

## The COVID-19 pandemic and children: Challenges, responses and policy implications

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The COVID-19 pandemic has affected, and will continue to affect, children and children's rights in multi-faceted ways, both in the short- and long-term. Following a thematic exchange of the Steering Committee for the Rights of the Child (CDENF) on 26 June 2020 and member states' responses to a survey, the Council of Europe has identified a number of **key challenges and trends**, as well as some **promising practices**, which are summarised in this document. The Council of Europe has been active in responding to and offering **support** to its member states during the early stages of the pandemic: these measures, highlighted in the document, will continue to be of use.

This combined stock-taking exercise has permitted identification of several key implications for children, arising from the pandemic, which could be **considered in the upcoming action of the CDENF and the Council of Europe's new Strategy for the Rights of the Child (2022-2027)**.

### Key cross-cutting issues

Challenges arising from the COVID-19 and response measures span across the 5 priority areas of the current Strategy for the Rights of the child (2016-2021): namely, 1. Equal opportunities, 2. Participation, 3. Violence against children, 4. Child-friendly justice and 5. Digital environment. While this document categorises identified challenges accordingly, it also points to a number of cross-cutting themes, with **digital environment** considerations implicated in nearly all of them:

- **Services for children** have struggled to continue to operate during the pandemic and face longer term financial questions, while there is a risk of widening **inequality** for already-vulnerable groups of children;
- The risks of **violence against children**, both online and in the home/institutions, have increased, while child and youth protection services, as well as reporting and identification mechanisms, have faced difficulties in continuing to operate;
- **Education** has not been enjoyed equally by all during this period, while an increased move to **e-learning** presents new children's rights challenges as not all children have equal access to digital technologies;
- In **the family context**, identified challenges arise from contact issues (e.g. in the case of separated parents), increased parental pressures (e.g. of economic nature) and resulting conflicts, as well as difficulties in accessing justice;
- **Children's participation** in social life and recreational activities, but also in COVID-19 related decision-making, has been limited, as has their access to **information**;
- There are significant challenges to the continued and future **co-operation** of relevant stakeholders, and in **keeping children's rights high on the agenda** (and in public budgets) in a COVID-19 context.

In many of the identified challenge areas, the pandemic has had not only an immediate impact upon children's enjoyment of their rights, but is also foreseen to have profound, **longer-term effects**.

### Key cross-cutting recommendations for European action

- Organisation of regular exchanges and assessment, including by independent and/or intergovernmental monitoring bodies, on the ways in which the pandemic, and response measures thereto, impact on children and their rights;
- Collection of good practices on measures taken to uphold children's rights and reduce the negative impact of the pandemic and responses measures upon children;
- Encouragement and support for the "crisis-proofing" of frameworks, infrastructures and services which are relevant to children and children's rights, including through increased digitalisation.

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# Challenges and responses

## 1. Equal opportunities for all children

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### *a) Children's services*

The COVID-19 crisis has presented serious challenges to the provision of services for children and families. Some countries pointed out that these services were often already over-stretched or in need of reform, with the pandemic further amplifying these cracks in the system.

In several countries, confinement and restrictive measures have impacted on **continued functioning of case and social workers, counsellors, healthcare providers and others**. In some cases, services have continued but with reduced capacity, to allow for fewer workers within office spaces; while in others, work has been able to continue remotely or through teleworking, but with reduced functionalities. The pandemic has also led to increased demands for certain services. Some member states reported insufficient capacity to provide **health information and hygiene items** for children and families. There is also increased demand for **mental health support services**, as many children struggle to cope with reduced social contact, anxiety, trauma and even the loss of loved ones during this time.

In order to counter some of these immediate challenges, many states have permitted the **exceptional continued operation of services for children**, including through recognising child protection providers and others as “system relevant” key workers. A number have also **increased funding** for service providers, and with particular investment in remote solutions (e.g. service provision through helplines). There are, however, growing concerns that widespread financial and funding difficulties caused by COVID-19 may **threaten the longer-term provision of services**: particularly those provided by non-governmental organisations.

Some also noted the need for **greater coordination** between various service providers (e.g. education, healthcare and social services), even during school closures: digitalisation, or “e-cooperation”, provides one possibility of doing so.

### Country examples

In light of the pandemic, the **Croatian** Ministry of Science and Education offered a free-of-charge helpline service which provides psychological support to school children, teachers and parents. Such service also exists in **Belgium** for the three language communities (102 (Dutch), 103 (FR) and 104 (DE)). The Flemish service has been reinforced with extra resources for the involvement and support of more volunteers, the use of online tools and also the involvement of young volunteers for peer to peer help.

In **Cyprus**, further to the establishment of helpline service by the **Cyprus** Mental Health Services (Occupational Therapy Department) to support school age children on how to take care of their mental health during the restrictive measures, the specific department has prepared a booklet for parents, with guidelines on how to support and help their children mentally during the lockdown period.

In **Iceland**, the Ministers of Social Affairs and Children, Transport and Local Government and the Icelandic Association of Local Authorities have established a response team tasked with maintaining services for children and other vulnerable groups. The multi-agency team includes representatives from social services and child protection, and from education, among others; and cooperated closely with those who provide services for persons and children in vulnerable situations. The team has gathered and disseminated information from all parties providing services for vulnerable groups nationwide, analysed scenarios and provided responses in relation to the pandemic's effects on social services.

**Countries like Malta and Hungary** published extensive guidelines and introduced numerous measures to ensure the provision of essential service and protecting the safety of children and youth during the public health crisis.

In **England (United Kingdom)**, the Department for Education has issued guidance for schools which includes information and sources of further advice on supporting children's mental health and wellbeing. It has also introduced the 'Wellbeing for Education Return' scheme, which has provided funding for expert advisers and training in every local authority area, to support wellbeing in light of the ongoing impact of the COVID-19 pandemic and lockdown. In addition to this, Public Health England has produced guidance for parents and carers on supporting children and young people's mental health and wellbeing during the pandemic, and their websites such as 'Rise Above' and 'Every Mind Matters' have been updated to provide content, advice and support about mental health issues related to the pandemic.

In **Switzerland**, additional financial support from the Confederation was given to help and advice services for children and young people in order to provide greater capacity for advice and consultation during the crisis. The Confederation provided additional funding of more than CHF 500,000 to support "Main Tendue 143", Pro Juventute's national hotline for children and young people, and Pro Mente Sana's free telephone and e-mail service for questions relating to mental health and social integration.

#### Council of Europe action

The Secretary General's [annual report](#) contains a section dedicated to COVID-19 and the Council of Europe. In the context of health-care services for children, and while recalling the European Social Charter guarantees and the Guidelines on child-friendly healthcare, the report underlines that these must prioritise children's particular rights and needs. A [toolkit](#) was also produced for use by governments in the context of COVID-19.

#### Action by other stakeholders

The ISS, UNHCR, IFRC, SOS Children's Villages, Hope International and Homes for Children and other partners have developed a [Massive Open Online Course \("MOOC"\)](#) on adapting child protection case management in the COVID-19 context, which is freely available in English, French, Arabic and Spanish.

#### *b) Child poverty*

In usual times, children are already disproportionately affected by poverty. There are therefore serious concerns over the **short- and long-term impact** that the pandemic may have on exacerbating child poverty.

Already, many **families may have lost jobs or faced reduced hours and pay** in light of confinement or other restrictive measures. Vulnerable children and families have also been unable to access support networks during confinement and restrictive measures. For example, during school closures, children have not been able to avail themselves of publicly funded school meals. Single working parents, in particular, may have faced difficulties in maintaining work, in light of reduced schooling and childcare possibilities.

In the longer-term, the potential **financial fallout** of the pandemic is likely to have a particularly profound impact on children in general, and in particular on single-parent households as well as other families in precarious situations. While government-funded furlough schemes have no doubt been

important, ensuring **longer-term social protection and poverty alleviation schemes** for families is of paramount importance, as is considering children's rights in national budgeting decisions.

#### Country examples

In **England, Hungary** and **Malta**, children who were receiving free meals in school, were still receiving food in their homes during closure of schools. The Holiday Activity and Food programme has been expanded so that disadvantaged children across England will be offered free healthy meals and enriching activities during school holidays.

During the first period of the pandemic, **Malta** rolled out an Eur800 per month benefit that allowed parents to take vacation leave and stay home with their children. This was complemented by additional benefit schemes, which took into consideration families with dependent children through an increase in the rate of Children's Allowance.

#### Council of Europe action

In a [2019 declaration on addressing poverty](#), the Committee of Ministers of the Council of Europe underscored the need to re-align, as a matter of urgency, objectives and funding of services and programmes towards the eradication of child poverty; and encouraged member states to target and improve child welfare services, taking due account of children in vulnerable situations.

The [European Committee of Social Rights](#) and the [Commissioner for Human Rights](#) have issued statements on protecting the right to health in the context of the pandemic, which underline the importance of broader, contextual factors of poverty, exclusion, living conditions and quality education.

#### *c) Protecting the most vulnerable children*

Vulnerable groups of children have been particularly impacted by the pandemic and state responses.

Restrictive measures have also led to the suspension of registration, age assessment and other procedures thereby locking **migrant and refugee children** out of access to the protections and services to which they are entitled.

#### Country examples

Countries like **France** and **Italy** have adopted the approach of accepting self-declared minority status, in order to ensure that children can access child protection services even while age assessment procedures are suspended.

In **Hungary**, if the child under protection reaches legal age of majority during the declared state of danger, it is compulsory to provide aftercare services for him/her. If a young adult applies for these aftercare services, his/her request has to be accepted.

In some countries, there has been a **lack of specific guidance for children with particular needs** in the context of the pandemic. This includes, notably, children with disabilities and others with pre-existing health conditions. Moreover, some have cited concern for vulnerable children who have **aged out of children's services** during the pandemic, including those in alternative care (e.g. children leaving school and entering into formal professional training where their own initiative is required).

## Country examples

In **Ireland**, a [“Supporting Children”](#) campaign has been launched, which aims to support vulnerable children and their families in the COVID-19 context. Among other things, it includes information on and for children in care, as well as welfare and family support.

In **Malta**, further to the setting up of a helpline for persons with disability, Agenzija Sapport – the Government’s main service provider for persons with disability – streamed a series of workshops for parents of children with disabilities to help disseminate information about coping during this crisis with limitations. The newly set up Directorate for Alternative care delivered a series of monthly webinars for foster carers to support them during the pandemic.

**Portugal** issued guidelines and orientations to ensure the continuous protection of children in vulnerable situations during the pandemic. Moreover, children in a situation of heightened danger as a result of the pandemic were identified and provided access to their school facilities during the lockdown.

**Spain** has created a set of [recommendations and guidelines](#) for action within the national child protection system in the context of COVID-19. It includes measures on issues ranging from children affected by domestic violence, to children in conflict with the law, and vulnerable young people who reach the age of majority during confinement.

In **Switzerland**, the Confederation has provided financial support to out-of-home childcare institutions who have suffered financial losses in connection with the coronavirus crisis. The Swiss government issued an ordinance to this end on 20 May 2020. The cantons are obliged by the Confederation to grant financial support to private childcare institutions to compensate for the lack of parents’ contributions during the period from 17 March to 17 June 2020. The Confederation will bear one third of the resulting costs for the cantons. Parliament has approved a credit of CHF 65 million for this purpose.

In **Turkey**, the Ministry of Family, Labour and Social Services delivered distance education to foster families on measures to be taken in relation to the pandemic.

In **England**, the government has taken various actions to protect vulnerable children, including producing new guidance for those providing services to children and young people, and funding the ‘See, Hear Respond’ programme, delivered by a consortium of national and local charities to support vulnerable children and young people impacted by the pandemic. The government has also provided funding to local authorities to help care leavers pay for rent, utility costs and food, and to help support them in caring for unaccompanied asylum seeking children during the pandemic. In addition to these initiatives, £6.5 million funding was provided through the Adoption Support Fund COVID-19 scheme, to local authorities and regional adoption agencies to support adoptive and eligible special guardianship families with specific therapeutic support needs.

## Action by other stakeholders

UNICEF has published its [Agenda for Action](#) on protection the most vulnerable children from the impact of coronavirus, including migrant and refugee children and those affected by conflict, as well as children in poverty.

## 2. Participation of all children

### a) Child-friendly information

In a number of member states, efforts have been made to provide child-friendly information on the health crisis, as well as child-friendly explanations on hygiene measures. Several high-level representatives, including ministers, have given press conferences for children. Child-friendly and accessible information remains a challenge, however: particularly in reaching certain groups of children, including those in institutions.

#### Country examples

In the Wallonia-Brussels Federation of **Belgium**, the TV network RTBF has developed a series of programmes for children, including child-friendly talk show episodes (Les Niouzz) and adapted Q&A sessions (Matière grise) on the COVID-19 crisis. The Flemish network for children “Karrewiet” and portal site for children and young people ‘[WATWAT](#)’ spread child- and youth-friendly information on Corona. At national level; a specific platform ‘JOY’ with also child friendly information was developed by the Belgian Pediatric COVID-19 task force.

In **Hungary**, the Minister of State for Family and Youth affairs held a press conference for children in March 2020, where she answered to questions raised by children via video or e-mail.

In **Malta**, health-related, child-friendly [resources](#) were disseminated on COVID-19.

In **Portugal**, various informative documents - including child-friendly versions - about the pandemic targeted at children, parents, teachers and caregivers were published, aimed at raising awareness about the need to prevent child sexual exploitation and abuse during the pandemic and at providing orientation on the return to school after the lockdown, among others.

In **Slovenia**, a [children’s digital newspaper](#) has been established. It provides child-friendly educational and news coverage, including information on the pandemic and staying safe online.

In **Turkey**, children in childcare institutions under the authority of the Ministry of Family, Labour and Social Services were provided with education on the COVID-19 pandemic and on how to protect themselves against infection. The Ministry also organised virtual game tournaments (“Pes 2020 In-House Virtual Football Tournament”) and free virtual tours of museums and other cultural centres for children in childcare institutions.

In **England**, the Children’s Commissioner published a [children’s guide to coronavirus](#) to help explain coronavirus and how to stay safe, and also published a [going back to school guide](#).

#### Council of Europe action

The Council of Europe’s dedicated webpage contains some tips and a compilation of resources for [talking to children about the pandemic](#). These include storybooks and guidance on how to inform and reassure children.

#### Action by other stakeholders

The Inter-Agency Standing Committee Reference Group on Mental Health and Psychosocial Support in Emergency Settings has produced a storybook, “[My Hero is You](#)”. It is aimed at children between 6 and 11 years old and provides information on the COVID-19 pandemic in dozens of languages.

### *b) Consulting children*

Children have been deeply affected by the measures put in place in response to COVID-19, but they are one of the least likely groups to be consulted or to otherwise play a role in the decision-making behind these measures. According to a [survey analysis](#) carried out in April 2020 by the Centre for Children and Young People's Participation, 70% of respondents could not identify a single COVID-19-related child participation initiative, and none could cite an initiative which had yet led to governmental action.

As countries continue to grapple with the fallout of the pandemic, there are concerns that children's rights will be overlooked in policy-making decisions. One way to safeguard against this is to ensure that children are involved in these processes in a sustainable manner.

In the longer term, too, the crisis has revealed a need to develop or reinforce child consultation structures which are "crisis-proof", including through digitalisation.

#### Country examples

**Belgium (Flanders)** and **Slovenia** have carried out online surveys aimed at children on how their life had changed during the COVID-19 crisis. Approximately 44,000 and 5,000 children, respectively, have participated in each country, respectively. In the **Wallonia-Brussels Federation (Belgium)**, carried out an [online survey](#) on the well-being and motivation of students in (de)confinement situations was conducted. More than 6,000 high school students participated in the survey.

In countries like **Italy** and **Norway**, platforms have been developed where children can send their views, suggestions and questions on COVID-19 to an Ombudsperson.

In **Malta**, the Directorate for Alternative Care held a series of focus groups with children in care to hear their views about how the pandemic is affecting them and involve them in the process of planning for new services. Changes in the service such as changes in Supervised Access Visits (SAVs) due to COVID-19 measures were discussed in these groups.

In **Portugal**, the National Commission for the Promotion of the Rights and the Protection of Children and Young People consulted the National Council of Children and Young People on the impact of the measures taken to tackle the COVID-19 pandemic impacted children's rights.

#### Action by other stakeholders

Queen's University Belfast have launched [#CovidUnder19](#) – a global consultation on children's experiences of life under lockdown. It was developed with 270 children from 28 countries, and is currently available in 27 languages.

### *c) Participation in activities*

Children's ability to access and participation in leisure, sporting and social activities has been drastically reduced through confinement and restrictive measures. The resultant isolation and lack of stimulation or movement can profoundly affect children's mental and physical health and development. Accordingly, a number of member states have been exploring ways to maintain or recommence these activities in a safe manner. This may include, for example, regularly reviewing sporting and cultural centre closures.



### Country example

In **Flanders (Belgium)** the umbrella organization '[De Ambrassade](#)' supports youth work in organizing activities corona proof.

In **Italy**, [Guidelines](#) have been drafted by the Presidency of the Council of Ministers (Department for Family Policies), and in collaboration with other ministers as well as the municipalities and regions, on the safe management of social and leisure opportunities for children during phase 2 of the COVID crisis. The Guidelines underline the need to protect children's psychological as well as physical well-being.

In **Malta**, the Home-Based Therapy Team within the Agency for Community and Therapeutic Services (ACTS) developed a resource pack named PLAP, EXPLORE, CREATE, CARE, HAVING FUN TOGETHER.

## 3. A life free from violence for all children

### *a) Prevention and responses*

Services dedicated to preventing and responding to violence have faced significant challenges in continuing to operate under confinement and restrictive measures. This has included those responsible for identifying violence. For example, restrictive measures have meant that children at risk face **reduced access to potential reporters of abuse**, including teachers and others working in schools, as well as to social workers and others who may carry out home visits or other inspections.

### Country examples

In **Flanders (Belgium)** a new Flemish [Youth and children's rights policy plan](#) (2020-2024) has been approved. The first priority focuses on wellbeing of children and young people and development of their positive identity. This includes the setup of houses for mental health of children ("Overkophuizen") and sensitization campaigns on (cyber)bullying and violence. In the **Wallonia-Brussels Federation**, a [new action plan relating to the rights of the child](#) (2020-2024) has also been adopted. The main objective of this plan is to prevent all forms of violence and harassment, and to take measures to strengthen the legislative arsenal in this area and to better equip professionals, but also to develop information and publicity campaigns.

The **Croatian** Ministry of the Interior forwarded instructions to all organizational units regarding the prompt action of police officers regarding reports or knowledge of current exposure of children, women or other relatives to domestic violence, or physical violence, sexual abuse, or other threatening behaviour. Particular attention was paid to the importance of thoroughly checking reports of exposure to violence, taking measures to protect the victim, assessing the risk of re- and/or further victimization of the victim and informing victim of his rights, and prosecuting the perpetrator.

In **Hungary**, despite the pandemic, the service for victims of domestic violence was operating with full capacity every single day and space was immediately available for victims. Crisis ambulances also operated online. An application called „Kapcsolj egyből” – which treats people under 18 years separately- also provides affected people with many useful information, shows where the nearest available help services are, and ensures immediate opportunity to ask for help using the „panic button” function.

To overcome staffing shortages of important welfare services in **Iceland**, a “back-up legion” was established: individuals could volunteer their services to institutions, as well as local and national

governments supporting vulnerable groups. Over 1,400 individuals with various skills signed up to the scheme. The Minister of Social Affairs and Children also provided extra financial support for 28 NGOs to enable them to increase their services to, among others, children and victims of violence, during the crisis. As a result of these and other measures, no serious service disruptions were reported in Iceland.

In **Portugal**, the campaign "Proteger as crianças compete a tod@s - Protecting children is everyone's responsibility" was launched. The campaign embodies additional efforts to step-up awareness-raising actions aiming at preventing violence against children during the pandemic, namely through the reinforced involvement of the civil society. From May 11, 2020 until December 31, 2020, 592 communications have been received through its helpline, of which 8 were made by children and young people themselves: 150 were reported to the Local Commissions for the Protection of Children and Young People, 2 triggered cooperation actions with the Judiciary Police, 2 were referred to the Central Bureau of Investigation and Prosecution of the Attorney General's Office and 2 to the Public Prosecutor Office.

In the **United Kingdom**, education settings (including post-16) have remained open for vulnerable children and young people during national lockdowns, education providers and local authorities must ensure they have systems in place to keep in touch with those who cannot attend. This is in recognition of the fact that being in these settings can be an important lifeline and is a protective factor for many vulnerable children and young people.

Confinement and other restrictive measures have underlined the importance of **access to hotlines and helplines**, as well as adequately funding and staffing them. Moreover, while children face reduced access to professional reporters of abuse, it is of paramount importance that the general public, and children themselves, know how to react to and report potential abuse: to this end, a number of countries have invested in **awareness-raising initiatives** during periods of confinement.

### Country examples

In **Croatia**, the Ministry of the Interior, in order to sensitize the public, citizens and victims themselves on the issue of sexual abuse/exploitation of children, as well as other forms of violence against children and family members, immediately issued statements encouraging citizens to report their knowledge of child abuse and domestic violence, in addition to calls to number 192, through information and communication channels, primarily the online application Red Button. On that occasion, information, and advice on how to protect yourself and what to pay attention to were published.

In cooperation with the City of Zagreb and Youth Protection Polyclinic and the Degordian Agency, the Croatian Ministry of the Interior has also launched a "Behind the Door" campaign aimed at making all citizens aware of any forms of violence against children. The aim is to take preventive action to protect children from abuse and this modern way of communication seeks to contribute to raising awareness of the problem and risks of abuse or any other form of threatening behaviour during the health crisis and condition of isolation. The aim of the campaign is also to appeal to the civic courage and personal responsibility of the individual to prevent abuse by informing the system in a timely manner.

In **France**, a number of measures have been put in place to ensure continued operation of hotlines and helplines. A business continuity plan was put in place for the "Child Endangerment Hotline", which ensured that it maintained activity 24 hours a day and 7 days a week. An [online written reporting service](#) has been developed, and currently collects more than 200 reports a week. Since April 2020, women and child victims of domestic violence have been able to send an alert text message to 114, which triggers the intervention of the police or the gendarmerie. These have been

supported by the awareness-raising campaign #EnfanceEnDanger (#ChildrenInDanger), which has been broadcast on TV channels.

In **Malta**, as a response to the suspension of class oriented interventions, the prevention campaigns migrated onto the social platforms and on media platforms. New collaborations with media houses created new modern productions that are now available for a wider spectrum of children. The operations of both the hotline Childwebalert and the Besmartonline helpline kept on operating normally and children and parents requesting help for online abuse were offered support as usual.

**Portugal**, through the campaign "Proteger as crianças compete a tod@s - Protecting children is everyone's responsibility" has launched the helpline "Children in Danger", which can be used by anyone to report situations of children and young people in danger, including children themselves. Additionally, the website of the National Commission for the Promotion of the Rights and the protection of Children and Young People now offers the possibility to report situations of children in danger by filling out an online form which is automatically forwarded to the Local Commission for the Protection of Children and Young People territorially competent for handling the case. From June 1, 2020 to December 31, 2020, 780 reports were received through this channel.

In the **Slovak Republic**, the National Coordination Centre for Resolving Issues of Violence against Children (NCC) has, among other things, created "10 rules" for the general public on "[How to talk to a child who reports violence](#)". They are published on the webpage of the NCC and distributed to the public. The aim is to inform adults of what to do and where to turn for help.

Countries like **Denmark, Estonia and Switzerland** have also engaged in numerous awareness-raising measures and have supported helplines and hotlines, including through increased funding.

The **Swiss** cantons have also increased the counselling capacity of victim support and counselling centres and places in shelters, partly as a preventive measure, in order to meet the increased demand. The [victim support website](#), which includes elements dedicated to child victims, has been significantly improved. The Conference of Cantonal Directors of Social Affairs (CDAS) launched a social media campaign in the field of victim support, which has been very well received. The campaign, which is co-sponsored by the Confederation, is aimed at young people and children as well as adults who are affected by domestic violence.

While some countries have observed an increase in the numbers of reports of abuse during confinement periods (see e.g. France), there are concerns that confinement measures may have impacted on reporting figures overall: particularly for children who have been "locked in" with their abusers. Countries must ensure that they are **prepared to deal with a potential up-tick** in the numbers of reports of violence against children, as confinement measures are eased. This may require continued, increased investment in relevant services and awareness-raising initiatives.

#### Action by other stakeholders

End Violence against Children has issued a [leaders' statement](#) from 22 global leaders, including UNICEF, the UN SRSG on Violence against Children and WHO, which calls for action to protect children from violence during COVID-19. It is available in seven languages ([Arabic](#), [Chinese](#), [English](#), [French](#), [Portuguese](#), [Russian](#) and [Spanish](#)).

#### *b) Sexual violence*

Some have warned of the particular risks of increased child sexual exploitation and sexual abuse during periods of confinement.

As schools and social hubs have closed, children have turned to the digital environment for learning, entertainment and socialising. There are suggestions that potential perpetrators have also increased their online activities during this time. This has led to increased risks of **online grooming, extortion, distribution and use of child sexual abuse material**. Given that a significant amount of child sexual violence occurs within the circle of trust, **many children may have also found themselves “locked in” with their abusers** during this time.

#### Country example

In **Portugal**, the National Commission for the Promotion of the Rights and the Protection of Children and Young People issued a digital document aimed at raising awareness of the need to prevent child sexual exploitation and abuse during the pandemic, published in Portuguese and English, and including a child-friendly version.

#### Council of Europe action

The Lanzarote Committee issued a [statement on the protection of children against sexual exploitation and abuse in times of the COVID-19 pandemic](#). It draws attention to the heightened risk of sexual violence during confinement periods, both offline and online. It also draws attention to the duty of State Parties to monitor the risk; to engage in awareness-raising and support for parents and caregivers confined with children; ensure continuous dialogue and cooperation between all relevant stakeholders; and ensure awareness and availability of hotlines and helplines. The statement is currently available in [13 languages](#).

The Lanzarote Committee has also collected information from state Parties on the impact of COVID-19 and related measures on sexual abuse and exploitation of children. The results will be made public on the [Lanzarote Committee webpage](#) and the [dedicated COVID-19 webpage of the Children’s Rights Division](#).

The End Online Child Sexual Exploitation and Abuse @ Europe project ([EndOCSEA@Europe](#)) and other cooperation projects on violence against children in Ukraine and Republic of Moldova have taken account of the impact of the COVID-19 pandemic in the area, including through the organisation of dedicated [webinars](#).

#### *c) Domestic violence*

Some countries have seen **increased reports of domestic violence** during periods of confinement, including against children and between parents: it should be recalled that child witnesses of domestic violence also require particular protection. Among other things, this may be driven by a lack of social and family services during this time, as well as **increase in anxieties and tensions** resulting from the pandemic itself, subsequent job insecurities and increased amounts of time spent together during extended lockdown periods.

In addition, confinement measures and lack of investment have led to difficulties in the **provision and accessibility of crisis shelters and related services**.

#### Country examples

In the **Czech Republic**, postal and pharmacy staff were trained on how to recognise signs of domestic violence and on how to offer help. A verbal code was established, which victims could use to alert these workers, and awareness-raising was carried out through TV spots. Similar schemes have also been set up in **France** and **Slovakia**. In **Portugal**, similar training programs were directed at school professionals and police officers.

In **Malta**, the Domestic Violence Services continued to be delivered normally, although more interventions were conducted over the phone and online, since many victims of domestic violence were at home with their children. The potential presence of the alleged perpetrator at home created some challenges for the victim to make contact, however, contact remained present throughout. A procedure was set up to facilitate admissions in shelters of domestic violence for women victims and their children, which allowed the victims to test for COVID-19 and to be housed in a safe and secluded shelter while they waited for their swab result, and upon a negative result, transportation was provided to the domestic violence shelter. Children at the domestic violence shelter were provided with computers to facilitate online learning during their stay and while schools were closed.

#### Council of Europe action

The [President of the Group of Experts on Action against Violence against Women and Domestic Violence GREVIO](#) and the [Committee of the Parties to the Istanbul Convention](#) have issued declarations in response to the COVID-19 outbreak. They both outline the increased risk to women and children during the pandemic, and underscore that the obligations under the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) apply to Parties at all times.

In the longer term the possibility of repeated lockdowns, and of financial hardship resulting from the pandemic, will continue to put families under pressure and leave children and other members at increased risk of domestic violence. It is also concerning to see that already, NGOs providing such services have seen significant reductions in their funding across some states. There is a clear need for **longer-term, comprehensive family support and sufficient investment in crisis services**.

#### 4. Child-friendly justice

##### *a) Access to justice & being heard*

The pandemic has led to the closure of courts and reduced capacity in the functioning of judicial service across many member states. This has led to significant **delays in children's access to justice**: a matter that is even more pressing in urgent cases, including on child protection issues. Children have also faced **limited access to their legal representatives**, guardians ad litem and social workers.

#### Country example

The **Maltese** justice system made substantial progress towards the development of more child-friendly measures. Much of the preparatory work has been done during the COVID-19 pandemic, primarily because there was more time for the judiciary to meet with the professionals.

#### Council of Europe action

The European Commission for the Efficiency of Justice (CEPEJ) has issued a [declaration on the lessons learnt and challenges faced by the judiciary during and after the COVID-19 pandemic](#). It underlines that judicial systems should give priority to cases which concern vulnerable groups at greater risk of suffering during the COVID-19 pandemic. This includes cases of domestic violence, in particular, against children. It also calls for constant re-evaluation of emergency measures, provision of access to justice by alternative measures (including technological solutions), as well as human resources and budgetary support to help courts put these in place and absorb delays.

Across a number of countries, significant challenges are being faced in continuing to hear children where at all possible, in **asylum and judicial proceedings** which affect them. A number of countries also noted that **hearings of children by child protection services** took place only exceptionally during periods of confinement or other restrictive measures. Where they did take place, they often took place online and from the child's home – making it difficult for service providers to assess whether parents were listening and/or influencing the child.

### *b) Children's rights in the family*

The pandemic has increased challenges to children's rights in the family context. Confinement and other restrictive measures have sometimes led to **limited child contact by non-custodial parents**, and an increased risk of parental alienation. Reduced functioning of judicial services has also led to **delays in proceedings relating to child access**, and to **difficulties in enforcing court-orders** on visitation rights.

#### Country example

Divorced parents in **Cyprus** were granted exemptions from restrictions on movement, in order to ensure the right of both parents to have contact with their child during this period.

In **Malta**, Supervised Access Visits were held online for a limited period of time. All measures resumed with physical access.

### *c) Children in conflict with the law & deprived of liberty*

For children deprived of liberty, including those in immigration detention, in prisons or in institutions, there have been complaints of **overcrowded and sometimes unsanitary conditions**, increasing the risk of COVID-19 outbreaks in these facilities. Among other things, restrictions on movement has led to **reduced contact** for these children with family members and the rest of the outside world. In such conditions, many countries have cited an urgent need for **monitoring of facilities**, including by national human rights institutions, to ensure that human rights are being complied with.

#### Council of Europe action

The Committee for the Prevention of Torture and inhuman or degrading treatment or punishment (CPT) has issued a [statement of principles](#) relating to the treatment of persons deprived of their liberty in the context of the pandemic. Among other things, it calls for all possible action to be taken to protect the health and safety of persons deprived of their liberty, ensure fundamental safeguards against ill-treatment, and ensure monitoring as an essential safeguard. Following written responses from member states, it issued a [follow-up statement](#) in July 2020.

The Council of Europe Commissioner for Human Rights issued a [statement](#) in April 2020, citing the need for urgent steps to protect the rights of prisoners in Europe. In particular, she called for the needs of the most vulnerable detainees, including children, to be taken into account, and the importance of decreasing the prison population in order to ensure effective implementation of sanitary regulations. Further, any restrictions to family visits and outside contact should be mitigated by alternative arrangements, including extended access to phone or video communications.

#### Action by other stakeholders

The UN Committee on the Rights of the Child has issued a [statement](#) on protecting the rights of the child in the context of COVID-19. In the current context, it calls on states to release children in all forms of detention, whenever possible. It further urges that states prevent the arrest and detention of children for violating state guidance and directives relating to COVID-19.

## 5. Children's rights in the digital environment

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### *a) Online child sexual violence*

The increased risk of online child sexual abuse and exploitation has already been outlined. At the same time, confinement and other restrictive measures have affected those who work to protect against and identify online child sexual abuse materials.

#### Country example

In **Hungary**, on [www.police.hu](http://www.police.hu), the police have consistently helped and are helping parents to educate their children about conscious use of the Internet.

In **Malta**, the Childwebalert hotline and helpline continued to receive online reports and cases related to child abuse online. Just as in other countries, there was a difficulty for parents to control their children's time online since their education, extra-curricular activities and socializing all took place online. Between January to December 2019, 290 reports on the Childwebalert online system and 415 calls on the helpline related to risks encountered on the internet were reported. On the other hand, between January to June 2020, 572 reports on the Childwebalert online reporting system and 347 reports on the helpline were reported. The hotline and the helpline could not hold face to face awareness sessions in schools, but the service had regular media interviews in order to raise awareness about the dangers of self-generated content.

The 179 helpline increased its personnel offering more available lines to the general public who needed immediate help or support or a referral to other services and more professional support and training was provided to the 179 operators.

#### Council of Europe action

At its [27<sup>th</sup> meeting in June 2020](#), the Lanzarote Committee organised a thematic exchange of information, experiences and good practices on "stepping up protection of children against sexual exploitation and abuse in times of the COVID-19 pandemic". Among other things participants observed that hotline and helpline providers faced **reduced capacity to carry out legal assessments of potential child sexual abuse material reports**. There had also been a **slow-down in de-listing of URLs** which contain child sexual abuse images, as companies face reduced capacity to carry out content moderation.

### *b) E-learning*

As schools have closed in an attempt to stem the spread of the virus, e-learning has become a cornerstone for many children's education. Yet e-learning is not a panacea, and a number of challenges have arisen.

First, children do not have **equal access to e-learning**: many children in vulnerable situations, including those in poverty, in institutions, or deprived of their liberty, do not have adequate technology (devices, internet) in order to benefit from e-learning. Other children may live in cramped, loud or overcrowded conditions which are not conducive to learning. Moreover, for children with a disability or with other particular needs, e-classes and online educational materials may be ill-adapted to them. A number of initiatives have been taken within member states to ease these difficulties:



### Country examples

In **Azerbaijan, Croatia, Montenegro, Portugal and Slovenia**, teaching was provided through TV channels, as well as online platforms, to maximise children's access to education during school closures, and particularly aimed at children with limited or no internet access.

In **Belgium and Croatia**, government funding schemes have been set up to provide laptops or other technological devices for children who were otherwise unable to access online learning.

In line with the Individual Development Education Programme of **Montenegro**, teaching materials were adapted and personalised for students with particular educational needs. Adapted materials were also hosted on an online school portal, through a [dedicated webpage on inclusive education](#).

In **Hungary**, students from socio-economically disadvantaged groups could use school infrastructure and teachers provided alternative solutions in order to learn the curriculum. Occasionally teachers used telephone to mark the exercises in the books, and it was also possible to deliver the tasks personally in case of small municipalities. In co-operation with donor organizations, the Government purchased digital tools from a central budget, which had resulted in thousands of laptops and personal computers being handed over to foster families and children's homes. In the case of children in child protection care, the Ministry of Human Capacities conducted a survey on the availability of technical conditions for participation in digital education and contact with relatives.

The **Maltese** educational system endeavored to establish as seamless as possible a transition into digital/ virtual education, within its capacities. The Ministry of Education supported vulnerable households with hardware, connectivity and solutions for all children to have equal access to e-learning. Support hotlines were established to offer support for parents and children.

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In **England**, the government is investing over £400 million to support access to remote education and online social care services, including securing 1.3 million laptops and tablets, and partnering with leading mobile operators to provide free data to help disadvantaged children get online. Further to this, the National Tutoring Programme (NTP) has been launched providing additional, targeted support for those children and young people who are most at risk of falling further behind due to lost time in education. The Department for Education has also provided funding to Oak National Academy, a national platform which offers free lessons and resources covering many subjects, from Early Years Foundation Stage to Year 11, and includes specialist content for pupils with additional needs.

In **Switzerland**, the [Eduport website](#), which is available to the cantons and educational institutions, provides an overview of the services available and the coordination centres in the Swiss digital education space. The site offers screen-based and non-screen-based teaching resources, electronic resources and advice on applications and web conferencing solutions that could be used in education.

### Council of Europe action

The Council of Europe's Director of Democratic Participation has issued a [statement](#) on the right to education in the context of the pandemic. It recalls that continuing children's education, even in the face of school closures is imperative; that this education should be equitable, inclusive and of adequate quality; and that focus should be placed on developing children's competences for a democratic culture as well as their digital citizenship.



Even for children who are able to access e-learning, this does not guarantee the **quality of teaching**, nor the **amount of education which children receive**. Teachers and children alike may **struggle to adapt** to using digital technologies for the purposes of education. Technical support and training for both teachers and children in using e-learning tools is therefore of paramount importance. Moreover, teaching at a distance can make it difficult for teachers to monitor children's levels of engagement, and/or to identify children who may be at risk of dropping out. Related to this, **parents may struggle to support their children's learning** during school closures, through lack of knowledge, digital skills or due to their work commitments.

#### Country examples

In **Cyprus** and **Italy**, measures were introduced to allow working parents stay at home with their children following school closures while receiving a significant percentage of their salary.

In **Italy**, parents working in certain sectors were also entitled to a bonus, to be spent on local social and educational services and/or childcare. Monthly paid leave for working people assisting a person or relative with special needs was also increased between March and April 2020.

#### Council of Europe action

In response to the pandemic, the Council of Europe has collected [good practices](#) and [educational materials](#) on online teaching and on education for digital citizenship.

[Resources for parents](#) have also been collected, to support them in keeping children safe online; navigating screen time during the crisis; finding quality content online and supporting children's e-learning.

Not all platforms used for e-learning offer the same levels of security or protection, including in relation to children's **data protection and privacy**. Teachers and children, too, have had to navigate new questions in relation to privacy and education, as they engage with videoconferencing technologies and other activities which may leave a digital footprint.

#### Country examples

In **England**, revised statutory guidance entitled 'Keeping Children Safe in Education' has also been published, which includes information to help schools and colleges keep children safe online, and includes resources on safe remote education, virtual lessons and live streaming and information on online safety for parents and carers.

#### Council of Europe action

The Chair of the Convention 108 Committee and the Data Protection Commissioner of the Council of Europe have issued a [joint statement](#) on the right to data protection in the context of the COVID-19 pandemic. In a context where many schools are going "online" to continue educational programmes for children, they underline that the processing of children's data in educational systems must be based on a proper legal basis and be maximally transparent

There are also significant concerns over the **longer-term impact** of the pandemic upon children's right to education: it must be considered how **"missed" education** will be identified and addressed upon schools reopening. Particular attention must be paid, in this regard, to groups of children at an **increased risk of dropping out of school**, including disabled children and those living in care, Roma and migrant children.



## Conclusions: Policy implications

The thematic exchange and questionnaire revealed significant challenges in the area of children's rights. While the Council of Europe, member states and other stakeholders have already responded with a range of initiatives and resources, more must be done; action started must be maintained, and lessons learned must be incorporated into future responses. Several policy implications for the Council of Europe's Programme on Building a Europe for and with Children are identifiable. While the CDENF may adapt its current [workplan](#) to address shorter-term challenges or better respond to crisis situations, it is important that longer-term issues are examined by member states and, where of priority, incorporated into the future Strategy for the Rights of the Child (2022-2027).

### **CDENF workplan (2020-2021)**

- ✓ **Pillar 1:** Encourage impact assessments and child rights budgeting by decision-makers, in the context of short- and longer-term measures taken (either directly or indirectly) in response to the pandemic
- ✓ **Pillar 1:** Encourage frameworks for and collection of disaggregated data on children's rights and the impact of the pandemic and responses thereto
- ✓ **Pillar 2:** Consult children (directly or through member states) on their experiences during and in the wake of the pandemic – this could form a thematic part of consultations carried out in the preparation of the upcoming Strategy
- ✓ **Pillar 2:** Continue production and dissemination of child-friendly materials on children's rights, adapted to their age, needs and contexts
- ✓ **Pillar 3:** Support exchanges of good practices, tools, knowledge and experience on integrated and systemic approaches to violence (main task ii), in the context of the pandemic
- ✓ **Pillar 3:** Consider methods for improving and developing identification of violence in the context of the pandemic, possibly through incorporation of specific task iii (development of instruments on systems for professionals to report violence against children)
- ✓ **Pillar 4:** Encourage member states to support NGOs and NHRIs in the continued monitoring of facilities where children are deprived of their liberty and of children's access to justice
- ✓ **Pillar 4:** Take account of the impact of the pandemic in the work of the CJ/ENF-ISE on the rights and best interests of the child in parental separation and in care proceedings (specific task iv.1), including where domestic violence may be present
- ✓ **Pillar 5:** Further promote implementation of CM/Rec(2018)7 in relation to access and education in the digital environment
- ✓ **Pillar 5:** Consider children's data protection and privacy rights implications in the context of online education – this could be incorporated into the CDENF's mandate (specific task iii.4)

### **Developing the new Strategy for the Rights of the Child (2022-2027)**

- ✓ **Pillar 1:** Examine the longer-term impact of the pandemic and related measures on child poverty and social exclusion as well as related implications; further promote the social and economic guarantees contained in the European Social Charter
- ✓ **Pillar 2:** Continue to support member states in the setting up and improvement of embedded child participation mechanisms in all relevant contexts and institutions, while ensuring that these are "crisis-resistant"; promote and facilitate child-led participation and child activism
- ✓ **Pillar 3:** Explore and encourage the "crisis-proofing" of child protection services, including by incorporating new technologies and approaches in the long-term conception and functioning of services
- ✓ **Pillar 4:** Continue to promote reduction of children deprived of their liberty in all contexts; examine further the issue of child witnesses of domestic and intrafamilial violence; ensure children's access to justice
- ✓ **Pillar 5:** Further explore and consider policies which keep children safe online, in particular in collaboration with parents and private enterprises (e.g. internet service providers); explore action concerning children's data protection.