

Towards an EU strategy on the rights of the child

European Parliament resolution of 16 January 2008: Towards an EU strategy on the rights of the child (2007/2093(INI))

The European Parliament,

- having regard to Article 6(2) of the Treaty on European Union,
- having regard to the Presidency Conclusions of the Brussels European Council meeting held on 21 and 22 June 2007 on the treaty reform process,
- having regard to the new Article 3 of the Treaty on European Union, as introduced by Article 1(4) of the Treaty of Lisbon, which 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’,
- having regard to the decision taken by the Heads of State and Government closing the IGC in Lisbon on 19 October 2007 to give legally binding force to the Charter of Fundamental Rights of the European Union¹, Article 24 of which contains specific provisions on ‘the rights of the child’ and states, in particular, 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’,
- having regard to the Union’s decision to accede to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which provides for sanctions in the event of failure to comply with the ECHR,
- having regard to the United Nations (UN) Convention on the Rights of the Child and the Optional Protocols thereto, adopted by the United Nations General Assembly on 20 November 1989,
- having regard to the UN Programme of Action, adopted at the International Conference on Population and Development, Cairo, September 1994,
- having regard to Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights²,
- having regard to the Commission Communication of 4 July 2006 entitled ‘Towards an EU Strategy on the Rights of the Child’ (COM(2006)0367),
- having regard to the progress report of the European Parliament Mediator for International Parental Child Abduction of 1 March 2007 alerting the Commission, Parliament and other institutions to the dramatic increase in cases of parental child abduction,

¹ OJ C 303, 14.12.2007, p. 1.

² OJ L 53, 22.2.2007, p. 1.

- having regard to the results of the consultation conducted by Save the Children and Plan International on the above-mentioned Commission Communication entitled ‘Towards an EU Strategy on the Rights of the Child’¹,
 - having regard to the European Forum on the Rights of the Child established by the Commission following the publication of that Communication, which met for the first time in Berlin on 4 June 2007,
 - having regard to the political declaration adopted in Berlin on 4 June 2007 at the first Forum, which reiterates the desire to systematically take children’s rights into account in the internal and external policies of the European Union,
 - having regard to its resolution of 14 June 2006 on non-discrimination and equal opportunities for all - a framework strategy²,
 - having regard to the thematic comment No 4 of 25 May 2006 "Implementing the rights of the child in the European Union" by the EU Network of Independent Experts on Fundamental Rights³,
 - having regard to the UN Secretary-General’s Study on Violence against Children, presented to the UN General Assembly on 11 October 2006,
 - having regard to the UNICEF Guidelines on the Protection of Child Victims of Trafficking of September 2006,
 - having regard to Council Framework Decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography⁴,
 - having regard to Articles 34 and 35 of the UN Convention on the Rights of the Child which concern the protection of children from all forms of sexual exploitation and sexual abuse and seek to prevent the abduction, sale of, or trafficking in, children,
 - having regard to the Commission Communication of 22 May 2007 entitled ‘Towards a general policy on the fight against cyber crime’ (COM(2007)0267),
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Women’s Rights and Gender Equality, the Committee on Foreign Affairs, the Committee on Development, the Committee on Employment and Social Affairs, the Committee on Culture and Education and the Committee on Legal Affairs (A6-0520/2007),
- A. whereas the primary objective of the above-mentioned Commission Communication entitled ‘Towards an EU Strategy on the Rights of the Child’ is to promote the positive affirmation of children’s rights, in particular the right to their own identity, the right to grow up in secure conditions/the right to care, the right to a family, the right to be loved

¹ http://www.savethechildren.net/alliance/where_we_work/europegrp_haveyoursay.html.

² OJ C 300 E, 9.12.2006, p. 259.

³ http://ec.europa.eu/justice_home/cfr_cdf/doc/thematic_comments_2006_en.pdf.

⁴ OJ L 13, 20.1.2004, p. 44.

and to play, and the right to health, education, social inclusion, equal opportunities, sport and a clean and protected environment and the right to obtain information on such issues, with a view to establishing a child-friendly society, in which children can feel protected and actively involved,

- B. whereas Article 24 (3) of the Charter of Fundamental Rights of the European Union (the Charter of Fundamental Rights) 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",
- C. whereas, pursuant to Article 24 of the Charter of Fundamental Rights and Article 12 of the UN Convention on the Rights of the Child, it is important to guarantee all children the right of 'participation' so as always to take account of their experience of and opinions on all matters affecting them, giving due weight in accordance with the age, maturity and intellectual development of the child; whereas that right is absolute and may not have limitations placed on it, and whereas 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,
- D. whereas it is essential that children's rights be incorporated and protected (mainstreamed) in all EU policies affecting children directly or indirectly),
- E. whereas for children, the poverty and social exclusion of their parents represent serious obstacles to exercising their rights, and whereas there are also many other factors that prevent children from exercising their rights, such as parents who fulfil their parental role less than satisfactorily, the necessity for children to be represented by adults in legal matters, or the fact that the right to health care can be exercised only with the consent of the person who has custody of the child,
- F. whereas adults should provide children with favourable conditions to enable them to have their say, so that they express their views and can be heard; whereas adults should promote children's gestures of peace and friendship and encourage them to associate with other children; whereas time is an important factor in creating conditions conducive to an open attitude and to giving children their say, and not merely at specific events, and whereas the funding of public programmes should take that into account,
- G. whereas the abuse of children's rights, violence against children and trafficking in children for illegal adoption, prostitution, illegal work, forced marriages, street begging, or any other purpose, remain a problem within the EU,
- H. whereas increasing numbers of children suffer from chronic illnesses such as neurodermatitis and allergies, and from respiratory diseases and noise,
- I. whereas children's environmental rights are enshrined in the UN Convention on the Rights of the Child,
- J. whereas the family environment provides a favourable framework for protecting children's rights, ensuring the healthy development of their personalities, developing their skills and enabling them to acquire the necessary knowledge to exercise their rights and become aware of their duties, and, consequently, every effort must be made to support

families by means of appropriate public policies, but whereas, in the absence of such a framework, all children, including orphans, the homeless and refugees should, in accordance with the UN Convention on the Rights of the Child, have access to protection within a replacement framework that allows them to grow up without being discriminated against in any way,

- K. whereas the EU strategy on the rights of the child should be rooted in the values and principles laid down in the UN Convention on the Rights of the Child,
- L. whereas the rights of children as autonomous legal beings should be recognised, yet, despite national and international legislation, girls and women are often victims of legal, social and economic inequalities, which affect the exercise of their positive and fundamental rights, such as equal access to education, training and healthcare, safe food and clean water and reproductive rights for adolescents,
- M. whereas fundamental rights and values, including gender equality, should be an essential component of education during childhood and should form the basis of all the other stages of life,
- N. whereas gender mainstreaming must be applied to all policies affecting children, since gender equality begins with the recognition of the equal rights of male and female children, starting from the first years of life,
- O. whereas human rights violations against immigrant women and girls in the form of so-called honour crimes, forced marriages, genital mutilation, or other violations cannot be justified on any cultural or religious grounds and should in no circumstances be tolerated,
- P. whereas 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,

Overview of the strategy

1. Welcomes the Commission's initiative, which makes it quite clear that all conventions on fundamental human rights apply equally to children and adults, as do a series of additional rights, including those enshrined in the UN Convention on the Rights of the Child, which was drawn up with particular reference to the special situation of children and young people;
2. Welcomes the IGC decision of 19 October 2007 to incorporate children's rights as one of the objectives of the EU in the Treaty of Lisbon, thus providing a new legal framework for children's rights;
3. Welcomes the development of the Commission's Action Plan on Children in External Relations, which will come under the approved framework and commitments of the EU strategy on the rights of the child;
4. Notes that a growing number of areas within the EU's competence affect children's rights directly or indirectly, and calls on the Commission to incorporate into the 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’ (COM(2005)0172), a section devoted to the extent to which children’s rights are taken into account legally;

5. Calls on the Commission to put forward a proposal to create a specific budget line for children’s rights, in order to finance work to implement the above-mentioned Commission Communication entitled 'Towards an EU Strategy on the Rights of the Child', and child-specific projects, such as a European early warning system on child abductions, and a coordination body made up of representatives of the central authorities of Member States mandated to reduce the number of cases of child abduction; the budget line should also include subsidies for NGO networks working in this field and ensure children's participation in the work to implement that Communication and those projects;
6. Calls for an effective monitoring system backed with financial means and annual reports to ensure the implementation of the commitments set out in the above-mentioned Commission Communication entitled 'Towards an EU Strategy on the Rights of the Child’ and the future strategy on the rights of the child;
7. Recalls that the success of the future strategy requires long-term commitment and action, 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 and coordination with national and international children's rights initiatives and policies;
8. Calls on the Commission to draw up a comprehensive European Union Child and Youth Report every two years, beginning in 2008;
9. Applauds the Commission’s plan to introduce an EU-wide child helpline telephone number and points to the need for this service to be free of charge and available 24 hours a day; calls on the Member States to inform children, through informational measures, about the possibility of using this service;
10. Awaits with interest the Commission’s report on the implementation by Member States of the above-mentioned 2003 Framework Decision on combating the sexual exploitation of children and child pornography;
11. Calls for the protection of children’s rights, as laid down in the UN Convention on the Rights of the Child, to be included among the priorities Multiannual Framework of the European Union Agency for Fundamental Rights (the Agency), and for the Agency to set up a network for cooperation with international institutions, particularly ombudspersons 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;
12. Calls on the Commission, the Agency and the 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, on child poverty and social exclusion, for example; children's participation in the collection of data should be ensured;

13. Asks the Commission to provide a breakdown by gender and age of data on all types of discrimination and violence against children, 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, inter alia, by means of gender budgeting;
14. 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, recognising that these policies are powerful tools providing opportunities to promote children's rights'; calls on the Commission to translate these opportunities into specific objectives in the external work of the Community and the Member States;
15. Calls on the Commission to submit a report on the possible inclusion in all international agreements between the EC and third countries of a specific and legally binding clause on respect for children's rights, as defined at international level;
16. Calls on the Commission to redouble its efforts to assist developing countries in translating the provisions of the UN Convention on the Rights of the Child and the Optional Protocols thereto into their national legislation;
17. Calls for consideration to be given to the EU's accession to the UN Convention on the Rights of the Child and the two Optional Protocols thereto, as well as the Council of Europe conventions on the rights of the child, including the ECHR, and those on the exercise of children's rights, adoption, exploitation and sexual abuse, and calls on the Council to adopt a position of principle to enable the EU in future to take part in negotiations on conventions relating in particular to children's rights;
18. Points out that any strategy on the rights of the child should be rooted in the values and four basic principles enshrined in the UN Convention on the Rights of the Child: protection against all forms of discrimination; the best interests of the child as a primary consideration; the right to life and development; and the right to express an opinion and to have that opinion taken into account, in any matter or procedure affecting the child;
19. Considers it regrettable that not all Member States have yet established an ombudsperson for children's rights, as called for by the UN Committee on the Rights of the Child, to promote the upholding of children's rights and the further implementation of the UN Convention on the Rights of the Child, and calls on those Member States who have not yet done so to take this step as soon as possible; takes the view that the EU should make financial support available to the European Network of Ombudspersons for Children (ENOC), so that ENOC is able to address more intensively and on an EU-wide basis issues that relate to the rights of the child;
20. Points out that the implementation by the national authorities of Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility¹ is giving rise to a variety of interpretations; urges the Commission to draw

¹ OJ L 338, 23.12.2003, p. 1. Regulation as amended by Regulation (EC) No 2116/2004 (OJ L 367, 14.12.2004, p. 1).

up guidelines and a list of best practices with a view to clarifying and facilitating the implementation of that Regulation;

21. Emphasises the importance of full implementation by the Member States and candidate countries of 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;
22. Urges those Member States which have not yet done so to ratify the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children; urges the EU institutions to promote the third-country ratification of the main international child protection instruments, especially those tending to improve the situation of immigrant children;
23. Urges the EU to take an active part in promoting awareness and dissemination of the UN Convention on the Rights of the Child inside and outside the EU by the use of ‘soft power’;
24. Reminds the Member States of the need to comply forthwith with their European and international undertakings regarding the protection of children's rights;
25. Urges the Member States to set up exchange programmes for teachers and pupils with countries outside the EU, particularly in the Middle East and developing countries, and to disseminate and promote children’s rights, drawing attention to the right to education and gender equality;
26. Emphasises the imperative for a differentiated consideration 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, behaviour and risks and subjective well-being;
27. Urges the Commission and the Member States to take action to ensure observance of the rights of mentally disabled children, with particular reference to their right to freedom, education and access to the courts, and to protect them from torture and cruel, inhuman or degrading treatment;
28. Calls on all the Member States to ensure that children have effective and independent representation in any judicial or quasi-judicial proceedings concerning them and have a legally appointed guardian where no responsible, competent and appropriate adult family member is able to fulfil such responsibilities;
29. Emphasises that, since the vast majority of children, especially young children, are cared for in a family, a strategy on the rights of the child must include provisions to promote the welfare of families;
30. Calls on the Commission to develop policies and carry out comprehensive, cross-cutting action aimed at the protection of children's rights so as to achieve inter-territorial equity and equal opportunities for children;

31. Proposes 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, both as actors and as victims;
32. Calls on the Commission and the Member States to take measures (information campaigns, exchanges of best practice, and so on) to prevent children from being put 'at risk', including the prevention of juvenile delinquency;
33. Recalls that the right to education and training is a basic social right, and calls on all Member States and candidate countries to guarantee this right, whatever the child's or his parents' social or ethnic background, physical condition or legal status;
34. Asks that the future EU strategy on the rights of the child include measures for the prevention of gender-based violence focusing, inter alia, on awareness campaigns regarding equality between men and women, which target girls and boys, parents, educators and vulnerable communities, and have the aim of emancipating girls, securing their equal opportunities and improving the defence of their rights; calls for the promotion of the active participation of boys and men in the above-mentioned preventive measures; calls on 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;
35. Calls on the Commission, in its relations with third countries, to encourage ratification of the international treaties on ending discrimination against women and to promote women's participation in economic, social and political life, thus enhancing their children's wellbeing;

Child participation

36. Welcomes the fact that the Commission has launched a Forum 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; believes that child participation should be one of the main aims of the Forum; calls on the Commission to ensure the participation of children and also of ombudspersons for children's rights in the Member States, as well as that of parents' and family associations;
37. Welcomes the fact that the Commission has established an inter-service group and appointed a coordinator for children's rights and 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; 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; 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;
38. Recalls that children and young people, regardless of age, have the right to express their

- views; considers that girls and boys alike are entitled to have their say and that that right should be guaranteed in the work undertaken to develop an EU strategy on the rights of the child and that an equal participation of girls and boys should be ensured;
39. 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;
40. Awaits with interest the publication by the Commission in 2008 of its study assessing the impact of existing EU actions affecting children's rights and a consultation document 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; calls on the Commission to take account of the results of the above-mentioned consultation carried at the beginning of 2007 out by Save the Children and Plan International among some one thousand children, which showed that the priority issues, in their view, are violence against children, discrimination, social exclusion and racism, the effects of drugs, alcohol and smoking, prostitution, child trafficking and environmental protection; believes that, in addition to these specific priority issues, children's rights to participation and influence must be the comprehensive goal of the strategy; therefore 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;
41. Regards it as highly important that information on children's rights is disseminated to children in a child-friendly way and via suitable means; 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 and shared information system in order to increase awareness of the situation of children in the EU;
 - create and promote periodic and regular information channels on the situation of children in the EU, such as statistical reports, studies and exchanges of information and good practices;

Priorities of the EU strategy on the rights of the child

Violence

42. Affirms that no forms of violence against children in any setting, including the home, can be justified and that all violence must be condemned; therefore calls for Community legislation that prohibits all forms of violence, sexual abuse, degrading punishment and harmful traditional practices; 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;
43. Recalls the recommendations contained in the above-mentioned UN Secretary-General's

Study on Violence against Children on preventing and responding to all forms of violence against children; in particular, acknowledges 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; calls for the promotion, within the framework of policies to prevent violence against children, of awareness-raising, information and education campaigns and capacity-building activities for professional groups working with and for children;

44. Calls on the Member States either to implement specific legal provisions on female genital mutilation or to adopt laws under which any person who carries out genital mutilation may be prosecuted;
45. Calls on the Member States to act against honour crimes, irrespective of the reason, be it in connection with homosexuality, religion or gender identity, arranged marriages or marriages with minors;
46. Urges the Member States to raise medical practitioners' awareness of harmful traditional practices and to ensure that crimes are punished consistently under the legislation in force, with particular attention being paid to vulnerable groups including immigrant girls and women, those from ethnic minorities and disabled girls;
47. Calls on the Member States to introduce compulsory recording by healthcare workers of all cases of female genital mutilation, and also to record cases where there is a suspicion that genital mutilation may take place;
48. Calls on the Member States to speak out against tradition-based violence against women, to condemn family-induced violations of immigrant girls' human rights, and to check which laws may be applied to hold family members responsible, especially in cases of so-called honour crimes;
49. Maintains that, if violence against and abuse of children is to be diagnosed and tackled at an early stage, a specific procedural protocol must be introduced for the registration and treatment of such incidents, together with training measures for the medical and healthcare personnel responsible for matters relating to the physical and mental health of children;
50. Supports the appointment of a 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;
51. Stresses that a legal framework should be established on sexual exploitation and child abuse and that judicial cooperation should be strengthened between Member States, Europol, Eurojust and all competent international bodies;
52. Calls on the Member States to allocate funds for educational and media campaigns targeting parents and professionals and to ensure provision of child-friendly legal, medical and psycho-social services;
53. Calls on all the institutions and the Member States to take an active part in combating child sexual exploitation, child trafficking, paedophilia, the sexual abuse of children via

the Internet, child prostitution and sex tourism involving children, taking all the necessary measures to complete the approximation of national legislation based on common minimum principles adopted in the above-mentioned Framework Decision 2004/68/JHA, and also in other legislative instruments providing for the involvement of all public and private stakeholders, as set out in the above-mentioned Commission Communication entitled 'Towards a general policy on the fight against cyber crime';

54. Affirms that the sexual exploitation of children should be considered equivalent to the crime of rape insofar as concerns penal sanctions; considers that aggravating circumstances should be taken into account when a child is a victim of sexual exploitation or abuse;
55. Calls on the Member States to consider gender-neutral legislation when it comes to sexual violence and to consider that buying sex from a child (i.e. a minor) should be criminalised in accordance with Article 1 of the Optional Protocol to the UN Convention of the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography adopted by the UN General Assembly on 25 May 2000; stresses that public awareness is crucial in order to combat and reduce demand for child prostitution and child pornography;
56. Recalls its recommendation of 16 November 2006 to the Council on fighting trafficking in human beings – an integrated approach and proposals for an action plan¹, recital E of which proposes a goal of halving the number of victims of trafficking in human beings in the next ten years, with the overarching aim of eradicating this crime as rapidly and comprehensively as possible;
57. Urges the Member States to take effective legislative and other measures, including the collection of data broken down by age and sex in order to prevent and eliminate all types of violence committed within their territories, in both the private and public spheres;
58. Calls also on the Commission to support the rapid ratification of the above-mentioned Optional Protocol to the UN Convention on the Rights of the Child and the Optional Protocol to that Convention on the Involvement of Children in Armed Conflict;
59. Calls on all the EU institutions and Member States to ensure full protection and assistance for victims of trafficking, with particular regard to finding appropriate durable solution for child victims of trafficking;
60. Calls on all the institutions and Member States to take an active part in combating trafficking in children for all forms of exploitation including labour (e.g. child labour², forced labour, domestic servitude, slavery, bonded labour and begging), forced marriage, illegal adoption and illicit activities (e.g. drug dealing, pickpocketing), sexual exploitation and prostitution, etc.;
61. Calls on the Commission to proceed immediately with an evaluation of the national implementing measures taken under Framework Decision 2004/68/JHA with a view to a proposal for the immediate amendment of national provisions which are contrary to that

¹ OJ C 314 E, 21.12.2006, p. 355.

² ILO Convention 182 on the worst form of child labour refers directly to trafficking as one of those worst forms of exploitation.

Decision, and supports the commitment shown by the Commission which, in conjunction with the main credit card issuing companies, is assessing the technical feasibility of excluding websites involved in online sales of child pornography material to be excluded from the online payment system or introducing other restrictions; calls likewise on other economic players such as banks, bureaux de change, Internet service providers and search engine operators to take an active part in efforts to combat child pornography and other forms of commercial exploitation of children; calls on the Council and the Commission, with regard to Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities¹, to prohibit child pornography and violence against children in all audio-visual media services; 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;

62. Draws attention to the exploitation of children and minors in fashion, music, film and sport;
63. 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, among other things, 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; points with concern, moreover, to the growing problem of MMS exchanges of pornographic or child-abuse related images; expresses its support for the Safer Internet plus Programme through the implementation of operational and technical measures, especially for the protection of children; within this framework, also 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;
64. Welcomes the beginning of the implementation of a European framework for the safer use of mobile telephones by adolescents and children, which was adopted as a self-regulatory code between leading companies in this sector in the EU and which will be followed by the adoption of corresponding national self-regulatory codes; emphasises that this framework constitutes a first important step towards ensuring the protection of minors from specific dangers arising from the use of mobile phones, but that it is essential that the Commission constantly monitor and evaluate its implementation at national level with the aim of evaluating its results and examining the need to adopt a Community legislative initiative;
65. Supports the creation of a uniform classification and labelling system in the EU for the sale and distribution of audio-visual content and video-games intended for minors, so that

¹ OJ L 332, 18.12.2007, p. 27.

the European standard serves as a model for countries outside the EU;

66. Recalls that a special label for online games was recently added to the existing European system for age-classification of computer and video games (PEGI); takes the view that the Commission and the Member States should encourage and give greater support to self-regulation of this kind in the labelling of games, in order to provide better protection for minors from inappropriate content and to inform parents of possible risks associated with the games, as well as drawing good examples to their attention;
67. 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; emphasises that information technology gives further possibilities for children to access television programmes at any time, from any computer with an Internet connection; 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;
68. Points out that there has been an alarming increase in all Member States in the phenomenon of juvenile delinquency involving juvenile perpetrators and - in most cases - victims, a situation which calls for an integrated policy, not only at national, but also at Community level; recommends therefore, as a necessary measure, that an authoritative survey of the problem be compiled without delay and that a framework programme integrated at Community level then be drawn up, grouping together measures around three guidelines: preventive measures, social integration measures for juvenile perpetrators and judicial and extrajudicial intervention measures;
69. Emphasises that the promotion of 'children's culture' by the European Media and Culture Programmes must be stepped up and calls on the Council and the Commission to use innovative projects in child-friendly form to encourage a delight in European culture and European languages and stimulate children's willingness to learn at an early age; also underlines the importance of media literacy to promote more informed use of the various media with the introduction of educational content;
70. Calls on the Member States and the Commission, in its future strategy, to draw up a comprehensive prevention plan against youth crime and bullying in schools and other harmful behaviour and the specific problem of youth gangs involving in particular families and schools, the social services working in support of families, sports and youth centres, young people themselves, with a focus on providing opportunities and promoting their active participation in society; recommends that the Member States share their good practices with each other;
71. Calls for the establishment of safe, well-publicised, confidential and accessible mechanisms for children, their representatives and others to report violence against children; all children, including those in care and justice institutions, should be aware of the existence of complaint mechanisms;
72. Calls for the Member States to introduce a system of access to information on child abuse convictions to ensure that people who, as a result of convictions on sex abuse charges, should be considered as unsuited to working with children can be excluded, ultimately throughout the Union, from access to certain occupations involving contact with children,

in accordance with its position of 1 June 2006 on the initiative by the Kingdom of Belgium with a view to the adoption by the Council of a framework decision on the recognition and enforcement in the European Union of prohibitions arising from convictions for sexual offences committed against children¹; considers it necessary to introduce measures to avoid further offences, for example when a person convicted of sexual offences against children travels abroad; welcomes, in this connection, the progress achieved in the Council with regard to the exchange of information between Member States on national criminal convictions and calls for the Council to act swiftly to interconnect national criminal records through a European networks;

73. Calls for efforts to tackle the sale and consumption of drugs and alcohol in educational establishments and in their vicinity, and for children to be provided with information about the dangers they present;
74. Requests that the Member States determine a common understanding of what constitutes child abuse, given that they have differing legislation concerning the age of consent, for example;
75. Calls for the effective protection of children against sexual exploitation including by considering sex tourism involving children as a crime in all the Member States and by making it subject to extraterritorial criminal laws; calls for any citizen of the Union committing a crime in a third country to be dealt with under a single set of extraterritorial criminal laws applicable throughout the EU, in accordance with the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography;
76. Calls for Europol to be duly mandated to cooperate with the police forces of Member States and countries affected by this type of tourism in order to conduct investigations with a view to identifying those responsible for such crimes and to this end calls for the creation of European liaison officer posts; calls for adequate measures for the rehabilitation and social integration of the victims of sexual exploitation who have been liberated from their exploiters; calls as well for more comprehensive information on child sex tourism in the Member States;
77. Encourages Member States to set up a legislative framework to penalise child sex tourists and calls on the Member States and the Commission to explore the possibility of adopting a concerted EU strategy against child sex tourism and to sign and promote codes of conduct in the hotel and tourism industry, such as the ECPAT² Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism of 21 April 2004;
78. Highlights the fact that a large majority of child victims of trafficking for commercial sexual exploitation reasons such as prostitution and the production of child pornography, as well as in the case of forced marriages, are teenage girls, which consequently makes human trafficking a major gender issue; emphasises, moreover, that even within groups involved in attempts to control and stop human trafficking, conventional attitudes about the relationship between the sexes and traditional perceptions of the roles of women and girls are still present;

¹ OJ C 298 E, 8.12.2006, p. 220.

² ECPAT stands for End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes, international support network.

79. Calls on all Member States to regard a child who has witnessed domestic violence as a victim of crime;
80. Calls on all Member States that have not yet done so to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime, adopted by the UN in Palermo in 2000 and to take all necessary measures to provide protection for child victims of human trafficking, inter alia by permitting victims of trafficking to remain in their territory on a temporary or permanent basis;
81. 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 the gender dimension into account; recalls that the impact of indirect violence on children's well-being and prevention of such violence should be included in the Commission's work; stresses that these issues are 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;
82. Calls on the Commission and the Member States to investigate the role played by demand for both sexual exploitation of children and other forms of exploitation of children; calls, once this is ascertained, for measures to be taken to reduce this demand, inter alia by campaigns directed at the public; looks on trafficking in children as a form of organised crime, and therefore calls for joint efforts by the Member States to combat such crimes; calls on the Member States to give priority to children's right to protection;
83. Calls on all the Member States to recognise that girl children are disproportionately represented among the sexually exploited and that efforts to end the sexual exploitation of children must therefore implement a gender perspective;
84. Takes the view that gender relations between girls and boys in the early stages of life pave the way for gender equality in other phases of the life cycle;
85. Calls for alternatives to imprisonment to be provided for in relation to minors, with due consideration for the seriousness of the offence committed, and for re-education measures, such as youth community service, to be guaranteed for the future social and occupational reintegration of such persons, taking due account of the need to teach children that they have rights, but also duties, while observing that the detention of minor offenders should only be undertaken as a last resort and for as short a period as possible; calls also for educational measures to ensure social and vocational reintegration; takes the view that re-education measures should aim inter alia to provide the young person with the knowledge and tools needed to deal with the real situation in which they have to live, which means making their responsibility to respect the rights of others clear to them, as well as their responsibility to abide by the laws and rules laid down by society; regards it as essential for the possible development of young people into responsible individuals to involve them and give them the right to influence their own situation and the issues that concern them;
86. Notes that the age of criminal responsibility is not currently the same in all the Member States and requests that the Commission undertakes a study concerning the differing views among Member States of the age of criminal responsibility, their treatment of

young offenders and their effective strategies concerning the prevention of juvenile delinquency;

87. Stresses the need to provide legal practitioners in the youth justice sector (judges, lawyers, social workers and police officers) with specific training;
88. Expresses the wish that a specialised section on children's rights be set up in the European Court of Human Rights;
89. Calls on the Member States to implement serious measures to ban all different forms of exploitation of children including exploitation for prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery or servitude, use of children associated with begging, illegal activities, sport and related activities, illicit adoption, forced marriage or any other forms of exploitation;
90. Calls for action to be taken on the problem of the international abduction of children, who are often fought over by parents following separation or divorce, giving prime consideration in all circumstances to the best interests of the child;
91. Stresses that Article 3 of the UN Convention on the Rights of the Child states that 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'; under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (the Hague Convention), the interests of the child are understood to mean a rapid return after abduction; however, the interests of the child encompass more than simply a rapid return, for example a secure direct physical environment, a climate of affection, a supportive, flexible family structure, appropriate role-modelling by parents, continuity of upbringing and care, as well as decent living conditions; the Hague Convention takes no account of these criteria; for example, it does not consider who the abducting parent is, whether or not that parent has parental responsibility, how old the child is, how long the child has already spent in the other country, whether the child goes to school and has made friends there, etc.; it may be concluded that despite the 'good' intentions of the Hague Convention and Regulation (EC) No. 2201/2003, the rights of the child are often not well protected; calls on the Commission to take action to protect the rights of the child better here too, and urges it to make proposals to that effect;
92. Calls for appropriate and swift measures to be taken to look for and identify missing and abducted children, including the use of the Schengen Information System to prevent them from crossing borders; welcomes the European communications hotline for missing children and the corresponding action of NGOs and encourages the Commission to promote the creation of a European open telephone agency for children and young people with problems;
93. Calls on the EU institutions and the Member States to implement UN General Assembly resolutions A/RES/46/121, A/RES/47/134 and A/RES/49/179 on human rights and extreme poverty, A/RES/47/196 on observance of an international day for the eradication of poverty, and A/RES/50/107, on observance of the International Year for the Eradication of Poverty and proclamation of the first United Nations Decade for the Eradication of Poverty, and UN Economic and Social Council documents E/CN.4/Sub.2/1996/13, E/CN.4/1987/NGO/2, E/CN.4/1987/SR.29 and E/CN.4/1990/15,

on human rights and extreme poverty, E/CN.4/1996/25, on the right to development and E/CN.4/SUB.2/RES/1996/25 on the realisation of economic, social and cultural rights;

Poverty/Discrimination

94. Recalls that 19% of children in the EU live below the poverty line and that appropriate assistance measures geared to the needs of children must therefore be taken, including measures to support their families, and calls on the Member States to adopt ambitious and achievable targets for reducing - and eventually eradicating - child poverty;
95. Advocates the creation of suitable structures in the Member States for helping children and parents adapt to changed family circumstances;
96. 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;
97. Calls on the Commission to seek the integration of strategies specifically addressing child poverty, youth unemployment and social inclusion of minorities within all relevant development strategies including Poverty Reduction Strategy Papers and Indicative Programmes;
98. Calls on the institutions concerned to provide children with an opportunity to make a real contribution to fighting poverty; calls, with a view to combating child poverty more effectively, for all the parties concerned, including the poorest children, to be given a genuinely active part in the planning, setting up and evaluation of such projects to eradicate extreme poverty;
99. Stresses that action against the commercial sexual exploitation of children – i.e. trafficking in children for sexual purposes, child pornography and child sex tourism should be made one of the strategy's major objectives for action both within and outside the European Union, in particular in the light of the Millennium Development Goals (MDGs); points out that poverty is often one of the many causes of and reinforces social exclusion, discrimination and endangering of children; takes the view, however, that commercial sexual exploitation of children has its true origin in the demand for sex with children and in organised crime, which is prepared to exploit situations that place children at risk;
100. Calls for consideration to be given to providing psycho-social care and emotional support to children living in difficult situations such as armed conflict and crisis situations, displaced children or children living in extreme poverty;
101. Calls on the Member States to perform their duty to assist and protect all children against the risks of malnutrition, disease, ill-treatment and abuse, whatever their social and/or legal status or that of their parents;
102. Calls on the Commission to submit a proposal for a directive covering all the forms of discrimination referred to in Article 13 of the EC Treaty and all areas covered by Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment

between persons irrespective of racial or ethnic origin¹;

103. Calls on the Commission and the Member States to pay special attention to all forms of discrimination concerning children, including discrimination against children suffering from learning difficulties (e.g. dyslexia, dyscalculia, dyspraxia) or from other various disabilities;
104. Welcomes the existence of many NGOs and voluntary workers, which create friendship and solidarity ties between the least-favoured children and children from different social backgrounds in order to combat extreme poverty and social exclusion; calls on the EU institutions and the Member States to ensure that the poorest children can also benefit from Community projects and that the European Voluntary Service's projects provide such organisations with more opportunities to take on young voluntary workers;
105. Calls for Roma children and children belonging to other national minorities in particular to be covered by targeted measures, in particular with a view to ending the discrimination, segregation, social and educational exclusion and exploitation of which they are often victims; calls also on the Member States to make efforts to eliminate the over-representation of Roma children in institutions for the mentally disabled; calls also for the promotion of schooling campaigns, measures to combat the high levels of early school leaving and preventive health protection and assistance projects, including vaccinations;
106. Takes the view that the EU should set itself the objective of ensuring that there are no homeless children or street children in the EU; 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 or are often forced to beg;
107. Asks the Commission and the 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 UN Convention on the Rights of the Child, and also calls on the Member States to introduce sanctions against those responsible for the degradation of children forced to beg;
108. Calls on the European Union, the Member States and civil society organisations to ensure that each child is given the opportunity to form part of a children's group or association in order to meet other children and exchange views with them; calls, on this basis, for support measures taken by adults seeking to ensure that every child feels part of the group and can express himself within it, to be adopted; calls therefore on the Member States and relevant local authorities to encourage projects which are aimed at enabling children to express themselves in this way, such as children's local councils or parliaments, while ensuring that the most excluded children are involved;
109. Calls for consideration to be given to the possibility of devising a Community instrument on adoptions, developed in conformity with the UN Convention on the Rights of the Child and other relevant international standards, that improves the quality of care with

¹ OJ L 180, 19.7.2000, p. 22.

regard to information services, the preparation of international adoptions, the processing of international adoption applications and post-adoption services, bearing in mind that all international conventions on the protection of children's rights recognise the right of abandoned children and orphans to have a family and be protected;

110. Calls on the Member States to act in order to guarantee the basic right of children to have a family; urges the Member States, therefore, to act in order to identify effective solutions to prevent the abandonment of children and offset the placement of abandoned children and orphans in institutions; when finding a new solution for a child, the best interest of the child, as laid down in the UN Convention on the Rights of the Child, should always be the primary consideration;
111. Takes the view that adoption can take place within the country of the child's nationality, or by finding a family through international adoption, in accordance with national legislation and international conventions, and that placement in institutions should only be used as a temporary solution; alternative family care solutions, such as foster families, could be considered; urges the Member States and the Commission, in cooperation with the Hague Conference, the Council of Europe and children's organisations, to establish a framework to ensure transparency, effective monitoring of adopted children's development and to coordinate their actions in order to prevent child trafficking; urges the Member States, in this context, to give special consideration to children with special needs, e.g. children in need of medical treatment and disabled children;
112. Encourages Member States to introduce measures in favour of young adults who were previously in orphanages or child care establishments so that they benefit from support measures to help them plan their professional future and facilitate their integration into society;
113. Emphasises the social exclusion experienced by many perpetrators who are minors, which in many cases makes their smooth social reintegration impossible; encourages Member States, therefore, to define strategies in support of such minors and young adults at risk so as to help them plan their professional future and facilitate their integration into society;
114. Observes that those children who are acting as carers for parents or siblings with specific needs should be entitled to specific targeted support;
115. Points out that the future EU strategy should recognise the important role of the family as the basic institution in society for the survival, protection and development of the child; takes the view that full account should be taken of children's rights in issues regarding the conciliation of work and family life, and working time, with particular focus on the circumstances of mothers with disabilities and mothers of children with disabilities, as well as in the formulation of policies for the public and/or private support of the children and their parents in order to enable both parents to take on and share responsibility for bringing up and caring for their children; is of the opinion that recognition should be given to the fact that an increasing number of people now live in alternative family structures that do not correspond to the traditional nuclear family, consisting of a mother and father and their biological children;
116. Urges the Member States to remove all restrictions on the right of parents to have contact with their children resulting from nationality differences, particularly in connection with

the choice to speak a language other than the official language within a given country; takes the view that the removal of restrictions on multinational families in which there is a conflict between the parents should entail unrestricted freedom to speak in the language chosen by the child and the parent, with due respect for any requirements that meetings be supervised which may have been imposed by the courts;

117. Welcomes the introduction of ombudspople for children's rights and calls on all Member States to facilitate such an introduction at national and local levels;

Child labour

118. 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;
119. Calls on the Commission to ensure that deliberations by human rights committees and sub-groups set up under trade and cooperation agreements focus on the problem of child labour and the protection of children from all forms of abuse, exploitation and discrimination;
120. Emphasises the need to ensure that all policies, both internal and external, both at Member State and at EU levels, 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 and also in breaking the cycle of illiteracy and poverty into the future;
121. 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 concerning the Prohibition of, and Immediate Action for the Elimination of the Worst Forms of Child Labour;
122. Points to the fact that products being sold in the EU may be produced by child labour; calls on the Commission to implement a mechanism by which victims of child labour can seek redress against EU 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 the EU 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;

Children of immigrants, asylum seekers and refugees

123. Calls for special attention to be given, and in the best interests of the child, to the situation of refugee, asylum-seeking and migrant children, and children whose parents are asylum seekers, refugees or illegal immigrants, to ensure that such children can enjoy their rights regardless of the legal status of their parents and that they do not suffer from the adverse effects of a situation for which they bear no responsibility, and that their special needs are addressed; taking special care to preserve family unity where it is in the

best interests of the child;

124. Calls for unaccompanied minors to be paid special attention in the context of all forms of immigration, since organised crime makes use of every opportunity to bring a child into a country in order to exploit it; takes the view that the Member States should therefore be vigilant and ensure that there are child protection policies for every imaginable situation;
125. Calls for access to education for immigrant children and for the establishment of programmes and resources, from an intercultural perspective, with particular focus on situations of vulnerability and on unaccompanied minors;
126. Points out that international child protection standards are applicable to unaccompanied minors arriving in the territory of the European Union via irregular immigration procedures; calls on all local, regional and national authorities and on the EU institutions to cooperate as far as possible in protecting these unaccompanied minors; calls on the Commission to establish international cooperation and assistance procedures with the third countries of origin so as to ensure that minors are properly returned to those countries, and calls for mechanisms to be established to protect such minors once they have returned to their countries or origin, both within their biological families and through mechanisms or institutions that will offer them effective protection;
127. Calls, in the context of the adoption under the codecision procedure of new instruments on which the common asylum system will be based, for the protection of children's rights to be given a prominent position and for specific measures to be drawn up for them, taking due account of their vulnerability and providing, in particular, adequate access for children to the asylum system, guidance on child-related procedures, due regard for the individual grounds for asylum of a child within an asylum-seeking family and broader scope for family reunification within the asylum process;
128. Draws attention to the particular situation of migrant children separated from both their parents or their previous legal or customary primary carer and calls for the need for a dedicated EU measure to be considered, addressing the right to assistance of all lone children, the right of access to the territory, the appointment and role of guardians, the right to be heard, conditions of reception and family-tracing measures and other durable solutions;
129. Draws attention to the fact that children unaccompanied by adults, stateless children, as well as children not registered at birth, are at particular risk, and calls on the Member States to take special measures on the basis of what is best for the individual child, as defined, in particular, by the UN Convention on the Rights of the Child and by the Office of the UN High Commissioner for Refugees;
130. Draws attention to the role of education, which should be egalitarian and without the use of violence or corporal punishment; urges 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;
131. Stresses that there is a discrepancy between what the law requires and what is actually practised as regards the implementation of European asylum instruments and that huge

differences remain in the way children with refugee status are treated in the different Member States;

132. Highlights the fact that 5% of asylum seekers are unaccompanied minors, which indicates the need to appoint well-trained legal guardians for unaccompanied children to represent their best interests following their arrival in the host country; calls for an improvement in living conditions for children in reception facilities; is disappointed by the lack of child-sensitive asylum procedures;
133. Notes that many of the risks faced by refugee children are equally faced by children who have been forcibly displaced within the borders of their own countries;
134. Insists that children should be returned to their country of origin only when their safety and security are assured, and emphasises the need for family tracing and family reunification; stresses that their return must be prohibited where there is a danger of serious harm being done, through, for example, child labour, sexual exploitation, violence or the risk of female genital mutilation, social exclusion or involvement in armed conflict;
135. 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;
136. Underlines the negative consequences of emigration and the precarious situation of children left alone in their countries by parents who have emigrated; stresses the need to ensure comprehensive care, integration and education for such children, as well as family reintegration whenever possible;
137. Calls on the Commission to make a study on the possibility of offering citizenship of the Union to children born in the EU regardless of the legal status of their parents;
138. Recalls that the administrative detention of children should be an exceptional measure; stresses that children accompanied by their families should be detained only as a last resort, for the shortest possible period of time and only if such detention is in their best interests, pursuant to Article 37(b) of the UN Convention on the Rights of the Child, and that unaccompanied minors should not be detained or sent back;
139. Recalls that migrant children have a right to education and to enjoy themselves;

Right of the Children to Information and Education

140. Calls on the Commission and the Member States to draw up an effective system to ensure that, at home and at school, and to a degree appropriate to their age and intellectual development, children are made aware of and may exercise their rights;
141. Calls on the Commission and the Member States to facilitate access for young girls to information and education about reproductive health and reproductive health services;
142. Urges Member States to take every necessary measure to ensure the quality of their

childcare facilities, including continuous professional training as well as training in children's rights, good working conditions and a decent pay for those caring professionally for children, as these facilities and their staff provide children with a strong foundation for their future, while also being of benefit to parents, particularly with regard to the workload of working and single parents, and this in turn contributes to a decrease in poverty among women and subsequently among children;

143. Calls on the Commission and the Member States to make a concerted effort to help partner countries to achieve the target of free, universal primary education (MDG 2) and calls on the Commission and the Member States to provide the necessary funding for the Education for All - Fast Track Initiative;
144. Highlights the need for special attention to be paid to MDG 3 on gender equality and the education of girls, the recruitment and training of local female teachers, the elimination of any male bias in curricula, the location of schools closer to the communities which they serve and the provision of appropriate sanitation facilities; stresses that schools should be zones of safety where the rights of children are respected, and that sexual harassment and violence in and around schools should be vigorously prevented and dealt with;
145. Calls on the Member States to promote inter-generational communal living projects (e.g. inter-generational houses) in order to enable children to grow up with elderly persons, and in return to enable elderly persons to benefit from a social support network and to contribute to the children's development by sharing their knowledge and experience;
146. Emphasises that the right to education is a basic requirement for children's social development and must be accessible to all children on the basis of their individual capabilities and irrespective of their ethnic and social origin or their family background;
147. Considers that children should have access to education regardless of their status and/or their parents' status; underlines the importance of granting such access to migrant and/or refugee children;
148. Emphasises that the future EU strategy should recognise the right to education on the basis of equal opportunity and non-discrimination;
149. Encourages the Member States to prioritise the inclusion in educational curricula of material related to human rights and the shared values which are the bedrock of democratic citizenship;
150. Calls for the EU strategy's priorities to include the adoption of a consistent set of measures to ensure that children with disabilities are always able to enjoy their rights, with a view to ending all forms of discrimination and promoting their educational, social and occupational integration at all stages of their life;
151. Also recommends that the Commission and the Member States study the specific needs of disabled pupils and implement tailor-made schooling programmes to encourage their integration into society;
152. Calls on the Commission and the Member States to give particular consideration to the integrated education of children with disabilities, thereby ensuring their smooth social

integration whilst still at school and increasing the tolerance of healthy non-disabled children towards disabilities and social inequalities;

153. Calls for steps to tackle with greater determination issues relating to discrimination, social diversity, the teaching of tolerance in schools, education in healthy living, food education, prevention of the abuse of alcohol, drugs, medicinal and psychotropic products and other intoxicating substances and appropriate education relating to sexual health;
154. Notes that providing early care for children in collective institutions (e.g. 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;
155. Points out that the banning of girls from taking part in school tuition and sports such as swimming on cultural grounds is not justified by any culture or religion and must not be tolerated;
156. Calls on Member States to give all children free or affordable access to play and sports facilities possibilities appropriate to their age;

Health

157. Points to the worrying fact that obesity, especially among children, is on the rise in Europe; underlines that estimates indicate that more than 21 million children are overweight in the EU, with this figure growing by 400,000 each year; 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;
158. Calls for the Member States and their relevant authorities to do their utmost to ensure that children experience a healthy physical environment, given the disproportionate effect that pollution and poor living conditions have on the young; due attention should also be paid to conditions of children's learning environment, and appropriate standards should be introduced;
159. Recalls children's right to health and, in particular, adolescents' right to sexual and reproductive health and stresses that the protection of maternal health must be an integral part of the future EU strategy on the rights of the child, which should promote living and working conditions suitable for pregnant and breastfeeding women and insist on compliance with the existing legislation protecting the rights of female workers, as well as equal and universal access for all women to quality pre- and post-natal care in the public sector in order to reduce maternal and infant mortality and transmission of diseases from mother to child; stresses the vital importance that maternity leave has for a child's development, particularly on account of the child's bond with its mother not only during the early months following birth but also during the first years of its life;
160. Welcomes the fact that the Commission recognises that children, from birth to adulthood, have very different needs at different developmental stages of their lives; recalls children's right to the highest attainable standard of health and, specifically, adolescents' right to sexual and reproductive health and family planning education and services and

that it must therefore be an integral part of the future EU strategy on the rights of the child;

161. Notes that children's rights, as laid down in the UN Convention of the Rights of the Child, refer to all human beings below the age of 18 and that specific needs on sexual and reproductive health and rights of adolescents must be acknowledged;
162. Underlines the importance of promoting policies on sexual and reproductive health in order to reduce and possibly prevent sexually transmitted diseases (STDs) (including HIV/AIDS), unwanted pregnancies and illegal and unsafe abortions for young women, and to avoid lack of understanding on the part of young people of their reproductive health needs;
163. Calls on the Commission and the Member States to take steps to protect children whose parents suffer from HIV/AIDS and highlights the need to meet MDG 5 (to improve maternal health), MDG 4 (to reduce child mortality) and MDG 6 (to combat HIV/AIDS, malaria and other diseases); also urges investment in research into and the development of paediatric anti-retroviral formulations, in the provision of anti-malarial bednets and in the promotion of immunisation through the GAVI Alliance (formerly known as the Global Alliance for Vaccines and Immunisation);
164. Calls on the Member States to provide sexual education, information and counselling in order to increase awareness and respect for a person's sexuality, and to prevent unwanted pregnancies and the spread of HIV/AIDS and other STDs, and to facilitate access to and information on different contraceptives;
165. Calls for the Member States to ensure that all children and adolescents in and out of school are provided with tailored and comprehensive scientific information on sexual and reproductive health in order to make informed choices on issues related to their personal well-being, including the prevention of STDs and HIV/AIDS;
166. Encourages the Member States and the Commission to promote, both within and outside the Union, equal access for children of both genders to health care, with particular emphasis on disadvantaged children and those from ethnic or social minorities;
167. Calls on the Commission and the Member States to step up their efforts to combat alcohol-related harm for women and children, by:
 - a) providing better information to women on foetal alcohol syndrome disorders,
 - b) providing adequate health services and counselling for women with alcohol problems during and after pregnancy as well as for women and children in families with alcohol and substance-abuse problems,
 - c) introducing stronger regulations on advertising for alcoholic beverages and the sponsoring of sport events by the alcohol industry, in the form of a ban on advertising between 6 a.m. and 9 p.m., and by prohibiting advertising for alcohol in children's content (computer games, comics), so as to not communicate a positive image of alcohol to children, and

- d) prohibiting alcohol beverages which in their design are hardly different from sweets or toys, since children cannot make the distinction between alcoholic and non-alcoholic beverages;
168. Calls on the Commission and the Member States to ensure that conditions are created to enable every child to have access to all kinds and levels of health service, and where necessary to take positive measures to enable disadvantaged groups to benefit from healthcare service options from which they would otherwise remain excluded;
169. Recalls that Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding¹ sets out employment rights for pregnant and breastfeeding women, requiring employers to take all appropriate steps to ensure that neither the woman nor the unborn child are exposed to a health risk in the workplace;
170. Calls for research into and the assessment of the effects of environmental pollution on children's hormonal, neurological, psychological and immune systems, the introduction of child-friendliness tests in all urban and transport planning, and the positive labelling of imported toys not produced by child labour;

Birth registration

171. Acknowledges the right of every child to be registered at birth as a legal recognition of his/her existence and of his/her right to acquire nationality and identity, irrespective of his/her gender or ethnic origin, or of his/her parents' nationality or status as refugees, immigrants or asylum seekers;
172. Recognises that birth certificates help to protect a child against rights violations that stem from doubts about his/her age or identity; considers that reliable birth registration systems hinder trafficking in children and their organs, curb illegal adoption and prevent the overestimation of a child's age for the purposes of early marriage, under-age military recruitment, sexual exploitation, child labour² and the judicial treatment of minors as adults;
173. Highlights the fact that the "invisibility" of non-registered children increases their vulnerability and the likelihood that violations of their rights will go unnoticed;
174. Deplores the existence in some countries of gender discrimination in birth registration, with laws and practices operating that are contrary to the UN Convention on the Elimination of All Forms of Discrimination against Women, and which include the denial of registration to single mothers, refusal of the mother's nationality and discrimination in the registration of girls without a school education where access to registration is based on the education system;
175. Calls on the Commission and on both children's rights and humanitarian aid organisations to join in action to raise awareness of the need for birth registration in third countries; notes that the absence of a birth certificate may prevent children from obtaining

¹ OJ L 348, 28.11.1992, p.1.

² As defined in Article 32 (1) of the UN Convention on the Rights of the Child.

recognition of possible inheritance rights and from gaining access to education, healthcare services and material assistance from the State; calls for the promotion of measures to ensure that such services are provided universally until the completion of the official registration process;

176. Calls on the Commission to urge States to establish permanent registration systems operating from the national to village level, available free of charge to the entire population including those living in remote areas, through the provision of, inter alia, mobile registration units where appropriate, adequate training for civil registrars and the allocation of sufficient resources to finance these initiatives;
177. Calls on the Community institutions and the Member States to step up their efforts to ensure the effective coordination of policies to encourage birth registration, in particular with the involvement of the UN and dependent agencies, with a view to the agreement of a common agenda that will foster an effective worldwide response;

Children in armed conflicts

178. Stresses the crucial need to implement the EU Guidelines on Children and Armed Conflicts;
179. Urges the Member States to incorporate the Rome Statute of the International Criminal Court into their national laws and to investigate, prosecute and punish all those who have unlawfully recruited children into armed forces or groups, or used them for active participation in conflict situations, in order to ensure that every effort is made to end the culture of impunity in respect of such crimes;
180. Welcomes the adoption of the 2007 "Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups" as an update of the 1997 Cape Town Principles, and urges all States to adopt them;
181. Considers that measures are needed to ensure that children who are deprived of their liberty are treated in accordance with international humanitarian and human rights laws, taking account of their special status as children, and to prohibit the detention of children with adults, except for parents with small children; in this respect, underlines the need to promote training programmes for raising awareness among the officials and staff of the legal and police systems of the countries where the use of boys or girls as child soldiers has been noted;
182. Stresses the need for children to be treated in accordance with the rules of youth justice as well as the need to seek alternatives to judicial proceedings; calls for specialist youth prosecutors and lawyers active in the field of social law to assist children in court; calls for the establishment of truth and reconciliation commissions;
183. Calls for the reintegration, and the physical, social and psychological rehabilitation of former child soldiers and other children affected by armed conflicts, their reunification with their families, alternative care for those for whom reunification is not an option, educational catch-up courses and the dissemination of information on HIV/AIDS; underlines the need to address specific failings in the reintegration of girl soldiers, who are sometimes socially rejected and marginalised, by allocating special resources to set up programmes for education, sexual health, psychological support and family mediation;

184. Stresses the need for the Member States to take joint diplomatic action wherever there are reports of children being recruited into military units or armed groups;
185. Notes that emergency provision for children in conflict-affected fragile States rarely extends to appropriate education and calls on the Commission to support education activities, including the implementation of the Minimum Standards outlined by the Inter-Agency Network for Education in Emergencies, both in emergencies and in the transitional phase from crisis to development;
186. Stresses that the lack of a final settlement of frozen conflicts creates a situation in which the rule of law is neglected and human rights violations are committed in the areas concerned, and that this constitutes a major impediment to ensuring that all the rights of the child are respected; calls for steps to be taken to address the specific needs of children and their families in areas of frozen conflict;

Children and democracy

187. Stresses the right of children to grow up in a free and open society where human rights and freedom of expression are respected and where death sentences are no longer imposed, particularly on under-age individuals;
188. Stresses that the position of children in non-democratic States is very precarious and calls on the Commission to give consideration to this group of people;
189. Calls on the Commission to look into the issue of raising the political awareness of children and young people in third countries where democracy is restricted, so that they can develop into politically aware citizens;
190. Calls on the Commission to stress the importance of young people being able to voice their opinions on a voluntary basis through (political) youth organisations;

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191. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the European Network of National Observatories on Childhood (ChildONEurope), the Council of Europe, the United Nations Committee on the Rights of the Child, UNICEF, the International Labour Organization (ILO), the United Nations High Commissioner for Refugees (UNHCR) and the World Health Organization (WHO).