



Strengthening the European Child Guarantee by closing the gaps for undocumented children

Contribution to the European Commission
call for evidence

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PICUM

The Platform for International Cooperation on Undocumented Migrants (PICUM) was founded in 2001 as an initiative of grassroots organisations. Now representing a network of around 160 organisations working with and for undocumented migrants in 31 countries, PICUM has built a comprehensive evidence base regarding the gap between international human rights law and the policies and practices existing at national and EU levels. With more than twenty years of evidence, experience and expertise on issues affecting undocumented migrants, PICUM promotes recognition of their fundamental rights, providing an essential link between local realities and the debates at the policy level.

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PICUM's publications on EU funding can be found [here](#).

For further information, please refer to the reports and position papers prepared by PICUM and the following alliances and networks – of which PICUM is a member and to which it has actively contributed:

- PICUM, [Why inclusive, needs-based social policies matter](#), August 2025.
- PICUM, [PICUM's priorities for the next EU long-term budget](#), May 2025.
- EU Alliance for investing in children, [A Europe that protects every child: Aligning EU's policies and budget to eradicate child poverty](#), April 2025.
- PICUM and FEANTSA, [Housing and homelessness of undocumented migrants across Europe: patterns, barriers, and ways forward](#), 2025.
- Child Rights Action Group, [Call for a child-centred EU budget: Joint reaction to the Multiannual Financial Framework \(MFF\) Proposal](#), 2026.
- Joint Statement (EUFundsforSocial coalition), [Building on what works: an EU budget that delivers for people and regions](#), 2026.

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Introduction

The European Child Guarantee (ECG) recommendation is a **clear landmark for all children** and represents a vital opportunity to combat child and family poverty and social exclusion. By adopting this recommendation, EU member states made a historic commitment to ensure access to services such as free access to high quality early childhood education and care (ECEC), education, healthcare, healthy nutrition and adequate housing.

The ECG marks a **significant step forward for children in particularly vulnerable situations**. Although they are among those most in need, these children - including undocumented children - are often the furthest from, or excluded from, social services. By identifying specific target groups, the ECG creates an unprecedented opportunity to place children traditionally excluded from support back at the centre of policy efforts and concrete investments.

The recommendation is particularly positive in explicitly recognising undocumented children as a key target group:

Article 3 of the Recommendation: **“Children with a migrant background” means third country national children, irrespective of their migration status, and children with the nationality of a Member State who have a third country migrant background through at least one of their foreign-born parents.”**

Undocumented children and their families are often excluded from the systems and policies designed to meet their basic needs, for example due to their residence status, further deepening their marginalisation. This systemic exclusion exacerbates inequality and reinforces a cycle of disadvantage that becomes increasingly difficult to break from one generation to the next.

Our contribution focuses on concrete issues and recommendations aimed at strengthening the implementation of the ECG regarding undocumented children, while fully recognising that this is a landmark instrument already delivering [concrete results](#) and positive change for millions of children.

How many children are undocumented?

While the exact number of undocumented adults and children is unknown, [available evidence](#) indicates that the group is sizeable. The most robust [recent study](#) estimates that between 2.6 and 3.2 million undocumented migrants lived in 12 European countries between 2016 and 2023, with the population remaining stable for at least the past 15 years.

Age-disaggregated data is even more limited, but it is clear that a substantial number of children are affected. **In 2024, around 12% (one in eight) of undocumented people who came into contact with authorities were children** ([Eurostat, migr_ejpre](#)). A 2019 [estimate](#) from Spain found that 147,000 people aged 0 to 19 were undocumented, including 55,000 children under the age of five.

(More information is available [here](#))



Main challenges identified

We identified seven challenges:

- Underrepresentation of undocumented children in the national action plans and biennial reports
- Insufficient visibility of vulnerable groups in the European Commission's monitoring framework
- Limited involvement of civil society organisations in the implementation of the European Child Guarantee at national level
- Lack of coherence between the European Child Guarantee and other policies, including migration enforcement policies
- Insufficient access to housing and public shelters for undocumented children and their families
- Need for tailored measures addressing the child care gap among vulnerable children
- Need to amend the EU budget proposals to use EU funding as a positive and transformative change for undocumented children

Underrepresentation of undocumented children in the national action plans and biennial reports

In examining the [National Action Plans \(NAPs\) and Biennial Reports](#), we found that **migrant children are underrepresented in the planned and ongoing actions**, which means that they remain excluded from support, despite the specific intention of the Child Guarantee to target them.

We observed an underrepresentation of initiatives specifically targeting children in migration, **and even fewer projects targeting children with no or a precarious residence status**.

While migrant children are generally recognised as one of the target groups in the NAPs, **only 12 NAPs¹ include specific references to undocumented children as a group particularly at risk of poverty and exclusion**.

The NAPs do not contain many details on concrete new initiatives targeting this group, but a few include some promising practices where they are explicitly mentioned as a group that needs specific access to services:

- The French NAP explicitly states that undocumented migrants and their children can access state medical aid.

- Luxembourg mentions a specific service providing integrated medical and psychological care targeting specific vulnerable groups, including undocumented children.
- The Spanish and Portuguese reports mention that undocumented children, or children whose parents are undocumented, should not be excluded from social benefits, such as from the income guarantee system's assistance in the case of Spain.

However, other NAPs refer to undocumented children as a specific target group but do not detail which concrete actions would benefit them. This is the case for Lithuania, where the NAP states that measures for children in migration will also apply to those "in an irregular situation", without specifying which measures. At the same time, the Slovak and Danish reports recognise undocumented children as a target group, but only in the context of immigration detention.

Furthermore, only three progress reports (from Belgium, Spain and Sweden) refer to undocumented children as a target group benefitting from child poverty eradication measures.

¹ Belgium, Croatia, Czechia, Denmark, France, Lithuania, Luxembourg, Portugal, Romania, Slovakia, Spain, Sweden.

The ECG's great potential lies in the targeted identification of specific vulnerable groups at higher risk of poverty. It is crucial that this life-changing principle on paper is translated into the national plans and duly monitored by the Commission.

Our concern is that such a promising initiative could become a missed opportunity for particularly vulnerable children, as those with insecure or irregular residence status risk remaining excluded from the tailored support they need, which was promised by the ECG.

Insufficient visibility of vulnerable groups in the European Commission's monitoring framework

More granular, disaggregated monitoring and data on the ECG could also support the identification of needs at member state level, and encourage tailored actions to address gaps. **The monitoring framework should be strengthened to include disaggregated data on access to the ECG's key policy areas by target group, where feasible.**

Regarding 'children with a migrant background', we suggest not only monitoring the risk of poverty of children with at least one parent born outside of the EU, as is currently the case, but also taking into account the residence statuses of the parent and/or the child.² Eurostat currently reports on the following grounds for stay or permits: family reasons, educational reasons, remunerated activities reasons, international protection,

temporary protection, long-term residence, other. Linking this level of detail to access to the key areas covered by the ECG would provide a more nuanced picture of poverty risks and could thus inform tailored updates to Member States' national action plans or Commission recommendations.

If more detailed monitoring needs to be introduced gradually, we suggest prioritising access to early childhood education and care (ECEC) services. Monitoring this service may present fewer challenges than other Child Guarantee services, and access to ECEC offers [lifelong benefits](#) for both the child and society. Where specific issues are identified, Member States should be guided to take remedial action through targeted measures.

Limited involvement of civil society organisations in the implementation of the European Child Guarantee at national level

According to a survey we conducted amongst PICUM members in the summer of 2025, 14 PICUM members³ working with 'children in need' as defined by the ECG **report limited or a lack of involvement in the design and implementation of the national action plans in their country.** This could both explain and be explained by the invisibility of undocumented children in the NAPs, as even where they are included (among the countries of the respondents – Spain, Belgium, Lithuania), the actions remain rather superficial and are not

specific to the situation of undocumented children.

The **vast majority** of the respondents to PICUM's members' survey also report that they **do not know who the current national Child Guarantee coordinator is** (80 % of respondents), and **almost 60 % of the respondents do not know where to find the information.** This hints towards the lack of transparency regarding contact information and the turnover of the Child Guarantee coordinators at national level, which may prevent the creation

² To note that this type of screening should not lead to [reporting obligations](#) for service providers.

³ Respondents were from Albania, Spain, Hungary, Belgium, Lithuania, Italy. Albania is [implementing](#) the European Child Guarantee as part of its alignment with EU policies in the context of EU enlargement.

of meaningful links with civil society actors. One positive experience was shared by a Spanish PICUM member that had contributed to the

implementation of the Child Guarantee through a specific project.

Lack of coherence between the European Child Guarantee and other policies, including migration enforcement policies

To ensure that the EU achieves [its objective to eradicate poverty by 2050](#), it is crucial that both the EU and all 27 member states have policies in place that actively work towards the implementation of the ECG, and do not contradict its core spirit.

Service providers in some member states have [reporting obligations](#) towards migration authorities. In [Sweden](#), the government has [recently](#) released a legislative proposal which would oblige six public agencies in sectors like employment, social insurance and pensions to automatically report undocumented people to the police when they come into contact with them. Among others, this is expected to affect [birth registrations](#).

Similar provisions are being explored in [Finland](#), and have been in place in [Germany](#) for 35 years, including for non-medical/administrative staff working in healthcare facilities. Such policies deter undocumented families from accessing healthcare, education, shelter and social services they would qualify for and render formal entitlements ineffective if families are afraid to use them.

There is a [risk](#) that the new Return Regulation may introduce a similar requirement as all 27 EU member states would have to detect and report undocumented migrants. The new legislation under discussion between the European Parliament and Council may also lead to police raids in private homes, enabling authorities to enter living spaces to search for undocumented migrants without a judicial mandate, as well as offices and shelters run by humanitarian organisations. More than 110 [civil society organisations](#) and 1,100 [health care professionals](#) have called to oppose this new legislation, which could be extremely harmful for undocumented people, including the same children that should be prioritised for support in line with the ECG.

All of these measures create a chilling effect on community support, put pressure on professionals, and erode trust, with direct impact on undocumented children and their families. Vulnerable people will stay away from the help they need out of fear, leading to worsening poverty, poor health outcomes, and deeper social exclusion, making the target to eradicate poverty by 2050 even more difficult to achieve.

Insufficient access to housing and public shelters for undocumented children and their families

Access to affordable housing is one of the top priorities of the ECG, and homeless children or those experiencing severe housing deprivation are recognised as one of the categories of children mostly in need.

PICUM and FEANTSA recently released a report on the [housing barriers faced by undocumented people across Europe](#), with specific attention to children, families and young people. The 2026

report highlights that access to appropriate, secure and sustainable accommodation is a fundamental right according to international and regional human rights legislation. However, undocumented people are systematically excluded from accessing housing due to various legal, economic or administrative barriers. Obstacles include:

- **Exclusion from private housing** as a result of administrative, legal and economic barriers,

including requirements to present personal identification, income verification, in addition to restrictions linked to residence status. Other obstacles include high rental costs, landlord discrimination and exploitation, poor conditions, and fear of detection by the authorities.

- **Exclusion from public shelters and homelessness services** due to administrative and legal barriers. Undocumented families cannot access public shelters in several countries because of their residence status. When access exists in theory, requirements to present ID documents or municipal registration numbers, reporting obligations and a lack of space, particularly family

shelters, force entire families to sleep rough or parents be separated from their children.

For these reasons, undocumented families and their children are at very high risk of experiencing inadequate housing, homelessness and even rough sleeping. Nonetheless, the NAPs or biennial reports do not seem to include specific actions to resolve this. Any strengthening of the Child Guarantee should recognise the higher risk of housing exclusion and homelessness faced by undocumented families and that homelessness contributes to children and their parents remaining undocumented as it is more difficult to regularise one's stay when housing is insecure.

Need for tailored measures addressing the child care gap among vulnerable children

The ECG recognises that all children, including those from disadvantaged backgrounds, have the right to specific measures to enhance equal opportunities, such access to free and high-quality Early Childhood Education and Care (ECEC) services. Closing the gap on access to ECEC remains a clear top priority for the implementation of the ECG, and concrete measures are urgently needed in EU member states in order to achieve the 2030 goal.

In a [report](#) from 2023, PICUM identified legal and practical barriers to accessing high quality ECEC in the EU for undocumented children. These obstacles include:

- **Lack of legal entitlements** to ECEC in member states, leading to discrepancies between municipalities, and also making discriminatory refusals more likely to occur;
- **Implicit legal entitlements** that often refer to a general entitlement for "all children", but fail to explicitly mention undocumented children as a specific group, which can result in de facto exclusion at the local level;
- **Place shortages** affecting all children in Europe, and particularly those living in families

at risk of poverty;

- **Documentation requirements at the national or local level**, including the obligation to present ID or passport, proof of (local) residency or employment, or national social security numbers which might exclude undocumented families from registering their children in ECEC services;
- **Insecure housing** can also affect the ability to send the children to ECEC services, due to frequent voluntary or forced relocations, and evictions.
- **Fees and lack of financial support** are another factor that can have a bigger impact on undocumented families when ECEC is not free of charge, as families with a precarious or irregular status may be unable to access fee reductions, financial support or childcare benefits;

When planning their services, member states should take in due account the situation of undocumented children and families and resolve legal, administrative and financial barriers in order to create truly accessible ECEC services for all children.

Need to amend the EU budget proposals to use EU funding as a positive and transformative change for undocumented children

To ensure that ECG policies are truly effective, they must be backed by inclusive, coherent, accessible and tailored funding opportunities to achieve the objective of child poverty eradication.

EU funding opportunities must be **inclusive** to ensure that organisations supporting marginalised groups can enable access to services such as healthcare and housing, as well as material aid to the most deprived. However, we know that migrants with undocumented or precarious residence status face structural barriers and discrimination when accessing services, including those funded by the EU. Even in the current MFF 2021 – 2027, for example, beneficiary organisations may be required to provide a social security number or other national registration numbers for service users to receive funding – something undocumented migrants usually do not have. These funding requirements not only actively prevent organisations from providing essential services to people in need, but also from helping them resolve their residence status,⁴ which [helps people leave poverty](#) and strengthens social cohesion overall.

Secondly, the transformative potential of the EU budget can only be achieved if it becomes more **accessible** to organisations delivering services to the most vulnerable, including undocumented children and their parents. PICUM members consistently report that they are unable to access EU funding due to the high co-financing requirements and because some grants are too large for them

to manage. Building on the current practice, these obstacles could be easily addressed by increasing the EU contribution in co-financing rates to 90 % for actions targeting the most deprived or social inclusion measures in the proposed funding regulations for ESF, AMI, and NRPP, and by encouraging smaller grants at national level. Smaller grants will enable smaller, locally anchored organisations to benefit and provide services to those most in need. In this way, EU funding could be closer to the needs on the ground and to the organisations that are best placed to intercept marginalised groups, or that are themselves led by marginalised communities, such as migrants.

Finally, the next MFF must promote both **coherent** and **tailored** funding for achieving the objectives of the ECG. This means that several EU funding programmes should be working collaboratively towards its objectives, such as the NRPP, ESF, and also the AMI fund, when it comes to actions targeting migrant children and their families. In line with the [position](#) of the Alliance for investing on children, we believe that this could be best achieved through a standalone ESF, with a dedicated budget of at least 20 billion euros to the eradication of child poverty. In addition, the next MFF should maintain a minimum earmarking for all member states of at least 5 %, and include a higher earmarking of at least 10 % for countries with share of population at risk of poverty or social exclusion (AROPE rate) above the EU average, with a focus on targeting the most affected groups.

4 For more information on regularisation and access to a secure residence status, visit [our webpage on the topic](#).

Key recommendations

PICUM strongly welcomes the initiative to strengthen the implementation of the European Child Guarantee.

We believe that to reach the goals set by the European Pillar of Social Rights Action Plan, the Barcelona targets and European Commission President von der Leyen's commitment to eradicate poverty by 2050 in her State of the Union address, the EU and its member states should focus on measures tailored to the needs of children experiencing the specific vulnerabilities identified in the ECG. Only if we have policies in place that are able to reach the most vulnerable, we can achieve ambitious targets to eradicate child poverty and break intergenerational cycles of exclusion and marginalisation.

Based on this analysis, PICUM recommends:

- 1. Address the underrepresentation of vulnerable children, particularly undocumented migrant children in the National Action Plans** by requiring member states to prioritise specific target groups (including third country national children, irrespective of their status) in the NAPs and biennial reports, by clearly linking their actions to different subgroups. This approach would promote more deliberate planning and ensure that all target groups, especially those currently underrepresented, are meaningfully considered.
- 2. Strengthen monitoring through more precise data** by collecting and reporting data on access to each of the ECG's key areas by specific target groups and residence permits, where possible. This could be done by linking the level of detail already available on Eurostat (on various grounds of stay), with the areas covered by the ECG. This would provide a more detailed picture of poverty risks and needs, and inform more tailored actions by the member states.
- 3. Encourage involvement of diverse civil society organisations working with children in need in the design and monitoring of ECG actions at national level**, by requiring that member states involve them in the design of new initiatives tackling children most at risk of vulnerability, and by ensuring that relevant contact information and consultation opportunities are transparent and easily accessible at national level.
- 4. Guarantee safe access to services by requiring member states to put in place firewalls and by ensuring policy coherence across different areas, especially migration enforcement.** To ensure that the implementation of the Child Guarantee is not undermined by competing political priorities, the Commission should explicitly recommend that member states refrain from implementing policies requiring service providers to report undocumented people. Reporting obligations deter access to services and jeopardise the Child Guarantee's objectives, as seen in Sweden, Finland, Germany. Member states should be encouraged to ensure that public service providers — including medical professionals, educators, employers, and social workers — are protected from any obligation to report a person's residence or migration status. This is essential to ensure safe, equitable access to services for all children.
- 5. Address specific shortcomings in the area of homelessness to ensure dignified and inclusive access to housing** by ensuring that policies and strategies aimed at combating poverty and homelessness in Europe explicitly take into account and target undocumented migrants, including families and their children and unaccompanied children. The next European Commission's initiative on strengthening the ECG and the EU Anti-Poverty Strategy should clearly target all children and families experiencing homelessness, regardless of status, and address the intersections between

residence status, poverty and homelessness. In addition, the Commission should recommend member states to adopt binding standards that guarantee access to emergency and long-term (Housing First) accommodation, irrespective of migration status. Laws at the member state level that explicitly exclude undocumented migrants from shelters should be revised to ensure equal and needs-based access.

(More detailed recommendations can be found on page 65 of '[Housing and homelessness of undocumented migrants across Europe: patterns, barriers, and ways forward](#)' and in [our submission to the call for evidence on Fighting Housing Exclusion](#))

6. Recognise and address specific barriers to ECEC faced by vulnerable groups, especially undocumented children, by urging member states to use the ECG (national action plans and biennial plans) as a concrete way to create policies that aim to address the lack of access to ECEC services for children with specific vulnerabilities, such as undocumented children. This includes recommending that the members states:

- Maintain firewalls between ECEC providers and immigration enforcement authorities to protect undocumented families from deportation and detention;
- Remove any legal and financial barriers to ECEC, including by revising income-based fees and fee waiver policies that are accessed through administrative processes requiring registration in tax or social security systems.
- Make ECEC available for all children, in their proximity and according to their parents' needs, including by prioritising children who are most at risk of vulnerability, poverty and marginalisation.

(More detailed recommendations can be found in '[Access to Early Childhood Education and Care for Undocumented Children and Families: Obstacles and Promising Practices](#)')

7. Ensure a close link between the implementation of the ECG and the use of EU funding to ensure inclusive, accessible, coherent and tailored funding. We recommend that the European Commission supports initiatives among the co-legislators to ensure that the next MFF proposals (particularly the National Regional and Partnerships Plan, the European Social Fund, the Union Support for Asylum for Migration and the Union support for Schengen, border management and visa) are fully aligned with the European Child Guarantee and include concrete ways to back the initiative with concrete funding. This includes:

- Supporting a [standalone](#) ESF, with a dedicated budget of at least 20 billion euros for the eradication of child poverty, and a minimum earmarking for all member states of at least 5 % for the eradication of child poverty, and include a higher earmarking of at least 10 % for countries with a share of population at risk of poverty or social exclusion (AROPE rate) above the EU average. This is in line with the recommendations put forward by the Alliance on Investing in Children, more details can be [found here](#).
- Improve the accessibility and inclusiveness of EU funding by organisations working with undocumented migrants, by ensuring that both the funding regulations and implementing actions related to socio-economic inclusion, access to services such as healthcare and housing, and material aid to the most deprived are explicitly accessible to all those in need, and that these actions are covered by higher co-financing rates (90 %) to improve funding accessibility.
- Ensure and actively monitor the coherence of all EU funding programmes with the ECG, including migration and border management funding, by recommending the prioritisation of child protection policies, community-based or family-centred solutions, and integrated child protection systems. More details on this recommendation can be found in [this position](#) prepared by the Child Rights Action Group (CRAG).

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