

Contents

Introduction

1. Child protection systems

1.1 Towards integrated child protection systems in the European Union

2. National legislative and regulatory framework, including child protection policies

2.1. National legal frameworks

Endnotes

About this publication

Introduction

This mapping of national child protection systems in the European Union (EU) provides an overview of recent developments in such systems and their current status based on selected standards and features.

Under the [UN Convention on the Rights of the Child \(CRC\)](#), states parties recognise children as rights holders and grant them individual rights. Every child has the right to protection, according to Article 19 of the CRC. A rights-based approach to children is essential for ensuring their dignity and well-being.

In the EU, the rights of the child are safeguarded through various mechanisms, including the [EU Charter of Fundamental Rights](#) (the Charter). The Charter, which became legally binding with the Treaty of Lisbon in 2009, explicitly recognises several key children's rights. These include the right to education and the right to care and protection from exploitation, violence and discrimination. Moreover, the Charter upholds the principle of the best interests of the child as the primary consideration in all matters concerning children.

The principle of subsidiarity in the context of the EU precludes Union intervention if the Member States themselves can effectively solve the problem at central, regional or local level. Most policies and legislation related to social and children's rights do not fall within the competence of the EU but instead fall under national competence. However, there is growing awareness of the need for integrated visions and strategies in this regard, such as those set out in the EU strategy on the rights of the child and the European child guarantee.

The EU has consistently taken significant steps to improve child protection systems in its Member States in the past few decades. In 2014, the European Commission asked the European Union Agency for Fundamental Rights (FRA) to conduct research on national child protection systems in the then 28 EU Member States. FRA published a [mapping of child protection systems](#) in 2015. The Commission asked for the data to be updated at the end of 2022. The following web pages provide an updated mapping based on the data collected in the first half of 2023 in the 27 EU Member States.

The national reports related to this research are [published on FRA's website](#).

Child protection systems are unique in each Member State, reflecting historical, cultural, political and demographic features. Child protection systems are complex and currently no common understanding exists across

EU Member States on core concepts, terminology and definitions related to child protection. Comparing child protection systems across the EU remains challenging. Moreover, there are important divergences between the theoretical child protection systems laid down in laws and the actual practice and implementation of legal and regulatory provisions.

Neither the underlying research for this mapping exercise nor the web pages are exhaustive. Rather, they represent a selection of standards and characteristics of children's rights systems. The selection is pursuant to the United Nations Children's Fund (UNICEF) [definition of child protection systems](#) and the European Commission's [10 principles for integrated child protection systems](#) put forward in 2015.

On this basis, this mapping aims to provide an overview of the main elements of the child welfare and protection systems in the 27 EU Member States. It seeks to provide a snapshot of the current state of such systems at national level. It pays particular attention to persisting challenges, but also highlights achievements and promising practices. The goals are to promote continuous improvement of integrated child protection systems and in turn secure the sustainable well-being, safety and rights of all children living in the EU.

1. Child protection systems

This section provides an overview of international and EU legal and policy provisions.

[UNICEF](#) defines a child protection system as:

'[c]ertain formal and informal structures, functions and capacities that have been assembled to prevent and respond to violence, abuse, neglect and exploitation of children. A CP [child protection] system is generally agreed to be comprised of the following components: human resources, finance, laws and policies, governance, monitoring and data collection as well as protection and response services and care management. It also includes different actors – children, families, communities, those working at subnational or national level and those working internationally. Most important are the relationships and interactions between and among these components and these actors within the system. It is the outcomes of these interactions that comprise the system' [1].

Child protection has historically focused on particular issues or on specific groups of vulnerable children. This approach can serve the needs of a targeted group. However, it is also subject to important limitations.

Children may have multiple protection problems. Fragmented child protection interventions deal with a single problem. They fail to provide a comprehensive solution to children's diverse needs. Focusing on selected issues alone, or on particular groups of children, is neither sustainable nor effective.

An integrated child protection system places the child at the centre and endorses and promotes the provisions of the CRC. The system bases its work on the rights and obligations enshrined in the CRC. It aims to ensure that all essential actors and systems – education, health, welfare, justice, civil society, community and family – work together to prevent abuse, exploitation, neglect and other forms of violence against children. It also aims to protect and assist children in these situations.

The 2006 [UN Secretary-General's study on violence against children](#) recommends that 'all States develop a multifaceted and systematic framework to respond to violence against children which is integrated into national planning processes.' An integrated, systemic approach to child protection benefits all children. It can respond to various situations a child might encounter.

1.1 Towards integrated child protection systems in the European Union

This section presents the main features of integrated child protection systems and recent developments in the EU.

The scopes of national child protection systems differ. The systems are designed based on needs, resources allocated and cultural, social and historical factors. However, child protection systems share some common features and face common challenges. The Box below presents their key components.

10 principles for integrated child protection systems

1. Every child is recognised, respected and protected as a rights holder, with non-negotiable rights to protection.
2. No child is discriminated against.
3. Child protection systems include effective prevention measures.
4. Families are supported in their role as primary caregiver.
5. Societies are aware and supportive of the child's right to freedom from all forms of violence.
6. Child protection systems ensure adequate care.
7. Child protection systems have transnational and cross-border mechanisms in place.
8. The child has support and protection at any time by a legal guardian or other recognised responsible adult or competent public body.
9. Training on identification of risks for children in potentially vulnerable situations is available for a wide range of professionals and practitioners.
10. There are safe, well-publicised, confidential and accessible reporting mechanisms in place, including helplines and hotlines.

Source: European Commission (2015), '[10 principles for integrated child protection systems](#)'.

EU Member States are obliged to protect children from all forms of violence. They should, therefore, adopt the appropriate legislative, administrative, social and educational measures to effectively protect children. This obligation derives from international and European human rights legal documents, above all the [CRC](#) (Articles 3 and 19; see Box below) and the [Charter](#) (Article 24; see following Box).

The CRC

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

The Charter

Article 24 – The rights of the child

1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.
2. In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.
3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

The [EU strategy on the rights of the child](#), adopted in 2021, aims to support children to develop their potential as engaged and responsible citizens. While implementing this strategy, EU legislation has evolved both to reflect the CRC's and the Charter's provisions and language on the rights of the child and to reiterate the best interests of the child (see [UN CRC General Comment No. 14 \(2013\)](#)). The best interests of the child are a right, a principle and a rule of procedure, according to the UN Committee on the Rights of the Child. In addition, the [EU strategy on victims' rights \(2020–2025\)](#) demonstrates the EU's commitment to better protecting children through a specific legal framework.

In its [Conclusions on the EU strategy on the rights of the child \(2022\)](#), the Council of the European Union called on the Member States to strengthen cooperation and coordination between all relevant authorities and stakeholders. The Council called on them to increase their:

'efforts to prevent and combat all forms of violence against children, in particular by:

1. Promoting cooperation among support services, and supporting a holistic response to violence,
2. Developing integrated and targeted specialist support services for child victims, in addition to or as part of general victim support services and investing in preventing secondary victimisation,
3. Strengthening the development, evaluation and promotion of integrated child protection systems where all relevant services cooperate according to a coordinated and multidisciplinary approach, in the best interests of the child, for example the Children's Houses (Barnahus) or any other equivalent children's rights [...] friendly model,

4. Banning corporal punishment in all settings, and strengthening integrated support services for children and families.’

It also highlighted the need to work together to improve and address child protection needs in emergency situations and to develop effective and viable alternatives to the detention of children during migration. It called on Member States to strengthen their justice systems, in particular by providing the necessary support services to children during and after proceedings, for as long as the children need them. There is a need to promote interdisciplinary service cooperation to support the child in the best way before, during and after proceedings, the conclusions also note. The Council called for the provision of protection from existing and emerging risks in the digital environment by focusing on, for example, digital literacy, privacy and online safety.

The [EU strategy on combatting trafficking in human beings \(2021–2025\)](#) calls on Member States to strengthen child protection systems. ‘[T]he threat of being trafficked remains high for any vulnerable person’, it underlines.

The theme of the 14th European Forum on the Rights of the Child (2022) was ‘bringing children to the centre: empowering, protecting and including children’. It focused on monitoring and reporting on progress made under the EU strategy, while exchanging information on new developments and initiatives.

The [European care strategy](#) also addresses the three [EU social headline targets](#) for employment, skills and the reduction of poverty. The social headline targets also affect children, as they include the revised Barcelona targets for childhood education and care. The revision of the Barcelona targets recommendation is part of the 2020–2025 [gender equality strategy](#). It builds on other EU initiatives such as the [Council recommendation on early childhood education and care](#), the [EU strategy on the rights of the child](#) and the [Council recommendation on the European child guarantee](#).

The EU’s legal and policy provisions promote the entire UN framework for protecting children and promoting children’s rights. The CRC (1989) is the key document providing the fundamental basis of protection of the rights of the child. Accompanying general comments provide guidance on the application of concrete rights.

For example, [general comment No. 5 \(2003\)](#) provides guidance on the measures required to effectively implement the convention. [General comment No. 13 \(2011\)](#), on the right of the child to freedom from all forms of violence, emphasises the importance of interpreting children’s rights

broadly and inclusively to ensure comprehensive protection and support. Interpreting general comment No. 13 is particularly important in the digital age.

[General comment No. 25 \(2021\) on children's rights in relation to the digital environment](#)

provides guidance on some legislative, policy and other measures. It aims to ensure compliance with obligations under the CRC and the optional protocols in light of the opportunities, risks and challenges of promoting, respecting, protecting and fulfilling all children's rights in the digital environment.

An integrated child protection system that emphasises prevention must adopt a children's rights approach, not a welfare approach. This requires holistic CRC implementation. General comment No. 25 builds on the foundation of the CRC, recognising the evolving nature of children's rights in the digital environment. It addresses the prevention of digital violence and emphasises the need to protect children from harm online.

Together, these general comments highlight the commitment of the UN Committee on the Rights of the Child to safeguarding children's rights not only in traditional settings but also in the ever-expanding digital landscape, where new challenges and opportunities continually emerge.

The Council of Europe issued [guidelines on promoting the development and implementation of a holistic national framework to safeguard the rights of the child and to eradicate violence against children](#)

in 2009. The guidelines are in line with the recommendations of the UN Committee on the Rights of the Child. More recently, the [Council of Europe's child safeguarding policy](#) (2019) proposed guidelines for using images and stories about children. More broadly, it developed a child protection policy [2].

[Table 1](#) provides an overview of the primary institutions responsible for child protection in the EU Member States. The data show whether there is a primary institution for child protection or the system is more diversified. A diverse system includes several national authorities sharing responsibilities in areas related to child protection. Examples include social protection, education and judicial rights.

Table 1 – Primary institutions responsible for child protection, by EU Member State

| EU Member State | Primary institution responsible for child protection |
|------------------|---|
| Austria | Austrian Federal Chancellery (Bundeskanzleramt), Section VI: Family and Youth (Sektion VI: Familie und Jugend) |
| Belgium | n/a |
| Bulgaria | State Agency for Child Protection (Държавна агенция за закрила на детето) |
| Croatia | Ministry of Labour, Pension System, Family and Social Policy (Ministarstvo rada, mirovinskoga sustava, obitelji i socijalne politike) |
| Cyprus | Ministry of Labour (Τμήμα Εργασίας) |
| Czechia | Ministry of Labour and Social Affairs (Ministerstvo práce a sociálních věcí) |
| Denmark | Ministry of Social Affairs, Housing and Senior Citizens (Social-, Bolig- og Ældreministeriet) |
| Estonia | Ministry of Social Affairs (Sotsiaalministeerium) |
| Finland | Ministry of Social Affairs and Health (Sosiaali- ja terveysministeriö; Social- och hälsovårdsministeriet) |
| France | n/a |
| Germany | n/a |
| Greece | n/a |
| Hungary | Ministry of Interior (Belügyminisztérium) |
| Ireland | Child and Family Agency (Anghníomhaireacht um Leanaí agus an Teaghlach) |
| Italy | n/a |
| Latvia | Ministry of Welfare (Labklājības ministrija) |
| Lithuania | Ministry of Social Security and Labour (Socialinės apsaugos ir darbo ministerija), Family and Child Rights Protection Group (šeimos ir vaiko teisių apsaugos grupė) |

| EU Member State | Primary institution responsible for child protection |
|--------------------|---|
| Luxembourg | n/a |
| Malta | Child Protection Directorate |
| Netherlands | Ministry of Justice and Security (Ministerie van Justitie en Veiligheid), Youth Protection (Jeugdbescherming), and the Ministry of Health, Welfare and Sport (Ministerie van Volksgezondheid, Welzijn en Sport) |
| Poland | Children's Rights Ombudsman (Rzecznik Praw Dziecka) |
| Portugal | National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens) |
| Romania | National Authority for the Protection of Children's Rights and Adoption (Autoritatea Națională pentru Protecția Drepturilor Copilului și Adopție) |
| Slovakia | Ministry of Labour, Social Affairs and Family of the Slovak Republic (Ministerstvo práce, sociálnych vecí a rodiny Slovenskej republiky) |
| Slovenia | n/a |
| Spain | Ministry of Social Rights and Agenda 2030 (Ministerio de Derechos Sociales y Agenda 2030) |
| Sweden | National Commission for the Promotion of the Rights and the Protection of Children and Young People (Comissão Nacional de Promoção dos Direitos e Proteção das Crianças e Jovens) |

NB: n/a = not applicable.

Alternative text: Type your alternative text here.

Source: FRA, 2023.

2. National legislative and regulatory framework, including child protection policies

2.1. National legal frameworks

An integrated child protection system requires a national legal framework that creates a safe environment for children by establishing obligations for public and private actors to respect, protect and fulfil the rights of the child enshrined in the [CRC](#). Enforceable legal protection must be established for overarching children's rights. In addition, all relevant sector-specific laws must reflect the [UN principles and standards](#) applicable to Member States as duty-bearers under the CRC. This applies to laws on education, health and justice, for example.

Several Member States, such as Denmark, Estonia, France, Luxembourg, Malta and Slovenia, are revising or have recently revised or restructured their child protection systems. This includes their legal frameworks.

France, for instance, adopted a new law reasserting its coordination function in child protection in 2022. Likewise, in Hungary, the amended [Fundamental Law of Hungary](#) came into force on 1 January 2023. The law places the individual, human dignity and the protection of children at its centre.

More information on national legal instruments is presented in the maps below. The maps provide visual representations of this information, by Member State.

Figure 1 – Existence of a single legal instrument on child protection at national level

Endnotes

[1] UNICEF, United Nations High Commissioner for Refugees, Save the Children and World Vision (2013), A Better Way to Protect All Children: The theory and practice of child protection systems, conference report, p. 3.

[2] Council of Europe, Directorate General of Democracy (2019), Child Safeguarding Policy, p. 10.