

EU strategy on the rights of the child (2021-2024)

Fields marked with * are mandatory.

Introduction

Children's rights are the human rights of all those below the age of 18. According to the United Nations Convention on the rights of the child, every child in the world is entitled to the same set of civil, political, economic, social and cultural rights – irrespective of their ethnicity, gender, religion, language, abilities, migration status, sexual orientation or any other status.

The protection of children's rights is an objective of the European Union; a guiding principle for EU institutions' actions, and for the EU Member States. The EU Charter of Fundamental Rights is the legal basis for the EU action. The Charter applies to the EU institutions and bodies and the Member States when they are implementing EU law. In some areas which relate to children's rights, the EU has the competence to harmonise legislation at national level, while in others it has the power to act through other tools, such as policy coordination, or funding. Several areas of EU action also have an influence, direct or indirect, on the rights of children.

The Covid-19 pandemic, and the measures taken to respond to it, have a significant impact on children's rights.

The European Commission is preparing a new strategy on the rights of the child – and this consultation constitutes a key milestone in its preparation. The strategy will provide the policy framework for EU action on children's rights. It will present the actions (legislative, policy, funding etc.) at EU level that contribute to the protection of the rights of the child, both internally and in its external action.

The strategy will address challenges to children's rights, including in the context of the current Covid-19 pandemic, and ensure synergies with recent and upcoming policy developments. The strategy will include a list of actions for the Commission to implement in the course of the current mandate. It will also include recommendations for actions by other EU institutions and bodies, Member States and stakeholders.

The strategy will focus on several thematic areas, which could include the following priorities (non-exhaustive and non-definitive list): Child participation; Digital and Information Society; Violence against children; Health, welfare and social inclusion; Education, leisure and culture; Child-friendly justice; Migration; children affected by armed conflicts. It will also include horizontal actions to foster mainstreaming and coordination. Not all thematic areas are touched upon in this consultation, which aims at collecting more in depth input under selected topics.

The strategy will build on the 2011 EU Agenda for the Rights of the child, and other relevant policy frameworks.

The ultimate objective of the strategy is to contribute to strengthening the protection of children's rights through EU action, both in the EU and in the world.

Guidance on the questionnaire

Thank you for your contribution.

All replies as well as position papers will be published [online](#). Please read the privacy statement on how personal data and contributions will be processed.

The estimated time for completion is 30 minutes.

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

Text

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

Rebecca

* Surname

O'DONNELL

* Email (this won't be published)

rebecca@childcircle.eu

* Organisation name

255 character(s) maximum

Child Circle asbl

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

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* Country of origin

Please add your country of origin, or that of your organisation.

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| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Martin |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Saint Vincent and the Grenadines |
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| <input type="radio"/> Andorra | <input type="radio"/> El Salvador | <input type="radio"/> Madagascar | <input type="radio"/> São Tomé and Príncipe |
| <input type="radio"/> Angola | <input type="radio"/> Equatorial Guinea | <input type="radio"/> Malawi | <input type="radio"/> Saudi Arabia |
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| <input type="radio"/> Antarctica | <input type="radio"/> Estonia | <input type="radio"/> Maldives | <input type="radio"/> Serbia |
| <input type="radio"/> Antigua and Barbuda | <input type="radio"/> Eswatini | <input type="radio"/> Mali | <input type="radio"/> Seychelles |
| <input type="radio"/> Argentina | <input type="radio"/> Ethiopia | <input type="radio"/> Malta | <input type="radio"/> Sierra Leone |
| <input type="radio"/> Armenia | <input type="radio"/> Falkland Islands | <input type="radio"/> Marshall Islands | <input type="radio"/> Singapore |
| <input type="radio"/> Aruba | <input type="radio"/> Faroe Islands | <input type="radio"/> Martinique | <input type="radio"/> Sint Maarten |
| <input type="radio"/> Australia | <input type="radio"/> Fiji | <input type="radio"/> Mauritania | <input type="radio"/> Slovakia |
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| <input type="radio"/> Azerbaijan | <input type="radio"/> France | <input type="radio"/> Mayotte | <input type="radio"/> Solomon Islands |
| <input type="radio"/> Bahamas | <input type="radio"/> French Guiana | <input type="radio"/> Mexico | <input type="radio"/> Somalia |
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- | | French
Southern and
Antarctic Lands | | South Georgia
and the South
Sandwich
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| <input type="radio"/> Barbados | <input type="radio"/> Gabon | <input type="radio"/> Monaco | <input type="radio"/> South Korea |
| <input type="radio"/> Belarus | <input type="radio"/> Georgia | <input type="radio"/> Mongolia | <input type="radio"/> South Sudan |
| <input checked="" type="radio"/> Belgium | <input type="radio"/> Germany | <input type="radio"/> Montenegro | <input type="radio"/> Spain |
| <input type="radio"/> Belize | <input type="radio"/> Ghana | <input type="radio"/> Montserrat | <input type="radio"/> Sri Lanka |
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| <input type="radio"/> Bermuda | <input type="radio"/> Greece | <input type="radio"/> Mozambique | <input type="radio"/> Suriname |
| <input type="radio"/> Bhutan | <input type="radio"/> Greenland | <input type="radio"/> Myanmar
/Burma | <input type="radio"/> Svalbard and
Jan Mayen |
| <input type="radio"/> Bolivia | <input type="radio"/> Grenada | <input type="radio"/> Namibia | <input type="radio"/> Sweden |
| <input type="radio"/> Bonaire Saint
Eustatius and
Saba | <input type="radio"/> Guadeloupe | <input type="radio"/> Nauru | <input type="radio"/> Switzerland |
| <input type="radio"/> Bosnia and
Herzegovina | <input type="radio"/> Guam | <input type="radio"/> Nepal | <input type="radio"/> Syria |
| <input type="radio"/> Botswana | <input type="radio"/> Guatemala | <input type="radio"/> Netherlands | <input type="radio"/> Taiwan |
| <input type="radio"/> Bouvet Island | <input type="radio"/> Guernsey | <input type="radio"/> New Caledonia | <input type="radio"/> Tajikistan |
| <input type="radio"/> Brazil | <input type="radio"/> Guinea | <input type="radio"/> New Zealand | <input type="radio"/> Tanzania |
| <input type="radio"/> British Indian
Ocean Territory | <input type="radio"/> Guinea-Bissau | <input type="radio"/> Nicaragua | <input type="radio"/> Thailand |
| <input type="radio"/> British Virgin
Islands | <input type="radio"/> Guyana | <input type="radio"/> Niger | <input type="radio"/> The Gambia |
| <input type="radio"/> Brunei | <input type="radio"/> Haiti | <input type="radio"/> Nigeria | <input type="radio"/> Timor-Leste |
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and McDonald
Islands | <input type="radio"/> Niue | <input type="radio"/> Togo |
| <input type="radio"/> Burkina Faso | <input type="radio"/> Honduras | <input type="radio"/> Norfolk Island | <input type="radio"/> Tokelau |
| <input type="radio"/> Burundi | <input type="radio"/> Hong Kong | <input type="radio"/> Northern
Mariana Islands | <input type="radio"/> Tonga |
| <input type="radio"/> Cambodia | <input type="radio"/> Hungary | <input type="radio"/> North Korea | <input type="radio"/> Trinidad and
Tobago |
| <input type="radio"/> Cameroon | <input type="radio"/> Iceland | <input type="radio"/> | <input type="radio"/> Tunisia |

- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Cuba
- Curaçao
- Cyprus
- Czechia
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Barthélemy
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia

- Democratic Republic of the Congo
- Denmark
- Lesotho
- Liberia
- Saint Helena
- Ascension and Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Zimbabwe

*** Publication privacy settings**

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the [personal data protection provisions](#)

A. General questions

1. Over the past 10 years, the overall situation of children's rights has:

	Significantly declined	Slightly declined	Not changed	Slightly improved	Significantly improved	I don't know
In your region	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In your country	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Outside of the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. To what extent the following population groups /professional sectors are aware of children's rights:

	Good	Satisfactory	Not good	I don't know

Children	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Parents and families	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Government	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Educators	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Health-care professionals	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Social services	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Judiciary	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Law enforcement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Migration authorities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
IT/digital sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Media	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
General population	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

3. Which of the following should be a priority for action in your country? 1 star = least important, 8 stars = top priority

Child participation in the political and democratic life	★ ★ ★ ★ ★ ★ ★ ☆
Digital and information society	★ ★ ★ ★ ★ ★ ★ ☆
Violence in all its forms	★ ★ ★ ★ ★ ★ ★ ☆
Welfare, health and social inclusion	★ ★ ★ ★ ★ ★ ★ ★
Education, leisure and culture	★ ★ ★ ★ ★ ★ ☆ ☆
Child-friendly justice	★ ★ ★ ★ ★ ★ ★ ☆
Mainstreaming child rights in all actions	★ ★ ★ ★ ★ ★ ★ ★
Coordination among relevant actors	★ ★ ★ ★ ★ ★ ★ ☆

4. Which of the following should be a priority for EU action? 1 star = least important, 8 stars = top priority

Child participation in the political and democratic life	★ ★ ★ ★ ★ ★ ★ ☆
Digital and information society	★ ★ ★ ★ ★ ★ ★ ☆
Violence in all its forms	★ ★ ★ ★ ★ ★ ★ ★

Welfare, health and social inclusion	
Education, leisure and culture	
Child-friendly justice	
Mainstreaming child rights in all actions	
Coordination among relevant actors	

5. What areas should EU action focus on, to foster the protection of children's rights?

between 1 and 5 choices

- Introduce new or revise existing EU legislation
- Enforce and monitor the application of EU legislation
- Enhance the mainstreaming of children's rights in all relevant EU policies
- Draft or review specific framework(s) in key policy areas
- Help Member States and third countries implement their obligations under the UNCRC
- Provide funding for projects on children's rights inside and outside the EU
- Gather data on children's rights
- Capacity-building and training for professionals
- Information and awareness-raising campaigns, including for children
- Strengthen cooperation and coordination between Member States
- Provide for mutual learning between EU Member States and third-countries
- Collaborate with civil society organisations and international organisations

6. Please further explain your choices above:

1500 character(s) maximum

All of the actions mentioned are important & indeed often embedded in the work of the EU. The five lines of action chosen have a particular importance at EU level. 1) Although new or revised EU law will sometimes be essential, there is much EU legislation which already affects the lives of children & this should be better enforced and monitored. Children's rights are sometimes viewed as soft law, it is important to focus on enforcement and monitoring to change this misperception. 2) Mainstreaming children's rights across EU policies is vital to ensure that EU actions are properly designed to have the right impact on the rights of children, rather than children being seen as an add-on to general actions. 3) EU funding for projects on children's rights inside and outside the EU can be a vital catalyst for progress in the field, in particular where it can lead to exchange of noteworthy practice between States and professionals & the development of resources that can be used throughout the EU. 4) Capacity building & training for professionals is an important foundation stone for ensuring that they are aware of children's rights, recognise their implications, know how to apply them in their work & habitually do so. 5) The work of civil society organisations and IGO concerns so many dimensions of children's lives that the EU's engagement with civil society provides both

an important input to EU work but also promotes a democratic and inclusive approach to policymaking and practice.

7. Covid-19 has significantly impacted children and their rights. How could child rights and child protection be better embedded in response mechanisms to the pandemic, and to emergency situations in general.

2000 character(s) maximum

Covid19 has had many varied implications for children, and exactly how it has affected children depends on their individual circumstances, and the issues with which they are faced. For example for some children confinement policies have removed protective factors in their lives, such as contact with educators. Other children have found that the ability to interact through digital tools in certain settings has opened up new opportunities for them. Equally for the professionals working with children, Covid19 has caused time constraints, budget constraints, limitations in how they interact with children and limitations in how they interact with colleagues and other services. A silver lining has been the greater opportunities for online professional development and exchange, with a wider network, across countries. National systems (whether it be justice, health, social services amongst others) have also faced challenges, including closures, inability to provide services, budgetary constraints. Many of these effects will last and some new effects will only emerge after some time. We believe it is important that the EU help Member States and organisations to learn from what is happening, by engaging in research and exchange. We believe, more than ever, it will be necessary to narrow the gap between persons with individual resources and those that do not have such resources. We also believe it crucial to build resilient integrated child protection systems. A key engine for protection will be strengthening multi-disciplinary, inter-agency and child-centred case management in child welfare, protection and justice systems. In this area, there are already solid EU laws, policies and EU funded projects that should be promoted and used. Focusing on improving processes to carry out individual needs assessment of children and supporting services responding to these needs to work together in an integrated and efficient way should be a priority for the EU and its Member States.

B. Participation in the EU political and democratic life

8. To what extent do you agree with the following statements

	Fully agree	Partially agree	Partially disagree	Fully disagree	I don't know
Participation of children in the political and democratic life should be encouraged through EU action	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The EU should become closer to its child citizens, including through adapted communication	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EU institutions should consult children directly in policy making and programming	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The EU should support child participation at the local and national level	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Child participation only matters at the local and national level, not at the EU level

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
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9. What are the main challenges to ensuring child participation in the political and democratic life in the EU?

at most 3 choice(s)

- Children are not seen as citizens who have a right or the capacity to participate
- Lack of political will
- Lack of adequate expertise and know-how
- Lack of financial resources
- Difficulty to include different groups of children/ not all children have access to channels of participation

10. Which mechanism(s) should the EU develop?

at most 4 choice(s)

- Child advisory board(s)
- Children's Parliament(s)
- On-line consultations
- Ad-hoc meetings with children
- Regular consultations on upcoming legislation, policy making and programming
- Dedicated child-friendly information and campaigns
- EU competition on child participation (for schools, municipalities etc.)
- Initiatives through schools on the EU and children's rights
- Funding for child participation at local and national level

C. Digital information and society

The implications of the digital age for children's rights are manifold and ever changing. Examples are: the right to privacy and to be forgotten; the right of access to information and the right to education; the right to be safeguarded from abuse; the right to freedom of expression and the right to be heard. EU actions include the [European Strategy for a Better Internet for Children](#) - with EU funding to the [Safer Internet Centres](#) network and the [Alliance to better protect minors online](#), the [Digital Education Action Plan](#), the [2018 Audiovisual Media Services Directive](#) and data protection compliance via [GDPR](#), as well as the potential regulatory framework on artificial intelligence (White Paper on Artificial Intelligence of 19.2.2020).

11. To what extent do you agree with the following statements

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	Fully agree	Partially agree	Partially disagree	Fully disagree	I don't know
The European Strategy for a Better Internet for Children should be renewed	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The EU legislation in this field adequately caters for the protection of children's rights	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The EU plays a key role in fostering protection of children's rights in the digital environment	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IT companies should play a bigger role in ensuring the protection of children's rights in the digital environment	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Children need to be involved in designing and regulating the world of new technologies, where they are the main users	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

12. What should EU action focus on, in order to foster the protection of children's rights in the digital environment?

at most 4 choice(s)

- Introduce new or revise existing EU legislation
- Enforce and monitor the application of EU legislation
- Draft or review specific policy frameworks
- Provide funding (e.g. for Safer Internet Centres)
- Gather data on children's use of new media, and the impact on their rights
- Capacity-building and training for professionals
- Information and awareness-raising campaigns, including for children
- Strengthen cooperation with IT companies
- Facilitate the participation of children to the creation of new technologies

D. Violence against children

To tackle violence against children, the EU adopted – amongst others - the [2011 Directive on sexual abuse and sexual exploitation of children \(including child pornography and child prostitution\)](#), the [2011 Directive on trafficking in human beings](#), the [Victims' Rights Directive](#), the 2020 EU strategy for a more effective fight against child sexual abuse, and the [2008 EU guidelines on children in armed conflict](#). In addition, it co-funds Safer Internet Centers, and EU legislation established the 116 000 hotlines for missing children and the 116 111 child helplines in almost all EU Member States.

13. Which of the following should the EU focus on to help fight violence against children?

at most 4 choice(s)

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Further elaborate and promote the 2015 Principles on Integrated Child Protection Systems

- Support Member States in improving the collection of data on children affected by all types of violence
- Support cooperation and exchange among actors at national and EU level involved in the fight against violence
- Set up a Member States expert group on violence against children
- Support funding of assistance programmes in development and cooperation, assistance to the neighbourhood and humanitarian aid
- Focus on online violence, and all forms of violence related to new technologies
- Focus on gender-based violence, including harmful practices, also outside the EU
- Further promote and support the existing European child helpline and hotline for missing children
- End and prevent violence against children affected by conflicts

14. Based on your professional experience, does violence particularly affect certain groups of children?

at most 4 choice(s)

- Girls
- Boys
- LGBTI children
- Children in migration
- Children with disabilities
- Children belonging to an ethnic minority
- Children in care
- Children at school
- Street children
- Children in poverty
- Children in the online space
- Children living in conflict-affected countries/humanitarian settings
- I don't have professional experience related to this

E. Justice & Migration

In the area of child-friendly justice, a [Directive on procedural safeguards for children suspected or accused in criminal proceedings](#) was adopted in 2016. Child victims are also a focus of the [2012 Victims' Rights](#)

[Directive](#). A recast of Brussels IIa Regulation was adopted in 2019 to make cross-border family proceedings cheaper and faster for children and their families. The [2020 EU Justice Scoreboard](#) provides a comparative assessment of national developments on child-friendly justice.

In 2017, the Commission issued a [Communication on the protection of children in migration](#). The EU migration acquis contains special provisions for children, such as the [2003 Family reunification Directive](#), the [Dublin Regulation](#), the [2013 Reception conditions Directive](#) or the [2013 Asylum Procedure Directive](#).

15. Do you see gaps in EU legislation on child-friendly justice, or issues in its implementation? What further legislative action, if any, should the EU take in this field?

2000 character(s) maximum

We believe significant work is still needed to achieve progress for a more child friendly justice system. This can be achieved in the short term largely by ensuring the proper implementation of EU law on victim's rights and child suspects and accused. (This should be supported by fostering exchange of good practice between actors and services in different States and different sectors, capacity building for professionals, and underpinned by awareness raising campaigns. Particular attention should be paid to strengthening coordination of child justice and child protection proceedings. A further priority is to ensure children are involved properly in the justice system through child friendly information, independent support and assistance, including legal advisers, who are equipped with the right knowledge and skills, and guardians, where necessary.)

New EU legislation would be important to lay down norms in particular issues, as they arise. This may be relevant as regards new offences in the online environment. A gap exists in relation to child witnesses in criminal proceedings. In the field of migration, for example, this would involved further developing transnational procedures in a child-centred way, in particular, in relation to children who may be transferred between countries in a variety of different circumstances. We urge the EU to pay particular attention to the development of EU measures which will ensure adequate cross border cooperation between States (and also the actors representing children) so as to investigate the child's circumstances, make best interests assessments for decisions in their regard, and ensure proper transfer processes. The EU can also play a greater role in ensuring that all children are diverted from detention to the extent appropriate and possible (children in criminal proceedings) and entirely out of detention in the case of children in migration.

16. Where should the EU act first, to contribute to child-friendly justice systems?

at most 4 choice(s)

- Introduce new or revise existing EU legislation (where it is competent to legislate)
- Enforce and monitor the application of EU legislation
- Draft or review specific policy framework
- Provide funding for authorities and other actors involved in the justice system
- Gather data
- Capacity-building and training for professionals, also outside the EU
- Information and awareness-raising campaigns, including for children
- Strengthen cooperation and coordination at EU level and between Member States

17. The 2017 Communication on the protection of children in migration remains the framework for EU action in this field. What parts of the Communication have not progressed enough in your opinion, and where would you suggest efforts be concentrated in the future?

2000 character(s) maximum

The 2017 Communication on the protection of children in migration should continue as an important framework document to prioritise EU action, guide Member States in their action & bring all actors together, including civil society organisations, to achieve progress. We recommend that the Commission continue to support the European Guardianship Network. We recommend more progress in ensuring that the best interests of the child is at the heart of decision making in cases concerning all children in migration, whatever their status and whether they are accompanied or unaccompanied. We refer to our specific recommendations in the paper of the European Child Rights Helpdesk, led by DCI Netherlands (<https://childrightshelpdesk.org/putting-childrens-rights-at-the-heart-of-decision-making-in-cases-involving-children-on-the-move/>). This outlines 3 key recommendations: (1) the rights of children on the move should be explicitly included in broader measures on children generally (e.g, the EU should promote the recognition of children on the move in national child rights policies. An emphasis on the inclusion of children on the move, also in national child guarantee schemes, will be vital. The EU should also focus on ensuring children on the move have access to channels of participation at EU level, particularly on issues in which the EU has a unique role, such as family reunification; (2) Comprehensive measures are needed in law to achieve a robust and fair system for decision making (EU law- and policy-makers must ensure a comprehensive, child rights rather than limited, piecemeal improvements They must provide for consistent procedural safeguards for all children across the different EU measures which apply); (3) Forging better practice in child-centred decision-making processes must be an EU priority (including through EU action to strengthen the competence of professionals in the field & a child-centred approach to decision-making involving children generally).

18. Are there other priorities (which are not included in the 2017 Communication) which you would like EU action to focus on?

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It is critical that EU measures do more to strengthen legal assistance for all children and in particular unaccompanied children. Alongside guardians, lawyers play a vital and distinct role in providing advise on often complex procedures and claims. The fundamental need children have for free quality legal assistance is further underlined by the often restrictive and fragmented procedures at national level and the more complex and severe procedures proposed by the recent EU Pact on Migration and Asylum. The Communication refers to the need for legal assistance for children but we believe more most be done at EU level to prioritise and fulfil this critical safeguard. With Kind Europe, Child Circle will be providing the Commission with a report in January 2021 on advancing protection for unaccompanied children in Europe by strengthening legal assistance. In this we shine a spotlight also on situations giving rise to acute challenges and opportunities for quality legal assistance, including at the borders and in transnational procedures. Please see further recommendations on State obligations to children at is borders in the KIND Child Circle Briefing Paper (https://childcircle.eu.files.wordpress.com/2020/09/core-recommendations-on-eu-measures-for-unaccompanied-children-at-eu-borders_kind_childcircle-final1-.pdf). On transnational procedures, we direct you to the need for transparent, child centred procedures in relocations <https://www.childreninmigration.eu/priorityissues>

Further information

If you wish to add further relevant comments or information, please do so here:

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Child Circle also endorsed the Joint Position Paper on a Comprehensive Child Rights Strategy. We recognise the important contributions of the EU agencies in this field and recommend in particular that the Strategy support all EU bodies work together carefully (in particular on all areas involving the protection of children in migration and child justice as areas where the EU has particular competence, a unique role both as a legislator and creator of transnational procedures, and also where increasingly EU agencies may play an operational role (e.g. children in migration and the work of the agencies at hotspots, search and rescue and at borders). We underline once more that the Covid 19 pandemic has made all the more manifest the important role of resilient, integrated child protection systems. Covid-19 also shows how we can build knowledge across the region and share in a way that previously was not possible. The EU has an important role to play in achieving both of these. We recommend that the work of the European Commission's Child Rights Coordinator be further supported within the Commission. We recommend the further development of expert groups (with national authorities and also potentially within the EU Commission services) which can provide a platform for real mutual learning, particularly through the use of working groups focused on priority issues (such as child justice, child protection and promoting child participation). The new EU Child Rights Strategy provides an important opportunity to render more visible the role of the EU and its impact on the lives of children inside and outside of the EU. It should provide a clear basis for the EU's engagement with civil society organisations, academics and professional associations. They play an important role in informing EU policy and drawing from its actions.

Please feel free to upload a concise document, such as additional evidence supporting your responses, or a position paper. The uploaded document will be published alongside your response to the questionnaire.

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