Towards an EU strategy on the rights of the child

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The Committee on Civil Liberties, Justice and Home Affairs adopted the own-initiative report by Roberta **ANGELILLI** (UEN, IT) in response to the Commission's communication on the implementation of an EU strategy on the rights of the child. It calls for children's rights to be mainstreamed in all external policies and actions of the EU and reaffirms its denunciation of all forms of violence against children. MEPs have called for a wide range of measures aimed at strengthening and completing the strategy proposed by the Commission. In particular, they call on the Commission to create a specific budget line for children's rights, in order to finance work to implement the strategy or projects such as a European early warning system to combat "child abductions".

A strategy based on 4 pillars: the strategy should be rooted in the 4 basic principles enshrined in the UN Convention on the Rights of the Child, which should be better adhered to: 1) protection against all forms of discrimination, 2) the best interests of the child as a primary consideration, 3) the right to life and development, 4) the right to express an opinion and to have that opinion taken into account, in any matter or procedure affecting the child. The MEPs point out, in particular, that the strategy should "recognise the important role of family as a basic institution of society for the survival, protection and development of the child".

However, the strategy proposed by the Commission has proved insufficient for the full protection of the rights of the child. That is why MEPs have proposed a series of measures that can be summarised as follows:

- **Fight strongly against violence towards children**: MEPs call for the pure and simple prohibition of all forms of violence against children; they therefore call for Community legislation that prohibits all forms of violence, sexual abuse, degrading punishment and harmful traditional practices (such as genital mutilations and forced marriages). MEPs condemn all forms of physical, psychological and sexual violence, torture, child abuse and exploitation, child abduction, trafficking in or sale of children and their organs, domestic violence, child pornography, child prostitution, paedophilia, and forced marriages. In addition to strengthening the legislative process, MEPs call for the strategy to include preventive measures against violence. While they applaud the Commission's plan to introduce an EU-wide child helpline telephone number, MEPs point to the need for this service to be free of charge and available 24 hours a day. In addition, Member States must inform children of their rights through informational measures;
- **Fight against sexual exploitation of children**: MEPs reaffirm that this should be considered equivalent to the crime of rape insofar as concerns penal sanctions. All the institutions and the Member States should take a more active part in combating child sexual exploitation, child trafficking and paedophilia by taking all the necessary measures to complete the approximation of national legislation based on common minimum principles. MEPs also call for the buying of sex from a minor to be criminalised. In this respect, they welcome the initiative taken by the Commission aimed at excluding websites involved in online sales of child pornography material from the online payment system (or introducing other restrictions);
- **"Children at risk"**: MEPs propose that the EU define as 'children at risk' all children who are victims of a social situation that threatens their mental or physical health and/or exposes them to the risks of delinquency. They call for the adoption of several measures (information campaigns, exchanges of best practice, and so on) to prevent children from being put 'at risk', including the prevention of juvenile delinquency, such as, for example, measures to prevent the sale of drugs and alcohol. They also call on all Member States to regard a child who has witnessed domestic violence as a victim of crime;
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Fight against harmful contents: MEPs call for the creation of an adequate, effective and proportionate regulation system in dialogue with the media (public and private TV companies, advertisers the press, video games, mobile telephones and the Internet) aimed at prohibiting the broadcasting of harmful images and contents (including cyberbullying) and the marketing of violent video games. In this respect, they highlight the growing problem of MMS exchanges of pornographic or child-abuse related images. They also call for the systematic blocking of all illegal websites related to the sexual services of children. In terms of television, MEPs suggest the tightening of controls over the content of television programmes shown at a time when the number of child viewers is at its highest;

- **Juvenile delinquency: towards a global strategy?** : For MEPs, juvenile delinquency, which is increasing at an alarming rate, requires an integrated response, not only at national, but also at Community level. They believe it necessary to draw up a framework programme integrated at Community level, grouping together measures around 1) prevention, 2) social integration of juvenile perpetrators and 3) judicial and extrajudicial intervention. They also call on the Commission to draw up a comprehensive prevention plan against youth crime and bullying in schools and the specific problem of youth gangs. In judicial terms, MEPs call for Member States to favour, where possible, alternatives to imprisonment;
- **Fight against child poverty and social exclusion**: recalling that 19% of children in the European Union live below the poverty line, MEPs call for the implementation of a real strategy to fight against poverty of families. The measures should go from the fight against malnutrition to the prevention of disease but should also focus on the fight against ill treatment, which is often linked to the social situation or legal status of the parents. The EU should, in particular, set itself the objective of ensuring that there are “no homeless children or street children in the EU”;
- **Fight against child labour**: MEPs stress that it is essential to ensure that those children who are legally old enough to be in employment are remunerated on the basis of equal work for equal pay. They strongly condemn all forms of child labour, slavery and bonded labour and other forms of work which adversely affect children's health and safety;
- **Towards a Community instrument on adoptions**: Among the most innovative measures, MEPs call for the creation of a Community instrument on adoptions, aimed at improving the quality of care with regard to information services, the preparation of international adoptions, the processing of international adoption applications and post-adoption services. For the MEPs, adoption should take place either within the national country of the child, or by finding a family through international adoption so that placement in institutions is only used as a temporary solution;
- **Better protect migrant children and unaccompanied minors**: MEPs point out that particular attention should be paid to the situation of refugee and migrant children and those seeking asylum so that they can enjoy the same rights as any other child, irrespective of the legal status of their parents. In particular, special attention should be paid to unaccompanied minors as they are often victims of exploitation through organised crime (they represent some 5% of asylum seekers in Europe).

In addition, MEPs call for measures aimed at improving the training and education of children, especially for girls, as well as measures to ensure better childcare facilities in the Member States. They also call for measures to protect child soldiers and victims of war.

Moreover, MEPs call for the possibility to introduce in all international agreements between the EU and third parties, a specific legally binding clause on the respect of the rights of the child as defined by international law.

Finally, MEPs call for very specific measures to ensure that all children are registered at birth, making it, according to them, a basic legal right such as obtaining a nationality or an identity at birth.