

Leiden, 8 April 2026

The NJCM¹ wants to bring to the Commission's attention a few points regarding the necessary strengthening of the ECG. First, while a recommendation of this sort is appreciated and highly needed, we want to emphasize the necessity for this document to be made binding. Many strong legal obligations exist from which the content of the ECG can be derived, notably the European Charter of Fundamental Rights and the UN Convention on the Rights of the Child (UNCRC) to which all member states are parties. Secondly, the ECG should include concrete and measurable targets as well as a strict monitoring system. NJCM recommends including the theme of child poverty as a mandatory reporting item within the European Semester cycle and providing states with individualized recommendations on their implementation of the ECG. Thirdly, in line with article 12 of the UNCRC, it is fundamental that children be more involved in the construction of such policies at all levels, including the ECG itself and national action plans. NJCM recommends that such involvement of children is reported on and monitored effectively by the Commission. Finally, the NJCM is deeply concerned with the inconsistencies between the goals of the ECG and the upcoming EU Pact on Migration and Asylum. Notably, the Asylum Procedures and Border Procedure Regulations give way to the possibility of *de facto* or *de jure* detention of children. Such practices are contrary to the UNCRC even when used as a last resort as highlighted by the Committee in its General Comment no. 22. Detention, even when *de facto*, creates serious concerns for the adequate housing of children, notably within families, and has a grave impact on children's mental and physical health. Such practices cannot be in line with the ECG and must be fully banned if the broader aim of reducing child poverty effectively and fairly within the Union is to be achieved.

Concerning the situation in the Netherlands, the NJCM also wishes to highlight some gaps which were not palliated by the implementation of the ECG since the 2022 action plan. First, financial accessibility to healthcare for children is still lacking. A [recent survey](#) showed that many children cannot afford glasses due to the costs which are not covered by insurance. Moreover, mental health professional care still falls under the [compulsory deductible of excess](#) for insurance meaning that it has to be paid out of pocket until said amount is met to benefit from insurance coverage. A referral letter from a GP is also required to access such care. This effectively limits the ability of children living in poverty to reach mental health services. Second, the [Dutch Council of State orders the deportation of children seeking asylum](#) during their stays, putting children at severe risk of poverty and unsafety. Third, homeless shelters in the Netherlands are not child friendly. NJCM is also concerned about the new social housing policy which, while giving homeless families priority, imposes strict conditions which will lead to the exclusion of many families and children from housing opportunities. [This issue was also raised by the National Institute for Human Rights](#).

Fourthly, the NJCM is concerned with the lack of attention given to child poverty and health in the Caribbean Netherlands. An attached study shows the extent of this issue. (Annex 1)

¹ The Nederlandse Juristen Comité voor de Mensenrechten is part of the International Commission of Jurists (ICJ).

Lastly, 116,776 child victims of the *Dutch Childcare Benefits Affaire*² are not adequately compensated because they lack an independent right to compensation. NJCM recommends creating a compensation scheme for these child-victims and covering student debts incurred due to their families' wrongful debts and poverty. (Annex 2, 3 & 4) The Children's Ombudsmen³ also pleaded for compensation for student loans, although the government declined.⁴

Overall, Dutch municipalities hold discretionary power in adopting and implementing children's rights based policies, including those aligning with the ECG goals, and very few do so. The new coalition government has no concrete plans regarding the implementation of children's rights or to support youth health.

Sincerely,
NJCM Board

Annex:

1. Kinderombudsman: situation for children living in poverty in the Caribbean Netherlands
2. NJCM, [NJCM Werkgroep Jeugdrecht roept op tot het verbeteren van de positie van kinderen in Nederland - NJCM](#)
3. NJCM, [NJCM Werkgroep Jeugdrecht doet 9 aanbevelingen voor de Adviescommissie Voortgang Hersteloperatie Toeslagen - NJCM](#)
4. NJCM, [Kinderen verdienen integraal en écht herstel in de toeslagenaffaire: niet later, maar nu. - NJCM](#).

² [Herstel.toeslagen.nl](https://herstel.toeslagen.nl), 'Facts and numbers: actual figures', 13 March 2026, <https://herstel.toeslagen.nl/dashboard-kinderopvangtoeslag>

³ Ombudsman Rotterdam.nl, 25 november 2025, [DUO-schulden en studie-uitval bij gedupeerde toeslagenjongeren twee keer hoger dan gemiddeld – Ombudsman Rotterdam-Rijnmond](#),

DeVolkkrant.nl, 5 February 2026, [Kinderombudsmannen op de bres voor kinderen toeslagenedupeerden: 'Scheld DUO-schulden kwijt' | de Volkskrant](#)

⁴ Rijksoverheid.nl, 26 March 2026, [Antwoorden op Kamervragen over DUO-schulden kinderen toeslagenaffaire | Kamerstuk | Rijksoverheid.nl](#)