

EN

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Answer given by Mr Reynders
on behalf of the European Commission
(17.11.2022)

The EU Strategy on the rights of the child¹ stated that all children, including those with disabilities and from disadvantaged groups, have an equal right to live with their families and in a community. Integrated child protection systems should provide children without or at risk of losing parental care the necessary conditions to prevent family separation.

The Anti-trafficking Directive² treats children as particularly vulnerable persons and considers child trafficking as an aggravating circumstance of the crime, which should be punished by higher penalties.

The Commission committed to develop an initiative on integrated child protection systems, which would encourage all relevant stakeholders to better work together in a child-centric system. The 14th EU Forum on the Rights of the Child (27-29 September 2022), discussed the topic of integrated child protection systems, as one of the steps for the consultation on this initiative.

The Commission invited Member States to strengthen guardianship systems for all unaccompanied children, including through participation to the activities of the European Guardianship Network³.

The European Union Agency for Fundamental Rights (FRA) published a study on ‘Guardianship for children deprived of parental care⁴’. The study ‘Guardianship systems for unaccompanied children in the EU: developments since 2014’ was updated in 2022⁵.

The preparatory work on the European Child Guarantee highlighted that more and better data is needed on the number of homeless children, as well as on the alternative care arrangements. The current work on a monitoring framework of the child guarantee will rely on available evidence and particularly related national monitoring frameworks.

¹ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52021DC0142>

² 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. The Directive contains specific provisions aimed at improving the assistance, support, and protection of child victims, notably the appointment of a guardian or a representative from the moment the child is identified by the authorities.

³ <https://www.egnetwork.eu/>

⁴ <https://fra.europa.eu/en/publication/2014/guardianship-children-deprived-parental-care>

⁵ <https://fra.europa.eu/en/publication/2022/guardianship-systems-children-update>