P9_TA(2022)0120

EU Protection of children and young people fleeing the war against Ukraine

European Parliament resolution of 7 April 2022 on the EU’s protection of children and young people fleeing the war in Ukraine (2022/2618(RSP))

The European Parliament,

– having regard to the UN Convention on the Rights of the Child of 20 November 1989 and the additional protocols thereto,
– having regard to the European Convention on Human Rights,
– having regard to Article 24 of the Charter of Fundamental Rights of the EU,
– having regard to Council Recommendation (EU) 2021/1004 of 14 June 2021 establishing a European Child Guarantee\(^1\),
– having regard to the Commission communication of 24 March 2021 on the EU strategy on the rights of the child (COM(2021)0142),
– having regard to the UN Convention on the Rights of Persons with Disabilities of 13 December 2006,
– having regard to its resolution of 29 April 2021 on the European Child Guarantee\(^2\),
– having regard to the European Pillar of Social Rights action plan,
– having regard to Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection\(^3\),
– having regard to the UN Global Study on Children Deprived of Liberty of July 2019,
– having regard to the UN Convention on the Reduction of Statelessness of 30 August 1961,

\(^2\) OJ C 506, 15.12.2021, p. 94.
\(^3\) OJ L 71, 4.3.2022, p. 1.
having regard to the 2018 UN Global Compact on Refugees,

having regard to its resolution of 3 May 2018 on the protection of children in migration¹,

having regard to General Recommendation No 38 of the UN Committee on the Elimination of Discrimination against Women of 6 November 2020 on trafficking in women and girls in the context of global migration,

having regard to its resolution of 26 February 2014 on sexual exploitation and prostitution and its impact on gender equality²,

having regard to the Commission communication of 23 March 2022 entitled ‘Welcoming those fleeing war in Ukraine: Readying Europe to meet the needs’ (COM(2022)0131),

having regard to Rule 132(2) of its Rules of Procedure,

A. whereas the invasion of Ukraine by the Russian Federation and the targeting of the Ukrainian population has caused a large number of people and families to flee Ukraine, taking a tremendous toll, especially on children and young people in the wider region;

B. whereas according to the latest UNICEF report³, as of 25 March 2022, over 3.7 million refugees have fled Ukraine since the beginning of the war; whereas this figure is expected to continue to increase in the coming weeks; whereas the UN also estimates that there are now almost 6.5 million people who have been internally displaced since the beginning of the war, and an additional 12.65 million people directly affected by the conflict;

C. whereas according to the latest UNICEF report⁴, women and children make up 90 % of all refugees fleeing Ukraine; whereas almost half of the refugees fleeing Ukraine are of school age⁵; whereas UNICEF also estimates that more than 2.5 million children have been internally displaced since the beginning of the conflict;

D. whereas as of 25 March 2022, neighbouring countries have been coping with a huge influx of refugees fleeing Ukraine, with over 2.2 million going to Poland, over 579 000 to Romania, over 379 000 to Moldova, close to 343 000 to Hungary, and more than 545 000 to other countries⁶;

E. whereas with such high figures, children, especially when unaccompanied, are at increased risk of violence, abuse and exploitation and there is an increased risk for

¹ OJ C 41, 6.2.2020, p. 41.
children of going missing and falling victim to trafficking, especially when moving across borders;

F. whereas more than 100 000 children, half of them with disabilities, live in institutional care and boarding schools in Ukraine¹ and more than 90 % of those children have parents; whereas according to official figures, 4 311 babies were born in Ukraine between 24 February and the beginning of March, and whereas it is estimated that there were 265 000 pregnant women at the start of the crisis, some 80 000 of whom are expected to deliver over the next three months;

G. whereas according to the UN High Commissioner for Refugees (UNHCR), there were at least 35 875 stateless persons and persons of undetermined nationality in Ukraine in 2021; whereas approximately 10-20 % of the estimated 400 000 Roma people living in Ukraine are stateless or at risk of statelessness; whereas 55 % of children born in Donetsk and Luhansk and 88 % of children born in Crimea were reported to lack Ukrainian birth certificates or personal documents, putting them at risk of statelessness²; whereas children in forced migration are at increased risk of statelessness due to issues linked to obstacles to birth registration in their country of origin or during displacement and a lack of recognition of their parents’ statelessness; whereas this risk is exacerbated for unaccompanied children in view of obstacles to documentation and registration, including lack of proof of family links;

H. whereas the European Child Guarantee is an EU instrument whose objective is to prevent and combat poverty and social exclusion by guaranteeing free and effective access for children in need to key services such as early childhood education and care, educational and school-based activities, healthcare and at least one healthy meal per school day, and effective access for all children in need to healthy nutrition and adequate housing; whereas the objectives of the Child Guarantee should apply to all children in the Union;

I. whereas the children of migrants and refugees often fall between the gaps in national legislation, leading to children being left behind, which can exacerbate their social underdevelopment and lead to precariousness, as well as a greater risk of being marginalised, mistreated and abused;

J. whereas children growing up with a scarcity of resources and in precarious family situations are more likely to experience poverty and social exclusion, with far-reaching impacts on their development and later adulthood, perpetuating a vicious circle of intergenerational poverty; whereas poverty and social exclusion are best addressed by comprehensive policies that are narrow in application but broad in scope targeting not only children but also their families and communities, and by prioritising investments in


the creation of new opportunities and solutions; whereas all sectors of society must be involved in solving these problems, from local, regional, national and European authorities to civil society;

K. whereas child poverty has been identified by international organisations as both a potential cause and consequence of children’s rights violations, as a result of the impact it has on children’s ability to exercise their rights and the failure to uphold those rights;

L. whereas 378 secondary and higher education institutions have been destroyed in Ukraine by Russian shelling to date1;

M. whereas ensuring the integration of children and young people in care and learning structures should remain a priority for the EU and its Member States;

N. whereas there are grave violations against children in the context of the conflict, including those being held in custody; whereas the short-, medium- and long-term impact of the armed conflict on children should be addressed in an effective and comprehensive manner by making use of the variety of tools at the EU’s disposal, including new and strengthened EU guidelines on children and armed conflict;

O. whereas girls are particularly at risk during the humanitarian and displacement crisis, as they continue disproportionately to be the victims of discrimination based on gender norms and gender-based violence;

P. whereas in Moldova children account for half of the number of refugees fleeing Ukraine;

1. Welcomes the publication of the Commission communication of 23 March 2022 entitled ‘Welcoming those fleeing war in Ukraine: Readying Europe to meet the needs’, the operational guidelines for the implementation of Council Implementing Decision (EU) 2022/3822 and the 10-point plan for stronger European coordination in welcoming refugees from Ukraine;

2. Recalls that the EU and all Member States have ratified the UN Convention on the Rights of the Child and are therefore obliged to respect, protect and fulfil the rights laid down therein; stresses that in accordance with the UN Convention on the Rights of the Child, the best interests of the child should always be a primary consideration in all decisions concerning children;

3. Calls on the Member States to treat every child seeking refuge first and foremost as a child, regardless of their social or ethnic background, gender, sexual orientation, ability, nationality or migration status;

4. Calls for the creation of safe passages and humanitarian corridors for children fleeing the conflict, both those who are unaccompanied and those with families, and for the provision

---

1 Kyiv School of Economics, ‘Direct damage caused to Ukraine’s infrastructure during the war has already reached almost $63 billion. Global economic losses are about $543-600 billion’, accessed online at https://kse.ua/about-the-school/news/zbitki-naneseni-infrastrukturi-ukrayini-v-hodi-viyni-skladayut-mayzhe-63-mlrd/

of the urgent help needed by children who are internally displaced, stranded in, or unable to leave encircled areas;

5. Recalls the importance of the EU Strategy on the Rights of the Child, the Child Guarantee, the EU Strategy on Combating Trafficking in Human Beings, the EU Strategy for the Rights of Persons with Disabilities 2021-2030, as well as all existing EU legal instruments, including the Temporary Protection Directive\(^1\) in supporting the Member States to help them address the specific needs of children fleeing the war;

6. Stresses the importance of information-sharing among Member States in full compliance with data protection rules and that registration from one Member State is recognised by another;

7. Emphasises that every child has the right to be protected from violence, exploitation and abuse and that EU Member States must ensure preventive measures, in particular for children at risk of trafficking and abduction, as well as support for children who have been exposed to violence and trauma; recalls that children in family environments are generally safer and better cared for and calls, therefore, for greater support for families and family reunion efforts; recalls that in any case there should always be an assessment of the best interests of the child; calls, in addition, for support to be provided to the survivors of gender-based violence;

8. Calls on the Commission to help neighbouring countries to set up adequate and safe child-friendly spaces with child protection officers immediately after the border, such as the Blue Dot hubs being set up by UNICEF and the UNHCR;

9. Strongly recommends that child protection officers and other critical services be present and available at the border in order to identify the vulnerabilities of these children, in particular by accurately identifying and recording the child’s nationality, statelessness or risk of statelessness on arrival, and referring them to the adequate services, including psychosocial support, maternal health support, protection against gender-based violence, family tracing and support for family reunification, and in order to ensure a proper handover to the national child protection systems so that children are granted full access to all of the basic services and appropriate care in line with international child protection standards;

10. Urges all parties to work closely with the Ukrainian authorities to expedite the evacuation of children in institutions and children in need of medical care and to ensure that they are transferred to appropriate community or family-based care settings in the Member States so that they can receive the appropriate care;

11. Stresses that evacuations should always be carried out respecting special measures that take into consideration the best interests of the child, and that the consent of their parents or persons responsible for their care should be granted;

12. Stresses the importance of putting in place an EU strategy to step up humanitarian action on the ground to rescue families and children, in particular vulnerable children, including those from disadvantaged socio-economic backgrounds, those in institutional care and

foster care, those in hospital, as well as children with disabilities, orphans and unaccompanied children, especially in combat zones;

13. Expresses concerns about reports of young people still being held in immigration detention centres in Ukraine, who are at heightened risk amid the hostilities; calls on the Commission to work with the Ukrainian authorities to enable the release of young migrants and asylum seekers detained in immigration detention centres in Ukraine and to facilitate their safe evacuation;

14. Welcomes the Commission’s announcement on the establishment of the Solidarity Platform for exchanging information regarding the reception capacities of the Member States and the number of people enjoying temporary protection on their territories;

15. Underlines the importance of cooperating closely with the Ukrainian authorities and the relevant international and non-governmental organisations to register and identify children who enter the EU from institutional care in Ukraine in order to prevent child trafficking, illegal adoption and other possible abuses, with full respect for EU data protection standards; stresses the importance of monitoring the well-being and whereabouts of these children after their arrival in the EU;

16. Calls for unaccompanied and separated children and children from institutional care settings in Ukraine to be immediately included in the monitoring systems for the social and child protection services in the Member States of reception in order to facilitate family reunification when this is in their best interests in the future and to oversee the provision of their care in order to ensure their safety and protection;

17. Stresses the importance of collecting disaggregated data in line with EU data protection standards in order to identify vulnerable groups coming from Ukraine, including but not limited to: children in institutional care, children with disabilities, children from Roma communities, undocumented children and other non-Ukrainian children, stateless children and children at risk of statelessness, with a view to identifying the needs of particular groups and providing support with the tracing and reunification of unaccompanied children, women and victims of trafficking;

18. Notes the EU platform for registration, which aims to enable Member States to exchange information to ensure that people enjoying temporary or adequate protection under national law can effectively benefit from their rights in all Member States, while limiting possible abuse;

19. Urges the neighbouring Member States to provide children with child-friendly information, in a language they can understand, about their situation, rights and the risk they may face of trafficking and other forms of exploitation; emphasises that information provided to adults should include special sections on trafficking in children in order to alert caregivers and facilitate tailored support;

Reception conditions and vulnerable children

20. Highlights that children have the right and an innate need to be close to their parents or a constant caregiver; stresses the importance for siblings not to be separated and hence the importance of hosting unaccompanied children in family- and community-based placements to allow all children to grow up not in institutions but in families and
21. Calls on the Member States to ensure that a guardian is swiftly appointed to all unaccompanied children upon arrival in their first country, regardless of their nationality or immigration status, and that all information provided by the guardian is delivered in a child-friendly manner; takes the view, in this regard, that the neighbouring Member States should make full use of the existing European Guardianship Network and, where guardians are not available in host countries, strongly recommends the appointment of temporary guardians in the border context in order to ensure a proper handover of responsibilities to the national child protection systems;

22. Calls for funding to be made available for the provision of essential and lifesaving sexual and reproductive health (SRH) services and immediate services for gender-based violence survivors, in line with the Minimum Initial Service Package (MISP), with a view to preventing and managing the consequences of sexual violence, reducing HIV transmission, preventing excess maternal and newborn morbidity and mortality, and planning for comprehensive RH services; calls for the immediate facilitation of cross-border access to SRH care and/or transit to other EU Member States where necessary, in order to overcome severe restrictions in transit Member States and those hosting refugees and ensure that children and young people fleeing Ukraine have access to comprehensive SRH services and sanitary products;

23. Stresses the importance of the local communities and municipalities as well as civil society organisations on the frontline for reception, accommodation and providing access to education for children and young people; calls on the Commission, therefore, to expedite their access to existing EU funds;

24. Commends and acknowledges the essential role of civil society in the reception, accommodation, provision of humanitarian assistance and legal assistance and social inclusion for children and young people fleeing the war; recalls that authorities cannot rely on citizens and civil society organisations alone to organise the reception and protection of children fleeing Ukraine; stresses the importance of oversight by Member State authorities in the reception of unaccompanied children;

25. Calls on the Commission to help strengthen the child protection systems in the host countries in order to improve psychological support and access to basic services, such as education and health, for children fleeing Ukraine, on an equal footing with children of the host countries, and to establish relocation mechanisms that prioritise family reunification and the relocation of vulnerable children and others to reduce the pressure on the neighbouring countries;

26. Stresses the need to support the health systems of the host countries in order to ensure continuity of care for children and young people fleeing Ukraine, notably by providing essential medicine, such as for patients with HIV, cancer and rare diseases; calls on the Member States to coordinate efforts with UNICEF and the World Health Organization to provide vaccination against basic diseases for children and young people fleeing Ukraine, including polio, measles and COVID-19;
27. Recalls that the EU and all Member States have ratified the UN Convention on the Rights of the Child and are therefore obliged to respect, protect and fulfil the rights laid down therein; urges the Member States to put specific measures in place to adequately address the needs of children with disabilities, including adequate facilities and constant care by screened caregivers;

28. Stresses the need to ensure that the needs of LGBTIQ+ children and young people are taken into account, notably by providing safe and appropriate reception or care arrangements and ensuring that there is no discrimination at border crossing points; highlights the specific difficulty faced by trans women and rainbow families when crossing borders; stresses that children of same-sex couples risk being separated from one or both parents; invites Member States to take account of de facto partnerships and families in the implementation of the Temporary Protection Directive;

29. Welcomes the Commission’s initiative to set up a solidarity mechanism for intra-EU medical transfers of refugees and displaced persons from the Member States bordering Ukraine, including children and young people in need of immediate life-saving treatment and therapy;

30. Calls on the Member States to strengthen the existing single European hotline for missing children (116 000) and the European helpline providing free psychological assistance for children and young people fleeing Ukraine (116 111); insists on the need to strengthen cooperation between Member States in the 116 000 hotline and on strengthening cross-border action aimed at identifying and finding missing children;

**Family reunification**

31. Calls on the Member States to manage the cases of all children who have fled Ukraine and are temporarily in their care with the ultimate aim of facilitating family reunification, including by ensuring that authorities check existing databases regularly and in full compliance with EU data protection standards, including those that collect information on missing children; stresses that where physical reunification is not immediately possible, contact should be maintained or re-established as soon as possible, including with siblings or extended family; takes the view that these measures must include strong protection and reporting mechanisms, including signposting for services and referrals and queries with national child protection case management systems;

32. Calls on the Member States to halt child adoptions in order to avoid further or permanent separation for children from their parents and families against their best interests;

**Relocation**

33. Calls for the promotion of relocation mechanisms including safe, fast and coordinated transportation across the Member States for children and their families already present in neighbouring Member States, especially for unaccompanied children and children with disabilities, who require specific care, in close cooperation with Ukrainian authorities and Ukrainian consular services in the EU, where needed for health reasons;

34. Calls on the Commission to help neighbouring Member States to carry out individual best interests assessments for children and, when they are accompanied by an adult, be it a family member, relative or private sponsor, to ensure that a proper vetting system of host
families is in place to provide protection for children and ensure that they are transferred safely to their host families;

**Integration**

35. Calls on the Member States to ensure a coordinated approach in the programming and implementation of EU funds and to ensure that EU funding delivers a swift and direct response to support service providers in the countries most affected, including civil society and international organisations; calls on the Member States, moreover, to speed up the implementation of such measures and to dedicate all possible national resources, complemented by EU funds such as the European Social Fund Plus, Recovery Assistance for Cohesion and the Territories of Europe (REACT-EU), the Recovery and Resilience Facility, the European Regional Development Fund, InvestEU, Erasmus+, the Asylum, Migration and Integration Fund and EU4Health, in order to ensure that refugees enjoy socio-economic integration, equal access to quality jobs, education, training and care, and are protected against child poverty and social exclusion; recalls that Member States must include dedicated measures to invest in children and young people in their national recovery and resilience plans in order to access the fund, as per the Next Generation pillar of the Recovery and Resilience Facility and the Cohesion Action for Refugees in Europe (CARE); calls on the Commission and the Council to provide additional resources if necessary;

36. Acknowledges the challenges faced by Member States in integrating learners in their education and training systems; urges Member States to swiftly integrate learners of all ages into mainstream formal, informal and non-formal learning structures, and to provide specialised educational support to those with additional needs, including children from marginalised communities such as Roma, to limit drop-outs and to avoid segregation in education, which leads to social exclusion and discrimination; acknowledges that linguistic barriers could hamper the enrolment in and performance at school of children fleeing Ukraine; calls on the Commission, therefore, to support Member States’ national authorities to ensure free interpretation, special language courses and other special programmes to recruit Ukrainian teachers as well as teachers who speak Ukrainian and/or relevant minority languages;

37. Acknowledges that digital tools can constitute very useful, flexible and tailor-made measures to provide timely educational continuity and additional support to children and young people in vulnerable situations, and should be fully compliant with data protection standards; calls on the Commission to make best use of existing digital education tools and equipment, especially that developed in Ukraine, to ensure that all children can continue their education; reiterates, however, that these should be complementary to physical structures and underlines the fact that in-person education is crucial, particularly in the current context, where these children and young people require additional psychosocial support; calls for host countries to be given concerted support to step up access to adequate psychological care from experts capable of dealing with trauma related to war; calls on the Member States, in this regard, to support teachers, trainers and other educational staff working with traumatised children;

38. Welcomes the Commission’s initiative to broaden the School Education Gateway to help bring together Member States to start sharing experiences and identify what is needed to continue the education of displaced children, as a one-stop shop to coordinate educational material between Ukraine and the Member States in the language of the learner; stresses
the need to draw on the capacities of Ukrainian teachers from among the new arrivals in Europe;

39. Insists on the need to recognise diplomas, qualifications and learning periods, including for educators and health workers, as these are instrumental for the smooth integration into their new environment of children and young people fleeing Ukraine; urges the Member States, in view of the current circumstances, to show flexibility in cases where administrative documents are missing and to develop innovative and pragmatic ways forward combining both digital and paper options;

40. Urges the Commission to closely monitor the measures taken to respond to the educational and social needs of children and young people fleeing Ukraine, making best use of the collection of aggregated data while ensuring full compliance with EU data protection standards;

41. Welcomes the Commission’s first attempts to facilitate the adaptation of existing EU funding programmes to support young people, in particular Erasmus+ and the European Solidarity Corps, and urges that these efforts should be maintained or strengthened in line with developments and for as long as is necessary; emphasises that under the reinforced Youth Guarantee all young people from the age of 15 should receive an offer for employment, education, traineeship or apprenticeship within a period of four months of becoming unemployed or leaving formal education; calls on the Member States, furthermore, to implement the reinforced Youth Guarantee to ensure offers of high quality, including providing fair remuneration and access to social protection, prohibiting the abuse of atypical contracts, and ensuring working environments that are adapted to the needs of persons with disabilities;

42. Underlines the role of sport in the integration process for refugees, especially children and young people, and calls on Member States to facilitate access for children and youth to sporting activities and interventions, which will help them to improve their mental well-being, overcome trauma, adapt to their new environment and create bonds with the host communities;

43. Welcomes efforts by some countries to make dedicated funds available for scholarships to Ukrainian students and calls for common European efforts in this regard; highlights the importance for all students fleeing Ukraine, including international students, to be able to avail themselves of such funds and to complete their degrees, as they too are in an emergency situation; insists on the importance of supporting all children and young people;

44. Asks the Commission and the Member States to further pursue and adopt a consistent approach to face current and future challenges posed by the war on Ukraine, and not to forget the lessons learnt from the response to this war, but rather to act on them, including by applying and implementing the Temporary Protection Directive to ensure access to protection for refugees and asylum seekers of any origin;

45. Calls on the Member States and, in particular, the national EU coordinators under the European Child Guarantee to ensure access to free, effective and good-quality services for children fleeing Ukraine, on an equal footing with other children in the host countries, in line with the recommendation to ensure national integrated measures and take specific disadvantages into account; highlights that the COVID-19 crisis and the arrival of
refugees following the war in Ukraine may exacerbate the situation of children at risk of poverty and social exclusion or children who need access to good-quality care; calls on the Member States and the Commission, therefore, to urgently increase the funding of the European Child Guarantee with a dedicated budget of at least EUR 20 billion in order to combat the poverty that is affecting children and their families and to contribute to the goal of reducing poverty by at least 15 million by 2030 – including at least 5 million children in all Member States by 2030; calls on all Member States, in this regard, to allocate more than the minimum 5 % of European Social Fund Plus resources under shared management to supporting activities under the European Child Guarantee;

46. Calls on the Member States, in this context, to boost investment in sustainable and quality jobs and social support for young people and parents, and to implement targeted employment policies that ensure a decent standard of living, fair wages and working conditions, a good work-life balance, an inclusive labour market and higher employability, including vocational education and training; highlights that free early childcare should be put in place to facilitate the participation of parents in the labour market, in particular women, and to support the social development of children; stresses the need to work closely with national and European trade unions to support all people fleeing Ukraine in exercising their employment and social rights in the Member States;

47. Calls on the Member States to ensure adequate and safe housing for all people fleeing Ukraine; calls on the Member States to prioritise the provision of permanent housing for children and their families at risk of homelessness, and to include housing solutions for children experiencing homelessness and severe housing exclusion in their national action plans under the Child Guarantee; calls on the Member States to ensure that every child and young person fleeing Ukraine has access to running water, sanitation and personal hygiene facilities, both at home and at school;

48. Instructs its President to forward this resolution to the Council and the Commission.