

FRA Press Release
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How age limits children's access to rights

Only four EU Member States prohibit the solitary confinement of child detainees even though such detention can harm a child's health and development. This is just one of the many ways age limits can impact child's rights, outlined in a new European Union Agency for Fundamental Rights report. It suggests how Member States can remove inconsistencies to better deliver child protection.

Legal minimum ages define when and how children are involved in or have influence over procedures affecting their lives. They also determine whether and under which conditions children may exercise certain rights independently and without the authorisation of their parents. As children mature at different ages, setting age limits in law or in practice may restrict some of their rights while not offering enough protection in others.

"Children have the right to be protected but also to be heard and take part in procedures that affect them," says FRA Director [Michael O'Flaherty](#). "Member States need to find the right balance to ensure children are protected, but also empowered so that they have equal access to their rights across EU Member States."

FRA's report on [minimum age requirements in justice](#) shows how age thresholds for children to be heard vary across the EU. They also depend on whether, for example, they relate to family, criminal or asylum law or whether children are witnesses or victims, or need to be taken care of. Furthermore, procedural safeguards may not apply to all children up to the age of 18 across Member States. For example, some allow children below 18 to waive their right to a lawyer.

To highlight the critical issue of the different minimum age requirements across the EU, the Agency has been [mapping national legal age requirements in various areas across the EU](#) since 2017. Today, it publishes two reports focusing on justice and [fingerprinting and age assessments in an asylum context](#). Alongside new findings on the digital world, others areas include marriage and citizenship, political participation, health and religion.

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Notes to editors:

FRA is the EU's independent body for delivering fundamental rights assistance and expertise to the EU and its Member States. For more on its child rights work see the [Agency's website](#).