



**European Committee
of the Regions**

SEDEC-VII/021

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OPINION

EU strategy on the rights of the child and the European Child Guarantee

THE EUROPEAN COMMITTEE OF THE REGIONS

- welcomes the European Commission proposal for a Council Recommendation Establishing a European Child Guarantee and the Commission Communication on an EU strategy on the rights of the child, whose objective is to effectively encourage the efforts of the Member States and local and regional authorities to reduce child poverty and improve children's rights to ensure greater fairness and inclusiveness in the Union, and in regions and municipalities/cities. The subsidiarity principle must be respected in the process;
- emphasises the need to define good practices for reducing child poverty and to improve access to key children's services and the enforcement of children's rights; recommends here that local and regional authorities be included in efforts to raise awareness and share good practices across the Union, and suggests that international, national and regional conferences and study visits be organised to this end;
- calls on the Commission and the Member States to guarantee that the EU strategy on the rights of the child is appropriately financed, ensuring that EU internal and external funding, as well as national budgets, adequately support implementation of the priorities set out in the strategy;
- opposes detention of children on migration grounds. The child's best interest must be the guiding principle;
- encourages the European Union and its Member States to step up the promotion of dialogue between national decision-makers and young people. In this regard, proposes the organisation of joint workshops, in cooperation with the local authorities, aimed at involving young people in decision making and taking into account their views regarding policy developments that concern them.

Rapporteur

Jari Andersson (FI/EPP), Member of a Local Assembly: Sastamala City Council

Reference documents

Proposal for a Council Recommendation Establishing a European Child Guarantee
COM(2021) 137 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
COM(2021) 142 final

**Opinion of the European Committee of the Regions –
EU strategy on the rights of the child and the European Child Guarantee**

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

1. notes that local and regional authorities play an important role in the delivery of key services and in combating poverty, and that the European Commission and the Member States should ensure that authorities are involved in implementing the Communication on an EU strategy on the rights of the child and the proposal for a Council Recommendation Establishing a European Child Guarantee;
2. points out that the European Committee of the Regions has commented in the past on the role of local and regional authorities in combating child poverty and promoting children's rights;
3. notes that the Member States are adequately informed about how current European measures to combat child poverty and promote children's rights are implemented at various levels of local and regional government;
4. would like to take part in future dialogue about child and youth policy and cooperation with the European Commission, the Council of the European Union, civil society, children's rights groups and other relevant stakeholders.

General considerations

5. welcomes the European Commission proposal for a Council Recommendation Establishing a European Child Guarantee and the Commission Communication on an EU strategy on the rights of the child, whose objective is to effectively encourage the efforts of the Member States and local and regional authorities to reduce child poverty and improve children's rights to ensure greater fairness and inclusiveness in the Union, and in regions and municipalities/cities. The subsidiarity principle must be respected in the process;
6. stresses that a child is above all a child, regardless of their ethnic origin, gender, nationality, social and economic background, ability or place of residence, and that the best interests of the child must be taken into account in all policies, processes and measures that affect children at every level. The European Commission and the Member States must ensure that the rights of the child are prioritised and considered, in line with the United Nations Convention on the Rights of the Child and the Charter of Fundamental Rights of the European Union, in all EU internal and external policies, measures and programmes that directly or indirectly affect children, and that consistency is maintained in all decision-making;
7. points out that every child should have the right to an adequate standard of living and equal opportunities in life from their early years, in line with the United Nations Convention on the Rights of the Child and the Charter of Fundamental Rights of the European Union; strengthening socio-economic inclusion of children and their families is critical in order to

reduce poverty and disadvantage between the generations, and to achieve this it is crucially important to ensure that proper social and healthcare protection and support are provided, as well as access to high-quality education, training and jobs for families;

8. urges the Member States to grant adequate and proper financial support so as to guarantee effective implementation of the 1989 United Nations Convention on the Rights of the Child, and calls on them to continue addressing structural inequalities;
9. notes the importance of supranational, national, regional and local authorities implementing coordinated action so that the objectives of the European Commission's initiatives can be effectively realised;
10. points to the importance of close cooperation with local and regional authorities, of encouraging dialogue with local communities to improve the level of protection of children's rights, and of organising information and promotional campaigns set up at local and regional level with EU funding to increase awareness of children's rights in society in general and among children in particular;

Child Guarantee

11. points out that poverty and the social inclusion of different ethnic groups and marginalised communities must be addressed in order to ensure effective protection of children's rights, and that poverty and social exclusion can significantly constrain the future opportunities of children and their families;
12. draws attention to the need for specific actions implemented that address this to be targeted primarily at the most disadvantaged children; quality education must be ensured for all children so that every child is guaranteed the same opportunities to develop their own potential;
13. emphasises the need to define good practices for reducing child poverty and to improve access to key children's services and the enforcement of children's rights; recommends here that local and regional authorities be included in efforts to raise awareness and share good practices across the Union, and suggests that international, national and regional conferences and study visits be organised to this end;
14. welcomes the proposal for an EU Network for Children's Rights composed of national representatives as well as international and non-governmental organisations, representatives of local and regional authorities, and children. The network is intended to reinforce dialogue about children's rights and mutual learning between the European Union and Member States, and to support the implementation, monitoring and evaluation of the strategy;
15. is pleased to note that Member States with a rate of child at-risk-of-poverty or social exclusion higher than the EU average will have to earmark 5% of the European Social Fund Plus (ESF+) for combating child poverty;

16. urges all the Member States, and not just those most affected by child poverty, to allocate sufficient resources to supporting the recommendations of the European Child Guarantee. In this spirit, highlights the positive effects of financially supporting families with children as an effective method of tackling child poverty. The aim should be to develop a comprehensive investments ecosystem for European children, building on the Child Guarantee, the Recovery and Resilience Facility, Structural Funds and national resources in order to enhance the effective delivery of quality and inclusive services for all children;
17. notes that businesses and social entrepreneurship can play a key role in implementing the European Child Guarantee, and points to the need to invest in developing this capacity, ensuring access to finance, and entrepreneurship training, at the same time, the development of educational institutions and social assistance systems in less developed Member States through EU funding is also essential for the implementation of the European Child Guarantee;
18. welcomes the EU's employment, skills and social protection objectives, including the objectives for child poverty, and points out that the EU institutions and national, regional and local authorities, as well as the social partners, bear joint responsibility for implementing the Pillar of Social Rights;
19. would endorse the proposal to appoint a National Child Guarantee Coordinator (ombudspersons for children, etc.) for each Member State, with sufficient resources and powers to promote, coordinate and monitor matters relating to the strategy on the rights of the child and the Child Guarantee.

EU Strategy on the Rights of the Child

20. welcomes the Commission's initiative to draw up a new, comprehensive strategy on the rights of the child;
21. notes that European local and regional authorities are uniquely placed to take positive action to uphold the rights of children, to promote their development in a protective and respectful environment where they are treated well, and to act to ensure that children are protected from any form of violence, including abuse and neglect. Cooperation between local and regional authorities should be promoted and the EU should provide support for more effective partnerships between such authorities, in particular with a view to sharing good practice;
22. calls on the Commission and the Member States to guarantee that the EU strategy on the rights of the child is appropriately financed, ensuring that EU internal and external funding, as well as national budgets, adequately support implementation of the priorities set out in the strategy;
23. suggests that a roadmap and more precise timetable for implementing the initiative be drawn up in cooperation with the Member States, involving the local and regional authorities and specialised institutions at local and regional level.

Social protection

24. welcomes the Commission's undertaking to present an initiative to support the development and strengthening of integrated child protection measures. These measures will encourage all relevant authorities and bodies to work better together and to cooperate;
25. calls on the national authorities responsible to ensure effective and accessible social protection and child and adolescent protection services providing safe and inclusive environments where children and young people are treated well, and to pay attention to preventive measures, early intervention, and support for vulnerable families;
26. notes that children are to be duly considered in the next European semester policy framework;
27. urges the Member States, bearing in mind the subsidiarity principle enshrined in Article 165 TFEU, to guarantee equal access to quality and inclusive early childhood education and care (ECEC) for all children with a view to attaining the Barcelona targets of participation and to turning ECEC from a demand-driven service into an entitlement for every child, enshrined in European law as a legal and social right.

Education

28. further urges the Member States to ensure that every child has access to quality education, on an equal basis regardless of ethnic origin, religion or belief, disability, nationality, residence or immigration status, gender or sexual orientation; calls on countries to take appropriate measures to combat and address the causes of absenteeism and children leaving school early;
29. emphasises the role of a minimum threshold of a fully paid parental leave and child benefits. Parental leave could be divided into separate entitlements for each parent and allow flexible use of the leave, including later in childhood;
30. points out that the quality of teachers', educators' and other relevant professionals' basic training and updating it is crucially important for the education, well-being and inclusion of all children; stresses, furthermore, the need for adequate, long-term stable and needs-based funding for schools and crèches, which also guarantees the viability of smaller schools in rural areas; education grants for children with low socio-economic status can additionally be used;
31. considers that preventing widening disparities in school quality within Member States and within the Union is a key objective;
32. welcomes the proposal for a Council recommendation on blended learning for high quality and inclusive primary and secondary education, as well as for the Council recommendation on pathways to school success that aims to decouple educational attainment and achievement from social, economic and cultural status; supports the European Commission's invitation to the Member States to ensure effective equal access to digital tools and high-speed Internet connection, digital literacy, accessible online educational material and tools for all children; at the same time stresses the necessity also to include in the strategy the provision of devices and

out-of-school support to children with special needs, living in poverty, in marginalised communities, such as migrant and Roma children, or in remote and rural areas, along with guidance and training in digital skills for socially disadvantaged children and adolescents and their families; advocates for public financial support for digital equipment for the children concerned;

33. encourages the creation of well-equipped talent-promoting schools, especially in regions facing major social challenges;
34. stresses that online learning should never permanently replace face-to-face teaching, especially when access to technology is limited: face-to-face teaching plays an important role in social interaction, quality learning and development;
35. emphasises the importance of developing independent living skills for young people and providing training for educators through grant programmes;
36. stresses the need to ensure the functioning of social services for young people who leave the child protection system, giving them housing resources, training and assistance to encourage independent life projects, in order for them to integrate socio-professionally;
37. points to the need of running development centres, free talent care programmes for talented children living in difficult conditions and willing to learn;
38. stresses that education establishments should have the capacity to provide basic services aimed at ensuring that children that attend these education establishments are sufficiently healthy, both physically and mentally.

Violence committed by and against children

39. urges the European Union, its Member States and regions to step up measures to end all forms of violence and discrimination directed at children, including physical, sexual, economic and psychological violence, abuse, neglect, ill-treatment and online violence, forced marriage, trafficking of migrant children, torture, honour killings, FGM, incest, early school leaving, and use of children as soldiers;
40. notes that the EU strategy on the rights of the child must take account of all regulatory and other initiatives relevant to children's rights, so as to ensure consistency in protecting children from violence, human trafficking and abuse. The Commission is also urged to publish a precise timetable for the proposals in question and to ensure that the recommendations are properly implemented;
41. emphasises the importance of developing preventive approaches to tackling all forms of violence against children at EU level and in the Member States. This includes promoting efforts to ensure that children and adolescents are treated well and creating protective environments for them in all areas where children live their lives. Local and regional authorities, local and

regional specialised institutions must be involved in the development of preventive approaches at national level.

Children's health

42. calls on the European Commission and the Member States to promote accurate information about vaccination in order to improve trust in the vaccination strategy and ensure that children's health is not negatively affected by the consequences of disinformation;
43. welcomes the recovery and resilience strategy to promote rapid and inclusive recovery from the COVID-19 pandemic;
44. points to the need to carry out a specific assessment of the pandemic's impact on the mental health of children and adolescents, to boost investment in mental healthcare and to come up with strategies to protect children and young people from mental illness.

Children's rights and migration

45. points to the need to ensure a child-friendly judicial system with appropriate and inclusive procedures that allow children's particular needs to be taken into account, and notes the importance of guaranteeing children's right to be heard, to be informed in clear, simple, intelligible language that they can understand and that is geared to their age, ability to understand and development, and to receive help from a legal representative where necessary;
46. welcomes the European Commission's commitment to support the Member States in developing effective and viable alternatives to the detention of children during migration procedures;
47. stresses the importance of supporting children who are victims of domestic violence by easing their access to social and mental health services, in order to facilitate their recovery and mental well-being. In addition, these services must be mobilised against violent behaviour in children and facilitate the reintegration of young people who have committed violence;
48. opposes detention of children on migration grounds. The child's best interest must be the guiding principle;
49. calls for children to be closely supervised at every stage by the competent authority and/or public service, whose duty it is to protect children;
50. welcomes the European Commission's commitment to work towards making supply chains of EU companies free of child labour, notably through a legislative initiative on sustainable corporate governance. Calls for the prohibition of the import of products resulting from child labour;
51. stresses the importance of promoting social inclusion and combating racism and discrimination directed against unaccompanied migrant children and adolescents.

The child's right to be heard and involved in matters and decisions that affect them

52. reiterates that children must be guaranteed the opportunity to be involved in decisions that affect their lives and to be heard in a way that is appropriate to their age and maturity, in line with the United Nations Convention on the Rights of the Child and the Charter of Fundamental Rights of the European Union;
53. emphasises the importance of developing prevention activities, namely prevention of alcohol, tobacco, drug use, among young people. In this regard, recommends the involvement of local authorities, educational institutions and specialised institutions in the development of prevention activities and in raising awareness of the dangers of alcohol, tobacco and drug use;
54. emphasises the importance of raising awareness of children's rights and promoting children's involvement in decision-making processes at all levels;
55. welcomes the European Commission's proposal to promote and improve children's inclusive and systematic participation at local, national and EU level by setting up a Children's Participation Platform;
56. urges the Member States and regions to introduce, improve and provide sufficient resources for new and existing approaches to children's participation at local, regional and national level;
57. encourages the European Union and its Member States to step up the promotion of dialogue between national decision-makers and young people. In this regard, proposes the organisation of joint workshops, in cooperation with the local authorities, aimed at involving young people in decision making and taking into account their views regarding policy developments that concern them;
58. welcomes the recent appointment, by the European Commission, of the first European Youth Coordinator, Biliana Sirakova, in line with the proposal in the European Commission's EU Youth Strategy 2019-2027; reiterates its call for regular meetings between the CoR and the Youth Coordinator to be planned and for the cooperation between the CoR and the Coordinator to be formalised¹;

CONCLUSIONS

59. calls for at least 5% of ESF+ funding under shared management to be earmarked for supporting projects under the European Child Guarantee and for the creation of an effective investments ecosystem for European children, combining EU funds and national resources. A National Child Guarantee Coordinator should be appointed for every Member State with the powers necessary to promote, monitor and report on matters relating to the strategy on the rights of the child and the Child Guarantee. All children must be guaranteed, in line with the United Nations Convention on the Rights of the Child and the Charter of Fundamental Rights of the European

¹ CoR opinion *European Solidarity Corps and the new EU youth strategy* COR-2018-03892-00-00-AC-TRA.

Union, the opportunity to be involved in decisions that affect their lives and to be heard in a way that is appropriate to their age and maturity;

60. notes the need to recognise and identify the key role played by local and regional authorities in tackling child poverty and protecting children from any form of violence, and their critical role in preventing discrimination and social exclusion. This has been evident in local efforts to address the COVID-19 pandemic, where many regions, cities and municipalities responded quickly and implemented measures to mitigate the negative effects on child poverty, e.g. by providing food assistance to families in need in various ways;
61. notes that Member States and other players should prepare for the many challenges that can be expected to arise after the pandemic recedes due to changes in the living conditions of children and families. Local and regional authorities play a central role in delivering targeted key services in the European Child Guarantee proposal. It is therefore essential that local authorities and regions be involved as key partners in developing and implementing the Child Guarantee, promoting multilevel governance, and developing joint responsibility and coordinated strategies for the local, national and EU levels.

Brussels, 12 October 2021

The President
of the European Committee of the Regions

Apostolos Tzitzikostas

The Secretary-General
of the European Committee of the Regions

Petr Bližkovský

II. PROCEDURE

Title	The EU Strategy on the Rights of the Child and The European Child Guarantee
Reference(s)	COM(2021) 142 final and COM(2021) 137 final .
Legal basis	Article 307(4) TFEU
Procedural basis	Rule 41 b) i)
Date of Council/EP referral/Date of Commission letter	
Date of Bureau/President's decision	N/A
Commission responsible	SEDEC
Rapporteur	Jari Andersson (FI/EPP)
Analysis	10 May 2021
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Date adopted in plenary	12 October 2021
Previous Committee opinions	The role of the social economy in restoring economic growth and combating unemployment ² Guidelines for the Employment Policies of the Member States ³ Entrepreneurship 2020 Action Plan ⁴ Responsible Business package ⁵ Partnerships between local and regional authorities and social economy organisations: contribution to employment, local development and social cohesion ⁶
Date of subsidiarity monitoring consultation	N/A

² CoR 1691/2015.

³ CoR 1419/2015.

⁴ CoR 2447/2013.

⁵ CoR 14/2012.

⁶ CoR 384/2001.