The European Children’s Network (EURONET), Save the Children, International Planned Parenthood Federation (IPPF) and EUROCHILD – welcome the setting up of a fundamental rights agency by the EU (Proposal for a Council Regulation establishing a European Union Agency for Fundamental Rights (COM (2005) 280 final of 30 June 2005 and proposal for a Council Decision empowering the European Union Agency for Fundamental Rights to pursue its activities in areas referred to in Title VI of the Treaty on European Union), but at the same time has several concerns about the tasks and competences of this agency, which are highlighted in this paper.

Children’s rights NGOs wish to underline the following key messages in relation to the setting up of a EU Fundamental Rights Agency:

1. **Ensure that the Agency for Fundamental Rights’ field of action includes respect for Children’s Rights.** The Agency’s field of action as given in the Commission Communication is very limited. If a Fundamental Rights Agency is be set up it is of the utmost importance to include in its field of action the respect for the rights of the child within the EU and within the EU institution’s actions, legislation and policies. All EU Member States have ratified the United Nations Convention on the Rights of the Child (1989) and are bound to this.

2. **The importance of collaboration and close liaison between the coming Fundamental Rights Agency and the UN Human Rights Treaty Bodies, including the UN Committee on the Rights of the Child.**

We have a long time experience of following the work of the United Nations Committee on the Rights of the Child and see their valuable work. Their work should not be repeated or duplicated by the Fundamental Rights Agency, but liaised with.

It would be important that the Fundamental Rights Agency organised with the UN Committee on the Rights of the Child a regional meeting with EU member states on the concluding observations the Committee has presented for that regions state reports. This was done last year for the countries, signatories to the UN Convention on the Rights of the Child in South America. This year the same exercise will be held in Costa Rica for Central America and later in South Korea for the countries of Asia. So far there is nothing planned for the EU member states.

On the other hand there should not be any conflict of competences with other human rights bodies, such as the Council of Europe, which has undertaken programmes and actions on children’s rights, and the UN Council on Human Rights (which replaces the UN Committee on Human Rights), which has a subgroup on the Commission on Human Rights which focuses on children’s rights.

The link between the Fundamental Rights Agency and UN Human Rights Treaty Bodies should be defined in a memorandum of understanding.
3. **Link the work of the Fundamental Rights Agency to the work that will be undertaken on the basis of the Communication on the Rights of the Child.** The Communication on children’s rights aims to set up a European Forum on children’s rights in which civil society and experts are invited to participate. This European Forum should be used to feed in expertise to the Fundamental Rights Agency. Also a Future EU Representative for Children’s Rights and a Children’s Unit in the European Commission need to be in contact with the Fundamental Rights Agency to secure the implementation of children’s rights by the EU.

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