

Children on the move:
towards an integrated
approach to respect,
protect, promote &
fulfil child rights



Some key challenges for child protection systems

Child exploitation & abuse – from ‘family resource’ to ‘rights holder’

- Addressing family & criminal exploitation + severe deprivation
- Tackling intra-EU mobility + asylum and migration into the EU
 - AROPE: FI – DK – SE (~15%) → RO – BG (52.3%), HU (40.9%)
- Funding – flexibility (case diversity) – interagency coordination
- Inspection & monitoring → evidence based policy-making and action

National Child Protection Systems in the EU

“[...] set of laws, policies, regulations and services needed across all social sectors – especially social welfare, education, health, security and justice – to support prevention and response to protection-related risks.”

UNICEF, Child Protection Strategy, 2008

Mapping child protection systems in the EU

Member States: primary responsibility – EU can assist (cross-border)

- National legislative and policy framework
- Actors and structures: competent authorities - service providers
- Capacities: financial and human resources
- Care: reporting, identification, placement and alternative care
- Accountability: inspection – monitoring and data collection

National legal and policy frameworks

- 10 EU MSs have no single consolidated legislation on child protection
- Multiplicity of legal and policy instruments addressing different groups
- Care for specific groups or issues not always aligned with overarching national child protection legal and policy framework
- In federal MSs regional frameworks & budgets not always harmonised
- Frameworks often lack concrete action plans for implementation

Actors and structures

- Fragmentation: in most MSs child protection systems are decentralized with various responsibilities assigned to local and/or regional levels
- Decentralization challenges: Diverse standards & resource allocation
- Resource allocation based on number of residents affects rural regions
- Increased engagement of NGOs and private sector as service providers without adequate standards (e.g. accreditation – licencing) and robust monitoring by public authorities

Child participation

- All MSs have provisions requiring that the views of the child is taken into consideration concerning placement in alternative care
- These provisions are not always mandatory; age limits apply
- 1/3 of MSs allow children in alternative care to file complaints,
- Most MS have no legal provisions for complaint procedures within residential care facilities

Falling through the cracks?

Children facing particular challenges, for example

- Children with disabilities
- Children with minority ethnic background
- Children in juvenile justice systems
- Children separated – asylum seekers / irregular migrants
- Children living in extreme deprivation

Accountability – inspection and monitoring

- Lack of independent inspection, as well as monitoring & evaluation
- ➔ Need for common quality standards – reflecting UNCRC - HR standards
- ➔ *'What gets measured gets done'* → **indicators** and **data**
 - Assessing concrete and measurable targets (which policy yields results)
 - Applied systematically across EU = **comparability** over time **and** across borders
 - ❖ From **input - output** model (effectiveness & efficiency) to a comprehensive **structure – process – outcome** rights-based model (UN and CoE standards)

Rights-based Indicator Framework → scoreboard?

Structure

- **Acceptance and commitment** to human rights standards

Process

- **Efforts to transform** commitments to results

Outcome

- **Impact of efforts** to fulfil rights



Children on the move – from words to action

In conclusion,

- Awareness – trust → paradigm change: ‘child’ as rights holder
- Protection imbalances across EU: tackling a key ‘movement’ driver
- Reforming child protection systems at ‘origin’ & ‘destination’ EU MSs
 - Funding + structural reforms (legal & policy framework – coordination)
- Ensuring compliance to human rights and related quality standards
- Monitoring implementation and outcome of policies → fulfilling rights

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