

European Union Agency for Fundamental Rights (FRA)
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FRA Report: Developing indicators for the protection, respect and promotion of the rights of the child in the European Union

Background to the report

The situation of many children across the EU is worrying. Although the EU region is one of the most affluent and developed in the world, according to Eurostat 19% of its children aged 0-16 are at risk of poverty. Children often suffer violence within the family, community, residential care and other settings. Many children belonging to migrant and minority groups, such as Roma and Travellers continue to face, directly or indirectly, discrimination in education. Children continue to be trafficked and smuggled into and across EU Member States and too many continue to be placed in institutions.

Following the 2006 European Commission Communication ‘*Towards a Strategy on the Rights of the Child*’, the Commission asked the EU Fundamental Rights Agency (FRA), in July 2007, to develop indicators to measure how child rights are implemented, protected, respected and promoted across the EU. As the FRA is neither a standard setting nor a treaty monitoring body, these indicators are not intended to monitor compliance with international standards and conventions, but to guide the Agency’s data collection and research, allowing it to develop evidence-based opinions. This aims at supporting the Community’s institutions and Member States when they take measures or formulate actions. The indicators also provide a good example that EU Member States could themselves consider applying.

On the basis of EU competence in this area and a clear policy interest in child rights issues, FRA has identified the following core areas, which are in line with existing EU provisions of direct relevance to children:

- **Family Environment and Alternative Care**
- **Protection from Exploitation and Violence**
- **Education, Citizenship and Cultural Activities**
- **Adequate Standard of Living**

Developing child rights indicators: a “learning” and “living” process

The aim of the Agency’s work is to gradually develop a ‘toolkit’ for the assessment of the impact “on the ground” of EU law and policy on children’s status and experiences. FRA aims to go beyond simple deficit tackling towards a more constructive approach to the protection of child rights. In developing the indicators, the FRA follows a cautious and pragmatic approach respecting the current boundaries of EU competence and acknowledging the respective and discrete roles of the international, European and national authorities in addressing different aspects of children’s rights.

It is important to note from the outset that the indicators presented in this report are a starting point, which will undergo constant refinement and expansion. The present study is therefore as much about a process of establishing a workable method for developing EU child rights indicators, as it is about the indicators per se.

The information contained in the following tables represents an example from each of the four areas addressed by the indicators. Please refer to the report for more detailed information.

➤ Family Environment and Alternative Care

Core Area	Scope of Indicator	Examples
Family Environment and Alternative Care	Family Justice (cross-national divorce, custody, access and maintenance, as well as parental child abduction)	➤ Is there a legal obligation to consult directly with children in custody?
	The rights and welfare of children separated from their family following migration	➤ Do national laws exist which ensure the ongoing and independent representation of separated children in immigration processes, regardless of their status?
	Family reunification	➤ Do clear guidelines exist to assist in determining how and where family reunification can be achieved in the interests of the child?

➤ Protection from Exploitation and Violence

Core Area	Scope of Indicator	Examples
Protection from Exploitation and Violence	Child trafficking	➤ Do legal provisions exist which allow for the immediate appointment of a legal guardian (e.g. by youth welfare authority/court) for every separated child?
	Sexual and economic exploitation	➤ Is “administrative detention” and/or “detention pending deportation” prohibited for children? ➤ Are there mechanisms to detect and identify children at risk of sexual exploitation?
	Violence against children	➤ Are there mechanisms to detect and to identify children at risk of economic exploitation (e.g. systematic training of youth welfare authorities)?

➤ Education, Citizenship and Cultural Activities

Core Area	Scope of Indicator	Examples
Education, Citizenship and Cultural Activities	Accessibility of education	➤ Do separated/immigrant children have access to education at all levels on an equal basis with nationals?
	Adaptability of education	➤ Is there any specialist support in schools for non-native children that is sensitive to age, gender, culture and linguistic acquisition (e.g. financial support, travel assistance, supplementary language classes)?
	Personal Development	➤ Do disadvantaged children (due to low socio-economic status, migrant background, etc.) receive additional resources?
	Citizenship and Participation	

➤ **Adequate standard of living**

Core Area	Scope of Indicator	Examples
Adequate standard of living	Child Income poverty	<ul style="list-style-type: none"> ➤ What is the percentage of relative child poverty? ➤ How high is the state's relative spending on children? ➤ What child benefit packages exist?
	Impact of Government Response	
	Aspects beyond income poverty as well as children's subjective perceptions	

The full report can be found on <http://fra.europa.eu>

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