

# Implementation of the European Child Guarantee in Germany - Key Issues for the National Action Plan from a Children's Rights perspective

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We welcome the decision in June 2021 by the German Federal Government, jointly with all other Member States of the European Union, to implement the European Child Guarantee<sup>1</sup>. Child poverty and the social exclusion of children and young people are a deep-rooted problem in Germany, as elsewhere: every fifth child in Germany is affected by poverty. Despite good economic development, child poverty has stagnated at this high level for almost two decades. Poverty has a multidimensional impact on children's lives, development, and future opportunities. Children and young people growing up in poverty are often particularly subject to disadvantage and social exclusion. Against this background and supported by measures mentioned in the coalition agreement, it is gratifying that the new federal government has set itself the goal of enabling equal opportunities for all children and young people and combating child poverty and related social exclusion, within the framework of a social Europe. By effectively implementing the European Child Guarantee, the Federal Government can contribute significantly to embedding the right of all children to grow up well. At the same time, it contributes to the implementation of the EU Strategy on the Rights of the Child and the UN Convention on the Rights of the Child (UNCRC), to which Germany committed itself thirty years ago.

In order for the European Child Guarantee to have an impact in Germany, the following points should be taken into account from a child rights perspective when drafting the National Action Plan.

## Focusing on precarious living situations

The European Child Guarantee recommends that Member States first identify which children and young people need special support. In doing so, specific forms of disadvantage experienced by certain groups of children and young people and their families who are particularly at risk of poverty and exclusion should be taken into account. The Child Guarantee must live up to its name and aspiration and work towards guaranteeing all children and young people socio-cultural inclusion and equal, low-threshold, and non-discriminatory access to a wide range of public and non-profit social services. The basis for this should be the specific life situations that promote poverty and other forms of social exclusion among children and families. The focus on precarious life situations and conditions does justice to the individual reality of children and families and will allow better understanding of disadvantages that exist within and between sectors. This can also help rights for all children to be secured in practice more effectively.

<sup>1</sup> In accordance with Article 1 of the UN Convention on the Rights of the Child, the term „child“ means any person who has not yet reached the age of eighteen. The European Child Guarantee uses the same definition. Adolescents are, if not explicitly mentioned, also included in this paper.

## Enabling real participation of children and young people

We are convinced that the full involvement of children and young people is essential in the assessment of life situations that pose a risk of poverty, as well as in devising appropriate measures to prevent poverty and social exclusion and to mitigate their consequences. Recognising the perspectives of children and young people can ensure that gaps in the coverage of the target groups are plugged. For this purpose, existing institutions such as schools, daycare centres, and child and youth welfare organisations should be consulted, and experiences and outcomes based on previous participation should be taken into the reckoning.

The participation of young people must be a fundamental part of both the development and the implementation of the German National Action Plan. This includes focus group discussions to specifically gather the perspectives of children and young people affected by poverty, who are often inadequately represented or wholly unrepresented in existing data and surveys. A wide-ranging, continuous form of participation throughout the entire period of implementation of the Action Plan until 2030 should also ensure that planning is oriented towards the needs of those affected. This should also be linked to existing structures and bodies at state and municipal level, such as children's and youth parliaments and their umbrella organisations, as well as youth associations and youth councils. The tried and tested quality standards of successful child and youth participation, as developed in the National Action Plan "For a Germany fit for children 2005–2010" and currently being revised under the leadership of the German Federal Youth Council, should serve as a yardstick here.

## Anchoring coordination across ministries

The multidimensionality of the causes and consequences of child poverty requires the cooperation of all political, governmental, and civil society actors in the all-out fight against child poverty and social exclusion. Relevant actors should be identified from the beginning and included in the development and implementation. This also means that the development of the action plan must be anchored across all ministries. In addition to the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ), other ministries must be involved, in particular the Federal Ministry of Health (BMG), the Federal Ministry of Education and Research (BMBF), the Federal Ministry of Labour and Social Affairs (BMAS) and the new Federal Ministry for Housing, Urban Development and Building (BMWSB). The national coordinator should therefore be provided with the necessary resources and competencies to realise full integration and participation. Additionally, it should also be considered whether the coordination office should be located across ministries, e.g. in the Federal Chancellery.

## Developing the action plan jointly with Länder and municipalities

In addition to coordinating efforts across departmental boundaries, there must be cooperation at all political levels. This means the involvement of the Länder, the municipal administrations, and local public and voluntary organisations to ensure that the adopted measures reach the children, young people, and families on the ground. A feasibility study undertaken with municipalities makes sense in order to identify and reduce challenges and hurdles in cooperation across levels and systems.

## Involving civil society and science and exchanging knowledge and schemes with other European states

Civil society, as an important stakeholder, must be actively and effectively involved in the elaboration as well as in the implementation and monitoring. This must form part of a transparent process that enables the participation of various interest groups, as well as corresponding associations and organisations. Here, too, it is important to draw on existing structures and established platforms, such as the National Poverty Conference and the Council on Child Poverty, the National Coalition Germany – Network for the Implementation of the UN Convention on the Rights of the Child (UN CRC) and the Association of German Family Organisations. A broad dialogue involving all relevant actors (children, families, the general public, associations, politics, and administrations) can be useful for this.

At the same time, there should be close links with current research in this field and, if possible, scientific monitoring. Here, too, interdisciplinary approaches are important.

Similar plans are being developed in parallel in other EU States. Despite the different starting points, Germany can only benefit from exchange with other Member States, which is why international exchange should be an integral part of the development and implementation of the National Action Plan.

## A holistic view of the fight against child poverty

The National Action Plan must be conceived and developed within the framework of an overall strategy to combat child poverty and social exclusion, which combines infrastructural and financial measures. All the areas mentioned in the Child Guarantee (education, care, health, nutrition, housing) should be considered equally. The introduction of a basic child allowance and the recalculation of the minimum subsistence level are important components of such an overall strategy with regard to the material support of children and families. In addition, the digital “child opportunity portal for education and inclusion benefits”, the legal entitlement to all-day care for primary school children that will be introduced gradually from 2026, the needs-based expansion of mental health services, the plans for more school social work, and other relevant measures in the coalition agreement must be included. In principle, however, all measures of the federal government should be examined to see how they affect the situation of children and young people and in particular those at risk of poverty.

## Expanding the infrastructure and training skilled workers

The overall strategy must also take into account how the infrastructure relevant to the Child Guarantee can be expanded and how places and services can be made accessible for children and young people and their families. Only where healthcare, schools, leisure, and cultural facilities are available can access to the services mentioned in the Guarantee be assured. Eschewing temporary project measures, the structures for supporting children and young people and their families should be secured in the long term. In this context, the urban-rural divide and the different, often non-needs-based coverage in different parts of a city must be taken into account.

In order to create a high-quality infrastructure, it is essential to combat the shortage of skilled workers and to secure their supply in the long term. Especially in rural areas, there is very often a lack of educators, teachers, social workers, and other professionals. The quality of the services mentioned in the Child Guarantee also stands or falls with the qualification of professionals trained to be sensitive to the risks and consequences of poverty and the imperatives of inclusivity.

As far as the quality and availability of infrastructures and their accessibility are concerned, the effects of the coronavirus crisis must also be critically examined. Because many services have been closed or access to them has been restricted, many young people have been excluded from the very services that were supposed to deliver equal opportunities and the right to grow up in good health and security.

## Defining and measuring concrete goals

In order for the National Action Plan to have a real impact and be further developed in a targeted manner, it needs ambitious and concrete goals that go beyond the existing level in Germany, as well as indicators that can evaluate and map the developments and success of the measures. Existing monitoring and reporting procedures, such as those used by countries to report to the UN CRC and the UN Sustainable Development Goals, should be used, and civil society should be involved in the entire process. It should also be recognised that there is still a lack of meaningful data available to monitor the implementation of measures to prevent poverty and combat social exclusion. As a target group of the measures, the perspectives of children and young people must play a central role in the evaluation and guide the further development of the measures.