication on a LGBTIQ Equality Strategy 2020-2025](#), COM/2020/698 final, [Action plan on Integration and Inclusion 2021-2027](#), COM(2020)758 final, and Strategy for the Rights of Persons with Disabilities; [Communication on an EU Anti-racism Plan 2020-2025](#) COM/2020/565 final, and the forthcoming strategy on combating antisemitism, planned for 2021; [EU Citizenship Report 2020 Empowering citizens and protecting their rights](#), COM/2020/730 final, [EU Strategy on Victims' rights \(2020-2025\)](#), COM(2020)258, [EU Strategy for a more effective fight against Child sexual abuse](#), COM(2020)607

<sup>121</sup> The [Commission Recommendation Investing in children: breaking the cycle of disadvantage](#) (2013/112/EU); [European Pillar of social rights](#); [European Pillar of Social Rights Action Plan](#), COM(2021) 102 final; Proposal for a Council Recommendation establishing a European Child Guarantee, COM(2021)137; [Communication on achieving the European Education Area by 2025](#) COM(2020)625 final; and [Digital Education Action Plan 2021-2027](#), COM(2020)624

<sup>122</sup> [EU Action Plan on Human Rights and Democracy 2020-2024](#), JOIN(2020) 5 final.

<sup>123</sup> [Macroregional strategy](#), European Commission

The strategy also addresses the inequalities exacerbated by the COVID-19 crisis, which has disproportionately affected vulnerable children. As part of this work, the Commission will encourage Member States to make full use of the possibilities offered by NextGenerationEU to mitigate the disproportionate impact of the crisis, and will help Member States to mainstream children's rights in the design and implementation of reforms through the Technical Support Instrument.

For real progress to be made on the ground, this strategy needs to be accompanied by **commitments and investments at national level**. The Commission calls on EU Member States to develop, where not yet available, robust and evidence-based national strategies on the rights of the child, in cooperation with all relevant stakeholders, including children; and in synergy with other relevant national strategies and plans. It also calls on Member States to ratify all UNCRC Optional Protocols and UNCRPD Optional protocols, and duly consider the Concluding Observations of the UN Committee on the Rights of the Child<sup>124</sup> and of the UN Committee on the Rights of Persons with Disabilities<sup>125</sup>. The Commission also invites the Member States to support all actions recommended in this strategy through appropriate financial resources, including EU funding.

## 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.

This strategy is inclusive by design and will be inclusive in its implementation. The Commission will monitor the implementation of the strategy at EU and national level, and report on the progress at the annual European Forum on the rights of the child. Children will be part of the monitoring and evaluation, notably through the future Children's Participation Platform. The strategy's actions will be adapted where needed.

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.

**We all have the responsibility to listen to children and to act now.** To use the words expressed by one of the members of the Eurochild Children's Council: *"Well done is better than well said"*.

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<sup>124</sup> [UN Committee on the Rights of the Child](#), concluding observations

<sup>125</sup> [UN Committee on the Rights of Persons with Disabilities](#), concluding observations



EUROPEAN  
COMMISSION

Brussels, 24.3.2021  
COM(2021) 142 final

ANNEX 1

**ANNEX**

*to the*

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**EU strategy on the rights of the child**

## Rights of the Child – EU and international frameworks

This Annex presents in detail the relevant rights enshrined in the Charter of Fundamental Rights of the EU, the UN Convention on the Rights of the Child and the goals and targets of the UN Sustainable Development Goals protected and promoted by the different strands of the EU Strategy on the rights of the child.

EU strategy on the rights of the child	Charter of Fundamental Rights of the European Union <sup>126</sup>	UN Convention on the Rights of the Child <sup>127</sup>	UN 2030 Sustainable Development Goals (SDGs)
<p><b>Introduction</b></p>	<p>Art. 24: The rights of the child            Art. 24.2: Best interests of the child            Art. 24.1.1: Right of the child to protection and care</p> <p>Art. 20: Equality before the law            Art. 21: Non-discrimination            Art. 23: Equality between women and men            Art. 26: Integration of persons with disabilities</p> <p>Art. 2: Right to life</p>	<p>Art. 1: Definition of the child</p> <p>General principles:</p> <ul style="list-style-type: none"> <li>• Art. 2: Non-discrimination</li> <li>• Art. 3: Best interests of the child</li> <li>• Art. 6: The right to life, survival and development</li> </ul> <p>Art. 23: Children with disabilities and measures taken to ensure their dignity, self-reliance and active participation in the community, through access to all kinds of services, transportation and institutions, and in particular to education and cultural activities</p> <p>Art. 7 UNCRPD: Children with disabilities</p> <p>Art. 30: Children belonging to a minority or an indigenous group;</p>	<p><b>SDG 10: Reduce inequality</b>            Target 10.3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies, and practices and promoting appropriate legislation, policies, and action in this regard</p> <p>Target 10.2: Empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion, or economic or other status</p> <p><b>SDG 5: Gender equality</b>            Target 5.1: End all forms of discrimination against all women and girls everywhere            Target 5.c: Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels</p> <p><b>SDG 17: Partnerships for the Goals</b>            Target 17.2. Implement all development assistance</p>

<sup>126</sup> The Charter of Fundamental Rights of the European Union applies to Member States only when they are implementing European Union law.

<sup>127</sup> The EU is party to the UN Convention on Rights of Persons with Disabilities (UNCRPD). Relevant Articles of this Convention are also mentioned in this column



		<p>General measures of implementation</p> <ul style="list-style-type: none"> <li>• Art. 4: Implementation of the Convention</li> <li>• Art. 4: International cooperation</li> <li>• Art. 44.6: Make UNCRC reports available to the public</li> </ul>	<p>commitments</p> <p>Target 17.3: Mobilise financial resources for developing countries</p>
<p><b>Child participation in political and democratic life</b></p>	<p>Art. 24.1: Right of the child to express his/her views</p> <p>Art. 10: Freedom of thought, conscience and religion</p> <p>Art. 12: Freedom of assembly and of association</p> <p>Art. 22: Cultural, religious and linguistic diversity</p>	<p>Art. 12: Respect for the views of the child</p> <p>Art. 7.3 UNCRC: Right of children with disabilities to express their views</p> <p>Art. 13: Freedom of expression and the right to seek, receive and impart information</p> <p>Art. 14: Freedom of thought, conscience and religion</p> <p>Art. 15: Freedom of association and of peaceful assembly</p> <p>Art. 42: Knowledge of rights</p>	<p><b>SDG 16: Peace, justice and strong institutions</b></p> <p>Target 16.7: Ensure responsive, inclusive, participatory and representative decision-making at all levels</p> <p>Target 16.10: Ensure public access to information (...), in accordance with national legislation and international agreements</p> <p><b>SDG 4: Quality education</b></p> <p>Target 4.7: Ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development</p>
<p><b>Socio-economic inclusion</b></p>	<p>Art. 7: Respect for private and family life</p> <p>Art. 9: Right to marry and right to found a family (in relation to their parents)</p> <p>Art. 24.3: Right of the child to maintain on a regular basis a personal relationship and direct contact with parents</p> <p>Art. 33: Protection of family and professional life</p> <p>Art. 34: Social security and social assistance</p>	<p>Art. 5: Family environment and parental guidance in a manner consistent with the evolving capacities of the child</p> <p>Art. 18: Parents' common responsibilities, assistance to parents and provision of childcare services</p> <p>Article 23 UNCRC - Respect for home and the family</p> <p>Art. 26 and Art. 18.3: Social security and childcare services and facilities</p> <p>Art. 27.1-3: Standard of living and measures taken, including material assistance and support</p>	<p><b>SDG 1: End poverty</b></p> <p>Target 1.1: Eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day</p> <p>Target 1.2: Reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions</p> <p>Target 1.3: Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable</p> <p>Target 1.5: Build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other</p>

	<p>Art. 32: Protection of young people at work</p> <p>Art. 36: Access to services of general economic interest</p> <p>Art. 38: Consumer protection</p>	<p>programmes with regard to nutrition, clothing and housing, to ensure children's physical, mental, spiritual, moral and social development, and to reduce poverty and inequality</p> <p>Children in street situations;</p>	<p>economic, social and environmental shocks and disasters.</p> <p><b>SDG 7: Energy</b> Target 7.1: Ensure universal access to affordable, reliable and modern energy services</p> <p><b>SDG 11: Sustainable cities</b> Target 11.1: Ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums Target 11.2: Provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport with special attention to the needs of those in vulnerable situations, (...) children (...) Target 11.7: By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children (...).</p> <p>Target 8.b: By 2020, develop and operationalise a global strategy for youth employment</p>
<p><b>Health</b></p> <p>Art. 3: Right to integrity of the person</p> <p>Art. 35: Health care</p> <p>Art. 37: Environmental protection</p>		<p>Art. 6.2: Survival and development</p> <p>Art. 24: Health and health services, in particular primary health care</p> <p>Art. 33: Efforts to address the most prevalent health challenges, to promote the physical and mental health and well-being of children and to prevent and deal with communicable and non-communicable diseases;</p> <p>Art. 33: Reproductive health rights of adolescents and measures to promote a healthy lifestyle;</p> <p>Art. 33: Measures to protect children from substance abuse</p>	<p><b>SDG 2: End hunger</b> Target 2.1: End hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round Target 2.2: End all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls and pregnant and lactating women.</p> <p><b>SDG 3: Healthy lives</b> Target 3.1: Reduce the global maternal mortality ratio to less than 70 per 100,000 live births Target 3.2: End preventable deaths of newborns and</p>

		<p>children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births</p> <p>Target 3.7: Ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes</p> <p>Target 3.8: Achieve universal health coverage (...) access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all</p> <p><b>SDG 5: Gender equality</b></p> <p>Target 5.6: Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.</p> <p><b>SDG 6: Water and sanitation</b></p> <p>Target 6.1: Achieve universal and equitable access to safe and affordable drinking water for all</p> <p>Target 6.2: Achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations</p> <p>Target 6.b: Support and strengthen the participation of local communities for improving water and sanitation management</p> <p><b>SDG 13: Climate change</b></p> <p>Target 13.3: Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning</p> <p>Target 13.b: Promote mechanisms for raising capacity for effective climate change-related planning and</p>
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<b>Education</b>	Art. 14: Right to education	<p>Art. 28: The right to education, including vocational training and guidance</p> <p>Art. 29: The aims of education with reference also to the quality of education;</p> <p>Art. 30: Cultural rights of children belonging to indigenous and minority groups</p> <p>Education on human rights and civic education;</p> <p>Art. 24 UNCRPD: Education</p> <p>Art. 31: Rest, play, leisure, recreation and cultural and artistic activities</p>	<p>management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities</p> <p><b>SDG 4: Quality education</b></p> <p>Target 4.1: Ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes</p> <p>Target 4.2: Ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education</p> <p>Target 4.4: Substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship</p> <p>Target 4.5: Eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations</p> <p>Target 4.6: Ensure that all youth (...) achieve literacy and numeracy</p> <p>Target 4.a: Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.</p> <p><b>SDG 8: Economic growth and decent work</b></p> <p>Target 8.5: Achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value</p> <p>Target 8.6: By 2020, substantially reduce the proportion of youth not in employment, education or training</p> <p><b>SDG 16: Peace, justice and strong institutions</b></p>
<b>Combating</b>	Art. 1: Human dignity	Art. 19: Abuse and neglect	



		<ul style="list-style-type: none"> <li>• Art. 36: Other forms of exploitation</li> <li>• Child victims and witnesses of crimes: <ul style="list-style-type: none"> <li>- Art. 39: Physical and psychological recovery and social reintegration</li> <li>- The training activities developed for all professionals involved (...) in the field of juvenile justice, including the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime</li> </ul> </li> <li>• Art. 38: Children in armed conflicts</li> </ul> <p>Follow-up to the Optional Protocol to the UNCRC I and II on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict</p> <p>Article 16 UNCPRD: Freedom from exploitation, violence and abuse</p>	
<p><b>Child-friendly justice</b></p>	<p>Art. 24.1.2: Right of the child to express his/her views</p> <p>Art. 24.3: Right of the child to maintain on a regular basis a personal relationship and direct contact with parents</p> <p>Art. 6: Right to liberty and security</p> <p>Art. 18: Right to asylum</p> <p>Art. 19: Protection in the event of removal, expulsion or extradition</p> <p>Article 43: European Ombudsman</p> <p>Art. 45: Freedom of movement and of residence</p> <p>Art. 46: Diplomatic and consular protection</p>	<p>Art. 7: Birth registration, name and nationality</p> <p>Art. 8: Preservation of identity</p> <p>Art. 9: Separation from parents</p> <p>Art. 10: Family reunification</p> <p>Art. 11: Illicit transfer and non-return; Measures to ensure the protection of children with incarcerated parents and children living in prison with their mothers.</p> <p>Art. 27.4: Recovery of maintenance for the child</p> <p>Art. 21: Adoption (national and intercountry)</p> <p>Article 23 UNCPRD - Respect for home and the family</p> <p>Children in conflict with the law, child victims and witnesses of crimes and juvenile justice:</p> <ul style="list-style-type: none"> <li>• Art. 40: The administration of juvenile justice, the existence of specialized and separate courts and the applicable minimum age of criminal responsibility</li> <li>• Art. 37.b-d: Children deprived of their liberty</li> </ul>	<p><b>SDG 16: Peace, justice and strong institutions</b></p> <p>Target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all</p> <p>Target 16.9: Provide legal identity for all, including birth registration</p> <p>Target 16.10: (...) Protect fundamental freedoms, in accordance with national legislation and international agreements</p> <p><b>SDG 10: Reduce inequality</b></p> <p>10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.</p>



	<p>Art. 47: Right to an effective remedy and to a fair trial</p> <p>Article 48: Presumption of innocence and right of defence</p> <p>Art. 49: Principles of legality and proportionality of criminal offences and penalties</p>	<p>and measures to ensure that any arrest, detention or imprisonment of a child shall be used as measures of last resort and for the shortest amount of time and that legal and other assistance is promptly provided</p> <ul style="list-style-type: none"> <li>• Art. 37.a: The sentencing of children, in particular the prohibition of capital punishment and life imprisonment and the existence of alternative sanctions based on a restorative approach</li> <li>• Art. 39: Physical and psychological recovery and social reintegration</li> </ul>	
<p><b>Digital and information society</b></p>	<p>Art. 8: Protection of personal data</p> <p>Art. 11: Freedom of expression and information</p>	<p>Art. 16: Protection of privacy and protection of image</p> <p>Art. 17: Access to information from a diversity of sources and protection from material harmful to a child's well-being</p>	<p><b>SDG 9: Resilient infrastructure/innovation</b></p> <p>Target 9.c: Significantly increase access to ICT and strive to provide universal and affordable access to the Internet in least developed countries by 2020</p>
<p><b>Global dimension</b></p>	<p><i>The above rights enshrined in the Charter of Fundamental Rights of the EU, the UN Convention on the Rights of the Child and the goals and targets of the UN Sustainable Development Goals are also relevant for all actions included in the Global dimension section of the strategy.</i></p>		



EUROPEAN  
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Brussels, 24.3.2021  
COM(2021) 142 final

ANNEX 2

**ANNEX**

*to the*

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
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**EU strategy on the rights of the child**

# EU *acquis* and policy documents on the rights of the child

This document lists the **most relevant**<sup>128</sup> **EU legal and policy instruments for the rights of the child**. They are organised according to the thematic sections of the EU strategy on the rights of the child.

*All legal and policy instruments are hyperlinked*

## Primary law

**Treaty of the European Union** (2012/C326/01) – particularly Article 3.3 and 3.5

**Treaty on the Functioning of the European Union** (2012/C 326/01)

**Charter of Fundamental Rights of the EU** (2012/C 326/02) – particularly Article 24 on the rights of the child, as well as Article 7 on right to family life; Article 14 on right to education, Article 32 on Prohibition of child labour and protection of young people at work and Article 33 on Family and professional life

## Policy documents on the rights of the child

[Political Guidelines of the European Commission 2019-2024 ‘A Union that strives for more. My agenda for Europe’ by President Ursula von der Leyen, July 2019](#)

**European Parliament resolution on children’s rights** on the occasion of the 30th anniversary of the UN Convention on the Rights of the Child (2019/2876(RSP))

**European Parliament Resolution** of 11 March 2021 on children’s rights **in view of the EU Strategy on the rights of the child** (2021/2523(RSP))

## Previous strategies on the rights of the child

Commission Communication on **Towards an EU Strategy on the Rights of the Child** (COM/2006/367 Final)

Commission Communication on an **EU Agenda for the Rights of the Child** (COM/2011/60 final)

## Horizontal instruments, including those impacting different groups of children

- **Social inclusion**

Commission Recommendation on the **European Pillar of Social Rights** (2017/761/EU)

- **Racial or ethnic origin, including Roma**

[Council Directive on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin](#) (2000/43/EC)

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<sup>128</sup> This list is not exhaustive and, in particular, financial instruments are not included.

Council Framework Decision on combating certain **forms and expressions of racism and xenophobia by means of criminal law** (2008/913/JHA)

Commission Communication on A Union of equality: **EU anti-racism plan 2020-2025**  
(COM/2020/565 final)

[Commission Communication A Union of Equality: EU Roma strategic framework for equality, inclusion and participation](#) (COM(2020) 620 final)

[Council Recommendation on Roma equality, inclusion and participation](#) (2021/C 93/01)

## **Disabilities**

[Council Decision concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities](#) (2010/48/EC)

Directive on the **accessibility requirements for products and services** (2019/882/EU)

Union of Equality: **Strategy for the Rights of Persons with Disabilities 2021-2030** (COM(2021) 101 final)

- **LGBTIQ**

Commission Communication on A Union of Equality: **LGBTIQ Equality Strategy 2020-2025**  
(COM/2020/698 final)

- **Gender equality**

Commission Communication on A Union of Equality: **Gender Equality Strategy 2020-2025**  
(COM/2020/152 final)

- **Migrant protection and integration**

Commission Communication on the **protection of children in migration** (COM/2017/211 Final)

Commission Communication on an **Action plan on Integration and Inclusion 2021-2027**  
(COM/2020/758 final)

- **Youth**

Council Resolution on a framework for European cooperation in the youth field: **The European Union Youth Strategy 2019-2027** (2018/C456/01)

## 1. Participation in political and democratic life: An EU that empowers children to be active citizens and members of democratic societies

Commission Communication on the 2020 **Rule of Law Report**. The rule of law situation in the European Union (COM/2020/580 final)

Commission Communication on the **European democracy action plan** (COM/2020/790 final)

Commission Communication on a **Strategy to strengthen the application of the Charter of Fundamental Rights in the EU** (COM/2020/711 final)



## 2. Socio-economic inclusion, health and education: An EU that fights child poverty, promotes inclusive and child-friendly societies, health and education systems.

### 2.1. Social inclusion

#### 2.1.1. Horizontal instruments

Commission Recommendation on **investing in children: breaking the cycle of disadvantage** (2013/112/EU)

Commission Communication establishing a **European Pillar of Social Rights** (COM/2017/250 final)

Commission Recommendation on the **European Pillar of Social Rights** (2017/761/EU)

Interinstitutional Proclamation on the **European Pillar of Social Rights** (2017/C 428/09)

The **European Pillar of Social Rights Action Plan** (COM(2021) 102 final)

#### 2.1.2. Family life

Council Directive on the introduction of measures to encourage **improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding** (92/85/EC)

Council Recommendation on **child care** (92/241/EEC)

Council Directive implementing the revised framework agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC (2010/18/EU)

Directive on **work life balance for parents and carers** repealing Council Directive 2010/18/EU (2019/1158/EU)

#### 2.1.3. Young people at work

Directive on the **protection of young people at work** (94/33/EC)

Directive providing for **minimum standards on sanctions and measures against employers of illegally staying third-country nationals** (2009/52/EC)

Council Directive implementing the Agreement concerning the implementation of the Work in Fishing Convention, 2007 of the **International Labour Organisation**, concluded on 21 May 2012 between the General Confederation of Agricultural Cooperatives in the European Union (Cogeca), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises in the European Union (Europêche) (2017/159/EU)

### 2.2. Education

### 2.2.1. Education

Council Recommendation on policies to **reduce early school leaving** (2011/C191/01)

Council Recommendation on **Key Competences for Lifelong Learning** (2018/C 189/01)

Council Recommendation on **promoting common values, inclusive education, and the European dimension of teaching** (2018/C 195/01)

Council Recommendation on a **comprehensive approach to the teaching and learning of languages** (2019/C 189/03)

Commission Communication on achieving the **European Education Area** by 2025 (COM/2020/625 final)

Council Resolution on a strategic framework for **European cooperation in education and training towards the European Education Area and beyond (2021-2030)** (2021/C 66/01)

### 2.2.2. Early childhood education and care

Commission Communication on **Early childhood education and care: providing all our children with the best start for the world of tomorrow** (COM/2011/66 final)

Council Recommendation on **High quality early childhood education and care systems** (2019/C189/02)

### 2.2.3. Leisure

Directive on the **safety of toys** (2009/48/EC)

## 2.3. Housing

Commission Recommendation on **energy poverty** (2020/1563/EU)

## 2.4. Health

### 2.4.1. Diseases and prevention

Council Recommendation on strengthened **cooperation against vaccine-preventable diseases** (2018/C 466/01)

Communication Europe's **Beating Cancer Plan**, COM (COM(2021) 44 final)

Communication **Pharmaceutical Strategy for Europe** (COM(2020) 761 final)

### 2.4.2. Nutrition

Commission Directive on **processed cereal-based foods and baby foods** for infants and young children (2006/125/EC)

[Regulation on nutrition and health claims made on foods](#) (1924/2006/EC)

Regulation on the provision of **food information to consumers** (1169/2011/EU)

Regulation on **food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control** (609/2013/EC)

Regulation establishing a common **organisation of the markets in agricultural products** (1308/2013/EU)

Regulation on determining measures on **fixing certain aids and refunds related to the common organisation of the markets in agricultural products** (1370/2013/EU)

EU Action Plan on **Childhood Obesity** 2014-2020

Commission Regulation as regards maximum **levels of tropane alkaloids in certain cereal-based foods for infants and young children** (2016/239/EU)

Commission Implementing Regulation on rules for the application of Regulation (EU) No 1308/2013 of the European Council and the Parliament with regard to **Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments** (2017/39/EU)

[Commission Delegated Regulation supplementing Regulation \(EU\) No 1308/2013 with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments](#) (2017/40/EU)

Communication **A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system** (COM(2020) 381 final)

### 2.4.3. Alcohol, Tobacco and Drugs

Directive on the **approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products** (2003/33/EC)

Council Recommendation on the **prevention of smoking and on initiatives to improve tobacco control** (2003/54/EC)

Commission Communication on an **EU strategy to support Member States in reducing alcohol related harm** (COM/2006/625 final)

Council Recommendation on **smoke-free environments** (2009/C 296/02)

Directive on the approximation of the laws, regulations and administrative provisions of the Member States concerning the **manufacture, presentation and sale of tobacco and related products** (2014/40/EU)

Commission Implementing Decision extending the validity of Decision 2006/502/EC requiring **Member States to take measures to ensure that only lighters which are child-resistant are**

**placed on the market and to prohibit the placing on the market of novelty lighters** (2016/575/EU)

#### **2.4.4. Consumers / safety**

Directive on **General Product Safety** (2001/95/EC)

Directive concerning unfair business-to-consumer commercial practices in the internal market (**'Unfair Commercial Practices Directive'**) (2005/29/EC)

Regulation on **medicinal products for paediatric use** (1901/2006/EC)

Regulation on the type-approval of motor vehicles with regard to the **protection of pedestrians and other vulnerable road users**, amending Directive 2007/46/EC and repealing Directives 2003/102/EC and 2005/66/EC (78/2009/EC)

Regulation laying down detailed rules for the implementation of Annex I to Regulation 78/2009 on the **type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users** (631/2009/EC)

Regulation concerning **type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units** intended therefor (661/2009/EC)

Council Decision on the position of the European Union in relation to the draft Regulation of the United Nations Economic Commission for Europe on **pedestrian safety** and to the draft Regulation of the United Nations Economic Commission for Europe on light emitting diode (LED) light sources (2012/143/EU)

Commission Implementing Directive amending Council Directive 91/671/EEC relating to the **compulsory use of safety belts and child restraint systems in vehicles** (2014/37/EU)

Commission Implementing Decision on the compliance of European standard EN 16281:2013 for **consumer fitted child resistant locking devices for windows and balcony doors** (2014/358/EU)

Commission Recommendation on principles for the **protection of consumers and players of online gambling services** and for the **prevention of minors from gambling online** (2014/478/EU)

#### **2.4.5. Environment**

[Commission Communication on the European Green Deal](#) (COM(2019) 640 final)

### 3. Combating violence against children and ensuring child protection: an EU that helps children grow free from violence

Commission Decision on reserving the **national numbering range beginning with 116 for harmonised numbers for harmonised services of social value** (2007/116/EC), subsequently amended and **Directive establishing the European Electronic Communications Code** (2018/1972/EU)

Directive on combating the **sexual abuse and sexual exploitation of children and child pornography** (2011/93/EU)

Directive on preventing and combating **trafficking in human beings** and protecting its victims (2011/36/EU)

Commission Communication on an **EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016** (COM/2012/0286 final)

Commission Communication on **Towards the elimination of female genital mutilation** (COM/2013/833 final)

Commission Communication on **Reporting on the follow-up to the EU Strategy towards the eradication of trafficking in human beings and identifying further concrete actions** (COM/2017/728 final)

Commission Communication on the **EU Security Union Strategy** (COM/2020/605 final)

Commission Communication on an **EU strategy for a more effective fight against child sexual abuse** (COM/2020/607 final)



## 4. Child-friendly justice: An EU where the justice system respects the rights and needs of children

### 4.1. Justice systems

Commission Communication on **Ensuring justice in the EU - a European judicial training strategy for 2021-2024** (COM/2020/713 final)

### 4.2. Civil law

#### 4.2.1. Parental responsibility

Council Decision on authorising the Member States, in the interest of the Community, to sign the 1996 Hague Convention on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of **parental responsibility and measures for the protection of children** (2003/93/EC)

Council Regulation on jurisdiction and the recognition and enforcement of judgments in **matrimonial matters and the matters of parental responsibility** (2201/2003/EC)

Council Decision on authorising certain Member States to ratify, or accede to, in the interest of the European Community, **the 1996 Hague Convention** on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of **Parental Responsibility and Measures for the Protection of Children** and authorising certain Member States to make a declaration on the application of the relevant internal rules of Community law (2008/431/EC)

Council Regulation on jurisdiction, the recognition and enforcement of decisions in **matrimonial matters and the matters of parental responsibility, and on international child abduction** (2019/1111/EU)

#### 4.2.2. Maintenance obligations

Council Regulation on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to **maintenance obligations** (4/2009/EC)

Council Decision on the approval, on behalf of the European Union, of the Hague Convention of 23 November 2007 on the **international recovery of child support and other forms of family maintenance** (2011/432/EU)

#### 4.2.3. Other civil law instruments

[Regulation on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in \*\*matters of succession\*\* and on the creation of a European Certificate of Succession and corrigenda to transposition dates](#) (650/2012/EU)

Directive on certain aspects of **mediation in civil and commercial matters** (2008/52/EC)

[Regulation on promoting the \*\*free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation \(EU\) No 1024/2012\*\*](#) (2016/1191/EU)

### 4.3. Criminal justice

### 4.3.1. Juvenile Justice

Directive on **procedural safeguards for children who are suspects or accused persons in criminal proceedings** (2016/800/EU)

### 4.3.2. Victims' rights

Directive on establishing **minimum standards on the rights, support and protection of victims of crime** (2012/29/EU)

Commission Communication on the **EU Strategy on victims' rights** (2020-2025) (COM/2020/258 final)

### 4.3.3. Procedural rights legislation

Council Framework Decision on the application of the principle of **mutual recognition to judgments** and probation decisions with a view to the supervision of probation measures and alternative sanctions (2008/947/JHA)

Council Framework Decision on the application of the principle of **mutual recognition to judgments** in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union (2008/909/JHA)

Council Framework Decision on the organisation and content of the **exchange of information extracted from the criminal record between Member States** (2009/315/JHA)

Council Decision on the **establishment of the European Criminal Records Information System (ECRIS)** in application of Article 11 of Framework Decision 2009/315/JHA (2009/316/JHA)

Council Framework Decision on the application, between Member States of the European Union, of the principle of **mutual recognition** to decisions on supervision measures as an alternative to provisional detention (2009/829/JHA)

Directive on the **European protection order** (2011/99/EU)

Directive on the **right to information** in criminal proceedings (2012/13/EU)

Directive on the **right of access to a lawyer** in criminal proceedings and in European arrest warrant proceedings, and on the **right to have a third party informed** upon deprivation of liberty and to **communicate with third persons and with consular authorities** while deprived of liberty (2013/48/EU)

Directive on the strengthening of certain aspects of the **presumption of innocence and of the right to be present at the trial in criminal proceedings** (2016/343/EU)

Directive on **legal aid for suspects and accused persons in criminal proceedings** and for requested persons in **European arrest warrant proceedings** (2016/1919/EU)

## 4.4. Free movement

Directive on the right of **citizens of the Union and their family members to move and reside freely** within the territory of the Member States (2004/38/EC)

Commission Communication on guidance for better transposition and application of Directive 2004/38/EC on **the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States** (COM/2009/313 final)

Regulation on **freedom of movement of workers** within the Union (2011/492/EU)

Directive on measures facilitating the **exercise of rights conferred on workers in the context of freedom of movement for workers** (2014/54/EU)

#### **4.5. Migration**

#### 4.5.1. Reception conditions

Directive on laying down standards for the **reception of applicants for international protection** (recast) (2013/33/EU)

#### 4.5.2. Family reunification

Directive on the **right to family reunification** (2003/86/EC)

#### 4.5.3. Dublin Regulation and EURODAC Regulation

Regulation on establishing the criteria and mechanisms for determining the **Member State responsible for examining an asylum application** lodged in one of the Member States by a third-country national (343/2003/EC)

Regulation on laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the **Member State responsible for examining an asylum application lodged** in one of the Member States by a third-country national (1560/2003/EC)

Directive on common **procedures for granting and withdrawing international protection** (recast) (2013/32/EU)

Regulation on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the **Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person** and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (603/2013/EU)

Regulation on establishing the **criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person** (recast) (604/2013/EU)

[Commission Implementing Regulation laying down detailed rules for the application of Council Regulation \(EC\) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national \(118/2014/EU\)](#)

#### Qualification

Directive on standards for the **qualification** of third-country nationals or stateless persons as beneficiaries of international protection, **for a uniform status for refugees or for persons eligible for subsidiary protection**, and for the content of the protection granted (recast) (2011/95/EU)

#### 4.5.4. Immigration and asylum

Commission Communication on an **EU Action Plan against migrant smuggling** (2015-2020) (COM/2015/285 final)

Commission Communication on the **State of Play of Implementation of the Priority Actions under the European Agenda on Migration** (COM/2016/85 Final)

Commission Communication on the **implementation of the hotspots in Greece** (COM/2016/141 Final)

Commission Communication towards a Reform of the **Common European Asylum System and Enhancing Legal Avenues to Europe** (COM/2016/197 final)

#### **4.5.5. Relocation and resettlement**

Commission Communication on the progress report on the **Implementation of the European Agenda on Migration** (COM/2019/126 final)

Commission Recommendation on legal pathways to protection in the EU: **promoting resettlement, humanitarian admission and other complementary pathways** (C/2020/6467)

#### **4.5.6. Return**

Directive on common standards and procedures in the Member States for returning illegally staying third-country nationals (2008/115/EC)

Commission Communication on **EU return policy** (COM/2014/199 final)

Commission Communication on an **EU Action Plan on return** (COM/2015/453 final)

Commission Recommendation establishing a common "**Return handbook**" to be used by Member States' competent authorities when carrying out return related tasks (C/2015/6250 final)

Commission Communication on a more effective **return policy in the European Union - A renewed action plan** (COM/2017/200)

Commission Recommendation on **making returns more effective** when implementing the Directive 2008/115/EC of the European Parliament and of the Council (2017/432/EU)



#### 4.5.7. Visas

Regulation establishing a **Community Code on Visas** (810/2009/EC)

Commission Decision and its subsequent amendments establishing the **Handbook for the processing of visa applications** and the modification of issued visas (C/2010/1620 final)

#### 4.5.8. Border management

Commission Recommendation establishing a common "**Practical handbook for border guards (Schengen Handbook)**" to be used by Member States' competent authorities when carrying out the border control of persons (C/2006/5186 final)

Amended by Commission Recommendation (C/2008/2976 final)

Amended by Commission Recommendation (C/2009/7376 final)

Amended by Commission Recommendation (C/2010/5559 final)

Amended by Commission Recommendation (C/2011/3918 final)

Amended by Commission Recommendation (C/2012/9330 final)

Amended by Commission Recommendation (C/2015/3894 final)

Regulation establishing the **European Border Surveillance System (Eurosur)** (1052/2013/EU)

Commission Communication on Assessment of Greece's Action Plan to remedy the serious deficiencies identified in the **2015 evaluation on the application of the Schengen acquis in the field of management of the external border** (COM/2016/220 Final)

Regulation on a Union Code on the rules governing the movement of persons across borders (**Schengen Borders Code**) (2016/399/EU)

Commission Communication on **Stronger and Smarter Information Systems for Borders and Security** (COM/2016/205 final)

[Regulation on the European Border and Coast Guard](#) (2019/1896/ EU)

#### 4.5.9. Legal migration

Directive on the **conditions of entry and residence of third-country nationals** for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast) (2016/801/ EU)

## 5. Digital and information society: An EU where children can safely navigate the digital environment, and harness its opportunities

Directive amending the Directive on **universal service and users' rights relating to electronic communications networks and services** (2002/22/EC), the Directive concerning the **processing of personal data and the protection of privacy in the electronic communications sector** (2002/58/EC) and the Regulation on **cooperation between national authorities responsible for the enforcement of consumer protection laws** (2006/2004/EC) (2009/136/EC)

Directive on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (**Audiovisual Media Services Directive**) (2010/13/EU)

Commission Communication on a **European strategy for a better internet for children** (COM/2012/196 final)

Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (**General Data Protection Regulation**) (2016/679/EU)

Commission Communication on **Tackling online disinformation: a European Approach** (COM/2018/236 final)

Directive amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (**Audiovisual Media Services Directive**) in view of changing market realities (2018/1808/EU)

Directive on establishing the **European Electronic Communications Code** (Recast) (2018/1972/EU)

Commission Proposal for a Regulation on a **Single Market for Digital Services** (Digital Services Act) and amending Directive 2000/31/EC (COM/2020/825 final)

Commission Communication on Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation (**European Media Action Plan**) (COM/2020/784)

Commission Communication on **Digital Education Action Plan 2021-2027**. Resetting education and training for the digital age (COM/2020/624 final)

## 6. The Global Dimension: an EU that supports, protects and empowers children globally, including during crisis and conflict.

### 6.1. Horizontal instruments

**EU Guidelines for the Promotion and Protection of the Rights of the Child (2017) – Leave no child behind**

**European Consensus on Development (2017)**, as part of the EU response to the UN 2030 Agenda for Sustainable Development

Joint communication on an **EU Action Plan on Human Rights and Democracy 2020-2024** (JOIN/2020/5 final)

Child rights toolkit

### 6.2. Thematic instruments

**EU Guidelines on children in armed conflict** (updated 2008)

**EU Guidelines on Violence against Women and Girls and combating all forms of discrimination against them** (2008)

**Guidelines to EU Policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment** (updated 2019)

Commission Communication on **enhancing maternal and child nutrition in external assistance** (COM/2013/141 final)

DG ECHO **Gender-Age Marker Toolkit** (2014)

Commission **Communication on Lives in Dignity: from Aid-dependence to Self-reliance Forced Displacement and Development** (COM/2016/234 final)

Council Regulation on the provision of **emergency support within the Union** (2016/369/EU)

Commission Communication on **Education in Emergencies and Protracted Crises** (COM/2018/304 final)

Joint communication **EU Gender Action Plan (GAP) III – An Ambitious Agenda for Gender Equality and Women’s Empowerment in EU External Action** (JOIN(2020) 17 final)

**Relevant international Conventions in the field of the rights of the child**

**International Labour Organisation**

Convention concerning Minimum Age for Admission to Employment, No 138 (1973)

Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, No 182 (1999)

**Hague Conference on Private International Law**

Convention of 25 October 1980 on the Civil Aspects of International Child Abduction

Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children

Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance