

Children's rights in 2017

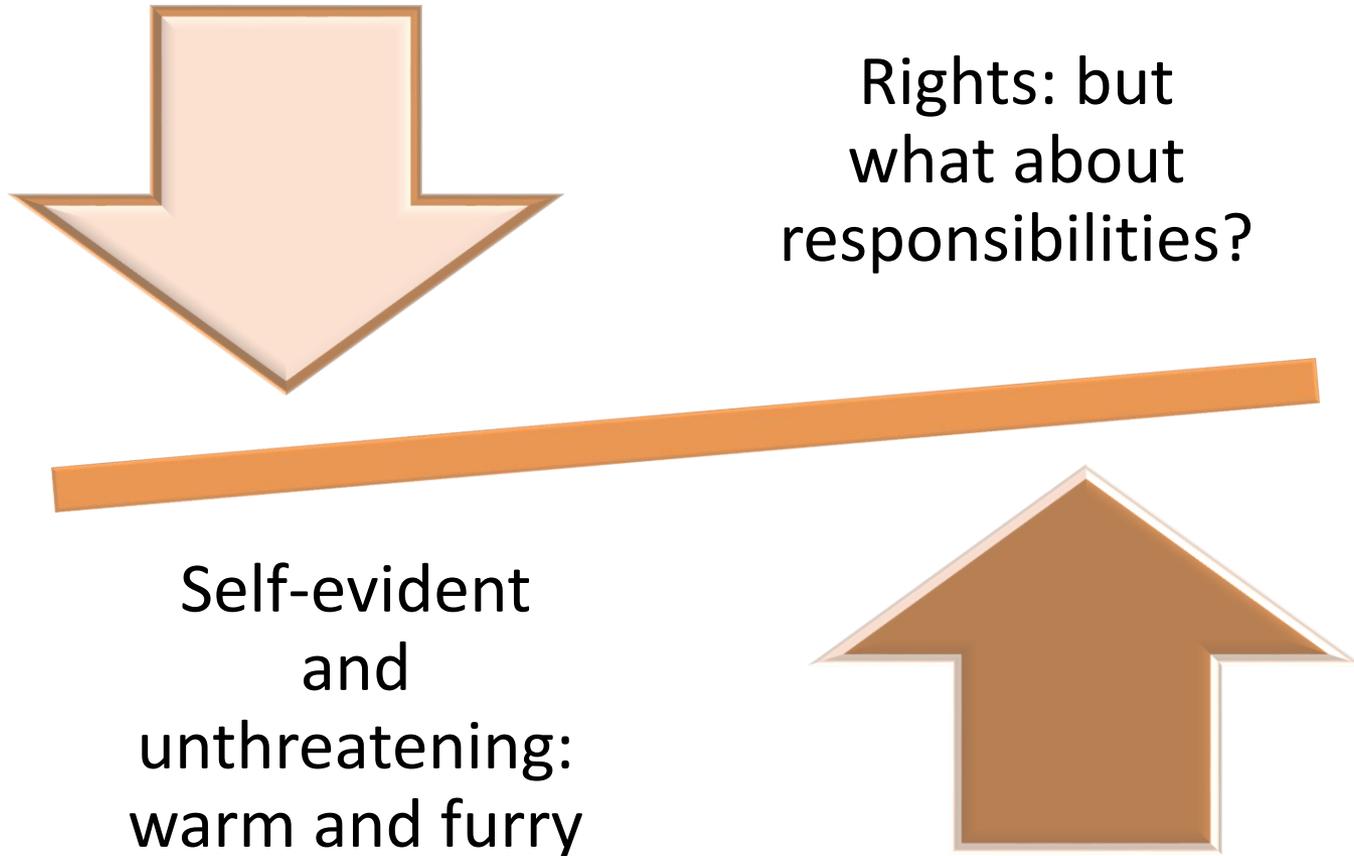


U3A, 26th April 2017
Gerison Lansdown

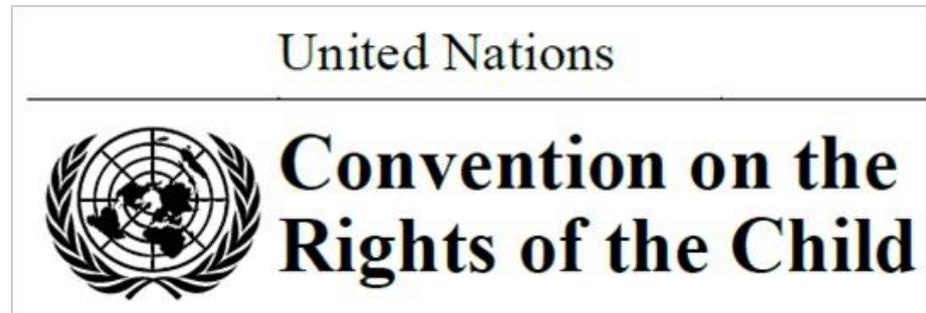
Overview of presentation

- How do we think about children's rights?
- What rights do children have?
- How have the international children's rights framework affected the reality of children's lives globally?
- What are the challenges in 2017?

Perceptions of children's rights



So what are these rights and where do they come from ?



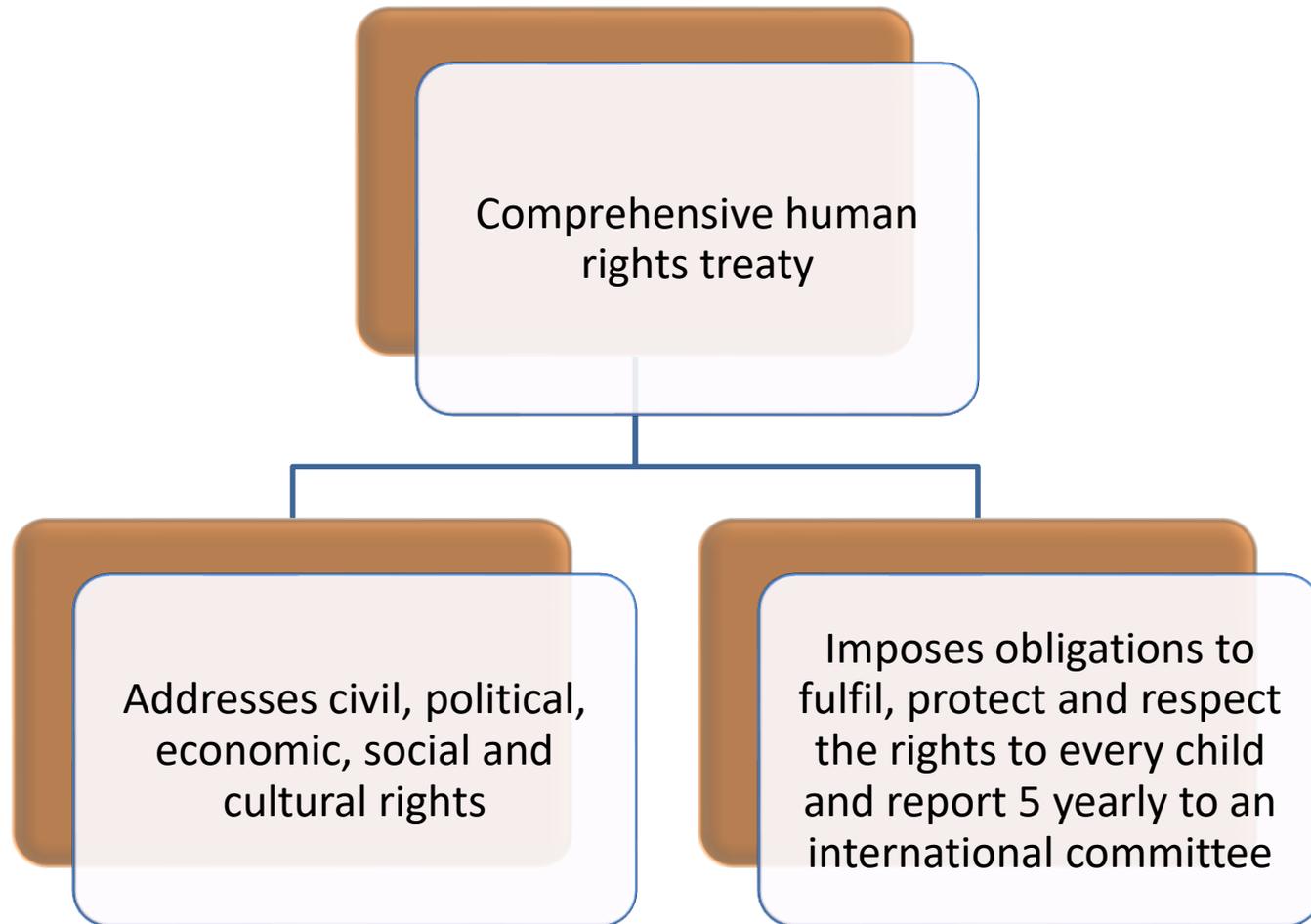
- 1989: UN Convention on the Rights of the Child adopted by UNGA
- 1990: UK ratified
- 2017: Universal ratification except US
- Scope: Comprehensive human rights treaty addressing civil and political, economic social and cultural rights
- Unique features: explicit recognition of children as subjects of rights not merely objects of protection
- Implications: Changes our understanding of children and childhood, and the place and status of children in all societies

Why a children's treaty?

Existing human rights treaties apply to children
..but..

- Children entitled to additional protective rights
- Need for recognition of implications of evolving capacities
- Need for guiding principles to inform adult decision-making in children's lives

Overview of the CRC



And that means governments must...

Fulfil rights

Health and optimum development

Education

Play

Social protection

Support for families

Care of children

Protect rights

Freedom from discrimination

Best interests

Freedom from sexual, economic and other forms of exploitation

Freedom from all forms of violence

Freedom from torture, inhuman or degrading treatment of capital punishment

Protection in armed conflict

Respect rights

To life

Family life

To be heard

To freedom of religion, expression, association

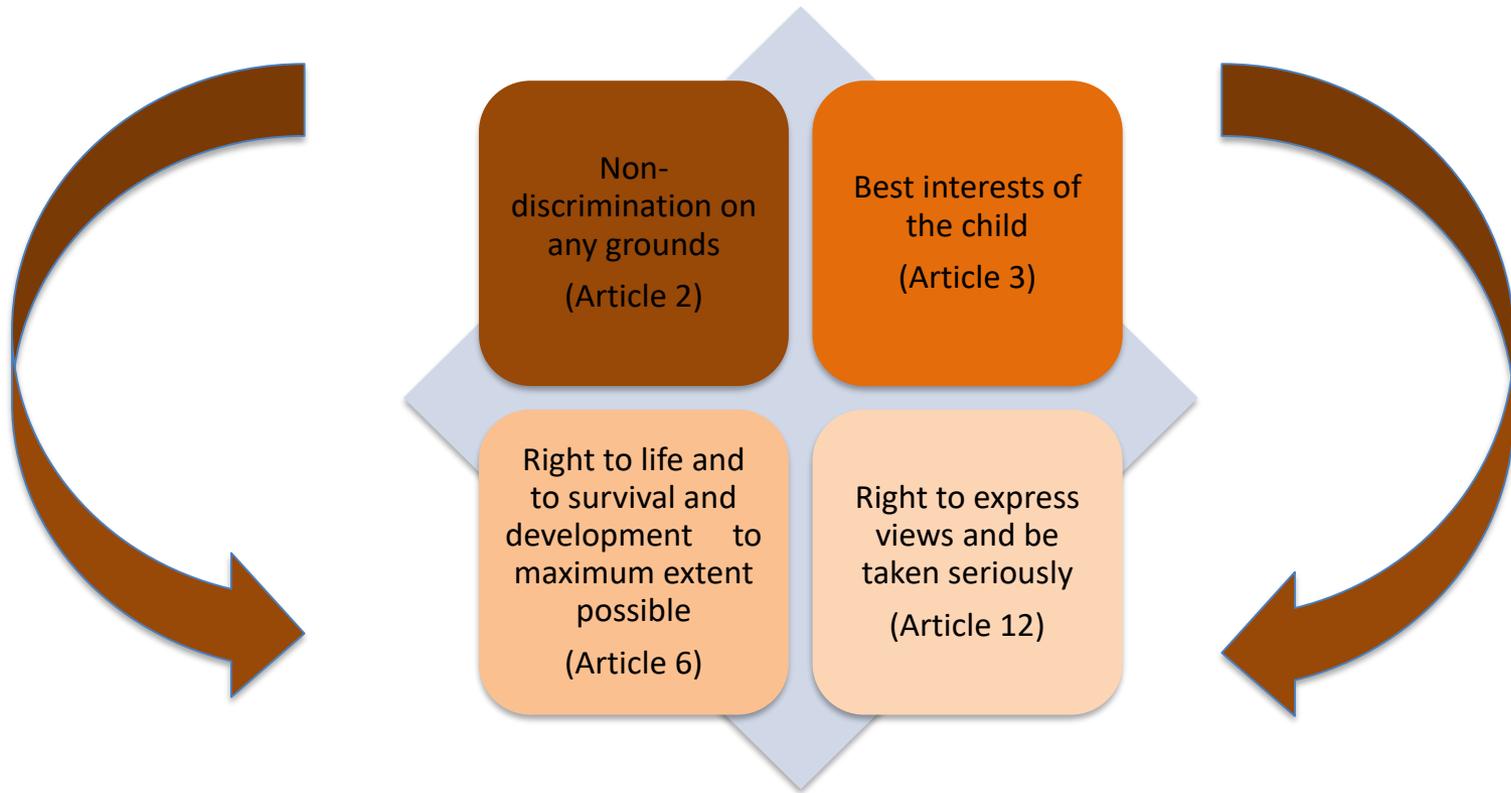
Privacy

Access to information, promoting awareness of the CRC

Due process in law

General principles

Inalienable, universal, indivisible



Must be considered in the realisation of all other rights

Implementing the CRC



International mechanisms



Government obligations



Civil society monitoring – including children



So what difference has this made to children's lives?



Examples of progress

Legislation

- Family law
- Child protection - sexual exploitation, violence against children, child marriage, child labour
- Education
- Juvenile justice

Policy

- Baby friendly hospitals
- Rights respecting schools
- Child friendly cities
- Sexual and reproductive health services

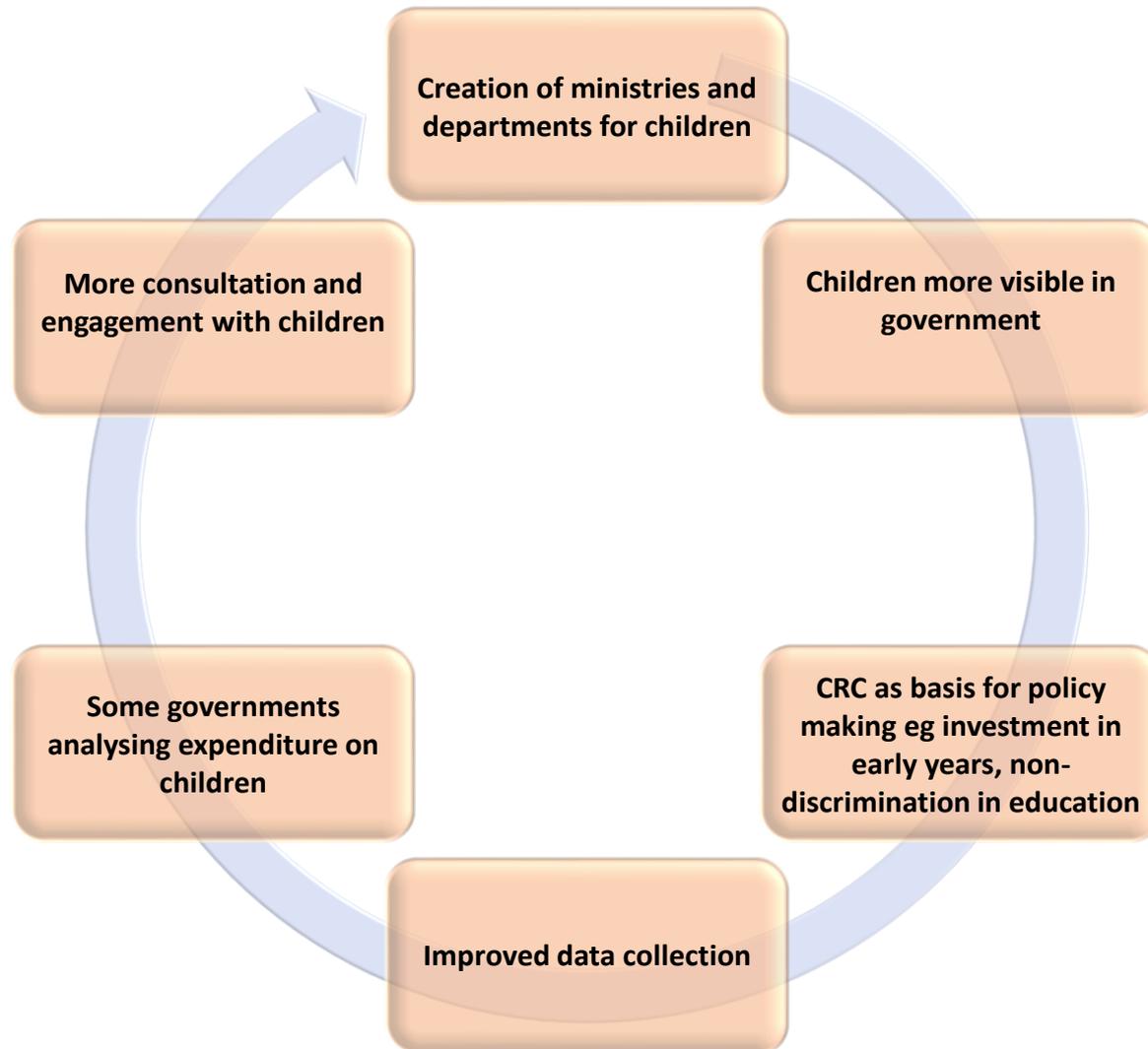
Social norms

- Visibility of child within the family – family not always protective
- Process of law reform has been the catalyst for profound cultural changes eg FGM
- Increased awareness of and action to address violence against children

For example: Violence against children

- Growing recognition of violence against children led to UN Study on Violence against Children
- Increased awareness of the sexual exploitation of children has led to an important enhancement of legislation globally:
 - broadening the definition of sexual offence
 - special protection for adolescent children
 - increasing sentences for offences against children
 - broadening the jurisdiction of their courts over offences committed abroad.
 - protection of child victims eg testifying through video links, testimony of professionals who have interviewed the victim prior to trial.
- 52 states have now ended corporal punishment in all settings (and over 50 more committed to doing so) – only 3 prior to CRC

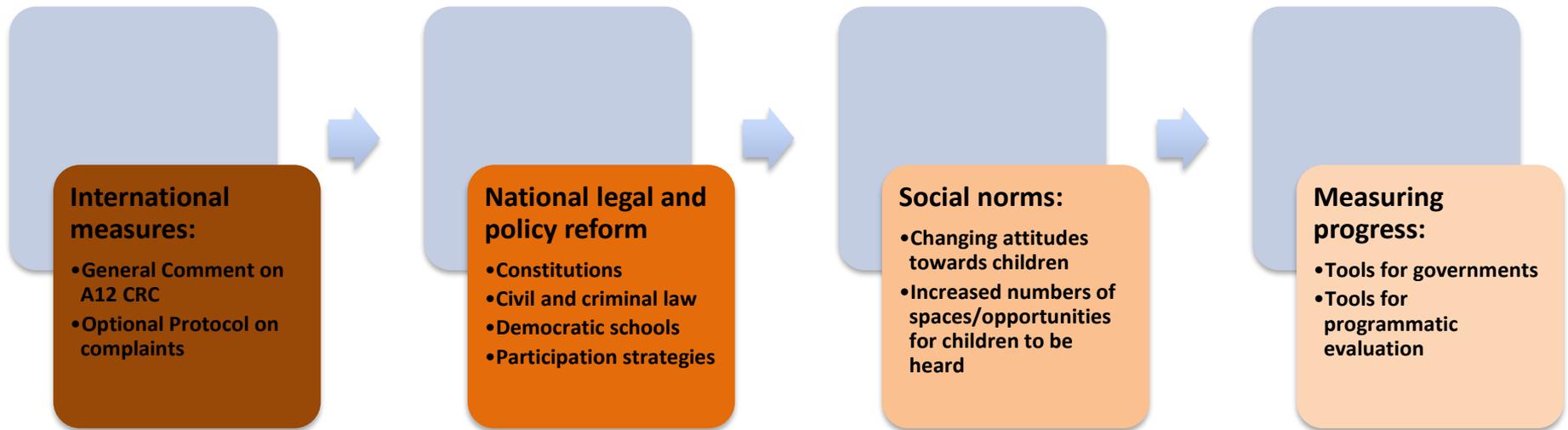
...and in government structures and strategies.....



And independent human rights institutions for children....

- Significant growth over 20 years
- Provide opportunity for monitoring and holding governments to account
- Overall now around 200 institutions in over 70 countries
- Most advance in Europe – by 2012 were 41 institutions in 33 countries
- Now also exist in Latin America, Canada, New Zealand, Philippines, Africa

...and finally, listening to children



So what does all this tell us?

On the positive side:

- CRC has had significant impact within governments— legislative reform, institutional reform, greater awareness of children as subjects of rights
- Growth of tools and mechanisms for monitoring and promoting children's rights – ombudsmen, tool of analysis, coalitions
- Beginnings of recognition of children as agents in their own lives – spaces for children to be heard are growing – in schools, in healthcare, in courts, in public arena
- Progress can have a domino effect
- Constructive dialogue with the Committee on the Rights of the Child can influence governments

But.....

**Too much change
is formalistic –
legislation not
implemented**

**Too many
government
indifferent or
contemptuous of
children's rights**

**Too few indicators
of compliance
developed**

**Emerging new threats
– radicalisation,
climate change, social
media, migration,
increasing inequality,
global conflict**

**Cultural
barriers and
resistance**

**Lack of training and
capacity in
children's rights**

**Growing backlash
against human
rights and civil
society
organisations**

To conclude...

- Children are subjects of rights entitled to equal respect for human dignity
- Human rights not a magic wand – but a set of universal norms to govern human relations and a framework to guide legislation, policy and practice
- Concrete but inadequate progress has been made
- Realisation of human rights a process - needs continual vigilance and advocacy
- Emerging global threats need to be addressed through a human rights lens