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Committee on Employment and Social Affairs

2007/2093(INI)

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OPINION

of the Committee on Employment and Social Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on towards an EU Strategy on the Rights of the Child
(2007/2093(INI))

Draftsman: Dimitrios Papadimoulis

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SUGGESTIONS

The Committee on Employment and Social Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following suggestions in its report:

- A. Whereas Article 24 of the Charter of Fundamental Rights of the European Union states that "every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests",
 1. Welcomes the Commission's proposal to establish a European Strategy to promote and safeguard children's rights effectively; welcomes the affirmation in the Commission communication that children's rights issues are a priority for the European Union; regrets that the communication does not indicate minimum standards, clearly defined policy areas, clear targets or timelines to which the European Union should commit;
 2. Stresses that policies supporting children's rights form the basis of tomorrow's society; upholding children's rights is the best means of fostering among tomorrow's adults a culture of respect for individual and collective rights;
 3. Notes that the values of the European Union are based on respect for individuals and equal opportunity and that the role of society is to help its members to develop their full potential, particularly through education;
 4. Regrets the absence of a funding programme, since if children are to take steps to assert their human rights there needs to be a financial commitment in the proposal;
 5. Welcomes the proposed establishment of new structures to enhance cooperation at European level that will lead to a comprehensive and consistent approach, such as a Children's Rights Unit within the Commission, a Coordinator for the Rights of the Child, a Commission Inter-service group, a European Forum for the Rights of the Child and a web-based discussion and work platform;
 6. Emphasises the importance of fully implementing existing international commitments, in particular those under the UN Convention on the Rights of the Child, the UN Convention on the Rights of Persons with Disabilities, which contains specific provisions for children with disabilities, and ILO conventions on child labour, by Member States and candidate countries;
 7. Notes that the right to quality education, training, up-to-date knowledge and access to new technologies is a fundamental social right; calls on all the Member States and candidate countries to guarantee that right for every child regardless of the social, economic and ethnic background, geographical location, age, sex, religion, culture, language, physical situation, structure of their families or legal status of the child or his or her parents;
 8. Deprecates all ideologies and theories based on the belief that crime or any form of social deviance is pre-ordained by genetic or social factors; denounces as an infringement of children's rights any policies aimed at early identification of children believed to be at risk

of becoming criminals or social deviants, based on these factors;

9. Emphasises the need to ensure that all policies, both internal and external, both at Member State and at EU level, should have regard to the elimination of child labour in all its forms; believes that full-time education is the best means to tackle the problem, for girls as well as boys, both in terms of preventing such abuse but also in breaking the cycle of illiteracy and poverty into the future;
10. Points to the fact that products being sold in the European Union may be produced by child labour; calls on the Commission to implement a mechanism by which victims of child-labour can seek redress against European companies in the national courts of the Member States; calls on the Commission to enforce supply-chain compliance, and especially to come forward with mechanisms that make the main contractor liable in Europe in cases of violation of UN conventions on child labour in the supply chain; to this end, calls on the EU to use the generalised system of preferences (GSP) procedure as one way of combating more effectively the exploitation of child labour which occurs in various regions of the world, with special measures for dangerous work which a large number of children are forced to do;
11. Calls on the EU to take the international initiative, in close cooperation with the competent national authorities and the relevant international organisations, to eradicate the phenomenon of children's conscription, military training and involvement in military operations during internal or international conflicts in various regions of the world;
12. Believes that mainstreaming children's rights in EU policies is of paramount importance for the success of this European Strategy; calls on the Commission to include in its impact assessments on relevant policy issues specific provisions regarding children's rights; points out that the European Union and the Member States, when developing their legislation and policies, should take into account the diversity of children and their different needs, depending on their geographical location, age, gender, ethnicity, social and legal status, religion, culture, language, disability or family structure, and ensure that all children have full enjoyment of all their human rights and fundamental freedoms on an equal basis; stresses the need for positive action regarding most vulnerable groups of children;
13. Underlines the importance of the active involvement of the children themselves in every procedure in which their rights are at stake; considers that participation should be open to all children, regardless of their ethnicity, social and legal status or any disability; calls on Member States to ensure that all children are provided with age-appropriate and disability assistance to enjoy their right of participation and free expression; welcomes the reference to the child's "right to education and [...] right to maintain relations with both parents"; emphasises, therefore, the need for the involvement of parents' and family associations in the European Forum for the Rights of the Child;
14. Recognises that active participation is closely linked to information; welcomes the establishment of a communication and information strategy that will publish EU measures in a child-friendly manner, accessible to all,
15. Recognises that although the current technological revolution in information and communication offers unique advantages, it can at the same time constitute a danger to

children that threatens them on many levels; therefore supports the creation of a protective shield for children who use the internet in particular, as well as other new technologies, that would eliminate all forms of exploitation of childhood (seeing children as receptive to cultural models and principally as consumers), and also of the children themselves (as sexual objects or victims of violence and pornography);

16. Emphasises that those caring professionally for children need continuous high quality training, good working conditions and a reasonable salary in order to encourage continuity of care and high standards;
17. Regrets that the communication does not indicate specific measures regarding the situation of children with disabilities; underlines the need to mainstream disability within the Commission's strategy, in order to ensure the full and equal participation and inclusion of disabled children in all activity areas, and especially in education and training, cultural life, sport and leisure activities;
18. Observes that those children who are acting as carers for parents or siblings with specific needs should be entitled to specific targeted support;
19. Stresses that, according to recent studies, one in five children are at risk of poverty in the European Union and that children and young people, especially members of ethnic minorities, are particularly vulnerable to social exclusion; considers that this risk is even more striking in the majority of the new Member States which joined in 2004 and 2007, particularly with regard to children and young people living in socio-economically disadvantaged areas; highlights the important role that personalised services such as care and social services play in combating social exclusion; welcomes the urgent measures proposed in the communication against child poverty, underlining the fact that child poverty is a persistent problem; believes that priority attention at EU and Member State level should be given to the prevention and elimination of child poverty, with particular reference to children from one-parent and immigrant families; regrets that the communication sets no clear quantitative targets on eradicating child poverty;
20. Stresses that the Member States need to increase their efforts to protect children who are suffering multiple deprivation or who are especially vulnerable, including, among other measures, by providing affordable accessible high quality services; asks that appropriate monitoring mechanisms be set up to identify and support children at risk;
21. Reminds Member States of their duty to help and protect children by protecting all children from the risk of malnutrition, disease or ill treatment regardless of their social situation or legal status, or that of their parents;
22. Regrets that the Communication does not point out the situation of immigrant, asylum seeker and refugee children and children from one-parent families in particular; believes that specific mention should be made of these groups that are even more vulnerable to poverty, social exclusion and various forms of exploitation; to this end, calls on the Commission to take further action to protect and safeguard low-income families whose children often become victims of traffickers;
23. Stresses 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;

24. Calls for a more comprehensive approach to measuring the multi-dimensional nature of child poverty, having regard to children's well-being and not merely to an income-based analysis;
25. Draws attention to the issue of street children and calls on Member States and the Commission to take measures, such as better monitoring and mobilisation of responsible services, so that they shall be provided with food, shelter, education and medical care;
26. Applauds the Commission's plan to introduce a Union-wide child helpline telephone number and points to the need for this service to be free of charge and widely publicised, to ensure that all children are aware of it, especially those exposed to greater risks;
27. Points to the fact that individual access to social security and health care must be guaranteed for all children, especially those at risk, and that such systems need to provide low-barrier open access;
28. Proposes that the European Union establish the concept of 'children in danger' to designate all children who are victims of a social situation which places their psychological and physical wellbeing and safety at risk or exposes them to the risk of becoming involved in crime, either as victims or perpetrators;
29. Calls on the Commission and the Member States to launch initiatives (such as publicity campaigns and exchanges of good practice) to reduce the incidence of 'children in danger', including measures to prevent juvenile delinquency;
30. Proposes closer cooperation between the EU and the appropriate authorities in the relevant countries to combat the sexual exploitation of children and that stricter measures be taken against European citizens who indulge in sex tourism with child victims;
31. Takes the view that children's rights should be taken into account fully in the conciliation of work and family life and working time issues.
32. Notes that providing early care for children in collective institutions (crèches, schools) is one of the best ways of solving the problem of balancing working and family life and is also a means of ensuring, at an early stage of children's development, that they have the benefit of equal opportunity and become socialised.
33. Stresses the need to address the problem of trafficking in children, which is an internal European problem as well as a more broadly international problem;
34. Strongly condemns all forms of child pornography; urges the Member States, the Commission and the Council to launch a campaign to stamp out child pornography in Europe; cooperation between the national police authorities, supported by the EUROPOL European policy authority, should play a leading role in this campaign; in this context, EUROPOL should be authorised to extend its activities to investigating, in addition to organised crime, individuals who operate across frontiers in this field of criminal activity, particularly via the Internet;
35. Strongly condemns all forms of child labour, slavery and bonded labour and other forms of work which adversely affect children's health and safety; calls on the Commission and

the Council to link the European Union's trade with, and development aid to, third countries more closely to such countries' implementation of the ILO Convention on the prohibition of, and immediate measures to eliminate all forms of child labour;

36. Strongly condemns all forms of child prostitution and sex tourism; calls on the Member States, the Commission and the Council to ensure that the culprits are prosecuted, whether inside or outside the EU; also calls for measures to be taken and promoted, in cooperation with the tourist industry, to effectively help combat child prostitution and sex tourism, such as the drawing up of codes of conduct, voluntary undertakings and the insertion of additional clauses in the contracts tour operators conclude with hotels;
37. Stresses the importance of prioritising the rights of children as enshrined in the United Nations Convention on the Rights of the Child over society's interest in optimising human resources; the right of individual free development must take absolute priority over societal selective or steered promotion of children, e.g. focusing on future labour market chances,
38. Emphasises the imperative for a differentiated consideration and inclusion of children's needs; a good example for such a differentiated scale being the Report Card 7 by the UNICEF INNOCENTI Research Centre, with six dimensions of child well-being, including material well-being, health and safety, educational well-being, family and peer relationships, behaviours and risks and subjective well-being;
39. Regrets that despite the fact that a vast number of children are obliged to work inside and outside the EU because of their families' difficult economic situation, very little attention has been paid to the implementation of child labour legislation; considers that more emphasis should be given to its implementation, in particular as part of the accession process;
40. Stresses the importance, in the new European Strategy, of providing for better work and coordination of all the players involved, including civil society, and in particular children, with better financial aid, focusing on direct child well-being measures, for instance on quality child care, infrastructures and creative activities; active participation by children in decisions concerning them should evolve continuously in keeping with the age of the child (as stated in Article 12 of the UN Convention on the Rights of the Child);
41. Calls on the Commission to take steps to allow children to enjoy their childhood years and take part in children's activities without suffering social discrimination or exclusion;
42. Calls on the Commission to take steps to protect children at school from beatings, racism and sexual harassment;
43. Believes that the preconditions should be created to allow orphan children who have lost one or both parents to integrate smoothly into society at large without suffering discrimination, to provide them with proper education and health care and to give them equal opportunities in various activities without any social exclusion;
44. Calls on the Commission to take steps to protect children whose parents suffer from AIDS, a situation that may result in their exclusion from some activities and their social isolation;

45. Calls on the Commission to take steps to ban corporal punishment as a disciplinary measure for orphan children living in institutions;
46. Calls on the Commission to take steps to ban the genital mutilation of girls, to stop forced marriages and to take steps with regard to honour killings.

PROCEDURE

Title	Towards an EU Strategy on the Rights of the Child
Procedure number	2007/2093(INI)
Committee responsible	LIBE
Opinion by Date announced in plenary	EMPL 26.4.2007
Enhanced cooperation – date announced in plenary	
Drafts(wo)man Date appointed	Dimitrios Papadimoulis 23.1.2007
Previous drafts(wo)man	
Discussed in committee	12.4.2007 5.6.2007
Date adopted	7.6.2007
Result of final vote	+: 36 -: 0 0: 1
Members present for the final vote	Jan Andersson, Alexandru Athanasiu, Emine Bozkurt, Iles Braghetto, Philip Bushill-Matthews, Milan Cabrnoch, Ole Christensen, Derek Roland Clark, Luigi Cocilovo, Proinsias De Rossa, Harald Ettl, Richard Falbr, Ilda Figueiredo, Joel Hasse Ferreira, Stephen Hughes, Ona Juknevičienė, Jan Jerzy Kułakowski, Jean Lambert, Raymond Langendries, Elizabeth Lynne, Mary Lou McDonald, Thomas Mann, Ana Mato Adrover, Elisabeth Morin, Csaba Óry, Kathy Sinnott, Jean Spautz, Gabriele Stauner, Anne Van Lancker
Substitute(s) present for the final vote	Udo Bullmann, Françoise Castex, Monica Maria Iacob-Ridzi, Sepp Kusstatscher, Mario Mantovani, Dimitrios Papadimoulis, Evangelia Tzampazi
Substitute(s) under Rule 178(2) present for the final vote	Bilyana Ilieva Raeva
Comments (available in one language only)	