February 2015

International standards on child protection
Contents

1. EUROPEAN UNION ........................................................................................................... 3
   1.1. Legislation .................................................................................................................. 3
   EU Cohesion Policy 2014-20 ....................................................................................... 3
   1.2. Acquis ....................................................................................................................... 4
   1.3. Soft law .................................................................................................................... 5
   1.4. Useful links .............................................................................................................. 5

2. FUNDAMENTAL RIGHTS AGENCY OF THE EUROPEAN UNION .................. 6
   2.1. Mapping exercises ................................................................................................. 6
   2.2. Reports .................................................................................................................... 6
   2.3. FRA Handbooks ..................................................................................................... 6

3. UNITED NATIONS ........................................................................................................... 6
   3.1. Conventions ............................................................................................................ 6
   3.2. CRC Committee ..................................................................................................... 6
   3.3. Other ....................................................................................................................... 7

4. COUNCIL OF EUROPE ................................................................................................. 7
   4.1. Conventions ............................................................................................................ 7
   4.2. Recommendations ................................................................................................. 7
   4.3. Guidelines ............................................................................................................... 8
   4.4. Other ....................................................................................................................... 8

5. HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW .................. 8

6. MISCELLANEOUS .......................................................................................................... 8

This is a compilation of standards and useful links that were mentioned or submitted by respondents to the online public consultation on integrated child protection systems, as well as standards that are included and referred to in the European Commission Staff Working Document on integrated child protection systems.
1. **EUROPEAN UNION**

1.1. **Legislation**

- Brussels IIa Regulation (2201/2003/EC)
- Directive on Child Sexual Abuse and Exploitation (2011/93/EU)
- Directive on Trafficking in Human Beings (2011/36/EU)
- Victims' rights Directive (2012/29/EU)
- Regulation on mutual recognition of protection measures in civil matters (2013/606/EU)
- Reception Conditions Directive (2013/33/EU)
- Asylum Procedures Directive (2013/32/EU)
- Dublin Regulation (604/2013/EU)

**EU Cohesion Policy 2014-20**

In the context of the EU 2020 strategy, the flagship initiative “European Platform against Poverty”, as defined in the 2010 Communication, includes recognising the fundamental rights of people experiencing poverty and social exclusion, enabling them to live in dignity and take an active part in society. People with a disability are among the groups at particular risk for whose circumstances Member States need to define and implement measures.

Measures for the shift from residential (institutional) to community-based care should be included as part of the national strategy for poverty reduction, the thematic ex-ante conditionality of the Common Provision Regulations of the next programming period 2014-2020. There is a specific investment priority referring to this measure under the European Regional Development Fund; it is entitled "Investing in health and social infrastructure which contribute to national, regional and local development, reducing inequalities in terms of health status, and transition from institutional to community-based services).” The general ex-ante conditionality on disability (“the existence of a mechanism which ensures effective implementation and application of the UN Convention on the rights of persons with

---

1 A reference document developed by the CONNECT project [www.connectproject.eu](http://www.connectproject.eu) gives a comprehensive overview of all EU legislative and policy documents on unaccompanied children, with many different access points, including a table highlighting key provisions starting at page 49: [http://www.connectproject.eu/PDF/CONNECT-EU_Reference.pdf](http://www.connectproject.eu/PDF/CONNECT-EU_Reference.pdf)

2 The European Regional Development Fund (ERDF) aims to strengthen economic, social and territorial cohesion in the European Union by correcting imbalances between regions. The ERDF supports regional and local development to contribute to all thematic objectives, by setting out detailed priorities to increase focus on nine main priorities, including health, education, and social infrastructures.
disabilities”) reinforces the requirement to mainstream the rights of persons with disabilities in line with the UN Convention in structural and investment fund-supported measures.

1.2. Acquis

Commission Implementing Regulation (EU) No 288/2014 of 25 February 2014 laying down rules pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund with regard to the model for operational programmes under the Investment for growth and jobs goal and pursuant to Regulation (EU) No 1299/2013 of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal with regard to the model for cooperation programmes under the European territorial cooperation goal


(see Article 3 on scope and Article 5 on investment priorities)

Childcare facilities – in order to reinforce women's participation in the labour market, childcare facilities (crèche, kindergarten, etc.) should be available, in particular for marginalised groups.

Early childhood education and care facilities (crèche, kindergarten, primary school) should be available, in particular for marginalised groups in deprived areas.)

1.3. Soft law

- EU Agenda for the rights of the child
- EU Strategy towards the eradication of trafficking of human beings 2012-2016 (COM(2012)286 final)
- Communication on the elimination of Female Genital Mutilation (COM(2013)833 final)
- EU Guidelines for the promotion and the protection of the rights of the child
- EU Action plan on unaccompanied minors (COM(2010)213 final)
- Guidance document related to the transposition and implementation of the Victims’ Directive
- Communication on protecting children in the Digital World (COM(2011)556 final)
- Recommendation on Investing in children: breaking the cycle of disadvantage (C(2013) 778 final)
- Communication on the 2014 European Semester (COM(2014)400 final)
- Communication "Solidarity in Health: Reducing Health Inequalities in the EU" COM (2009) 567

1.4. Useful links
- EU acquis and policy documents on the rights of the child
- European judicial training (child-friendly justice) tools
- EU Forum on the rights of the child 2012
- European Forum on the rights of the child 2013
- The 8th European Platform for Roma Inclusion
- Report of the Ad Hoc Expert Group on the transition from institutional to Community-based Care
- Summary of contextual overviews on children's involvement in criminal judicial proceedings in the 28 Member States of the European Union

2. FUNDAMENTAL RIGHTS AGENCY OF THE EUROPEAN UNION

2.1. Mapping exercises
- Mapping child protection systems in the EU (2015)
- Looking at how EU Member States Involve Children – Research (2014)
- Violence against women: an EU-wide survey (2014)
- EU LGBTI survey – European Union lesbian, gay, bisexual and transgender survey (2014)
2.2. Reports

- Separated, Asylum Seeking Children in the European Union Member States (2010)
- Detention of Third-Country Nationals in Return Procedures (2010)
- Fundamental Rights of Migrants in an Irregular Situation in the European Union (2011)
- The situation of Roma in 11 EU Member States (2012)
- Being Trans in the EU – Comparative analysis of the EU LGBT survey data (2014)
- Addressing forced marriage in the EU: legal provisions and promising practices (2014)

2.3. FRA Handbooks

- Guardianship for children deprived of parental care (2014)
- FRA/European Court of Human Rights Handbook on European law relating to asylum, borders, and immigration (2014)

3. United Nations

3.1. Conventions

- UN Convention on the rights of persons with disabilities

3.2. CRC Committee

- General comment No. 8 (2006): The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (Arts. 19; 28, Para. 2; and 37, inter alia)
- General comment No. 10 (2007): Children's rights in juvenile justice
- General comment No. 13 (2011): The right of the child to freedom from all forms of violence
- General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)
3.3. Other

- **UN Guidelines for the alternative care of children**
- **The Handbook for implementing the UN Guidelines (Cantwell et al. 2012)**
- **United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)**
- **United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Rules)**

4. **COUNCIL OF EUROPE**

4.1. Conventions

- **European Convention on Action against Trafficking in Human Beings (2005)**
- **European Convention on Preventing and Combating Violence against Women and Domestic Violence (2011)**

4.2. Recommendations

- **Council of Europe Recommendation on the rights of children living in residential institutions (2005)**
- **Council of Europe Recommendation on Policy to support positive parenting (2006)**
- **Council of Europe Recommendation on the European Prison Rules**
- **Council of Europe Recommendation on children’s rights and social services friendly to families and children (2011)**
- **Council of Europe Recommendation on the participation of children and young people under the age of 18 (2012)**
- **Council of Europe Recommendation on preventing and resolving disputes on child relocation (2015)**
4.3. Guidelines

- Council of Europe Guidelines on Child friendly Health Care (2011)

4.4. Other

- European Court of Human Rights case-law database (HUDOC)
- Securing children's Rights: Council of Europe Guide for Professionals working with children in alternative care

5. HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW

- Convention of 25 October 1980 on the Civil Aspects of International Child Abduction;
- Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption
- Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children
- Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance

6. MISCELLANEOUS

- European declaration on the health of children and young people with intellectual disabilities and their families (signed by WHO, Unicef and Romanian Ministry for Health, 26.11.2010)
- Quality4Children Standards for out-of-home childcare in Europe (and see also the toolkit)
- Book for children and young people in care: discover your rights!
- SOS Children's villages: Quality care counts
- SOS Children's villages: ageing out of care
- The SOS Children's villages I matter campaign (youth empowerment/participation project)