
On 16th January 2008 the European Parliament adopted a resolution\(^1\) in response to the Commission’s Communication: Towards an EU Strategy on the rights of the Child.\(^2\) This resolution, or report, was written by MEP Roberta Angelilli for the Civil Liberties, Justice and Home Affairs (LIBE) Committee and included the input (in the form of opinions) from six other Committees\(^3\).

This summary of the report highlights areas of specific relevance to the European Children’s Network (EURONET) objectives and advocacy activities with relation to EURONET’s commitment to the implementation of the United Nations Convention on the Rights of the Child (UNCRC), mainstreaming of children’s rights and child participation in decisions which affect them. It also highlights thematic areas of relevance to EURONET’s past, current and future activities, particularly violence against children, and media and advertising in relation to health and violence. This does not provide an overview of the entire report, but highlights areas of specific relevance to EURONET and its membership.

Contents:

1. Commitment to the UNCRC
   - Lisbon Treaty
   - Ombudsperson for children’s rights
2. Mainstreaming children’s rights
3. European Parliament Coordination Unit
4. Further steps towards the EU Strategy and specific actions
   - Consultation
   - Budget line
   - Monitoring mechanisms
   - Fundamental Rights Agency, Data Collection
   - EU Child Helpline
5. Children’s Participation, child-friendly information
6. Thematic areas of the report
   - Combating Violence against Children
   - Street Children
   - Media, advertising in relation to Health and Violence
   - Poverty and other areas covered by the resolution

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\(^3\) Foreign Affairs; Development; Employment and Social Affairs; Culture and Education; Legal Affairs; and the Women’s Rights and Gender Equality Committees (the latter in the form of enhanced cooperation)
1. **Commitment to the UNCRC**

The European Parliament report makes strong reference to the United Nations Convention on the Rights of the Child and its Optional Protocols. The report reaffirms that children are defined as all human beings below the age of 18 and emphasises that the EU Strategy must be rooted in the values and principles laid down in the UNCRC.

**Lisbon Treaty**

The report recognises the importance of the Lisbon Treaty with regards to children’s rights, particularly where it states that the Union "shall combat [...] discrimination and shall promote [...] protection of the rights of the child", and specifies 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". This would ensure that children’s rights are addressed in both the internal and external activities of the European Union.

The report refers to the Charter of Fundamental Rights, which on ratification of the Lisbon Treaty would have legally binding force. Article 24 of the Charter contains specific provisions on the rights of the child and states that "in all actions relating to children, whether taken by public authorities or private institutions, the child’s best interests must be a primary consideration."

The report also calls for the EU to accede to the UNCRC and its Optional Protocols as well as the Council of Europe conventions on the rights of the child, including the ECHR, calling on the Council to adopt a position of principle which would enable the EU to take part in negotiations on conventions relating, in particular, to children’s rights. It calls for the setting up of a specialised section on children’s rights in the European Court of Human Rights. In addition, the European Parliament urges the EU to actively promote awareness of the UNCRC both within and outside of the EU using “soft power,” and calls on the Commission to submit a report on the possibility of including a specific and legally binding clause on respect for children’s rights in all international agreements between the EC and third countries.

With regard to Member States, the report emphasises the importance of full implementation of their international commitments, particularly under the UNCRC, and the UN Convention on the Rights of Persons with Disabilities and the ILO conventions on child labour. It reminds Member States of their need to comply with these undertakings and calls on the Commission and Member States to create an effective system to ensure that children are made aware of, and may exercise, their rights.

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4 With opt-out clauses for two countries
**Ombudspeople for children's rights**

The European Parliament welcomes the establishment of ombudspeople for children’s rights, and calls on all Member States who have not yet established an ombudsperson to take this step as soon as possible to promote the upholding of children’s rights and the further implementation of the UNCRC. The Parliament believes that financial support should be given to the European Network of Ombudspeople for Children (ENOC) to ensure that ENOC can intensively address issues that relate to the rights of the child on an EU-wide basis.

2. **Mainstreaming children's rights**

Regarding mainstreaming the report quotes the political declaration, adopted at the European Forum in Berlin on 4th June 2007, stating the desire to systematically take children’s rights into account in the internal and external policies of the European Union. The Parliament believes it is essential that children’s rights are incorporated and protected (mainstreamed) in all EU policies affecting children directly or indirectly and calls on the Commission to develop policies and carry out comprehensive, cross-cutting action aimed at the protection of children’s rights. The Parliament calls for children’s rights to be mainstreamed in the external policies and actions of the EU, including the European Neighbourhood Policy and the Strategic Partnership with Russia, as set out in the forthcoming Commission Staff Working Paper on ‘A European Union Action Plan on Children’s Rights in External Relations’, and in the enlargement process. The Parliament recognises that these policies are powerful tools providing opportunities to promote children's rights and calls on the Commission to translate these opportunities into specific objectives in the external work of the Community and the Member States.

3. **European Parliament Coordination Unit**

With reference to the Commission’s inter-service group and coordinator for children’s rights, the European Parliament calls for the establishment of a coordination unit in Parliament in accordance with the provisions of the Treaty of Lisbon, to act in liaison with the Commission's inter-service group and to link up and rationalise all Parliamentary initiatives and activities relating to children's rights. The Parliament takes the view that such bodies should also provide a network for the exchange of information and good practices, in relation to the national strategic plans on children being implemented by some Member States. It calls for these bodies to establish direct contact with child and youth-led organisations in order to develop, implement, monitor and ensure the meaningful and effective participation of children in all decision-making that affects them.

4. **Further steps towards the EU Strategy and specific actions**

**Consultation**

Regarding the next steps towards developing the EU Strategy, the Parliament is looking forward to the publication in 2008 of the Commission’s study assessing the impact of existing EU actions affecting children’s rights, and a consultation document
(Green Paper)\(^5\) aimed at establishing the main priorities of the EU's future action in the field of children's rights, with the goal of adopting a White Paper\(^6\).

With regards to the Consultation, the Parliament calls on the Commission to take into account the results of the consultation carried out by Save the Children\(^7\) and Plan International in early 2007 involving one thousand children who identified the priority issues as:

- Violence against children
- Discrimination
- Social exclusion and racism
- The effects of drugs, alcohol and smoking
- Prostitution
- Child trafficking
- Environmental protection.

In addition to these priority issues, children’s rights to participation and influence must be the comprehensive goal of the strategy. The European Parliament calls on the Commission to develop a process in which all stakeholders involved, including children, are able to take part in the consultation leading up to the definition of the EU Strategy on the Rights of the Child.

**Budget line**

The European Parliament calls on the Commission to put forward a proposal to create a specific budget line for children's rights. This budget line should finance:

- implementation of the Commission Communication entitled 'Towards an EU Strategy on the Rights of the Child'
- child-specific projects (such as a European early warning system on child abductions)
- a coordination body made up of representatives of the central authorities of Member States mandated to reduce the number of cases of child abduction
- subsidies for NGO networks working in the field of children’s rights
- children's participation in the work to implement the Communication and projects

**Monitoring mechanisms**

The report outlines that the success of the Strategy relies on long-term commitment and action as well as increased and effective monitoring of the implementation of children's rights through the development of indicators and the involvement of NGOs and parents' and educational associations, as well as coordination with national and international children's rights initiatives and policies. The report calls for:

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\(^{5}\) **Green papers** are discussion papers published by the European Commission on a specific policy area. Primarily they are documents addressed to interested parties - organisations and individuals - who are invited to participate in a process of consultation and debate. In some cases they provide an impetus for subsequent legislation.

\(^{6}\) **White papers** are documents containing proposals for Community action in a specific area. They sometimes follow a green paper published to launch a consultation process at European level. While green papers set out a range of ideas presented for public discussion and debate, white papers contain an official set of proposals in specific policy areas and are used as vehicles for their development.

\(^{7}\) [http://www.crin.org/euronet/resources/infodetail.asp?id=13816](http://www.crin.org/euronet/resources/infodetail.asp?id=13816)
• an effective monitoring system backed with financial means and annual reports to ensure the implementation of the commitments set out in the Commission Communication "Towards an EU Strategy on the Rights of the Child" and the future strategy on the rights of the child
• a comprehensive European Union Child and Youth Report drawn up by the Commission every two years, beginning in 2008.

Fundamental Rights Agency, Data Collection

The Parliament calls for the protection of children's rights, as laid down in the UNCRC, to be included among the priorities of the Multiannual Framework for the European Union Agency for Fundamental Rights (the Agency), and for the Agency to set up a network for cooperation with international institutions, particularly ombudspople for children and NGOs working in this area as soon as possible in order to take full advantage of their experience and the information available to them. It also calls on the Commission, Agency and Member States to work in cooperation with relevant UN agencies, international organisations and research centres towards improving the gathering of comparable statistical data on the situation of children in the EU, if necessary by extending Eurostat's mandate, with a view to developing and including a larger number of indicators relating specifically to children, for example on child poverty and social exclusion. The Parliament states that children's participation in the collection of data should be ensured.

Regarding data collection, the Parliament stresses the need to improve the collection of data on children seeking refugee status, children residing illegally in the territory of another State but not seeking refugee status, the outcome of their asylum procedures, and the future of such children following the adoption of a final positive or negative decision on their asylum application, in order to ensure that such children do not vanish into obscurity or become the victims of crime. The Parliament asks the Commission to provide a breakdown, by gender and age, of data on all types of discrimination and violence against children and to integrate equality between women and men into all the policies and instruments of its future strategy, including the activities of the Forum on Children's Rights, and to follow up and evaluate these policies, by means of gender budgeting and other means.

The Parliament asks the Commission to incorporate a section devoted to the extent to which children’s rights are taken into account legally into the Commission’s impact assessment provided for in its communication of 27 April 2005 entitled “Compliance with the Charter of Fundamental Rights in Commission legislative proposals – Methodology for systematic and rigorous monitoring.”

EU Child Helpline

The Parliament welcomes the Commission’s plan to introduce an EU-wide child helpline telephone number, pointing out that the service must be free of charge and available 24 hours a day. The Parliament calls on Member States to inform children about the service.

5. Children’s Participation, child-friendly information

8 COM(2005)0172
The European Parliament states that children’s rights to participation and influence must be the comprehensive goal of the strategy. It calls on the Commission to develop a process in which all stakeholders involved, including children, are able to take part in the consultation leading up to the definition of the EU strategy on the rights of the child.

Referring to Article 24 of the Charter of Fundamental Rights and Article 12 of the UNCRC, the report states that it is important to guarantee all children the right of participation so as always to take account of their experience and opinions on all matters affecting them, giving due weight in accordance with the age, maturity and intellectual development of the child. The report states that this right is absolute and may not have limitations placed on it, and ways must be found of communicating with all children, even children who express themselves in a way that is not easy for adults to understand, for example very young children, children with disabilities and children who speak a different language.

The Parliament welcomes the launching of the Commission’s European Forum on the Rights of the Child bringing together representatives of the Member States, Parliament and the Commission, non-governmental organisations, national and international organisations working in the field of children’s rights, and children. The Parliament believes that child participation should be one of the main aims of the Forum and calls on the Commission to ensure the participation of children as well as the inclusion of ombudspeople for children's rights in the Member States, and parents' and family associations.

The Parliament emphasizes the link between active participation and information, and welcomes the establishment of a communication and information strategy that will publish EU measures in a child-friendly manner which is accessible to all. The report highlights the importance of disseminating information on children’s rights to children in a child-friendly way using suitable means. In particular, the Parliament calls on the Commission to:

- Develop effective communication tools, including a child-friendly website, to promote the work of the EU on children’s rights
- Set up a permanent shared information system to increase awareness of the situation of children in the EU
- Create and promote information channels (periodic and regular) on the situation of children in the EU, such as statistical reports, studies and exchanges of information and good practices.

The Parliament report states that adults should provide children with favourable conditions to enable them to have their say, so that they express their views and can be heard. It says that adults should promote children's gestures of peace and friendship and encourage them to associate with other children. The report notes that timing is an important factor in creating conditions conducive to an open attitude and to giving children their say, rather than children just attending specific events, and these points should be taken into account regarding the funding of public programmes.

The report reiterates that children and young people, regardless of age, and ensuring the equal participation of girls and boys, have the right to express their views. The
Parliament calls on the Commission to stress the importance of young people voluntarily voicing their opinions through (political) youth organisations. The report repeatedly states that children are entitled to have their say and that this right should be guaranteed in the work undertaken to develop an EU Strategy on the Rights of the Child.

6. Thematic areas of the report

The report identifies 8 thematic priorities for the EU Strategy, these are:

- Violence
- Poverty / Discrimination
- Children of immigrants, asylum seekers and refugees
- Right of Children to Information and Education
- Health
- Birth Registration
- Children in Armed Conflicts
- Children and Democracy

Within these priorities, of most relevance to EURONET’s work programme are violence against children, and the media and advertising in relation to health and violence, with the report’s points on these subjects summarised below.

**Combating Violence against Children**

With regards to the priority theme of violence against children, the Parliament refers to the UN Secretary General’s Study on Violence against Children\(^9\), and supports the appointment of the Special Representative of the UN Secretary-General on the Elimination of Violence against Children, with the mandate and resources required to enforce global commitments to end violence against children.

The report refers to the recommendations of the UN Study on Violence against Children on preventing and responding to all forms of violence against children, acknowledging the need to prioritise preventive policies and reinforce social services, with special reference to family mediation services; to improve the support offered to victims of violence; to hold perpetrators accountable; and to strengthen the collection and analysis of data on this hidden problem.

The European Parliament calls for the following specific measures:

- The promotion of awareness-raising, information and education campaigns and capacity-building activities for professional groups working with and for children, within the framework of policies to prevent violence against children
- The establishment of safe, well-publicised, confidential and accessible mechanisms for children, their representatives and others to report violence against children, stating that all children, including those in care and justice institutions, should be aware of the existence of complaint mechanisms.
- The inclusion of the prevention of indirect violence in the Commission’s work as it has an impact on children’s well-being, and stresses that these issues are

\(^9\) UN Secretary-General’s Study on Violence against Children, presented to the UN General Assembly on 11 October 2006
often linked to poverty and social exclusion among families and that new social policies with a greater stress on solidarity are needed if these problems are to be tackled.

- Community legislation that prohibits all forms of violence, sexual abuse, degrading punishment and harmful traditional practices, and condemns all forms of violence against children including physical, psychological and sexual violence, such as torture, child abuse and exploitation, child abduction, trafficking in or sale of children and their organs, domestic violence, child pornography, child prostitution, paedophilia, and harmful traditional practices such as female genital mutilation, forced marriages and honour crimes.

- The Commission to make its development aid policy and trade agreements conditional on the implementation of legislation guaranteeing equality between men and women and the abolition of all types of violence against women and children.

- The Commission to allocate the resources needed to prevent violence of any kind in refugee communities, especially gender violence and sexual exploitation, by setting up programmes for education and awareness-raising on gender issues, human rights, sexual and reproductive health, female genital mutilation and HIV/Aids, targeted at minors of both sexes.

The Parliament asks that the future EU strategy on the rights of the child include measures for the prevention of gender-based violence, focusing on awareness campaigns regarding equality between men and women targeting girls and boys, parents, educators and vulnerable communities, with the aim of emancipating girls, securing their equal opportunities, and improving the defence of their rights. The Parliament calls for the promotion of the active participation of boys and men in preventive measures.

The Parliament recommends that the future EU strategy should attach particular importance to the medical, psychological and social care of children who are victims of neglect, abuse, ill treatment, exploitation and direct and/or indirect violence, taking the best interests of the child and gender into account.

The report repeatedly affirms that no forms of violence against children in any setting, including the home, can be justified and that all violence must be condemned. It draws attention to the role of egalitarian education without the use of violence or corporal punishment.

**Street Children**

With regards to street children the Parliament asks the Commission and Member States to recognise the thousands of street children and children forced to beg as a serious social and human rights issue which infringes the UNCRC, and also calls on the Member States to introduce sanctions against those responsible for the degradation of children forced to beg. The Parliament believes that the EU should set itself the objective of ensuring that there are no homeless children or street children in the EU. It calls for appropriate and targeted measures to be taken to assist homeless children and street children, since most of them are badly traumatised and socially excluded, do not receive formal education or health care,
are particularly vulnerable to becoming the victims of human trafficking (including prostitution, organ trafficking and illegal adoption), drug addiction and crime.

**Media, advertising in relation to Health and Violence**

The report recognises that children in Europe are exposed, at an early age, to depictions of horror, pornography and violence in the media, and this can have devastating psychological and social effects on children, such as anxiety, depression, increased aggressiveness and problems at school. In response, the Parliament calls for the creation, in the interests of the defence of children's rights, of an adequate, effective and proportionate regulation system in dialogue with providers, the media (public and private television companies, advertisers, the press, video games, mobile telephone operators and the Internet) and industry, aimed at prohibiting the broadcasting of harmful images and content (including cyber bullying) and the marketing of violent video games, which, by encouraging violence and sexism, may cause harm to children's physical and psychological development.

The Parliament supports the Safer Internet plus Programme through the implementation of operational and technical measures, especially for the protection of children. Within this framework, the Parliament calls on the Member States and Internet service providers, in collaboration with search engine companies and the police, to implement blocking technology to stop Internet users from accessing illegal sites related to child sexual abuse and prevent the public from accessing material depicting the sexual abuse of children.

With regard to the amendment of the Audiovisual and Media Services directive\(^\text{10}\) in 2007, the Parliament calls on the Council and Commission to prohibit child pornography and violence against children in all audio-visual media services, and considers that one of the Commission's basic priorities should be to strengthen cross-border operations against child pornography internet sites and to improve cooperation between public authorities and private sector bodies with a view to making a commitment to closing down illegal websites. The Parliament calls on the Member States to tighten their controls over the content of television programmes shown at a time when the number of child viewers is at its highest and to aid parental control by providing adequate, homogenous information about television programmes and emphasises that information technology gives further possibilities for children to access television programmes at any time, from any computer with an Internet connection. The report points out that greater consideration is needed to review the mass media's unrestricted right of access to children and the right of the child to access the mass media without restriction.

**Poverty and other areas covered by the resolution**

In addition to these subjects, the report highlights the importance of taking measures to combat child poverty while 19% of children in the EU live below the poverty line. It notes that measures to combat discrimination, particularly against Roma, are required and that consistent measures must be adopted to ensure that children with disabilities are always able to enjoy their rights. The report also addresses the need

for attention to information and education, the importance of the family, the needs of children affected by asylum, refugee and migration issues, taking particular note of the needs of unaccompanied minors, including calling for a study on the possibility of offering EU citizenship to children born in the EU regardless of the legal status of their parents. Further topics addressed include juvenile justice, international adoption, birth registration, children in armed conflict, child sexual abuse and exploitation, and the problems of trafficking and child labour, among others.

The report also highlights the worrying fact that obesity, especially among children, is on the rise in Europe with estimates indicating that more than 21 million children are overweight in the EU, with this figure growing by 400,000 each year. The Parliament calls on the Commission to bring forward proposals to regulate aggressive and misleading advertising and to improve the provisions for nutritional labelling of processed food in order to tackle the growing obesity problem.

**Conclusion**

In conclusion, the report takes into account many of the suggestions advocated for by the European Children’s Network, particularly regarding recognition of the UNCRC, mainstreaming children’s rights in all EU policy and activities, and a commitment to child participation as well as taking violence against children as one of the thematic priorities recommended for the EU Strategy on Children’s Rights.