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COMMISSION RECOMMENDATION (EU) 2024/1238

of 23 April 2024

on developing and strengthening integrated child protection systems in the best interests of the child

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Protecting children from all forms of violence is a core objective of the European Union. Article 3(3) of the Treaty on European Union ('TEU') establishes the objective for the Union to promote the protection of the rights of the child. This fundamental right is among the values on which the Union is founded pursuant Article 2 TEU. In accordance with Article 24 of the Charter of Fundamental Rights of the European Union ('the Charter'), this right provides that children shall have the right to such protection and care as is necessary for their well-being, and 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. Such protection should not only be provided for within the Union, but also in the Union's relations with the wider world in accordance with Article 3(5) TEU.
- (2) Child protection is also a key objective of the United Nations Convention on the Rights of the Child ('UN Convention')⁽¹⁾, of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)⁽²⁾, as well as other international legal instruments⁽³⁾ and non-legally binding instruments at UN level⁽⁴⁾ and at Council of Europe level⁽⁵⁾.

⁽¹⁾ UN Convention on the Rights of the Child, 1989; as well as the UN Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000; the UN Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000; and the UN Optional Protocol to the Convention on the Rights of the Child on a Communication Procedure, 2011.

⁽²⁾ See also the Protocols to that Convention, as interpreted by the case-law of the European Court of Human Rights, as well as the Council of Europe Conventions specifically related to children, such as the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007; and the Convention on Contact concerning Children, 2003.

⁽³⁾ See, in particular, the UN Convention on the Rights of Persons with Disabilities ('UNCRPD'), 2006; the Hague Conference on Private International Law instruments, such as the Convention on the Civil Aspects of International Child Abduction, 1980; Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, 1993; the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, 1996; the Convention on the International Recovery of Child Support and other Forms of Family Maintenance, 2007; the Protocol on the Law applicable to Maintenance Obligations, 2007; as well as the International Labour Organisation Convention No 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour, 1999.

⁽⁴⁾ See, in particular, the UN Committee on the Rights of the Child, General Comments on the Convention on the Rights of the Child; the UN Committee on the Rights of Persons with Disabilities, General comments No 4 on Article 24 – the right to inclusive education, 2016, and No 5, on living independently and being included in the community, 2017; Guidelines on deinstitutionalisation, including in emergencies, 2022; the UN General Assembly, Guidelines for the Alternative Care of Children, 2010; and the 2030 Agenda for Sustainable Development, 2015.

⁽⁵⁾ See, in particular, the instruments adopted by the Committee of Ministers: the Guidelines on child-friendly justice, 2010; Recommendation on strengthening reporting systems on violence against children, CM/Rec(2023)8; Recommendation on the participation of children and young people under the age of 18, CM/Rec(2012)2; Recommendation on effective guardianship for unaccompanied and separated children in the context of migration, CM/Rec(2019)11; Recommendation on human rights principles and guidelines on age assessment in the context of migration, CM/Rec(2022)22; Recommendation on guidelines to respect, protect and fulfil the rights of the child in the digital environment, CM/Rec(2018)7; Recommendation on children's rights and social services friendly to children and families, CM/Rec(2011)12; Guidelines on child-friendly health care, 2011; Recommendation on the rights of children living in residential institutions, CM/Rec(2005)5; and the Council of Europe Strategy for the Rights of the Child (2022-2027).

- (3) Upholding and fulfilling children's rights is central in the EU Strategy on the rights of the child (the Strategy) ⁽⁶⁾. In the Strategy, the Commission committed to 'present an initiative aimed at supporting the development and strengthening of integrated child protection systems' as a key deliverable to combat all forms of violence against children and ensure child protection.
- (4) In its 2021 Resolution on children's rights ⁽⁷⁾, the European Parliament stressed the importance of developing and strengthening integrated national and transnational child protection systems, equipped with resources, implementation and monitoring schemes. The Council Conclusions on the EU Strategy on the Rights of the Child of June 2022 also called upon Member States to take an integrated (coordinated and multidisciplinary) approach to child protection ⁽⁸⁾. The Committee of the Regions also emphasised the crucial need to empower local and regional authorities in integrated child protection systems, in its opinion ⁽⁹⁾.
- (5) The consultation of more than 1 000 children under the new EU Children's Participation Platform ⁽¹⁰⁾ on their protection needs demonstrates that child protection is still not a given ⁽¹¹⁾. This Recommendation also builds on an open public consultation and a call for evidence. The European Union Agency for Fundamental Rights ('FRA') also undertook a mapping of national child protection systems in the Union ⁽¹²⁾ and their functioning, at the request of the Commission. Key outcomes are outlined in the evidence-based Staff Working Document accompanying this Recommendation.
- (6) A key finding shows that national child protection systems are diverse. These systems are designed in line with specific needs, allocated resources, and shaped by specific cultural, social, and historic factors, and with different levels of decentralisation. Shared challenges however concern, for instance, insufficient prevention policies and early identification systems, as well as missing timely, comprehensive (including psychosocial) support, notably for children facing co-occurring protection needs, and monitoring. Coordination mechanisms are often lacking to ensure effective multi-disciplinary responses across ministries or across different layers of competences. The availability and coordination of human and financial resources is also a challenge. Based on this, more efficient and integrated child protection systems are clearly needed.
- (7) Promoting a culture of zero-tolerance for violence against children requires to close the gap between international standards, political commitments, and action and to mobilise all relevant actors across the society ⁽¹³⁾. This should concern any form of violence, meaning all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, physically, online, or in virtual worlds ('violence against children'). Such violence includes for instance domestic violence, human trafficking, sexual abuse, gender-based violence, including female genital mutilation and child marriage, as well as all forms of bullying and corporal punishment. In this light, this Recommendation principally aims to foster the development of integrated child protection systems in Member States and to strengthen their functioning, and to promote child protection as a priority of the Union in its external action.

⁽⁶⁾ EU strategy on the rights of the child (COM(2021) 142 final).

⁽⁷⁾ European Parliament resolution of 11 March 2021 on children's rights in view of the EU Strategy on the rights of the child (2021/2523(RSP)).

⁽⁸⁾ Council Conclusions of 9 June 2022 on the EU Strategy on the rights of the child (10024/22).

⁽⁹⁾ European Committee of the Regions Opinion on 'Empowering Local and Regional Authorities in Integrated Child Protection Systems' adopted at the Plenary session of 17-18 April 2024. See: Opinion Factsheet (europa.eu).

⁽¹⁰⁾ See: EU Children's Participation Platform | European Union (europa.eu).

⁽¹¹⁾ See: Child protection – integrating systems (europa.eu).

⁽¹²⁾ See: Mapping Child Protection Systems in the EU – 2023 update | European Union Agency for Fundamental Rights (europa.eu).

⁽¹³⁾ See: High Time to End Violence against Children | UN Special Representative of the Secretary-General on Violence Against Children.

- (8) To respond better to children's views and needs, which is central to this Recommendation, national child protection systems should be context-specific, child-centred and implemented at the most appropriate level of governance. Member States should facilitate cross-sectorial cooperation and coordination between private actors, local, regional, and national authorities and Union institutions, bodies, and agencies, to ensure equal access to child protection services. The best interests of the child should be taken as a primary consideration, while listening to children's views. An integrated approach should also connect prevention, early warning, reporting, cross-sectorial support, and monitoring.
- (9) Different actors, across diverse levels of competence and sectors, are holding specific responsibilities in child protection. Clearly defined roles and close coordination are essential between all relevant actors, notably public authorities (at all levels, according to their competences), private actors and civil society organisations. Relevant professionals and actors cover various sectors, such as education and training (teachers, educators, support services at all levels, including early childhood education and care), social (e.g. social workers, service providers, residential and foster care givers), health (including mental health), justice and law enforcement (e.g., lawyers, judges, police, professionals working in closed or semi-closed facilities), asylum and migration, diplomatic and consular protection, digital, sport, leisure, media or culture, finance, business and environment, as well as traditional and religious leaders. Families and communities have a central role to play in child protection, as well as children themselves.
- (10) The wide variety of tools at the disposal of Member States, including at Union level (legislation, policies and funding), can help making child protection systems more integrated and robust. As such, this Recommendation builds on the relevant Union *acquis* related to children's rights as well as non-binding actions taken in this area ⁽¹⁴⁾. It aims at bringing a holistic and cross-cutting approach to child protection, pulling together the already existing legislation and action to make child protection systems work in a more integrated way, centred on children.
- (11) Promoting equality and inclusion in our societies is an important tool for the prevention of violence. Children with characteristics related to causes of discrimination are more likely to face bullying. For instance, children with disabilities have a higher risk of becoming victims of violence and abuse both in their home environment and in institutions ⁽¹⁵⁾. 11 % of LGBTI children aged 15 to 17 experienced a physical or sexual attack due to being LGBTI in the five years before the 2019 survey ⁽¹⁶⁾. Children who witness acts of racism and experience self-censorship in disclosing their identity are more likely to develop socio-emotional problems than those who have not. This is particularly true for Roma children, who often face discrimination, antigypsyism and socioeconomic exclusion in their daily lives ⁽¹⁷⁾. It is therefore essential that integrated child protection systems are inclusive, ensuring that all children are always treated equally and without discrimination, in line with the Commission's five Union of equality strategies ⁽¹⁸⁾, the EU Strategy on Combating Antisemitism and Fostering Jewish Life ⁽¹⁹⁾ and the Action plan on Integration and Inclusion ⁽²⁰⁾. The Joint Communication on no place for hate aims to step up EU efforts to fight hatred in all its forms ⁽²¹⁾.

⁽¹⁴⁾ The Annex to this Recommendation provides for a non-exhaustive overview of the relevant legal acts of the Union, policy documents and funding opportunities.

⁽¹⁵⁾ As acknowledged in the Strategy for the Rights of Persons with Disabilities 2021-2030 (COM(2021) 101 final) and based on analysis performed by the FRA, see: Violence against children with disabilities: legislation, policies and programmes in the EU | European Union Agency for Fundamental Rights (europa.eu).

⁽¹⁶⁾ European Union Agency for Fundamental Rights (FRA), *A long way to go for LGBTI equality*, 2020; FRA LGBTI Survey Data Explorer.

⁽¹⁷⁾ Report on the evaluation of the EU framework for National Roma Integration Strategies up to 2020, COM(2018) 785 final.

⁽¹⁸⁾ Communication on Gender Equality Strategy 2020-2025 (COM(2020) 152 final); Communication on an EU Roma strategic framework for equality, inclusion and participation (COM(2020) 620 final); Council Recommendation on Roma equality, inclusion and participation (OJ C 93, 19.3.2021, p. 1); Communication on an LGBTIQ Equality Strategy 2020-2025 (COM(2020) 698 final); Strategy for the Rights of Persons with Disabilities (COM(2021) 101 final); and Communication on an EU Anti-racism Plan 2020-2025 (COM(2020) 565 final).

⁽¹⁹⁾ Commission Communication on the EU Strategy on Combating Antisemitism and Fostering Jewish Life (2021-2030) (COM(2021) 615 final).

⁽²⁰⁾ Commission Communication on the Action Plan on Integration and Inclusion 2021-2027 (COM(2020) 758 final).

⁽²¹⁾ Joint Communication to the European Parliament and the Council on No place for hate: a Europe united against hatred, JOIN/2023/51 final, 6 December 2023.

- (12) Mental health and psychological support are constitutive elements at any stage of child protection. The Commission's Communication on a comprehensive approach to mental health ⁽²²⁾ focuses on boosting the mental health of children. The Commission recognises childhood as a determining stage for mental health throughout the entire life. In a whole-school approach to well-being, mental health and non-violent language are key to prevent bullying, including cyberbullying, and violence, in collaboration with mental health professionals and families. This is notably highlighted by the Commission Expert Group on supportive learning environments for groups at risk of underachievement and for supporting well-being at school ⁽²³⁾, which contributes to achievement of the European Education Area by 2025 ⁽²⁴⁾. This work supports the implementation of the Council Recommendation of 28 November 2022 on Pathways to School Success ⁽²⁵⁾.
- (13) One of the main determinants of social exclusion of children is the unequal access to key services. They are essential for children's wellbeing and for the development of their social, cognitive and emotional skills. The European Pillar of Social Rights ⁽²⁶⁾, in principle 11, states that children have the right to affordable early childhood education and care of good quality; right to protection from poverty as well as that children from disadvantaged backgrounds have the right to specific measures to enhance equal opportunities. In addition, the Council Recommendation (EU) 2021/1004 ⁽²⁷⁾ for a European Child Guarantee calls on Member States to prevent and combat social exclusion by guaranteeing effective access of children in need to a set of key services, such as education, healthcare and housing. This notably concerns children coming from precarious, violent, and abusive family backgrounds. The European Pillar of Social Rights, the European Child Guarantee and the European Care Strategy ⁽²⁸⁾ present a comprehensive EU policy framework to secure access to basic services for children in vulnerable situations or from disadvantaged backgrounds. The Council Recommendation on early childhood education and care ⁽²⁹⁾ also supports the Member States in their efforts to improve access to and quality of early childhood education and care. The EU Youth Strategy 2019-2027 ⁽³⁰⁾ recalled that one third of young people in Europe are at risk of poverty and social exclusion, which has an impact on the enjoyment of their social rights. Many continue to face multiple forms of discrimination, experience prejudice and hate crimes. It is therefore crucial to address disparities and work towards ensuring equal opportunities for the youngest generations in Europe, including the most marginalised and excluded.
- (14) Child abuse and sexual exploitation is an evolving crime that is increasing in frequency in the Union. This Recommendation reflects the importance of the Union's commitment to protect children against child sexual abuse, both online and offline. The EU Strategy for a more effective fight against child sexual abuse ⁽³¹⁾ takes a holistic perspective on this crime, leveraging all tools available at EU level, both legislative and non-legislative, to prevent and combat these crimes and provide assistance to victims, mobilising all relevant stakeholders, from public authorities to the private sector. As part of this Strategy, the Commission adopted a proposal for a Regulation to prevent and combat child sexual abuse ⁽³²⁾, which would oblige online service providers to prevent the dissemination of child sexual abuse material and the grooming of children. The Child Sexual Abuse Directive ⁽³³⁾ provides for definitions of criminal offences and sanctions in the area of child sexual abuse and exploitation and sets out obligations for Member States in

⁽²²⁾ Communication on a comprehensive approach to mental health (COM(2023) 298 final).

⁽²³⁾ See: Commission Expert Group on well-being in schools.

⁽²⁴⁾ Commission Communication on achieving the European Education Area by 2025 (COM(2020)625 final).

⁽²⁵⁾ Council Recommendation of 28 November 2022 on Pathways to School Success and replacing the Council Recommendation of 28 June 2011 on policies to reduce early school leaving (OJ C 469, 9.12.2022, p. 1).

⁽²⁶⁾ Interinstitutional Proclamation on the European Pillar of Social Rights (OJ C 428, 13.12.2017, p. 10).

⁽²⁷⁾ Council Recommendation (EU) 2021/1004 of 14 June 2021 establishing a European Child Guarantee (OJ L 223, 22.6.2021, p. 14).

⁽²⁸⁾ Communication on the European care strategy (COM(2022) 440 final).

⁽²⁹⁾ Council Recommendation of 8 December 2022 on early childhood education and care: the Barcelona targets for 2030 (OJ C 484, 20.12.2022, p. 1).

⁽³⁰⁾ Resolution of the Council of the European Union and the Representatives of the Governments of the Member States meeting within the Council on a framework for European cooperation in the youth field: The European Union Youth Strategy 2019-2027 (OJ C 456, 18.12.2018, p. 1).

⁽³¹⁾ EU strategy for a more effective fight against child sexual abuse (COM(2020) 607 final).

⁽³²⁾ Proposal for a regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse (COM (2022) 209 final).

⁽³³⁾ Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (Child Sexual Abuse Directive) (OJ L 335, 17.12.2011, p. 1).

relation to prevention of those crimes and assistance and support for victims. As part of the Strategy, the Commission adopted a proposal for the revision of this Directive ⁽³⁴⁾.

- (15) Children have to be protected in both physical and digital environments from risks such as (cyber-)bullying and harassment. This is notably emphasised in the Council conclusions on digital empowerment to protect and enforce fundamental rights in the digital age ⁽³⁵⁾ and on supporting well-being in digital education ⁽³⁶⁾. The European Strategy for a Better internet for Kids Plus ⁽³⁷⁾ (BIK+) aims to ensure that children are protected, respected and empowered online in the new digital decade, while protection of minors is a key concern in the legislative and policy framework, for example the Digital Services Act ⁽³⁸⁾, the Audiovisual Media Services Directive ⁽³⁹⁾, the General Data Protection Regulation ⁽⁴⁰⁾, and the EU initiative on Web 4.0 and virtual worlds ⁽⁴¹⁾. Under the BIK+ umbrella, the Commission continues to fight back against cyberbullying, notably through the work of the EU co-funded network of Safer internet Centres (SICs) which provide helplines, as well as training and resources to be used in the formal and informal education settings.
- (16) National justice systems of the Member States should take into account children's needs as victims, suspects, accused or convicted persons, witnesses or as other parties to legal proceedings, to facilitate the effective exercise of their rights. The Victims' Rights Directive ⁽⁴²⁾, the Procedural Safeguards Directive for children who are suspects or accused persons in criminal proceedings ⁽⁴³⁾, and the EU Strategy on victims' rights (2020- 2025) ⁽⁴⁴⁾ explicitly set out or aim to promote specific rights and safeguards for children covered thereby. A targeted, integrated multi-agency approach to support and protect child victims, with age-appropriate services, is needed for victims of crime. A multidisciplinary approach should be adopted for children who are suspects or accused persons, in particular for the individual assessment of the child's specific circumstances, needs and vulnerabilities. This Recommendation further reflects the importance of the Maintenance Regulation ⁽⁴⁵⁾ and the Brussels IIb Regulation ⁽⁴⁶⁾, by strengthening cross-border judicial cooperation within the Union in civil matters related to children. Central Authorities designated under the

⁽³⁴⁾ Proposal for a Directive of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast) (COM(2024) 60 final).

⁽³⁵⁾ Council conclusions on digital empowerment to protect and enforce fundamental rights in the digital age, 14309/23, 20 October 2023.

⁽³⁶⁾ Council conclusions on supporting well-being in digital education, 14982/22, 28 November 2022.

⁽³⁷⁾ Communication on a Digital Decade for children and youth: the new European strategy for a better internet for kids (BIK+) (COM(2022) 212 final).

⁽³⁸⁾ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1).

⁽³⁹⁾ Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities (OJ L 303, 28.11.2018, p. 69).

⁽⁴⁰⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁴¹⁾ Communication on an EU initiative on Web 4.0 and virtual worlds: a head start in the next technological transition (COM(2023) 442 final).

⁽⁴²⁾ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

⁽⁴³⁾ Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ L 132, 21.5.2016, p. 1).

⁽⁴⁴⁾ EU Strategy on victims' rights (2020-2025) (COM(2020) 258 final).

⁽⁴⁵⁾ Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7, 10.1.2009, p. 1).

⁽⁴⁶⁾ Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (OJ L 178, 2.7.2019, p. 1).

Brussels IIb Regulation play a role in providing assistance in cross-border child protection cases. Children are also victims of trafficking in human beings for all forms of exploitation ⁽⁴⁷⁾. Child victims of trafficking are considered as particularly vulnerable under the Anti-trafficking Directive ⁽⁴⁸⁾ and are a specific focus of the EU Strategy against trafficking in human beings (2021-2025). The child helplines (116 111), the missing children hotlines (116 000) and other national (child) helplines and hotlines play a role in child protection systems.

- (17) The protection of the rights of children in migration, including children who are unaccompanied and seeking international protection, require continuous efforts to address concerns. Violence is a daily threat for children on the move, especially those who travel unaccompanied or are separated from their families ⁽⁴⁹⁾. Migrant and refugee children are in a state of particular vulnerability and require specific and appropriate protection, as stressed in the Communication on the protection of children in migration ⁽⁵⁰⁾. Children's vulnerability is exacerbated when they are unaccompanied or separated children. Following Russia's war of aggression against Ukraine, the Commission has fully committed itself to supporting Member States to protect children displaced from Ukraine to the EU territory ⁽⁵¹⁾. This includes supporting missing children's hotlines and child helplines, as well as helping to ensure their inclusion in national education systems and providing guidance to Member States to help ensure the quick connection of displaced children to national child protection systems ⁽⁵²⁾.
- (18) The Pact on Migration and Asylum, which awaits final adoption by the Council ⁽⁵³⁾, introduces additional safeguards and obligations on child protection which will have to be operationalised prior to it becoming applicable. The best interests of the child remain central across the EU Asylum *acquis*, where it must be a primary consideration. Member States have to identify and accommodate any special provision that asylum-seeking children might need after they cross the border, taking into account continuity and stability of care. The Pact shortens deadlines for the appointment of child representatives and reinforces standards related to their training, qualification, and oversight, equally enshrining the need to take children's views into account and provide child-friendly information. It shortens deadlines related to all children's access to education and expands children's access to healthcare so that they receive the same type of healthcare as provided to their own nationals who are minors. It includes stronger guarantees for minors in relation to detention, specifying that, as a rule, children should not be detained. As highlighted in the Action plan on Integration and Inclusion ⁽⁵⁴⁾, transition to adulthood support is another essential aspect to be taken into account in children protection system, in order to ensure the best and most sustainable transition out.

⁽⁴⁷⁾ In 2022, 15 % of the victims registered within the EU were children. See: Trafficking victims in Europe, a rise by 10% and the share of EU nationals among the victims increased to 59% - European Commission (europa.eu).

⁽⁴⁸⁾ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

⁽⁴⁹⁾ Office of the Special Representative of the Secretary-General on Violence against Children and Universidad Iberoamericana, Violence against children on the move From a continuum of violence to a continuum of protection, 2020.

⁽⁵⁰⁾ Communication on the protection of children in migration (COM(2017) 211 final).

⁽⁵¹⁾ See: Communication from the Commission to the European Parliament and the Council on 'Temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on', COM(2023) 140 final.

⁽⁵²⁾ See: Fleeing Ukraine: protection for children - European Commission (europa.eu).

⁽⁵³⁾ See: Statement by the President of the European Commission: Pact on Migration and Asylum (europa.eu)

⁽⁵⁴⁾ Action plan on Integration and Inclusion 2021-2027 (COM(2020) 758 final).

- (19) The Union provides for ample funding opportunities to contribute to the protection of children from all forms of violence. Union funds are available to support the development and strengthening of integrated child protection systems in Member States and other relevant measures. To facilitate navigating different programmes, the Commission has put in place a single gateway for Union funds and enables users to find relevant funding opportunities⁽⁵⁵⁾. Beneficiaries of Union funding are obliged to respect Union values, principles, applicable law, and contractual provisions when implementing such funding. The Commission has implemented measures to support compliance and address possible violations. Moreover, for the EU funds covered by the Common Provisions Regulation⁽⁵⁶⁾, Member States are required to fulfil the horizontal enabling conditions on the Charter as well as on the UN Convention on the Rights of Persons with Disabilities (UNCRPD). Accordingly, Member States are required to put in place effective mechanisms to ensure that programmes supported by those Union funds and their implementation are in compliance with the Charter and the UNCRPD.
- (20) The Commission also provides dedicated financial support to prevent and combat violence against children, gender-based violence against girls, and domestic violence, and to protect victims of such violence, under the Daphne strand of the Citizens, Equality, Rights and Values Programme ('CERV')⁽⁵⁷⁾. The Equality, Rights and Gender Equality strand of CERV provides further funding opportunities to promote children's rights and children's participation, and to combat discrimination faced by certain groups of children. The Justice programme⁽⁵⁸⁾ also supports the protection of children with funding opportunities, notably in the field of child-friendly justice.
- (21) The Technical Support Instrument⁽⁵⁹⁾ provides on-demand tailor-made technical expertise for designing and implementing structural reforms in the Member States. This includes the areas of education, social services, migration and border management, health and justice, for example supporting the implementation of Children's houses (*Barnahus*)⁽⁶⁰⁾. Integrated child protection systems are also part of a 2024 flagship technical support initiative on Reinforcing Democracy and Rule of Law⁽⁶¹⁾. Cross-sectoral reforms can tackle child poverty and social exclusion under the flagship on the implementation of the European Child Guarantee, while offering the possibility to provide multi-country technical support.
- (22) A number of other Union funding programmes can cover other specific concerns relating to child protection and children's well-being. This can notably address children's mental health, vaccination and childhood cancer prevention and care under the EU4Health programme⁽⁶²⁾. Child poverty and social exclusion are covered under the European Social Fund Plus⁽⁶³⁾; child trafficking and child sexual abuse under the Internal Security Fund⁽⁶⁴⁾; asylum, integration or

⁽⁵⁵⁾ See: Funding & tenders (europa.eu).

⁽⁵⁶⁾ Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 231, 30.6.2021, p. 159).

⁽⁵⁷⁾ Regulation (EU) 2021/692 of the European Parliament and of the Council of 28 April 2021 establishing the Citizens, Equality, Rights and Values Programme and repealing Regulation (EU) No 1381/2013 of the European Parliament and of the Council and Council Regulation (EU) No 390/2014 (OJ L 156, 5.5.2021, p. 1).

⁽⁵⁸⁾ Regulation (EU) 2021/693 of the European Parliament and of the Council of 28 April 2021 establishing the Justice Programme and repealing Regulation (EU) No 1382/2013 (OJ L 156, 5.5.2021, p. 21).

⁽⁵⁹⁾ Regulation (EU) 2021/240 of the European Parliament and of the Council of 10 February 2021 establishing a Technical Support Instrument (OJ L 57, 18.2.2021, p. 1).

⁽⁶⁰⁾ See: Barnahus.

⁽⁶¹⁾ See: TSI 2024 Flagship - Reinforce Democracy and the Rule of Law - European Commission (europa.eu).

⁽⁶²⁾ Regulation (EU) 2021/522 of the European Parliament and of the Council of 24 March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health Programme') for the period 2021-2027, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1).

⁽⁶³⁾ Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013 (OJ L 231, 30.6.2021, p. 21).

⁽⁶⁴⁾ Regulation (EU) 2021/1149 of the European Parliament and of the Council of 7 July 2021 establishing the Internal Security Fund (OJ L 251, 15.7.2021, p. 94).

return support targeting non-EU children, under the Asylum, Migration and Integration Fund ⁽⁶⁵⁾; access to non-segregated services in education, housing, health-, social- and child-care under the European Regional Development Fund ⁽⁶⁶⁾. Reforms, investments and policies for the next generation of children and youth, such as education and skills, can also be addressed under the Recovery and Resilience Facility ⁽⁶⁷⁾. The Union co-funds Safer internet Centres in Member States to provide awareness-raising activities and resources on child online safety. It also supports children, carers and educators with counselling and reporting services via child helplines and hotlines to report child sexual abuse material. The Union's framework programme for research and innovation Horizon Europe ⁽⁶⁸⁾ also supports various projects linked to the protection of children in thematic areas of research, including on the prevention of child sexual exploitation and domestic and sexual violence.

- (23) The Union's commitment to child protection is also reflected in its external action. In 2022, approximately 468 million children (more than one in six) were living in a conflict zone. 160 million children (9,6 % of all children globally) were victims of child labour in 2020 ⁽⁶⁹⁾. Every 10 minutes, somewhere in the world, an adolescent girl dies as a result of violence ⁽⁷⁰⁾. The Union's action to uphold children's rights and child protection globally is based on the way the Union nurtures and bolsters its democratic and fundamental rights foundations within the Union. The Youth Action Plan in EU External Action ⁽⁷¹⁾ aims to promote meaningful child and youth participation and empowerment in the external action of the Union. The Gender Action Plan III ⁽⁷²⁾ aims to fight all forms of gender-based violence. Child protection is a key objective of the Union's Guidelines on the Promotion and Protection of the Rights of the Child and on Children and Armed Conflict ⁽⁷³⁾. The Union Action Plan on Human Rights and Democracy (2020-2024) ⁽⁷⁴⁾ calls on partner countries for instance to build and strengthen child protection systems and to take a zero-tolerance policy against child labour; the proposed Regulation on prohibiting products made with forced labour on the Union market shall contribute to this goal. This commitment was also reflected in the Communication on Decent Work ⁽⁷⁵⁾ which will support in the fight against child labour.

⁽⁶⁵⁾ Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund (OJ L 251, 15.7.2021, p. 1).

⁽⁶⁶⁾ Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund (OJ L 231, 30.6.2021, p. 60).

⁽⁶⁷⁾ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

⁽⁶⁸⁾ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

⁽⁶⁹⁾ International Labour Organization and Unicef, *Child labour, Global Estimates 2020, Trends and the road forward*, 2021.

⁽⁷⁰⁾ Unicef, *A Statistical Snapshot of Violence against Adolescent Girls*, 2014.

⁽⁷¹⁾ Youth Action Plan (YAP) in EU external action 2022 – 2027 Promoting meaningful youth participation and empowerment in EU external action for sustainable development, equality and peace (JOIN(2022) 53 final).

⁽⁷²⁾ EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women's empowerment in EU external action (JOIN (2020)17 final).

⁽⁷³⁾ EU Guidelines on children in armed conflict, updated in 2008.

⁽⁷⁴⁾ EU Action Plan on Human Rights and Democracy 2020-2024 (JOIN(2020) 5 final).

⁽⁷⁵⁾ Communication on decent work worldwide for a global just transition and a sustainable recovery (COM(2022) 66 final).

- (24) There is a strong need to protect children from climate change and environmental hazards, both on the EU territory and globally. Children are far more likely than adults to suffer serious harm, including irreversible and lifelong consequences and death, from environmental degradation ⁽⁷⁶⁾, climate change, pollution and biodiversity loss. This increases children's risk of facing grave rights violations, notably in armed conflict, due to displacement, famine and increased violence ⁽⁷⁷⁾. The differentiated impacts of climate change and environmental degradation on women, children and vulnerable groups need to be addressed ⁽⁷⁸⁾. The 2023 Guidelines on Member States' Adaptation Strategies and Plans ⁽⁷⁹⁾ highlight children among stakeholders with a higher likelihood of being impacted by climate change, and who also need to be included in the climate adaptation process. When taking action to address climate change, parties should respect, promote and consider their respective obligations on human rights, including children's rights ⁽⁸⁰⁾. The framework on the global goal on adaptation as adopted at COP28 ⁽⁸¹⁾, encourages parties to ensure intergenerational equity and social justice, taking into consideration vulnerable groups including children. This also requires ensuring active child participation in decision-making on critical matters affecting the protection of their rights. The perspective of children and young people is part of the European Climate Pact ⁽⁸²⁾ activities, and notably the network of Climate Pact Ambassadors and Partners.
- (25) This Recommendation is addressed to the Member States. Candidate countries, potential candidates for accession to the Union, and Union neighbourhood policy countries are also encouraged to follow this Recommendation.

HAS ADOPTED THIS RECOMMENDATION:

Subject matter

1. Member States should take effective, appropriate and proportionate measures to further develop and strengthen integrated child protection systems with the objective of protecting children from any form of violence, meaning all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, physically, online, or in virtual worlds ('violence against children').
2. Member States should take a more integrated approach in accordance with the best interests of the child. A child is any person below 18 years of age ⁽⁸³⁾.

Putting children at the centre of protection systems

Respecting children as rights-holders, listening to their views and informing them in a child-friendly way, and raising awareness

3. Member States should always hold the child's best interests as a primary consideration, ensuring that children are recognised, respected and protected as rights-holders, with non-negotiable rights to protection.

⁽⁷⁶⁾ Report of the UN Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, A/HRC/37/58, 2018, paras. 57 and 58.

⁽⁷⁷⁾ UN Committee Rights of the Child, General comment No 26 on children's rights and the environment with a special focus on climate change, 2023.

⁽⁷⁸⁾ Joint Communication on Addressing the impact of climate change and environmental degradation (JOIN(2023)19 final).

⁽⁷⁹⁾ Commission Notice Guidelines on Member States' adaptation strategies and plans (OJ C 264, 27.7.2023, p. 1).

⁽⁸⁰⁾ EU official position for the COP28 negotiations included in the Council Conclusions on the preparations for the 28th Conference of the Parties (COP28) of the United Nations Framework Convention on Climate Change (UNFCCC), Dubai, 17 October 2023.

⁽⁸¹⁾ UNFCCC, Global goal on adaptation.

⁽⁸²⁾ See: European Climate Pact - European Union (europa.eu).

⁽⁸³⁾ As defined in the UN Convention on the rights of the child.

4. Member States should introduce mechanisms at national, regional and local levels that enable children to express their views freely on matters that concern them in a meaningful, inclusive, accessible and safe way. In those matters, Member States should empower children, by taking children's views into consideration in accordance with their age and maturity, and by ensuring in particular the engagement of children in the development, monitoring and evaluation of child protection strategies, policies, programmes and services.
5. Member States should actively raise awareness on the rights and needs of children, on child empowerment, and on preventive and protective measures. Such measures should include possibilities to report unsafe situations and to receive support, including psychological support, and information on specific risks linked to any form of violence against children, including child sexual abuse. Member States should provide information to the public, including children, their parents and carers, any adults in contact with children across sectors and all relevant stakeholders.
6. Member States should encourage and promote the use of accessible and child-friendly language, including at school, through stakeholders, in media campaigns, including social media. Such language should be tailored to the age, maturity and needs of the children in question.

Ensuring inclusive child protection systems

7. Member States should take appropriate measures to ensure that children are always treated without any discrimination and in a manner which protects their dignity. Such treatment should be appropriate to their age, maturity and level of understanding, and should take into account their unique personality, interests and any special needs that they may have. Member States should strive to ensure that all children, in all their diversity, can enjoy the same rights of access to and benefit from protection across all of their territories, in urban, rural and remote areas or in outermost regions of the Union, on an equal basis. Under Article 21 of the Charter, any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation is prohibited.
8. Member States should provide targeted support to specific groups of children, such as children in need, those experiencing specific disadvantages, and those at risk of discrimination or facing specific risks of violence, in order to provide accessible, quality, child-sensitive services and care for all children. Member States should in particular pay attention to the recommendations set out in the European Child Guarantee and the national action plans adopted in this context, including through the allocation of adequate resources.
9. Member States are encouraged to implement relevant measures related to children, including by fighting discrimination against children and ensuring their protection, within the national action plans, actions and strategies adopted in the context of the Commission's Union of equality strategies, the EU Strategy on Combating Antisemitism and Fostering Jewish Life and the Action plan on Integration and Inclusion.

Responding to children's safety needs in both the physical and digital environments

10. Member States should take measures to ensure that children are and feel safe in all physical spaces, particularly at school, including in early childhood education and care, or during after-school activities, cultural activities and sports, as well as in public spaces.
11. Member States are invited to raise awareness on the importance of protecting all fundamental rights, including privacy and personal data, in the digital sphere, and to disseminate information on the support available to child victims of violence in the digital environment. Member States should take measures to ensure that children are and feel safe in online spaces, including by measures to improve digital literacy and safe use of digital technologies among children using an accessible language tailored to their age, maturity and needs, to ensure that children can thrive in the digital environment. This should also be subject to awareness raising and training towards families, carers and at school, starting at an early age, with the support of relevant experts, such as the Safer internet Centres.
12. Member States are encouraged to continue coordinating with the Commission to increase protection, digital empowerment and safety of children online, notably in the implementation of the European Strategy for a Better internet for Kids Plus and by ensuring effective enforcement of the Digital Services Act. Special attention should be given to awareness-raising initiatives concerning new challenges to child safety and well-being raised by artificial intelligence, virtual worlds, overexposure to digital content, digital threats (such as hate speech, cyberbullying, harassment, child sexual abuse, grooming, and violent content), or aggressive marketing, including through child protection safeguards by design.

Protecting children's integrity and mental health

13. Member States are recommended to take all appropriate legislative, administrative, social and educational measures to protect children's physical and mental integrity. These measures should:
 - (a) safeguard the whole physical and mental integrity, development and well-being of the child, in both physical and digital environments, with due respect of the child's vulnerabilities, potential special needs and risks of discrimination;
 - (b) protect children against the undue influence of commercial interests, such as (digital) gambling, aggressive marketing, alcohol, tobacco and unhealthy food consumption, while preventing and protecting children from risks of addictions.
14. Member States should identify children as a priority target group in their national mental health strategies, providing comprehensive support, including prevention of mental health disorders and psychological support, to create an environment where children feel safe and in which their concerns are heard.
15. Member States should raise awareness around health, including mental health issues and childhood vaccination. Member States are encouraged to facilitate the implementation of accessible health promotion and disease prevention programmes targeting children, and guarantee timely and appropriate medical care, psychosocial support and educational assistance to children facing a cancer diagnosis. They should also guarantee effective access of children to healthy nutrition and regular physical activity. Such programmes should also include children with addictions.
16. Member States should dedicate adequate human and financial resources to providing the relevant health support, including access to psychological support from an early stage. For that purpose, Member States should make best use of available Union funds.

17. Member States are recommended to take all appropriate legislative, administrative, social and educational measures to prevent bullying and protect children from bullying, including cyberbullying, through comprehensive anti-bullying plans. Such measures should, in due consideration of the age and vulnerabilities of children, aim to fight violence, prejudice and discrimination and foster empathy and a positive and safe climate of protection in and around school, in leisure activities and in digital activities. Teachers and educators, education authorities, health care (including mental health) professionals, students and families should participate in the development of those measures. The measures should ensure prevention and early identification, and provide clear guidelines, training, and practical tools for victims, bystanders, such as teachers, school staff, coaches, students, parents, as well as perpetrators on how to deal and cope with bullying. Such measures should also include the provision of information on how to report and intervene in cases of bullying, how to seek help and support and how to reverse abusive and toxic behaviour.

General framework of integrated child protection systems

Establishing and effectively implementing a consistent legal and policy framework

18. Member States are invited to further develop and strengthen integrated child protection systems, based on a comprehensive national legal and policy framework, in particular by:
 - (a) developing national plans to fight violence against children and ensure their protection;
 - (b) establishing obligations for all relevant actors in the relevant sectors, such as health, education and training, social protection, justice, law enforcement, migration and asylum, digital, sport, leisure, culture, media, finance, business and environment, to fully respect, protect and comply with the rights of the child, including when implementing prevention, reporting and protection measures and effective support responding to children's needs;
 - (c) ensuring at all levels the effective application and implementation of national and Union legislation on child protection;
 - (d) assessing new legislative and other policy proposals with regard to their impact on child protection from both a short- and long-term perspective.

Setting up coordination structures and mechanisms

19. Responding to children's needs, Member States should take appropriate measures to strengthen coordination and cooperation of all relevant ministries and sectors, and across the different levels of competence, at the local, regional and national levels and in cross-border situations. Such cooperation and coordination should entail preventing violence against children, assuring the protection of children, and rendering national child protection systems more integrated.
20. Member States should promote an interdisciplinary approach to child protection involving all actors in the field of the protection of children, including private actors, public authorities, civil society, family, carers and children themselves, while supporting families as primary carers.
21. Member States should in particular clarify the division of roles and responsibilities between the public services and professionals working on child protection, while ensuring their multidisciplinary coordination and cooperation. Member States should promote the appropriately regulated and monitored involvement of the private sector and civil society organisations, notably through certification, accreditation, registration, and regular vetting of facilities, institutions and professionals providing care and services to children.
22. Member States are also encouraged to establish or nominate a body tasked with those cooperation and coordination responsibilities, taking due account of the existing national and regional structures and mechanisms.

Fostering coordination with regional and local actors

23. Given the important role of regional and local authorities in protecting children against violence, all recommendations addressed to Member States in this Recommendation should be understood as including regional and local authorities where the matter falls within their respective responsibilities.
24. Effective coordination between national, regional and local authorities should be ensured, including through the exchange of experiences and good practices.
25. As relevant, national and regional authorities should provide adequate support to local programmes for the protection of children, notably in terms of financing, training, appropriate and accessible premises, child safeguarding and protocols, awareness-raising, and integrated support and monitoring, involving all relevant local sectors, stakeholders and children themselves, and supporting local interventions in the child's environment and community.

Strengthening human and financial resources

26. Member States should dedicate specific funding to ensure that human and financial resources allocated to child protection services are adequate to ensure an efficient integrated child protection system at national, regional and local levels and across sectors. When ensuring such allocation of resources, Member States should use systematic monitoring tools for costing and child-oriented budgeting, including by making best use of available Union funds.
27. Member States should ensure adequate resource allocation and conditions to ensure job attractiveness, notably through workforce planning, development and the provision of support, including mental health support for professionals working with children.
28. Member States should instil a culture of the rights of the child and of responsibility of all professionals and adults in contact with children. Member States should consider systematically developing professional protocols and standards on child protection procedures and child protection safeguards, with the aim of ensuring that all organisations working for and with children have robust child protection policies and reporting mechanisms for situations of violence in place.
29. Member States should promote quality frameworks for child protection professionals and adults in contact with children, with the objective of ensuring that professionals and practitioners working for and with children, at all levels, are vetted and recruited with due diligence.
30. Member States should provide child protection professionals with specific multidisciplinary and inclusion-led education, training and guidance on specific competences related to children's rights and child protection standards. This should include education, training and guidance on the prevention, detection and effective response to early signs of violence against children and on child psychology and communication in an age-appropriate language, with a specific attention to children's vulnerabilities. Training should also be provided on coordination and cooperation protocols on child protection, including procedures and indication of the roles and responsibilities of professionals and authorities. Member States are encouraged to use funding under available Union programmes for upskilling and reskilling and to continuously develop the professional competences of child protection professionals.

Collecting data in a more comprehensive manner, strengthening monitoring and evaluation systems

31. Member States should develop specific data management methodologies with a view to enhancing monitoring and evaluation frameworks of their child protection systems.

32. In full respect of the legislation on the protection of personal data, Member States should organise the collection of relevant official disaggregated statistics and other data (from administrative sources, as well as from surveys and other types of qualitative and quantitative research) regarding violence against children and child protection. Member States should also make specific efforts to further develop the analysis of trends through periodical data collection to allow comparative analysis in time on violence against children and the efficiency of child protection systems and to strengthen data collection on children going missing in the Union.
33. Member States are also invited to develop systems of monitoring and evaluation in line with national and regional competences, including children's rights and well-being indicators. Such monitoring and evaluation should ensure that child protection systems are independently monitored. This could notably be ensured by an adequately resourced independent national children's rights institution or ombudsperson for children.
34. Member States should pursue research on violence against children and integrated child protection systems. For the available data to be child-specific, research should also aim at direct participation of children, with the necessary procedural safeguards and data protection measures, as well as appropriate and accessible child-friendly information, methods and tools in place. The latter should be sensitive to children's developmental stage and their cultural and linguistic diversity, as well as accessible for children with disabilities, and of different ages and backgrounds. Research findings should be analysed through a child-centred lens, prioritising the perspectives and experiences of children in the interpretation of results, ensuring that the voices and needs of children are heard and are central to the research process and its outcomes.

A continuity of comprehensive and coordinated services to address children's needs

The need for proactive and systemic prevention of all forms of violence against children

35. Member States should provide for sufficient preventive and early identification, early warning and early-support measures as part of their integrated child protection systems to prevent violence against children.
36. Member States are invited to foster a safe and inclusive environment in education, including early childhood education and care, and in training, while fighting discrimination and responding to specific vulnerabilities. Member States should, amongst others, raise children's awareness of their rights and support services, train professionals on early signs of violence and protocols, monitor and support the mental health and well-being of children and teachers, ensure that relevant child protection safeguards and protocols are in place; and coordinate effort between education and other sectors in order to provide full support to families and children affected by out-of-school circumstances.
37. Member States are recommended to ban corporal punishment against children in all settings, and to strengthen integrated support services for children and their families. Member States should provide families with the necessary social protection and support to ensure children's development and well-being, including through effective prevention of such punishment and early intervention. Member States should also provide parenting and family support, providing the necessary conditions to prevent family separation, in the best interests of the child.

Ensuring reporting and referral of cases of violence against children

38. Member States should put in place safe, confidential, child-friendly and well-publicised complaint and reporting mechanisms respecting the rights of the child, notably the right to privacy, including through 24/7 helplines, hotlines and online services. Such mechanisms should be accessible, use age-appropriate language, and be adapted to the children's specific needs. Member States should take appropriate measures to ensure that children are well informed about their rights to use these reporting mechanisms.

39. Member States are recommended to clearly define rules on reporting cases of violence against children. Where the violence involves the holder of parental responsibility, or when there could be any other conflict of interest between the child victim and the holder of parental responsibility, Member States should take into account the best interests of the child and ensure that any act requiring consent is not conditional upon the consent of the holder of parental responsibility.
40. Professionals, in particular professionals working in close contact with children in the child protection, education, childcare and health care sectors, should be required to report to the competent authorities if they have reasonable grounds for believing that a punishable offence has been committed or is likely to be committed, in line with Union and national law.
41. Complaint mechanisms should be available to all children, their holders of parental responsibility or other appropriate adult representing their interests, and third persons for the reporting of violence against children.
42. Member States should set up comprehensive multidisciplinary referral mechanisms for complaints concerning violence against children, covering all relevant sectors including the health (including mental health), social protection, education and justice and law enforcement sectors.
43. Those complaint, reporting and referral mechanisms should be adequately resourced and well-coordinated within an integrated child protection system, to avoid any undue delays in the support provided.

Providing a continuum of multi-sectorial support services in cases of violence against children

44. Member States should ensure integrated case management with age-appropriate and holistic support such as medical care, emotional, psychological and educational support and any other appropriate support required by the individual circumstances of the child. Member States should provide for the appointment of an appropriate adult in contact with the child to liaise with the contact persons of competent authorities.
45. Member States should ensure relevant coordination with social services to provide assistance and support for child victims, their family and other caregivers as soon as the competent authorities have a reasonably justified indication of violence. Special support and early intervention programmes should also be set up for children who committed or are at risk of committing criminal offences for reasons clearly linked to their family or living situation.

Deinstitutionalisation and the transition towards quality family and community-based care and services in due consideration of the best interests of the child

46. Member States should take all measures to ensure the prioritisation of family-based and community-based care for children, taking into account the best interests of the child as a primary consideration, having had due regard of, the needs and wishes of each child, when placing children into alternative care. Poverty should never be the only reason for placing children in alternative care.
47. Member States should invest in non-residential family- and community-based quality services including accessible housing, to support children with disabilities and their families as early as possible to prevent the placement of children with disabilities in institutions and support their full inclusion and participation in the community.
48. Member States should promote national strategies and programmes to accelerate de-institutionalisation and the transition towards quality family- and community-based care services for children without parental care and children with disabilities, in the children's best interests. Member States should adopt and use good practices of deinstitutionalisation of children with disabilities, to strengthen the transition from institutional care to services providing support in the community.

49. To ensure the transition to deinstitutionalisation in children's best interests, Member States are invited to address the issue of lack of foster families, in particular for children in precarious situations or with complex needs or with a view to keeping siblings together. Appropriate resources should notably be allocated to ensure relevant support services for community- or family-based care. Relevant vetting and monitoring should also be ensured and every effort should be made to avoid multiple placements of children who do not live with their family of origin. Best practices in terms of transition and reintegration into the family of origin should be considered. Hosting children deprived of family care in inadequate locations (such as hotel or hospital rooms) should be avoided, unless as an emergency transition for the shortest possible time, with relevant protection safeguards in place.
50. Member States should also provide comprehensive support and preparation programmes to assist children and young adults, including children and young adults with disabilities and unaccompanied migrant children, in the process of transitioning out of the alternative care or child-justice system or any other closed or semi-closed settings to independent living and full inclusion in the community. Member States are encouraged to ensure that national child protection systems,, develop specific plans to prevent trafficking in human beings, including that of children in residential or closed-type institutions.

Towards increasingly child-friendly justice

51. Member States should take the necessary measures to address shortcomings in their national justice system's capacity to address children's needs and facilitate the effective exercise of their rights. In particular, Member States should, subject to applicable rules under national and Union law, strive to ensure that:
- (a) legal proceedings involving children are adapted to their age, needs and vulnerabilities;
 - (b) children are individually assessed and supported before, during and after the legal proceedings, as appropriate and as required based on the individual circumstances of the case, in accordance with their specific needs, taking into account their age, maturity and views;
 - (c) children can benefit from special protection measures during criminal proceedings, including the use of communication technologies and other technical tools for the giving or taking of evidence, in view of their particular vulnerability, taking into account an assessment of their needs;
 - (d) children receive information as regards means of accessing justice, general aspects of the conduct of legal proceedings that concern them and their rights in the context of such proceedings in easily accessible and child-friendly language, taking into account any special needs;
 - (e) children are heard in legal proceedings on all matters that affect them, providing them with a genuine and effective opportunity to express their views, either directly or through a representative; their views should be taken into consideration on matters which concern them in accordance with their age and maturity and secondary victimisation caused by multiple hearings and examinations should be avoided;
 - (f) children have access to legal aid, encompassing free and effective legal assistance in the form of legal counselling and legal representation, throughout all stages of legal proceedings;
 - (g) children have access to free interpretation and translation services, throughout all stages of legal proceedings;
 - (h) children in cross-border cases have access to videoconferencing or other distance communication technology for participating in the proceedings and taking of evidence;
 - (i) children are accompanied by their holder of parental responsibility, or another appropriate adult throughout the legal proceedings;
 - (j) the privacy and personal data of children involved in legal proceedings are protected;

- (k) deprivation of liberty of children, and notably of migrant children, is always used as a measure of last resort, limited to the shortest appropriate period of time and informed by an individual assessment of the child and adequate alternative measures are available;
 - (l) prevention of recidivism is fostered through the development of adequate prevention and rehabilitation programmes for persons who have been convicted of a crime constituting violence against children;
 - (m) alternatives to legal proceedings such as restorative justice services, mediation, diversion (from criminal prosecution) and alternative dispute resolution are available whenever these may serve the child's best interests, but without such alternatives impeding the child's access to justice through legal proceedings.
52. Member States should establish a common framework for cooperation and coordination between professionals working with or for children in legal proceedings or interventions that involve or affect children.
53. Member States should dedicate specific funding to provide for a targeted, multi-agency cooperation and coordination approach to support children in contact with the justice system, in particular victims of crime, including by establishing Children's houses in line with the Children's house (*Barnahus*) model or any other equivalent child rights-friendly model. Member States should make best use of available funds and technical support at the Union level.
54. Member States should enhance cooperation in child-protection cases with cross-border implications, including through the assistance of Central Authorities of the relevant Member States designated under the Council Regulation (EU) 2019/1111 ⁽⁸⁴⁾, such as by stepping up prevention efforts, by sharing good practices among the Member States, specifically in the context of the European Judicial Network in civil and commercial matters, and by facilitating and strengthening transnational cooperation between the actors supporting children.

Specific measures to protect children in migration

55. In the implementation of the Pact on Migration and Asylum and associated reforms to their reception systems, Member States should ensure the centrality of child protection and ongoing consideration of the best interests of the child. This includes clear and early procedures for individual best interests assessments and ensuring that all relevant proceedings and reception systems are adapted to take into account children's age, needs and vulnerabilities as a priority, in accordance with Union and international law. An integrated case management systems should include and maximise the necessary synergies of effort and information between state actors and institutions, including national child protection services as well as civil society, and international organisations, encouraging their involvement in operational support and monitoring processes, especially at borders. Special efforts should be made to ensure children's access to dedicated services and organisations in remote locations.
56. As an essential part of integrated child protection systems for unaccompanied children, Member States should make particular efforts to expand and strengthen guardianship systems for these children, including by ensuring the rapid designation of sufficient legal guardians or representatives and through participation in the activities of the European Guardianship Network, identifying best practice and sharing expertise. Member States should also ensure effective support for the transition to adulthood of all unaccompanied children.

⁽⁸⁴⁾ Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (OJ L 178, 2.7.2019).

57. Member States are encouraged to build national integrated child protection systems that are ready to face the diversity of situation of children in migration (unaccompanied children, victims of trafficking, children asking for international protection or reunifying with their family and children integrating in the local community and accessing the general services). Member States should ensure that child protection systems are provided with enough resources and their staff adequately trained to respond to the specific challenges these children face, and that organisations in direct contact with children have in place internal child protection policies. Persons in contact with children should especially be made aware and trained on intercultural communication and mental health related aspects. Member States are encouraged to ensure that all children are provided with relevant information on their rights and on procedures, in a child-friendly and age- and context- appropriate manner.
58. Member States should increase the participation of migrant children and children with a migrant background in education, including early childhood education and care, while ensuring that such programmes are equipped to serve culturally and linguistically diverse children. Complementary measures to ensure that displaced children maintain ties with their country of origin should also be fostered.

Child protection as a global priority of the Union

Strengthening an integrated child protection approach in external action

59. Member States should uphold the rights of the child in their external action, including foreign diplomacy, development cooperation and humanitarian action as established in international human rights and humanitarian law instruments with particular attention to the right to live without violence and the right to protection.
60. Member States should ensure that their external action contributes to the fight of all forms of violence against children, such as domestic violence, human trafficking, sexual abuse, gender-based violence, including female genital mutilation and child marriage, as well as all forms of bullying and corporal punishment. Member States are invited to consider an integrated approach to child protection, including social protection, in external support action.
61. Member States should mitigate the immediate and long-term impact of armed conflict on children, prioritise the protection of children in conflict zones, prevent and respond to the six grave violations against children, promote compliance with international human rights and humanitarian law by all parties to conflict, assist the rehabilitation and reintegration of children formerly associated with armed forces and armed groups and facilitate their return and repatriation ⁽⁸⁵⁾.
62. Member States should strengthen their response to the specific needs and vulnerabilities of children affected by armed conflict and support age- and gender-responsive community-based integrated social protection systems in countries affected by conflict to help prevent, mitigate, recover and respond to the violation of children's rights.
63. Member States should support effective measures to ensure accountability for grave violations of children in armed conflicts.

Eradicating child labour

64. Member States should step up their efforts to fully eliminate child labour, notably by preventing the use of child labour within the supply chains of companies operating within the Union and beyond. Member States are also invited to prevent child labour and address the underlying root causes including through an integrated approach to the social protection of children and families in external support action.

⁽⁸⁵⁾ Taking into consideration the EU's Guidelines on Children and Armed Conflict.

65. Member States should support international cooperation efforts, not only by adopting a zero-tolerance policy towards child labour but also by making decent work a reality for adults and youth above the minimum age for work, in order to achieve universal access to social protection, supporting fundamental rights at work, and promoting social dialogue.

Protecting children from the impact of climate change and environmental hazards on their rights

66. Member States are invited to involve children and empower civil society, including children's rights organisations, in decision-making related to climate change. Member States are invited to ensure that children can express their views freely and that such views should be taken into consideration in the design and implementation of related measures, notably as regards climate change adaptation processes.
67. Member States are recommended to prevent and remediate the impacts of environmental hazards and harm on children's rights, and to include a child-protective and child-sensitive approach in their climate change adaptation and mitigation plans. Specific solutions for children should be embedded to reduce both the short-term and the long-term impacts of climate change on children's rights, including by adopting a child rights-based approach to climate change-induced migration and displacements.

Seizing the opportunities offered by existing Union support action

68. Member States should use and encourage stakeholders and professionals involved in child protection systems to benefit from the wide variety of tools at their disposal at Union level, such as legislation, policy, communication, training and awareness-raising activities, exchange of best practices, mapping and progress report exercises, and financial and technical support, to further develop and strengthen their child protection systems and make them work in an integrated way in the best interests of the child.
69. Member States are invited to ensure a coordinated approach at national, macro-regional, regional and local level in the programming and implementation of Union funds, involving local and regional authorities, civil society organisations, including organisations working with and for children, and social and economic partners in preparing, revising, implementing and monitoring programmes to be financed from Union funds.
70. Member States are encouraged to use and promote the EU Children's Participation Platform, specifically designed to amplify children's voices and bring together existing child participation mechanisms at Union level.
71. Member States are encouraged to actively share good practices and evidence generated on models for child protection service integration and contribute to the work of the EU Network for Children's Rights. Such contribution should facilitate dialogue and mutual learning among Member States.
72. Member States should support the use of tools, such as self-monitoring tools, to assess the quality of their child protection monitoring and evaluation frameworks and existing data systems and, where needed, support the development and implementation of action plans to improve the availability, quality and comparability of their data related to child protection.
73. Member States are invited to make best use of the cooperation and coordination already existing between the relevant stakeholders, including the international partners, such as the Council of Europe, International Labour Organization and the United Nations, and civil society, at Union, national, regional and local levels.

74. Member States are invited to make best use of the support provided for by the European Union Agency for Fundamental Rights in implementing this Recommendation, as well as in other relevant areas of the EU Strategy on the Rights of the Child, notably in terms of technical assistance and methodological support, for instance for the design and implementation of data collection exercises.

Done at Strasbourg, 23 April 2024.

For the Commission
Dubravka ŠUICA
Vice-President
