



Chapter 23 Judiciary and fundamental rights explanatory meeting - Serbia

The EU *acquis* on rights of the child

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EU *acquis* on rights of the child

1. Lisbon Treaty
2. Charter of Fundamental Rights
3. EU Agenda for the rights of the child
4. The power of EU *acquis*
5. Flanking measures for *acquis*
6. Enlargement-specific opportunities for promoting the rights of the child



EU *acquis* on rights of the child

Lisbon Treaty:

Article 3.3 of the Treaty on European Union sets an objective for the EU to promote the protection of the rights of the child

The Charter of Fundamental Rights of the EU has the same legal value as the Treaties



Article 24 of the Charter

*Recognises children as **independent and autonomous holders of rights** (right to protection and care necessary for their wellbeing, right to express their views freely).*

*The **child's best interests** must be a primary consideration in all actions relating to children, whether taken by public authorities or private institutions.*

Every child has the right to maintain a personal relationship and direct contact with parents.



EU Agenda for the rights of the child (2011)

*Reaffirms commitment of all EU institutions and EU MS to promote, protect and fulfil the rights of the child in **all relevant EU policies***

*Standards and principles of **UNCRC** guide **EU policies and actions***

Evolution of acquis:

most recent EU legislation (e.g. victims' rights directive) has strong provisions for children, aligned with the UNCRC.



EU Agenda for the rights of the child, cont'd

EU commitment requires a coherent approach across all relevant EU actions...using Treaties, Charter, UNCRC as a common basis for all EU action.

Child rights perspective must be taken into account in all EU measures affecting children.

EU action should be exemplary.

Called on renewed commitment of all actors.



EU *acquis* as powerful means to promote and protect rights of child

EU *acquis* is evolving, thanks also to new impetus of Lisbon Treaty.

Enlargement context:

Most legislation derives from a handful of Enlargement Chapters (*freedom of movement, information society and media, social protection and employment, judiciary and fundamental rights, justice, freedom and security, immigration and asylum, education and culture*)

Flanking measures for *acquis*

Mainstreaming of fundamental rights and rights of the child

Data collection as a red thread throughout: for evidence-based policymaking and legislation preparation, for benchmarking and monitoring of implementation

Information-sharing on emerging issues and priorities (Informal Member State expert group on rights of the child, interservice group on rights of the child)



Link to Compilation EU acquis and policy documents on the rights of the child: http://ec.europa.eu/justice/fundamental-rights/files/eu_acquis_2013_en.pdf

Children's rights on Europa: http://ec.europa.eu/justice/fundamental-rights/rights-child/index_en.htm

Children's involvement in justice terms of reference:

http://ec.europa.eu/justice/newsroom/contracts/2012_131975_en.htm