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A renewed commitment to children's rights

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Es gilt das gesprochene Wort

5th European Forum on the Rights of the Child

Brussels, 14 October 2010

Ladies and Gentlemen,

I am very pleased to welcome you to the 5th European Forum on the Rights of the Child.

This meeting is particularly important because it is the first after the Lisbon Treaty introduced historic changes to the European Union. The EU's Charter of Fundamental Rights is now legally binding. Children's rights form part of the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights and Fundamental Freedoms.

Under Article 24 of the Charter, children are explicitly recognised as citizens with their own rights. This recognition marks a significant advancement towards seeing children not just as in need of protection but also as independent and autonomous holders of rights.

In 2006 the Commission issued a Communication "Towards an EU Strategy on the Rights of the Child". Since then, the protection and promotion of children's rights has been high on the European Commission's agenda.

Four years on, we all know that violations of children's rights still happen, and at alarming levels.

In 2008 an estimated 20% of children in the EU were living under the poverty threshold. Everyday, vulnerable children face discrimination in accessing school or health care services – basic rights in the EU. About two and half million people are victims of human trafficking worldwide, according to the International Labour Organisation. 43% of these victims are sexually exploited. Children represented almost half of the victims.

The Communication of 2006 strengthened the EU's capacity to address children's rights and improved its consultation with stakeholders.

The 116000 hotline for missing children is one of the achievements. When I was Commissioner for Information Society, I required Member States to reserve the six-digit number range starting with 116 for services of social value in the EU.

Reserving 1-1-6-0-0-0 was the first step. Unfortunately, the hotline works in only 13 Member States. This is not good enough. I am going to send a clear message to the other 14 Member States to make sure that a good quality hotline service is offered in all 27 Member States.

Externally, the EU addressed the Rights of the Child in its development cooperation with third countries and through multilateral fora, namely the UN General Assembly and Human Rights Council. The EU has also used its weight in global trade to attach measures promoting children's rights to preferential market access agreements.

I am currently preparing a new Communication on the rights of the child. It will establish a new enhanced EU Strategy, building on the achievements of the past, and looking forward to new challenges, bearing in mind that a lot remains to be done.

We consulted widely while preparing this strategy.

a) Public consultation

During this summer's public consultation, we received 120 contributions from citizens, public authorities and various organisations, including many of you here today. Thank you. We have been carefully analysing this input.

I can already highlight some of the points raised in the responses:

- there are high expectations of the EU to lead efforts to ensure the protection, promotion and fulfilment of children's rights;
- while the rights of all children must be protected, there is a need to target children in the most vulnerable situations;
- to do this, we need data;
- there is a need to involve children, and to do that, we also need to step up communication activities.

b) Child Participation: Qualitative study with children

I support the view that full recognition of children's rights requires that children are given a chance to voice their opinions and participate in the decisions that affect them.

Providing children with the means to express their views at EU level is an extremely complex task. It is an ongoing process and is a priority.

We decided to consult children directly. The results of this consultation will be presented later this morning. As I said, this is a beginning.

What did the children tell us? Most of all they want the right to participate, especially in areas of life that concern them most. Whether it is school, jobs or family problems, children want to be active participants in the decisions that directly concern them; they want to feel that their opinions count.

They want more support where it is needed and they want adults to respect their freedom to be children.

They want adults to listen to them, to trust them and involve them more in decisions taken *"in their interest"*.

They want to be informed about their rights and about how to claim them – at school and on the internet. They want to know how to be protected from violence.

So, what are the main orientations for the new Strategy?

An ambitious EU Strategy must be comprehensive but needs to be translated into specific actions. My objective is to develop an evidence-based child rights approach in all relevant EU policies and actions affecting them. I want to put forward a number of concrete actions to be carried out at EU level and offer the Commission's full support to Member States.

I will implement the priorities defined in the Stockholm Programme which asked to pay particular attention to four major areas: child-friendly justice, fighting violence against children, protecting vulnerable groups of children and fighting child poverty. The Communication will of course also address horizontal issues, such as child participation or mainstreaming.

On child-friendly justice

When children have to deal with justice systems, their rights can be limited or overlooked in all sorts of ways. Are they well represented? Do they have the necessary information to exercise their rights or defend their interests?

Effective access to justice and active participation of children in administrative and court proceedings are basic requirements to ensure the protection of children's legal interests.

Children often participate as vulnerable witnesses or victims in criminal judicial proceedings. Children sentenced to custody and placed in criminal detention structures are particularly at risk of violence and mistreatment.

Our proposals will be designed to bring these proceedings closer to citizens and make them friendlier to children.

On fighting violence against children

It is our responsibility to prevent and protect children from violence. Too many children are still victims of trafficking, sexual abuse, exploitation and pornography. Children may be particularly vulnerable online, since they are often on-line without guidance from parents, care-givers or teachers.

Violence among children in schools has been a topic of discussion in the media. Bullying is a widespread phenomenon and can affect virtually any child in any educational setting. With the advance of modern technologies, cyber-bullying has become more and more frequent.

Adults often do not appreciate the seriousness of bullying and cyber-bullying. However, children from all across the EU see this as one of the major problems in their daily lives.

Protecting children in vulnerable situations

Many children around the world still do not get the attention they deserve from society and authorities. They are virtually invisible. Invisibility means vulnerability.

This is the case for many children: those who are orphans, missing, refugees or displaced; those with disabilities, children in institutional care or detention; and those who are trafficked or forced to be soldiers. The list is very long.

The children who find themselves in these situations can suffer from lack of access to health care, education and other basic services. They can be exposed to neglect, abuse and violence which endanger their mental and physical health, well-being and life. This is why children in these situations require and deserve special protection.

Fighting child poverty

Invisibility can also come from poverty. There are over 100 million children and young people aged 0-18 years in Europe. At least 20 million of them are at risk from poverty, with the risk of falling into poverty increasing as the effects of the economic crisis continue to be felt. The number of children living in poverty in the world is staggering. Fighting child poverty and promoting child well-being is a key priority for achieving children's rights inside and outside the EU.

Role and added value of the EU

When I say that I want a high level of protection for all children in the EU – I mean all children. We have to drive policy-making and measure progress. The EU is spending a considerable share of its budget on policy areas that affect the rights and well-being of children, most notably through its structural funds and development co-operation instruments, but little is known of how they really affect children.

Experience with the implementation of the 2006 Communication has revealed a significant lack of reliable, comparable and official data. Gaps in knowledge about the situation and needs of the most vulnerable groups of children should be addressed as a matter of priority. This is a practical problem but we have to deal with it to make the rest of our policies effective. Instead of working in the dark, we should change the light bulb.

The Commission is changing the bulb: we have developed mechanisms to monitor the conformity of draft legislative and non-legislative actions with children's rights. The EU must be beyond reproach in that respect whenever making legislation. Very soon the Commission will present a communication on the strategy for the effective implementation of the Charter of Fundamental Rights which will explain how to reinforce the assessment of the impact of new legislative proposals on fundamental rights, including children's rights.

It is my intention to enhance and give more visibility to this work, which remains one of the core tasks of the Commission as the guardian of the Treaties.

Finally, there is room for improvement in terms of co-operation between all stakeholders.

Ensuring the respect of the rights of the child is a common responsibility. The European Parliament has always been supportive of the Strategy and holds regular dialogues with national parliaments in which issues related to the rights of the child can be discussed. The Presidency leads the work of the Council of Ministers and plays a key role in ensuring the high level of protection for children that the European Council has asked for. The Committee of the Regions gathers representatives from local authorities that have a crucial role to play in designing and implementing policies for children. The Council of Europe has a wealth of experience in promoting the rights of the child in Europe and is active on a number of crucial policy areas. The Ombudspersons are in touch every day with the reality of children in the Member States. UNICEF offers precious guidance to the EU and to its Member States in the implementation of the UN Convention. And civil society is present, and active, inside and outside the EU.

Ladies and Gentlemen, this is the moment to renew our commitment. We all have a role to play in promoting and ensuring the respect of the Rights of the Child, each one of us with different tools. Expectations are very high. I am ready to do my part.

Thank you.