INTERNATIONAL INTERDISCIPLINARY COURSE

Children's Rights in a Globalized World: From Principles to Practicee

5 TO 17 SEPTEMBER 2010

GHENT-ANTWERP (BELGIUM)

Summary report

Edited by Wouter Vandenhole, Didier Reynaert, Sara Lembrechts, Ellen Desmet and Kathy Vlieghe

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MEMBER OF GHENT UNIVERSITY ASSOCIATION
Universiteit Antwerpen
CHAIR IN Children's RIGHTS UNESCO
KATHOLIEKE UNIVERSITEIT LEUVEN
KEKI CHILDREN'S RIGHTS KNOWLEDGE CENTRE

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FINAL REPORT

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Preface

The starting point of the 2010 edition of the International Interdisciplinary Course On Children's Rights (ICCR) was the recognition that the expansion and deepening of globalization results in the challenges of poverty, environmental degradation, child soldiering, child labour and migration assuming a new dimension. Globalization and the dispersion of power mean that today, states are only one among many actors. These developments challenge the concept of children's rights and ask for critical reflection on the role of children's rights as leverage for societal change. The reality of children's rights is much richer than a legal instrument and its implementation. The organizers believed that in order to turn principles into practice, a multidisciplinary approach, which allowed for multiple interpretations of children's rights, was needed.

Three horizontal themes were developed throughout the Course: interdisciplinarity, cultural diversity, and fundamental tensions (between protection and autonomy, and between participation and the best interests of the child).

The 2010 edition of the international Course has proven, once more, to be very successful – first and foremost thanks to the invited lecturers' dedication and the involvement of participants. They actively engaged in the discussions, and while having a sincere commitment to children's rights, showed a positive disposition to a critical analysis of current thinking and practice – without throwing away the child with the bath water, i.e. without rejecting children's rights because of legitimate and much needed critical reflection.

For us, the success of the 2010 edition of the Course has strengthened and confirmed our intuition and inner conviction that a truly interdisciplinary approach works, and reinforces each of the disciplines involved.

In this report, we have included a general report on the Course, as well as a selection of short reflection notes written by some of the participants. As part of the Course requirements, all participants were asked to prepare a short paper on how the Course would impact on their future work. All papers were extremely rich and offered interesting insights into the ways in which a Course like this can help change practices and approaches in the field of children's rights. Some of these papers have been selected for publication here. They may also serve as examples of good practices for others.

The course organizers are heavily indebted to their institutions: the Department of Social Welfare Studies at Ghent University, the Department of Social Work and Welfare Studies at University College Ghent, the Faculty of Law of the University of Antwerp, the Leuven Institute of Criminology and the Institute for Social Law at Leuven University, and the Children's Rights Knowledge Centre (KeKi). We equally extend our sincere gratitude to our sponsors: the Flemish Inter-University Council - University Development Co-operation; UNESCO and the Flemish Government. Without their financial sup-

port, the organization of this Course would simply not be possible. We are extremely grateful to our advisory board, for their expert advice and moral support, and to all the guest lecturers.

A final word of thanks goes to my colleagues on the organizing committee Ellen Desmet, Didier Reynaert, Julie Ryngaert, and Kathy Vlieghe; to Sara Lembrechts and Lauren Boag who assisted us with the practical organization and in particular with the evaluation and to all those who assisted us with the course logistics: Terry Amssoms, Azari Hajar, Rachel Hammonds, Charlotte Herman and Kenny Kolijn.

I am happy to announce that the next edition entitled 'Children's Rights and Globalization: critical approaches' will take place from 2 to14 September 2012.

We wish you pleasant reading!

Professor dr Wouter Vandenhole
UNICEF Chair in Children's Rights, University of Antwerp

Contents

Introduction

This report presents some general information on the 2010 edition of the International Course on Children's Rights. Additionally, particular attention has been paid to the evaluation process of this edition and finally we explored future challenges (Part I).

All text presentations are available on the website www.iccr.be (password protected). In addition, a selection of individual papers of participants is published separately in this summary report (Part II).

We would like to thank Sara Lembrechts for her invaluable help in drafting this report and Lauren Boag for the language check of the individual papers.

Ellen Desmet
Didier Reynaert
Wouter Vandenhole
Kathy Vlieghe

Comprehensive Report

1. Course Background

In 1989, the General Assembly of the United Nations unanimously adopted the CRC. Today, nearly all states of the world have ratified the Convention expressing their willingness to implement the principles of the CRC. The CRC on the Rights of the Child is an important tool for improving the situation of all children in the world.

More than 20 years after the adoption of the CRC and 60 years after the adoption of the Universal Declaration of Human Rights, it is time to take stock of the achievements and challenges. In particular, as globalisation expands and deepens, challenges of poverty, environmental degradation, child labour and migration take on a new dimension. Globalisation and the dispersion of power also mean that states are only one among many actors.

These developments challenge the concept of children's rights and ask for critical reflection on children's rights as leverage for societal change. The reality of children's rights is much richer than a legal instrument and its implementation. In order to turn principles into practice, a multidisciplinary approach, which allows for multiple interpretations of children's rights, is needed. A critical reflection therefore strengthens rather than weakens children's rights.

The International Interdisciplinary Course Children's Rights in a Globalized World: From Principles to Practice wants to make an active contribution to the proliferation and promotion of the CRC and its underlying values and aims at critical refection on children's rights.

2. Course Conveners

The Course Convenors are the UNICEF Chair in Children's Rights (University of Antwerp), the Department of Social Welfare Studies (Ghent University), the Faculty of Social Work and Welfare Studies (University College Ghent) and the the Leuven Institute of Criminology and the Institute for Social Law (K.U.Leuven/ Leuven University), in close cooperation with the Children's Rights Knowledge Centre (KeKi). An Executive Committee is responsible for the practical organization of the course, whereas an Advisory Board of international experts monitors the course content and structure.

UNICEF Chair in Children's Rights, University of Antwerp

The UNICEF Chair in Children's Rights was established in early 2007. Its research aims at exploring the interaction between, and mutual enrichment of, children's rights and human rights in the field of economic, social and cultural rights. Particular attention is paid to the mobilization of children's rights in the Global South. The Chair is attached to the Law Faculty of the University of Antwerp.

Department of Social Welfare Studies, Ghent University

The Department of Social Welfare Studies at Ghent University hosted the Children's Rights Centre from 1978 to 2010. The Centre organised an annual International Interdisciplinary Course in Children's Rights between 1996 and 2000, and subsequent editions in 2003, 2004, 2006 and 2008. It ran an interdisciplinary research project on 'Human rights of children: implementation and monitoring through participation'. This joint study focused in a second phase on participation of children and was a network research project between the Children's Rights Centre and the Human Rights Centre of the Law Faculty of Ghent University, the Institute of Constitutional Law of the Law Faculty of the Catholic University of Leuven (K.U.Leuven) and the Department of Criminology and Penal Law of the Law Faculty of the Catholic University of Louvain-la-Neuve (UCL). The Department's current research mainly focuses on a socio-political reading of children's rights.

Faculty of Social Work and Welfare Studies, University College Ghent

The Faculty of Social Work and Welfare Studies is one of the 13 faculties of the University College Ghent. The faculty offers a Bachelor in Social Work and a Bachelor in Socio-educational Welfare Work. Research activities in the domain of social work focus on the relation between welfare and justice, where children's justice is of particular interest. The social practice of children's rights education is studied from the perspective of social pedagogy.

Leuven Institute of Criminology/Institute of Social Law, K.U.Leuven/Leuven University

Launched in January 2007, the Leuven Institute of Criminology (LINC) is composed of about seventy professors and assistants involved in criminological research and education within the K.U.Leuven Faculty of Law. LINC is the most recent institutional incarnation of the criminological tradition in Leuven that

started with the establishment of the "School of Criminology' in 1929. LINC intends to continue the Leuven tradition of combining solid research with a deep commitment to society. This goal is achieved through fundamental as well as policy-oriented research that is organized around 10 research lines, one of which is 'Youth Delinquency and Prevention'.

The Institute of Social Law, one of the first research units of the Faculty of Law of the K.U.Leuven, was founded in 1967. With about twenty professors and assistants, the Institute takes care of education, research and services in the field of social security and social welfare law in the broadest sense. The Institute also holds the secretariat of the European Institute of Social Security.

Children's Rights Knowledge Centre

The Children's Rights Knowledge Centre (in Dutch: Kenniscentrum Kinderrechten, abbreviated as KeKi) promotes inter-university cooperation with the aim of bringing together, making accessible, spreading and stimulating the knowledge on the rights of the child as generated by scientific research at national and international level. The establishment of KeKi is foreseen in the Decree regarding a Flemish youth and children's rights policy of 18 July 2008. With the support of the Flemish authorities, KeKi is operational since 1 January 2010.

3. Course Objectives and Themes

The 2010 edition of the International Interdisciplinary Course on Children's Rights consisted of four clusters. In the first cluster, a multidisciplinary introduction to children's rights was offered. Experts from educational sciences, history, law and anthropology contextualised children's rights within their respective disciplines. Through this multidisciplinary introduction, some of the challenges children's rights face, in light of globalization and the varying contexts children's rights are mobilised in, were explored.

A second cluster focused on implementation strategies and methodologies towards children's rights, ranging from child rights programming to child studies, advocacy and lobbying, etc. For each implementation strategy and methodology, an assessment was made of its strengths and weaknesses. Particular attention was paid to the issue of participation of children. Based on this introduction, participants were asked to critically reflect on their own strategies and methodologies through a collective and individual assignment.

In a third cluster, five issues were explored, i.e. child labour; the environment; poverty; armed conflict and migration. This selection of themes was based on their topicality and their relevance for the implementation of children's rights in times of globalization. A full day was dedicated to each issue.

A fourth and final cluster focused on different understandings and models of children's rights education.

While the UN Convention on Children's Rights and its four general principles were a common thread throughout the course, much attention was equally paid to other children's rights paradigms and the context in which the realisation of children's rights takes place. Three horizontal themes were developed throughout the course: interdisciplinarity, cultural diversity and fundamental tensions (between, for example, protection and autonomy or between participation and the best interests of the child). The first two themes were ensured through the selection of participants and speakers (in particular by ensuring diversity in disciplinary backgrounds and regions of origin). The interest in fundamental tensions was brought to the attention of speakers as particular foci of attention.

Widely recognized experts from all over the world facilitated the lectures and workshops. Participants were expected to actively engage in discussions in the classroom setting, in workshops and during the informal coffee and lunch breaks.

In addition, the Children's Rights Education Walk organised by the Peace House Ghent and a documentary on child labour provided alternative input for fruitful discussions among participants.

4. Working Methods

Lectures and workshops

The methodology of the course consisted principally of a mixture of lectures and workshops. During the first and the second cluster, focus was mainly placed on expert lectures and group discussions. The course days of the third cluster – focusing on the five thematic issues – were organised along a new structure. In the morning, two experts presented their views on the theme of the day, from their own disciplinary and professional background. After each presentation, time was provided for questions and discussion. For the afternoon session, the two speakers had prepared a workshop together, as to go deeper into some specific fundamental issues or tensions. A multiplicity of methodologies was employed, including group discussions on the basis of a key question or proposition, role playing in which each participant had to take up the role of a certain actor in a case on children's rights; and a rotation system in which different topics were broached. To enable a broader participation, the trainees were split into smaller groups. At the end of the afternoon, the main results of each group were presented in plenary by a reporter.

Collective assignment

General Purpose

Participants were expected to prepare an assignment in a collective setting during the first week of the course. The purpose of this assignment for participants was to demonstrate that they understand the CRC and its underlying ideas and concepts. Course members were expected to show they could make

use of the framework of children's rights in social practices. Likewise they were expected to critically reflect on the framework of children's rights and its meaning in daily practice.

Concrete Design
At the end of the second day, participants were divided into small groups of 5 to 6 members (via the method of "open space"). Participants were encouraged to form groups across disciplines and geographical backgrounds. In these groups, participants explored the course contents of the first week, in particular the multidisciplinary perspectives on children's rights and the strategies and methodologies for implementation. The purpose of the group work was to create a forum for discussion where participants could share and learn so that the course content could be explored more profoundly. This culminated in a presentation that reflected the discussion process.

Groups chose themselves which theme they were working on. A variety of topics was chosen, including:

- Restorative justice, minimum age of criminal responsibility and youth gangs
- Children in armed conflict
- Violence against children (2 groups)
- Basic concepts related to children's rights
- Participation of children (2 groups)

Coaching and Practical Arrangements
Participants were expected to engage in group work and to learn from group interaction. Participants could also consult the invited experts of the day. In addition, a reader was made available. Finally, the computer classroom was open and allowed participants to use the Internet. Participants also had access to the library of the Faculty of Psychology and Educational Sciences in Ghent and the Humanities and Social Sciences Library in Antwerp.

Presentation
At the end of the first week (Saturday 11th) a presentation and discussion moment was organised. Each group had 10 minutes to present the outcome of its group discussions in a creative way, followed by 5 minutes time for questions and answers from experts and participants. The concrete output of the group assignment ranged from role play presentations to videos, interactive questions, discussions, PowerPoint presentations, etc.

Individual assignment

General Purpose
Participants were expected to critically reflect on their own understanding of children's rights and the current way of integrating them in their work. They were asked to identify ways in which their understanding and practice could be enriched by insights gained from lectures, discussions and group work during

the course. What do they take home from here, and what do they want to do with it?

The course intended to reach out to trainers and high-level professionals, who can themselves share the insights and knowledge that they have acquired in the course. Therefore, the individual assignment was aimed at encouraging critical reflection on one's own professional work in the field of children's rights, and at the promulgation of good practices.

Concrete Design
Participants were expected to write an essay of maximum 1,500 words (3 pages) in which they

- explained their current professional activities in the field of children's rights;
- critically reflected on these activities on the basis of lessons learnt from the course;
- translated these reflections and lessons in specific intentions for their future professional activities.

In so doing, participants were encouraged to refer to the expectations they formulated on their application form.

The course organisers published a selection of essays, representative of the different expectations, perspectives, intentions, and professional areas, in the second part of this report.

Coaching and Practical Arrangements
Participants were briefed on this assignment on the start of the second week of the course. They were expected to submit the essay at the latest on Thursday 16 September (18.00 pm). Again, the experts, reader and library resources could be consulted if required. A collective feedback workshop was organised on the last day of the course. Individual feedback was provided upon request.

5. Information about Participants

The course aims to reach professionals from NGOs, national human rights organisations, the government, international organisations, academics and doctoral students as well as grass root workers and policy makers. More than 150 candidates applied for the course. It was a conscious choice to limit the group to about 40 participants given its setup as a residential training course, not a conference. Selection criteria included university training, professional experience, different backgrounds/disciplines, gender, and geographical spreading. As a result, 42 high-quality participants from a diverse cultural, disciplinary and professional background attended the course. There were more than double as many female as male participants. In total, 31 different countries of origin were

represented. The proportionally largest number of trainees originated from the Asian region. This can be explained because of the large number of applications received from Asian countries, the availability of funding opportunities, and a good familiarity with the English language of the applicants.

Graphs on the gender, region of origin, educational and institutional background of participants

Figure 1 – Gender of participants

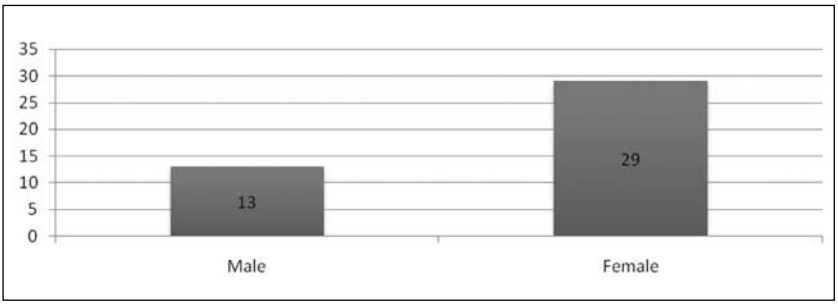


Figure 2 – Region of origin of participants

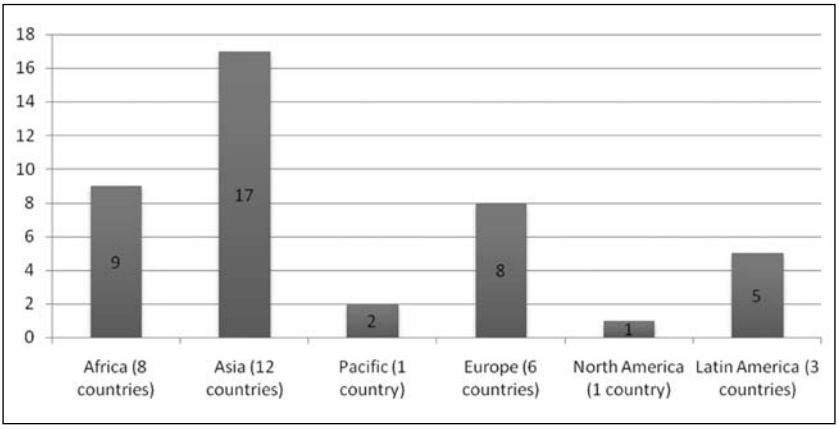


Figure 3 – Educational background of participants

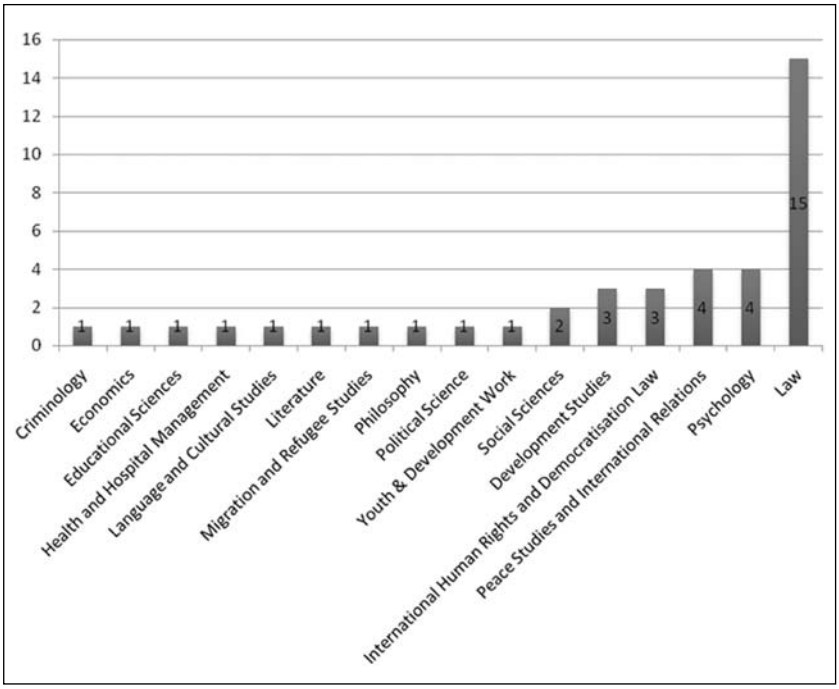
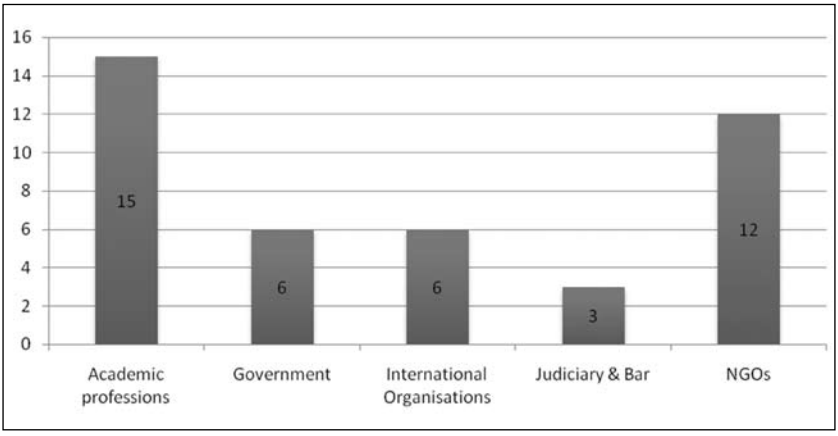


Figure 4 – Institutional background of participants



6. Profile of Presenters

In selecting presenters for the International Interdisciplinary Course on Children's Rights, the organisers focused on quality and diversity. Selecting a group of presenters recognised as expert in their field was an important criterion.

The presenters constituted a diverse group including academics in law, educational sciences, sociology, social work and development studies; professionals from non-governmental organisations; and public servants including the Belgian Children's Rights Commissioner.

About half of the presenters is professionally active in Belgium (7 on a total of 15). This is because various speakers are affiliated to the institutions organising the course, given the in-house expertise and the desire to maintain a certain course orientation. Other presenters work in Argentina (Prof. P. Ceriani Cernades), Chile (Prof. J. Aylwin), India (Prof. U. Vennam and C. Lambert), South Africa (Dr. B. D. Mezmur), Switzerland (Prof. K. Hanson), the United Kingdom (Dr. K. Roelen) and the United States of America (D. Goodman). There were slightly more presentations by male (9) than by female speakers (6).

7. Course Evaluation

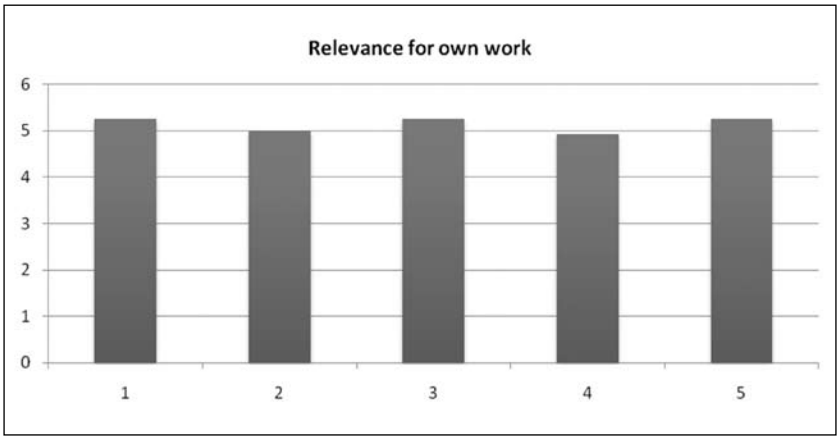
General comments

As is clear from the evaluation reports, this course was a success. One of the main positive comments was in relation to the fact that the participants were impressed that individuals had come from all over the world in order to attend the course, and the cultural differences leading from this broad distribution gave rise to a high standard of debate and reflection.

Processing of evaluation forms

At the start of the course, participants received an evaluation form within the general course pack. This evaluation report was clearly labelled with the day, the speaker and the activity. Each day participants were required to mark the content, quality and clarity of the lecture and assess the quality of the complementary lecture materials contained in the course reader. In addition, the participants stated if they felt sufficient time was given for discussion of issues at the end of the lecture and had an opportunity to communicate any additional comments both practical and more content-based. Participants graded these different categories on a scale of six options - ranging from "I fully disagree" to "I fully agree" and the results were collected at the end of every session. In order to process these results, each of the six options was assigned a mark from one to six (six being the highest). The total score of each category within the section was added from all the evaluation reports, and reflected in an overall score from 1 to 6 in order to accurately represent the views of the participants.

Each day the course received around 30 evaluation reports[1], and therefore the results created are of a relatively high standard of accuracy.
To illustrate some of the general topics that were evaluated, we hereby present below the following graphs:



1. The topics that were addressed during the lectures correspond to my own interest.
2. The variety of methodological approaches in the ICCR will inspire me in my own work.
3. I have acquired new knowledge that is of direct relevance to my own work/ research.
4. I had sufficient occasion to establish new contacts.
5. I would strongly recommend the ICCR to colleagues.[2]

The results of the evaluation are important in the organisation and arrangement of future courses, and in the reflection of the course for participants. The reports also offer the speakers a chance to critically reflect upon their own input and perhaps alter their future presentations in order to improve the presentation of data and other aspects.

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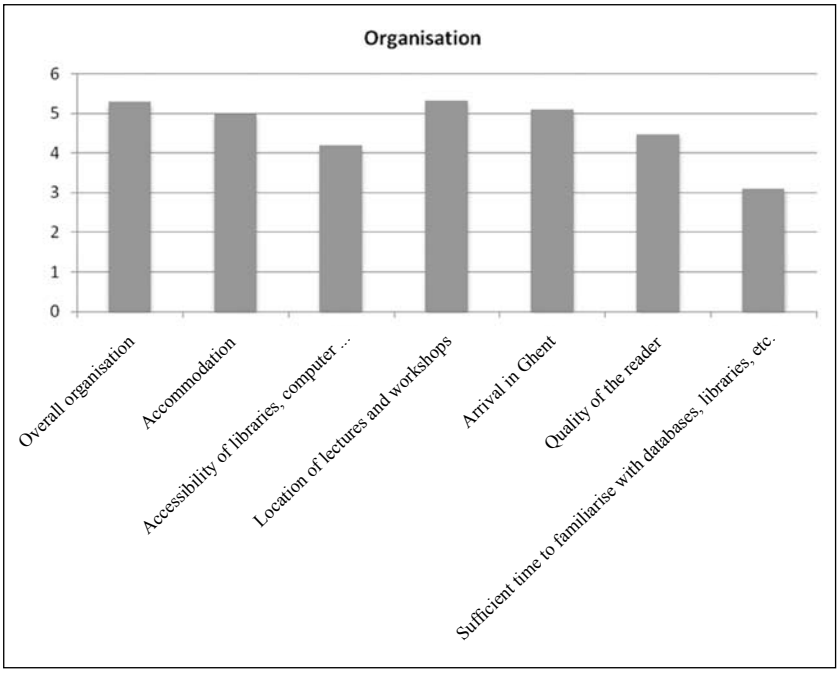
[1] On the last day of lectures, only 12 evaluation reports were submitted.

[2] The numbers from 1 to 6 on the vertical axe reflect the average level of agreement with the five statements regarding 'relevance for your own work'. On the evaluation forms the participants graded the aforementioned statements on a scale of 6 options ranging from "I fully disagree" (0 points) to "I fully agree" (6 points).



Lectures

The information from the evaluations on lectures will be used in the preparation of subsequent courses. The lectures covered a wide range of subjects and perspectives. The presentations on the topics of child labour and child soldiers have been particularly appreciated.

The speakers had differing ways of presenting the content and these methods were reflected upon in the "general comments" section of the evaluation forms. In general, it was indicated that interactive methods of lecturing were more effective at engaging the participants. The time for discussion after the lectures was very much appreciated, although it was felt in some circumstances that more time could have been allowed for this purpose in order to let the participants go deeper into the subject.

Through the evaluation forms, the participants expressed that the lectures were in general of a high quality and highlighted areas of further interest. The participants used the evaluation to reflect upon the content as well as practical aspects and issues contained within the lectures. For example, participants made occasional critical comments on how visible some power points were, and made suggestions upon how to remedy this issue. These reflections shall be used in order to improve content in the future.

Assignments

Participants completed both an individual assignment and a group assignment during the course period. For the group assignment, the participants were split in to small groups of five or six through the method of "open space" and chose topics that they wished to explore in a critical manner. A variety of topics emerged all centring on the position of a child in society and groups used different methods to present the findings of their work – ranging from a self-made movie to role play and other interactive methods. Some interesting new issues emerged, and this prompted further discussion and reflection. The participants expressed that this exercise was one of the highlights of the course, and that it contributed to their overall experience in a positive way.

Through the individual assignment, individuals were able to analyse what impact the course had and would make on their professional – and personal – lives. This was a way for participants to reflect on the course as a whole and discuss how the issues raised could have a practical impact on their careers. The participants concluded this was a worth-while exercise and gave individual context to the content as a whole.

Workshops

The workshops gave participants a way to take ideas from the sessions, and put them into a practical application process. Reflected in the evaluations was a strong sense that this was a very beneficial exercise. Participants appreciated the discursive nature of this task and the workshops generated interesting debate – often based on cultural considerations.

Additional activities

The participants enjoyed various additional activities ranging from movies to walking tours. The participants were shown a short movie about a child living and working in an extremely deprived area of India, and this proved to be one of the most moving elements of the course. The movie prompted immediate feedback and discussion based around morals of such a movie, as well as how the situation of an individual such as the child in the movie could be practically altered for the benefit of similar children. Participants expressed that the movie presented a good example of a child's perspective and discussion flowed to include children in similar predicaments within participants' countries and what steps had been taken to help them.

In addition, some of the participants viewed a short movie on child soldiers. This was felt to be another interesting example of children directly accounting their lives and being given an opportunity to share undiluted views. This movie sparked another discussion among those who watched it, on the challenges facing those who wish to help children in this situation.

The Children's Rights Education Walk is a walking tour of the city with a difference. This tour is run by an organisation which promotes children's rights

to children themselves through the practical explanation of these rights along the route of a special tour in Ghent. This tour was aimed at giving an alternative view to the educational process, and created and inspired discussion. The tour received a very high evaluation and the participants commented that it was interesting to be taught about rights from a child's perspective. In this way, the tour contextualised one of the main issues of discussion - the need for children's participation in learning about their rights.

Finally, general walking tours of both Ghent and Antwerp were arranged. This was an enjoyable introduction for the participants into Belgian history and culture.

8. Impact of the Course

Guarantees of follow-up

In addition to what participants have personally learned and acquired in terms of knowledge and expertise, the course makes a major contribution to

- The establishment and elaboration of a network of professionals. As a follow-up of the course there will be an ongoing sharing of information and cooperation between the different participants and their respective institutions.
- In-house and local training initiatives: the last day of the course, the course organisers scheduled a session on setting up a children's rights course. This sharing of knowledge has been highly appreciated (see below: regional initiatives). Numerous participants showed interest to expand their research and teaching in the area of children's rights as to be able to set up regional thematic short training initiatives in the near future.

Course output

This comprehensive course report is followed by a selection of short papers written by course participants, as a final output of the individual assignment.

Sustainability and moving forward: national and regional initiatives

A major objective of the course conveners is to trigger a multiplier effect, so that the course inspires other, regional as well as national, training initiatives. On the one hand, regional initiatives outside Europe are needed in order to fully take account of cultural diversity and local specificity. On the other hand, national and regional initiatives are better suited to respond to the clear need to offer training to grassroots workers at a more practical level. This course mainly targets advanced professionals.

The convenors of the International Interdisciplinary Course on Children's are willing to facilitate national and regional initiatives by

- sharing their organisational and managerial expertise (i.e. course budgeting, course format etc);
- sharing their materials (reader, background documents etc);

- making their substantive expertise available to the extent possible (i.e. teaching at these trainings);
- sharing their network of experts/presenters;
- actively supporting local organisers in fundraising.

9. Financial Support

The course enjoyed the structural financial support of two institutions, the Flemish Interuniversity Council – University Development Cooperation (VLIR-UOS) and UNESCO. Through this co-financing, the participation of in total 19 trainees and 4 experts was facilitated. VLIR-UOS funding made it possible to invite 2 experts and 12 participants coming from Burundi, Colombia, Ecuador, Ethiopia, India, Kenya, Peru, the Philippines, South Africa, Tanzania, Uganda, and Vietnam. Moreover, thanks to UNESCO scholarships 7 trainees and 2 experts from yet other countries and regions participated in the course, more specifically from Argentina, Armenia, Chile, Gambia, Iran, Mongolia, Sudan, and Turkey. This complementary funding allowed for a geographically diverse and balanced group of participants and speakers and a truly intercultural perspective was guaranteed throughout the course.

Therefore, the course organisers see this cooperation as a mutually enriching partnership.

We have managed to obtain roughly one-third of financial resources through the registration fees of paying participants. These fees were in most instances covered by other institutions or employers, such as UNICEF, Save the Children, World Vision, or universities. Finally, the Children's Rights Knowledge Centre (funded by the Flemish Government) covered the printing materials and office supplies, and brought in collaboration in kind of its staff. Flemish Universities and University College Ghent equally contributed considerably in kind by making their staff, premises and logistic support available.

10. Recurrent Challenges

Notwithstanding its overall success, the International Interdisciplinary Course on Children's Rights is faced with some recurrent challenges. As regards the basic orientation of the course, at times a tension can be noticed between the critical perspective advanced by the course convenors and the more practical questions of implementation put forward by some participants. Also, it remains a challenge to identify speakers who have expertise in the wider children's rights field and associate themselves with the critical approach of the course. Moreover, an appropriate balance must be achieved between maintaining the registration fee at a reasonable level as to not unduly limit the accessibility of the course on the one hand, and financial attainability on the other. Finally, the presence of a geographically diverse palette of participants and speakers cannot be guaranteed in the future without structural funding.

Selected papers collected out of the individual assignments presented by the participants

Reflections: Sexism as a barrier to the progression of Children's Rights?

Lauren Rena Boag Law Student University of Dundee – Scotland

Introduction

Children are currently invisible to a large extent within society, and this must change in order for them to have adequate autonomy about decisions that will affect them for the rest of their lives. It struck me that there is a direct link between the lack of rights for children in certain societies, and the lack of rights for women. Children are often seen as the property of their parents just as women are often seen as the property of their husbands, and girls especially are often particularly vulnerable to this flawed concept and the associated sexist implications. An issue that highlight this is the degrading and unnecessary practice of Female Genital Mutilation (FGM).

Female Genital Mutilation – not merely a "taboo"

The course highlighted many strong issues for me; however there was one especially stark example of the vulnerability of children being exploited by adults in order to be conformed to the male view of the "norms in society", which parti-

cularly affected me. The continuing practice of Female Genital Mutilation really shocked me. I found this to be a grave and exceptionally degrading and cruel practice that is enforced upon young children at the discretion of their parents. My opinion is not that only men are responsible, as the practice is accepted by society as a whole due to the traditional aspect. However men play a huge part in the eradication as the process has roots in extremely sexist ideologies - including that women's supposedly "insatiable" sexual desire must be controlled, and that the only way to ensure the purity of a female up on marriage is thus to alter the physiology of young women. This is not acceptable, and views must be changed through education. Other countries are not doing enough to assist countries that are host to the practice to alter these false ideas. I feel this issue is very much "taboo", especially in the West, and that by labeling it merely a cultural tradition and creating the excuse that it will take a long time to change, there is not enough focus on it now and there needs to be. By standing back and not putting huge resources in to tackling this issue, there is no challenge and thousands of young girls are bearing the cost of this leniency.

The practice of Female Genital Mutilation is one of the most flagrant breaches of the United Nations Convention on the Rights on the Child. Often when we talk about rights, we may sub-divide them in several ways. It is possible to categorise principles and rights into derogable (such as right to life), and non-derogable (such as freedom from enslavement). In my opinion, the continuing practice of Female Genital Mutilation breaches one of the most absolute of the non-derogable rights – the right to freedom from torture. It is my opinion that this practice constitutes a type of torture. Sadly the broad legal definition of torture mainly applies to the infliction of suffering at the hands of the State and not private parties. However, the State has an obligation to ensure that there are sufficient penalties that apply to private parties who inflict pain on others, under the criminal law. In my opinion, many countries in which FGM is practiced do not have an adequate enforcement or monitoring system directed specifically at this issue, and thus one day it may be possible that a victim of FGM may hold a State accountable for failing to protect them. In addition, it may be construed as a form of sexual abuse. No person should have the power to touch or interfere with a child's sexual organs under any circumstances without their consent, unless for urgent medical needs.

This ritual is customary, not religious, as is often thought. This FGM culture exists mainly in Africa, parts of Asia and the Middle-East, and in areas of Europe. Due to the cultural status of the ritual, it is particularly entrenched within communities, and seen by many as a necessary and perfectly legitimate practice. This is a non-urgent medical procedure that is often fatal, and may cause infertility, severe gynecological disorders such as *Obstrestic Fistula*, and long term medical disorders. In Africa alone, international aid pumps millions of dollars in to schemes to immunize children from infection and illness, which I agree is extremely beneficial. Comparatively little seems to be done to help the thousands of young girls who every year will be subjected to a fatal and totally unnecessary practice that amounts to a form of torture. It simply does not seem right to me. It is estimated that 100-140 million women have been subjected to

this process, and all of them to the pain, psychological implications, and many to adverse complications.

FGM is slowly being recognised by the International Community as an extremely cruel and inhumane form of treatment. A marker for this is that it has formed the basis of successful refugee claims in certain parts of the world. However, it is still not an explicit ground, and amendments to refugee legislation need to be made to allow girls a certain and legitimate escape route. For example, in America applicants have been granted refugee status on the basis that they can demonstrate persecution is based on membership of a particular group. However, this is not a well established rule, and legislation needs to be amended in order to make the entry for potential victims an explicit right. Jurisprudence is slowly expanding the rights of women in the field, with the holding that a woman who has been subjected to FGM has a claim to asylum regardless of age at the time and memory of the event on the basis that FGM has a strong link to other forms of victimisation linked to sex. It is my hope that this expansion shall force increased involvement with the issue and push it forward in the International Agenda.

Several countries have expressly outlawed FGM already, however it continues to be practiced especially in the rural community, where campaigns and efforts to stop it often do not reach. There has been a worrying shift recently, in that medical practitioners have started to carry out the procedure more often. This signifies that people are more concerned about the health effects. However, it shows the belief that it can be made "safe" by the employment of a practitioner. Sadly, this means that the emotional and mental psychological impact is still not being taken seriously. Legislation banning doctors from carrying out this procedure has been issued in many countries, however to little affect.

I believe that the only way in which this violation can be stopped, is through a grass-roots approach. Local level education programs must be put in place in order to change people's minds about the practice, as opposed to simply telling people that this practice is "wrong" and should be stopped. It is this attitude shift that is crucial to stopping the abuse. Sadly, the practice is based on male ideology, and it is the males that play the most crucial role in this shift of attitudes. They must be informed of the facts and about the high rate of complications. In addition, it is necessary to dispel all the surrounding myths such as that this practice adds to the fertility of the concerned girl and the risk of birth complications and infertility must be stressed. Until fathers and strong minded males change their view on this, it will continue irrespective of the penalties attached to subjecting a child to FGM, which are already strict. The International Community must put more effort in to funding these projects, and not merely putting pressure and legislation in place. Sustained pressure is needed to ensure the countries that are involved with the cultural tradition are enforcing the issue in focus and making a steady effort to stop it. There must be funding put in place in order to train and employ local people who are informed on the facts to deliver the messages at the local level. I believe the education must be kept

local, as people will not disregard a customary tradition – however barbaric – if simply "told" to do so, by the International Community. It is essential to offer an incentive to people in rural communities in order to gain their participation in the education, and some thought must be given to this.

Conclusion

In conclusion, much progress has been made in relation to expanding the rights of children in global society. I feel that the western view is often preached and forced upon other countries as a condition of certain agreements, and this is often inappropriate. Attitudes to the position of children in society, and their ability to participate and be a part of decisions that affect them must change in both the West and the rest of the world. Countries in which FGM is practiced need more support to end this ritual, and not forced in to empty promises that cannot be realised due to the lack of resources. The Millenium Development Goals should have contributed to the ending of the practice (via reinforcing gender equality and the right to health) and I hope they continue to do so.

However in relation to certain countries (such as those which practice Female Genital Mutilation), persistent action must be taken against sexist views in society which have a direct link to the perceived "ownership" of both children and consequently women. It is my submission that without the destruction of the concept of ownership relating to a class of adults within certain societies, adequate progress cannot be made towards the emancipation of children.

Upholding rights: Including children's voices in research

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This discussion is written from the perspective of a participant with a background in researching with children, using the United Nations Convention on the Rights of the Child (UNCRC, 1989) as the foundation for such work. The ICCR course was therefore applied for and attended with the expectation that it would add further knowledge to an already established grounding in children's rights. In particular, as a University academic, I wished to gain further insight in to the application of the UNCRC in a broad scope of research as well as the practicalities of developing children's rights education.

While some of the presentations have been interesting, there appeared to be a distinct bias toward the application of protecting children. The image presented has been one that exposes the child as vulnerable, the child in need, the child in crisis, the child as victim, the child as perpetrator, etc. I would argue that there is also an image of child that situates children as competent, articulate and persuasive. In addition, over the two weeks, there has been an absence of the *presence* of children, particularly those under 10 years. Largely, there has been a complete dearth of representation of the voices of the children themselves, which risks reducing the discussions to an exercise in adult driven rhetoric around 'the best interests of the child'. The notion of *presence* does not necessarily promote the physical attendance of children, but could be enacted by children who are appropriating the voice of another, researcher/significant other, and communicating with the audience through the languages of childhood (refer to Article 13). Most professions that deal with children (i.e. education, law, health, etc.) are "accustomed to making assumptions about the needs of children and what is best for them" (Smith 2007, 3). An alternate view could position professionals who work with young children as noteworthy players in advocating on their behalf, who can therefore take responsibility in disseminating the views and opinions of children (refer to Article 5). This is certainly the intention and challenge that continues to inform my research work, and I take quite seriously the perspectives that children entrust me with to ensure they reach the audiences who have the capacity to act.

The UNCRC has provided a major platform from which to include children's views on issues that impact their lives (refer to Article 12). Through the ratification of the UNCRC mandates, it is becoming increasingly apparent that many countries are acknowledging the rights of children within the socio-political arena and this may afford children increased opportunities to be heard in mat-

ters that concern them. Of significance in these endeavors is the intention to work in *partnership* with children. Attempts are being made to accept a professional and ethical responsibility to seek meaning and understanding about children and their childhoods by engaging with children as an integral aspect of the research process. As researchers have begun to value this construct of building knowledge, so a new research culture is being identified.

The UNCRC resonates with the emerging construction of children as active research participants and is informed by a new sociology of childhood where children are seen as social actors and competent contributors of valid opinions, ideas and theories (Corsaro, 1997; Mayall, 2002; Prout, 2004). However, to be effective in upholding the possibilities offered in positioning children as both researchers and informants, a firm commitment on behalf of adults who work with and alongside children is needed, to ensure children are adequately informed and empowered to make a decision about their participation.

Dockett and Perry (2003) remarked that including children in dialogue about their direct experience had the potential to inform adults of the implications and outcomes of these experiences for the children themselves. By engaging children in these conversations, adults are regarding children as "competent and interpretive social participants" (Dockett & Perry, 2003, p. 12) and "sophisticated thinkers and communicators" (Harcourt & Conroy, 2005, p. 567). Thorpe et al. (2005) acknowledged children's reports of their experiences as credible information that can then "be used to advance knowledge of children's everyday practices, relevant for policy and research directions in education and child advocacy" (p. 117).

It has been proposed that significant knowledge about children's lives can result when children's active participation in the research enterprise is deliberately solicited and where their ideas, perspectives, and feelings are accepted as genuine and valid data (Prout & James, 1997; Woodhead & Faulkner, 2000). Castelle (1990) stated that when the researcher listens to children as part of this enterprise, it acknowledges the human rights of children to actively participate in relevant social and political processes. The notion of the agentic child (Danby & Baker, 1998; Woodrow, 1999), the child as a competent socio-political actor in his/her own right, is consistent with viewing the child as a reliable informant in the research process. Studies informed by the sociology of childhood, where children and childhood are conceptualised as provocateurs in social and political relations, also suggest that this sociology seeks acknowledgment of children as socio-political actors in their own right (Mayall, 2002). Reflecting on limited understandings of children's everyday lives, and how their social and political positions may be improved, researchers are now placing a significant emphasis on gaining children's views and ways to give recognition to their competence (Corsaro, 1997; Mayall, 1999; Prout & James, 1997). From his keynote address, Kupter (2009) offered, "Children's voices do not stand alone, they only become strong by appropriating the voices of others. Adult voices, therefore, may carry children's voices to new contexts and give them a larger and wider audience to which the child's voice was originally intended".

Designing the research process to include children as active research participants and collaborators therefore recognises the inherent competence that children can offer (Blasi, 1996). Children can transform and elaborate upon their experiences, through intentional symbolic representation of those experiences, which support the adult researcher to generate ideas and construct theories with the child. Through making visible and communicating children's opinions, ideas and theories, the research community is provided with an opportunity to reflect and debate meaning. This is an opportunity to work together, giving value to different perspectives and an exchange of ideas which becomes reciprocal learning of great significance. Adults therefore hold the responsibility for providing children with "respectful and legitimate opportunity for hearing of their ideas, views and opinions" (Harcourt, 2009, p.83).

In order to introduce children's involvement in "critical conversations" (Cook-Sather, 2002, p. 3) which acknowledge children as social participants, researchers are exploring a variety of participatory methodologies. Recent studies such as those undertaken by Clark (2005), Dockett and Perry (2007), Einarsdottir (2007), Greene and Hill (2005), Harcourt (2008, 2009) and Schiller (2005) have used frameworks which invite children's active involvement in documenting their experiences. Millikan (2003) suggested that both researcher and research participant can benefit from active involvement and opportunities to share ideas and views. This participatory approach allows for children's competence to be made visible, while contexualised within the researchers' observational data. It also supports the notion of children as experts in their own lives (Langstead, 1994), as skilful communicators (Edwards, Gandini, & Forman, 1998), and as researchers and explorers (MacNaughton, 2003). Using photography, audio-recordings, drawings, written responses and video-recordings, even very young children are able to report their views and opinions about their experiences.

Clark (2001, 2004, 2005) has clearly demonstrated the merit of the child standpoint for the exchange and debate about issues that affect children. According to Pence and Brenner (2000) democratic research ecology involves 'doing with' rather than 'doing on', creating links not walls and engaging in dialogue that focuses on strengths and assets. If children find themselves in positions of passivity in the research process, it is questionable as to how they become active participators in matters that affect them. Designing the research process to include children as active research participants and collaborators recognises their rights as citizens and the inherent competence that children can offer (Blasi, 1996).

In summary, it would bode well for further courses to ensure that there is a balanced approach to both the protection and participation rights of the UNCRC, so that critical conversations about children are being undertaken as an inclusive and authentic implementation of this important document.

Articles of Interest

Article 5 States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 12 1. states Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child. 2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13 1. the child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice. 2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; or (b) For the protection of national security or of public order (ordre public), or of public health or morals.

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The adoption of a communications procedure to the CRC: from principles to practice

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Introduction

Being very new to the field of children's rights, I have learned a lot from this course. Due to the numerous cultural exchanges, enriching discussions and the openness of both speakers and participants, I will take home from it much more than I had expected.

At this point, I am about to start my thesis for the master's in International Laws at Maastricht University (the Netherlands). Even though the topic of human rights caught my attention very early on, it was only by coincidence that I chose to focus on the rights of the child. The opportunity to participate in these two weeks of intensive education has changed my perspective significantly. First of all, it offered me the foundation I was looking for as a beginner. Secondly, the multidisciplinary perspective has allowed me to get an understanding of the broader picture within which I'm starting to operate. Since I'm a student in a law programme, my research is assumed to be of a predominantly legal nature. Not only did the unique approach of this course give me an incentive to put my work into perspective, it also made me aware of what it means to be part of a global movement of motivated people from so many different backgrounds, both willing and able to make a difference. Apart from gathering a lot of useful and interesting information, attending this course has encouraged me to take up responsibility to realise children's rights within my own context.

This paper aims to shortly introduce the background of my research project in the light of what I have learned during the ICCR. In general terms, my thesis concerns the adoption of a communications procedure to the Convention on the Rights of the Child. During the course, it was repeated numerous times that the CRC is unique in being the most widely ratified international human rights treaty. No less than 193 States have formally acknowledged their responsibility for the principles enshrined in it. We all know, however, that this does not mean that children's rights enjoy worldwide respect in practice. I would like to propose this new procedure as one possible avenue for change.

Why is a communications procedure necessary and desirable?

Even though Professor Vandenhole shortly touched upon it in his introduction to the legal framework of children's rights, many may not be familiar with such a mechanism in relation to the CRC. Generally speaking, communications procedures can be situated in the context of monitoring and implementing the Convention. The existing mechanisms established by other human rights instruments allow individuals *(individual complaint)*, NGOs *(collective complaint)* or States *(inter-State complaint)* to bring a violation of human rights to the attention of an international body. This body, which can be a Court, a Commission or a Committee,[1] can issue judgements or recommendations to which the State is advised to adhere. As such, these mechanisms guarantee the availability of judicial or quasi-judicial remedies for individuals on the international level. The availability of such a remedy is a first step towards the realisation of children's rights in case domestic avenues fail to provide relief or do not exist. Making the Committee on the Rights of the Child competent to receive communications therefore constitutes an essential element in translating children's rights from principles to practice.

Currently, the CRC is the only UN Convention with a periodic reporting procedure that does not provide a parallel communications procedure. As a consequence, a child needs to rely on existing regional[2] and universal[3] complaint mechanisms if he or she wishes to address the stance of the State. However, even when these mechanisms are open for children and their representatives, they are not adequate to provide a remedy for violations of children's rights. The NGO Group for the CRC has identified four reasons for this.[4] First of all, these procedures are never designed with children in mind. Secondly, since a number of rights are unique to the CRC, those mechanisms never cover the

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1 Cfr. notes 2 and 3 below.

2 Regional individual complaint mechanisms exist before the European Court of Human Rights, the African Committee of Experts on the Rights and Welfare of the Child, the African Commission on Human and Peoples' Rights and the Inter-American Commission and Court on Human Rights. Collective complaints can be filed to the European Social Committee.

3 Universal individual complaint mechanisms exist before the following United Nations Treaty Bodies: the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination Against Women, the Committee Against Torture, the Committee on Migrant Workers and the Committee on the Rights of Persons with Disabilities.

4 Child Rights Information Network (CRIN, January 2009), *Children's Use of International and Regional Human Rights Complaint/Communications Procedures*, retrieved on 15-09-2010 from http://www.crin.org/docs/Children%27s_use_of_complaints_procedures09.doc

whole range of rights to which children are entitled. Thirdly, their existence is hardly known to children or their representatives, which means they are rarely accessed to address violations of this kind. Lastly, even in the exceptional cases when existing mechanisms are invoked, the complaints are never dealt with by a body that has expertise in children's rights. Consequently, this body would never fully take account of the CRC's underlying principles when deciding upon a particular case.

On the whole, the lack of an adequate procedure can be seen as a manifestation of the persistent power imbalance between children and adults, touched upon by various speakers and participants throughout the course. In this context, it is beyond doubt that a communications procedure will add significant value to the current monitoring and implementation of the CRC. This can manifest itself in various ways. First of all, by giving children the opportunity to hold their States accountable for violations, the concept of children as "rights holders" can be reinforced. If the mechanism takes into account the special and dependent status of children as vulnerable individuals,[5] this can be a way to empower children as active participants in the human rights arena. Secondly, one can refer to jurisprudence. Even though the Committee will not be able to issue binding decisions, it will have the opportunity to develop authoritative interpretations of children's rights in reference to a person's real life situation. On the one hand, if States wish to avoid complaints cases on the international level, this jurisprudence can help to develop or strengthen children's access to justice on an intra-State level. On the other hand, the Committee's interpretations of communications can help States to better understand their obligations to protect, respect and fulfil children's rights. Complementary to the reporting procedure, the mechanism therefore reinforces the fact that implementation remains a primarily national responsibility (principle of subsidiarity), but that it can be guided more concretely by the suggestions and clarifications of the Committee.

Where do we stand today?

The call for an Optional Protocol to the CRC establishing a communications procedure has been on the agenda throughout the history of the Convention. However, based on the increasing understanding that children, alongside adults, are "subjects"[6] of human rights that are "justiciable"[7], the proposal became formal

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5 CRIN (November 2009), *Advocacy Toolkit – Campaign for a new Optional Protocol to the CRC Establishing a Communications Procedure*, retrieved on 15-09-2010 from http://.www.crin.org/docs/FileManager/Advocacy_toolkit_December2009.doc.

6 Committee on the Rights of the Child (2003), General Comment No. 5 on General Measures of Implementation for the Convention on the Rights of the Child, §21, UN Doc. CRC/GC/2003/5.

7 Ibid, §25.

only in January 2008. At that time, a CRIN-based NGO campaign launched an official call to strengthen the enforcement mechanisms of the CRC.[8] Since then, matters have evolved rapidly. After the Committee on the Rights of the Child had endorsed the campaign[9] and States gradually became supportive to the idea,[10] the Human Rights Council decided to establish an Open-Ended Working Group (OEWG) to explore the possibility of a communications procedure.[11] The OEWG, which provides a platform for States and experts to discuss the procedure, held its first session in December 2009. In March 2010, its mandate was extended to prepare a proposal for a draft Optional Protocol.[12] The proposal, based on the outcomes of the OEWG's first session, was written and circulated by the Slovakian presidency in August 2010.[13] The negotiation of the Draft is planned for the second OEWG session in December 2010. During my internship with UNICEF in Geneva, I will have the opportunity to follow this debate as an observer.

The Draft Optional Protocol

In its current format, the Draft is to a large extent based on standard provisions from existing communications procedures before other UN mechanisms. At first sight, this is no surprise. Each communications mechanism has responded to the emancipatory demands of a particular vulnerable group in society. As such, they all address a similar need for remedies in the light of States' human rights obligations. Mere formulations can therefore be translated relatively easily and serve as a starting point for a new proposal. It is however of utmost importance that the CRC-mechanism also incorporates the specificities it is deemed to address when it comes to children. In particular, the mechanism should recognise what makes children different from other complainants. Issues relating to the legal capacity of children to initiate proceedings, their special and dependent status, their need for appropriate representation, the importance of balancing protection and participation and the underlying principle of the best interests of the child are a few examples of aspects that cannot be overlooked in that regard.

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8 All information about the NGO campaign can be found here: http://www.crin.org/law/crc_complaints/.

9 Statement by Yanghee Lee, Chairperson of the Committee on the Rights of the Child, 63rd session of the General Assembly, Third Committee, Item 60, 15 October 2008, New York, retrieved on 15-09-2010 from http://www2.ohchr.org/english/bodies/crc/docs/Oral_statement_GA_63.doc.

10 CRIN (21-05-2009), *Complaints Mechanism: Update and Next Steps*, retrieved on 26-08-2010 from http://www.crin.org/resources/infoDetail.asp?ID=20291&flag=news.

11 UN Doc. A/HRC/11/L.3.

12 UN Doc. A/HRC/13/43.

13 The draft can be found online on http://www2.ohchr.org/english/bodies/hrcouncil/OEWG/docs/ChairDraft_OEWG.doc.

Whereas it is clear from the proposal that the Slovakian presidency had these issues in mind, it is too early to judge whether they have been incorporated sufficiently in the text as it stands today. This is even more so because the Draft represents only a first perspective that is still largely open to debate and modifications. It may therefore be unsuitable to go very much in detail on the wording of the text. This should however not prevent from shortly noting four outstanding issues that hint at room for improvement.[14] First of all, it is remarkable that the draft does not speak about 'children' or 'minors', but only about 'individuals' who can file a complaint (Draft Article 2). It remains therefore unclear from the beginning what the role and capacity of the child throughout the procedure will be. Secondly, the Draft provides for an opt-out for the 2 existing Optional Protocols to the CRC: the Optional Protocol on Children in Armed Conflict and the Optional Protocol on the Sale of Children (Draft Articles 2 and 3). Since States have subjected themselves to the obligations under both Protocols, it seems inconsistent to allow for reservations in that regard. Thirdly, the Draft barely addresses issues of child-friendly justice (apart from Draft Article 8§5). Even if this may in the first place be the responsibility of the Committee when drafting its rules of procedure, this aspect of children's rights requires more attention. Finally, it can be noted that the role of NGOs could be made more explicit with regard to protection measures and dissemination of the Protocol (Draft Articles 13 and 18 respectively). On a positive note, however, it should be added that a general openness and progressiveness could be derived from the suggestion to include a collective complaints procedure (Draft Article 3), which is unprecedented at the UN level. Collective complaints are highly relevant in the context of children's rights, as they allow structural violations to be addressed without the need to identify individual victims.[15]

Conclusion

Even though the steps taken over the last two and a half years are definitely significant, this does not mean that all issues relating to the adoption of a new Optional Protocol have now been resolved. A lot of questions remain and are likely to pose considerable challenges beyond the next OEWG session. Even though the day-to-day content of the ICCR may not relate immediately to this topic, its underlying approach and critical reflection will allow me to continue to rely on its framework in addressing these questions during my research.

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[14] These issues were at the heart of the debate during the preparation of the Expert Opinion of the Belgian National Commission on Children's Rights (NCRK) regarding an Optional Protocol to the CRC. I was involved in this discussion as an intern.

[15] Advies van de expertenwerkgroep van de Belgische Nationale Commissie voor de Rechten van het Kind (NCRK) *"Optioneel Protocol bij het IVRK houdende instelling van een klachtenprocedure",* 10 November 2010.

21 years of the CRC: evaluating some outstanding and emerging challenges to the protection of the rights of children

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Pre-training background

I am a researcher and student of international law and human rights particularly the rights of children in Africa. My work is mainly based on the Convention on the Rights of the Child (CRC) and, in as far as children in Africa are concerned, the African Charter on the Rights and Welfare of the Child (ACRWC). Some of the research questions I have dealt with so far relate to matters of policy and governance. However, I have maintained a predominantly legal (human rights and children's rights) approach. Coming from a strictly legal background, my research lacked an adequate appreciation of topical issues from the perspective of other disciplines. In addition, my work is mainly academic with very little practical experience. Hearing the experiences of other participants during the course made me consider that legal research and methodology may be too abstract to realistically deliver human rights in the absence of integration with other disciplines.

The multidisciplinary approach of the ICCR is one of my most beneficial experiences in human rights training. It was an opportunity to understand children's rights from the point of view of other disciplines. In addition, the representation of various regions of the world during the course helped to reveal underlying issues affecting children's rights at a global level such as south-north global relations, political interests and cultural relativism. Whether these issues can be adequately addressed within the existing children's rights framework is still open to debate, but the inevitable inference from the discussions ensuing is that there is need for a broader understanding of children's rights and a reciprocally broad and interdisciplinary approach to the resolution of the problems affecting the full realisation of these rights.

Children's rights in a globalised world

The ICCR covered a range of issues relevant to the realisation of the rights of children in a global context. These subjects included child poverty, children and armed conflict and climate change. The context in which children are found

and in which their rights must be realised is changing in tandem with global developments. The conceptualisation of the rights of children and the manner in which they are to be implemented must evolve accordingly. Therefore there is need to evaluate conventional approaches to the realisation of children's rights.

The question as to whether the CRC is sufficiently cognisant of the various contexts in which children's rights are to be implemented was recurrent during the course. It was clear that so far, the children's rights movement has emphasised the adoption of and implementation of laws as the best way to deliver children's rights. This is best illustrated by campaigns for the ratification of children's rights treaties and national legislation. The adequacy of the CRC as the primary children's rights instrument was queried throughout the course with the shortcomings of some of its provisions being highlighted.[1] In light of these shortcomings, it is imperative to supplement the CRC with other international instruments to fill in these gaps.

The dynamics of the global relationships of states such as the north – south and east – west divides and how these affect children's rights was also prominently highlighted. It was clear that the realisation of children's rights will not be achieved solely through increased implementation campaigns on the CRC or the other international human rights instruments. Rather, the commitment of the global community to the realisation of children's rights must be seen through mainstreaming them in the global agenda. This has not yet happened. For instance, it emerged during discussions that the economic agenda of the global financial institutions[2] focusing on economic development of member states particularly those of the global south, has had adverse effects on vulnerable members of the society including children. Unless children are made visible in the global agenda, it is unlikely that their rights will be realised.

The subject of climate change and the continuing devastation caused by this phenomenon was brought to the fore. This was opportune because unlike certain other issues that were anticipated and hence expressly addressed in the CRC, climate change and its effects are relatively new additions to the global agenda. A proper understanding of its interaction with children's rights and especially how the existing children's rights framework may be used to address

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1 See for instance the presentation of Dr. Benyam D. Mezmur 'Children and Armed Conflicts: Children at Both Ends of the Gun' ICCR 2010.

2 Structural Adjustment Programmes introduced by the World Bank and International Monetary Fund (IMF) in the 1990s to Sub-Saharan countries to facilitate economic growth. The adverse effects of these programmes in Africa are widely documented. See for instance K. Konadu-Agyemang 'The Best Times and the Worst Times: Structural Adjustment Programmes and Uneven Development in Africa: The Case of Ghana' The Professional Geographer [0033-0124] (2000) Vol: 52 Issue: 3 469.

the new challenge is necessary. The discussions on this topic were instrumental in flagging potential challenges to a harmonised approach to the effects of climate change on children's rights. These include the disproportionate distribution of the burden of climate change whereby the poor nations bear the brunt of the phenomenon. In addition, whereas the debate is still at a preventative level in the global north and west, it is a present reality in the south and east. This has the potential to hinder consensual understanding of the effects of global climate change on children and hence the priorities in dealing with it.

Discussions during the course highlighted tension in approaches to the realisation of the rights of children, such as whether to adopt a bottom-up or top-down approach. As emerged during the session on child poverty, children's rights advocacy requires strategic contextualisation of the child. It was argued in this regard that it is important to determine whether children should be singled out of society or be addressed as part thereof in advocating for their rights. It was suggested for instance that it may be favourable to address the needs of the child in poverty as a distinct unit in the short term in order to shield him or her from the adverse effects of poverty, while concurrently taking action to alleviate poverty in the family in the medium-term and in the state in the long-term. This re-emphasises the need for a strategy in delivering children's rights at all levels.

Looking to the Future

The bulk of the work that I do entails research. An understanding of children's rights from various perspectives, as interrelated with legal norms and structures is invaluable to children's rights research. Children's rights research ought to embrace the different fields of study relative to children. I shall endeavour to explore interdisciplinary perspectives in my research henceforth. I greatly benefited from the session on children's rights education during the course. This will enrich my work at present in as far as the training of the various stakeholders such as judicial officers and social workers in the protection of the rights of children in South Africa and in the broader African region is concerned. I hope to incorporate this component of the training into the training programmes at my work place.

Most of the ICCR content is especially relevant to children's rights in Africa. Africa is a region where despite tremendous gains made in the development of children's rights standards and jurisprudence, there is still a lot to be done. African children are still the face of abject poverty, armed conflict, and natural disaster amongst other things. In addition, the isolated efforts of child rights activists from different disciplines have failed to consolidate the benefits of rights to the children. I believe that it is time for concerted and strategic interdisciplinary advocacy for children's rights in Africa, having in mind the broad spectrum of relevant role players whose actions affect children. I am looking out for opportunities in this regard.

In August 2010, Kenya promulgated a new Constitution with extensive human rights provisions including rights of children.[3] The new Constitution recognises international law instruments to which Kenya is party as being applicable in Kenya.[4] It requires existing laws, such as the Children Act,[5] to be reviewed to align with its provisions. Further, there will be need for human rights education for various groups of people to implement the new law. Implementation of the new Constitution has already began, however the bulk of its provisions will only become fully operational after 2012. The insight I have acquired at the ICCR will enable me to contribute very meaningfully to this process.

I can say that the ICCR training was an invaluable experience for me. It was well structured and sufficiently responsive to my expectations.

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3 See the Bill of Rights in Chapter 4 of the new Constitution and Article 53 in relation to the rights of children.

4 See Article 2(5) – (6) of the new Constitution.

5 Act No. 8 of 2001.

Children's rights beyond their declaration

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This is a world where events taking place in the north, such as the financial crisis, have important repercussions in the south. At the same time, the consequences of these repercussions directly influence the organisation of northern societies, such as is the case with massive human mobilization and illegal migration. In this global context, children have become active subjects and they are not perceived anymore as merely "the future of societies". Unfortunately, just a small amount of children of the "global village", imagined by McLuhan[1], are effectively protected. In spite of existing important rights' declarations, the rights mentioned in these declarations are barely respected.

I personally experienced the gap between theory-declarations and practice in children's rights matters as part of my work as a trainer in educational methodologies. I will briefly mention this experience, because it reflects issues about the difficulties of implementing Children's Rights, which are still valid. Children's Rights were conceived as a cross curricular theme by the Ecuadorian Curricular Reform. Therefore, they were to be compulsory included in educational activities, contents and skills. However, one thing is the theoretical conception of a cross curricular theme and another thing is how to put this into practice in a rural basic school: small wooden schools, with very basic infrastructure and few educational materials, served by two or three teachers, for all the pupils and almost illiterate parents. Furthermore, in these days Children's Rights were conceived as an important set of declarations, which were not easy to put into practice – especially the articles that directly questioned and limited teachers' power and even parents/sons-daughters relationships. In that context, the public and the private sector saw the eradication of corporal punishment as a strategy to effectively start implementing Children's Rights at rural level. Corporal punishment in school was legally abolished for all the schools and more or less eradicated in urban public schools, but this was not the case for rural schools. As part of the task of eradicating corporal punishment, the NGO's team we were working for, together with the communities, got important results. Debates and reflections about the possibility to go from mistreatment to good treatment were done, as well as processes to make people conscious about the need and the feasibility of establishing educational methodologies. These processes even made it possible to go from corporal punishment in schools to

[1] McLuhan, Marshall and Powers, Bruce (1989) *The Global Village. Oxford: Oxford University Press.*

questioning corporal punishment at home, domestic violence, and even conflict resolution and human relationships at communal levels. Nevertheless, although the processes of reflection continued at primary and secondary school levels and contributed to the realisation of other important Children's Rights such as democratic participation, Children's Rights' debate and exercise were reduced to remain in the basic education sphere, not transcending their exercise in other community spaces.

This was the perception I had about Children's Rights before coming to this seminar, which was thus directly related to the educational environment of basic schools trying to reach the goal (often not fully accomplished) to change attitudes and practices in daily school life. My understanding of other aspects and dimensions of Children's Rights, their origins, approaches, and interdisciplinary character was very limited. I often perceived Children's Rights from the sources given by international institutions' perspective in the framework of the development discourse.

Ten years after having been working with Children's Rights and good treatment in rural education, I received the invitation to participate in a seminar which raised again the crucial issue of how to address Children's Rights from principles to practices, with an added value of conceiving them in a globalised context.

Therefore, I expected that this seminar could give me the opportunity to answer some important questions: How are Children's Rights perceived in the north and how are they perceived in the south? To what extent do the cultural particularities from one region or another influence or even distort the dynamics of the exercise of children's rights? How do political, social and economical processes limit the exercise of Children's Rights and how are those processes influenced by Children's Rights?

The seminar provided me important insights and approximations to answer those questions, such as the interactions Children's Rights have with other disciplines. It also raised new ones: How is it possible to effectively practice Children's Rights in the framework of unfair structural societies? What is the role of pedagogic mediation to adapt the Children's Rights declaration to diverse cultural environments?

Basically this training provided me an important theoretical framework to understand Children's Rights and gave me an opportunity to debate structural phenomena of our globalised planet, with Children's Rights as a leading theme. I could broaden the educational perspective towards understanding the basis of the legal perspective on Children's Rights. The two weeks of training also helped me to reflect about the need to include even more a Children's Rights perspective in my current professional activities as an advisor of the Minister of Culture. The main goal of the ministry is the transformation of the cultural perspective through the re-creation of principles such as a harmonic relati-

on between human beings – culture and nature, interculturality and gender, while my tasks particularly are related to the design of cultural policies. As part of this I develop strategies to implement cultural rights, basically through the promotion of cultural industries, as the production of cultural goods and services. The policies and strategies designed do take into account children and children's interests, basically in terms of access to culture and the promotion of educative cultural industries designed with children's participation. They mainly are directed to the eradication of racism and xenophobia, giving priority to those sectors of society which due to poverty do not have access to cultural manifestations.

I consider that the insights provided in the seminar will help me to diversify these strategies to achieve more consistent cultural policies. These strategies necessarily need to consider the access to cultural rights of children who work, the implementation of coordinated programs for children whose parents migrated and who are directly or indirectly involved in acculturation processes, as well as the development of a specific agenda for Colombian children who are part of the refugees that come to Ecuador escaping from the armed conflict of the neighbouring country.

Therefore, for me, the two most interesting themes of the course were: a) those directly related to children and Children's Rights, such as child labour or child soldiers, and b) those which touched on structural problems in which Children's Rights are inscribed, such as education and culture, poverty, migration or indigenous rights. This macro scale perspective was very inspiring, because it provided an analysis of the problem which conducted to questioning the whole social, political and economical structure. In this sense, I can say that the seminar accomplished its goal of providing an overview of children's rights from an interdisciplinary perspective.

Children's Rights as a start or an end? Review of the Children's Rights Concept in Disaster Risk Reduction, Emergency and Climate Change Programme

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I had been working in the field of children's rights for five years when I decided to participate in the course "Children's Rights in a Globalised World: From Principles to Practice". As a Regional Programme Officer on Disaster Risk Reduction and Emergency at Save the Children Sweden's Regional Office for Southeast Asia and the Pacific, I asked myself; why do I have to acquire more knowledge on children's rights when the essential knowledge can be obtained from real practice? I challenged myself a little further by challenging myself, that if I am an expert on the issue I have been working on, why do I come back to study all these theories of children's rights.

I reviewed my role and responsibilities towards disaster risk reduction (DRR) and emergency work. Since 2005 I have been utilising the knowledge I gained from my second degree in Development Studies through the Emergency Response Programme in the tsunami-affected area in Thailand. I have taken the programme forward to the regional level with a broader focus on children and families who have been affected by multi-hazards and disasters in the prone areas – including the protection of their rights in the whole cycle of emergency management, and initiation of children's participation in DRR and disaster preparedness activity. Furthermore in 2010, Save the Children have made a high effort to integrate Climate Change Adaptation (CCA) with the concept of children's rights. The organisation itself claims to be the number one NGO in the world to provide effective assistance to children and families in both natural and human induced disasters through a children's rights based approach. We also claim to be able to "save the children" more than other NGOs and humanitarian aids in the event of adverse disasters. Therefore, with this reason, I pushed myself and the programme hard in order to match up with the core value of my organisation.

Nonetheless, I felt something was missing from the essence of my work - which is why I needed to come back to the point where I started, in order to review the missing content and approaches to tackle challenges. I believe this is the

main reason why I made up my mind to attend a two-week course on children's rights. This course is helping me to carefully review and reflect on my work and to conduct a more meaningful idea and approaches in my work. The learning from the course is to be applied in my work as follow:

Understanding that children's rights goes beyond the counting of the number of children accessing their rights in disaster and climate change events

A number of aid and development agencies have begun to put more interest in responding to children and families in disaster and climate change. It is claimed that disasters are increasing, and on an average, natural disasters affect the lives of 250 million people and kill 66,000 people every year. It is estimated that half of this figure relates to children.[1] This phenomenon also attracts donors to instigate financial assistance to national government, aid and development agencies to respond and build back better the life of children and their families. The civil society also claims that when disasters and climate change arise, all social functions and infrastructures are deteriorated, which impede children accessing to all their rights.

The most prevailing issue is the right to life, in which all agencies provide food, non-food items, shelter and health care to children and families to survive in the aftermath of disasters. One may believe that the more children access to relief items, the more they access to rights. Particularly, a number of donors from both private and non-private sectors, as well as the implementing organisations on the ground measure the success by the number of children who receive emergency assistance. For example, if an organisation would like to provide children shelters after the flood to protect their rights to survival and protection, they would measure the success by the number of children who stay in the shelters, rather than measuring the quality of protection mechanisms within the shelters. Therefore, the number of children is placed as the indicator of success in order to create a positive impact on children's lives. The presentations by Professor Dr. Rudi Roose and Professor Dr. Karl Hanson helped me learn that understanding the rights of each single child will meaningfully empower children to understand and exercise their rights. Although there is a tension between the donors as well as within the global agenda toward reality, understanding the rights of each child is crucially important and must be considered in all humanitarian aid approaches. The

[1] Legacy of disasters: the impact of climate change on children. Save the Children, 2007.

understanding of the rights of each child means that relief organisations should ask children their needs and concerns based on their perspective in regard to disasters and the assistance they would like to receive. This is because each child from a different background needs different help. Therefore, the assistance will be more appropriate for each individual child. As a result, the indicator and impact assessment should be based on quality rather than quantity, in which the view of children is taken into account rather than counting the number of children who have access to assistance.

Images of children in disasters and climate change need to be promoted as active participants, rather than passive ones

In the event of disasters, children are labeled as victims and are vulnerable to the impact of disasters and climate change. It coincides with thinking derived from the two world wars in the twentieth century that children are recognised as passive victims who are "psychologically scarred and vulnerable" (Hinton, 2008).[2] In the twenty-first century, the impact of disasters and climate change is very much prevailing in a number of countries especially the undeveloped, and developed countries hindering them to achieve the MDGs. In my opinion, this phenomenon is a new form of war that threatens the life of children and families. Children and families residing in the risk areas in rural areas face difficulty within their lives since they are exposed to disasters and climate change more than those who live in urban areas. Additionally, the living conditions and social status of those from at-risk areas increase the impact of disaster (because some children and families may not have access to proper healthcare, education, livelihoods and income even before disasters). When disaster strikes, they often say they have lost "everything". Therefore, the development of a programme strategy to tackle this problem often originates from the charity perspective, as the organisations have good intentions to provide assistance and services for those who are affected by disasters and climate change, and often they view children as passive victims.

The argument to justify this idea is that children are physically weaker than adults, so that they more readily become the victims of disasters. I learned from the course that it is crucially important to advocate and promote the images of children as active participants who have capacity to deal with disaster impact and may prepare through the advice given by adults. Nonetheless, children also need special protection measures in the event of disasters, for example in which the organisations working with them have to consult with children, talk with them and ask them their opinions throughout the implementation of disaster response and preparedness – from needs assessment to monitoring and

[2] Why Care? Children's Rights and Child Poverty. Vandenhole et al, 2010

evaluation. The evidence of good practices of children's participation and protection in disasters and climate change must be collected and shared among development agencies and government to ensure that children are resilient to disasters. However, the best interest of a child needs to be activated via the balance between the participation and protection of children in disasters. For instance, putting a child in a risky activity of disaster response and preparedness has to be limited because a child might be endangered. For example, allowing a child to participate in the collection of human bodies or rescuing people who are drowning because of the flood would be very dangerous to children's lives. On the contrary, children can play an active role by helping with the warning and preparing of communities before disasters strike. By doing this, it will therefore change the attitudes and perspectives of those organisations to look at children from the rights perspective.

The holistic approach to children's rights is the added value and helps sustain the impact of disaster management and climate change adaptation programmes

The development and humanitarian agencies are often challenged by what they have left behind after the response to disasters and climate change situations. One may argue that emergency response activity is donor driven and often the project lifetime lasts very short while, 6 months – 1 year, and the main project activity is to distribute food, non food items, shelter and micro credit scheme to affected communities. It reflects the reality that the project is not designed for the long term purpose. There might be several reasons behind this reality. For instance, a donor may only want to see the tangible achievement such as the number of affected children and families accessing to food and shelter. Another reason could be development agencies may not know how to integrate the activity into existing projects or activities, while another important reason is the perspective of development organizations and government who look on the issue from a humanitarian and charity angle rather than the (children's) rights based angle. The project relating to disaster and climate change always ends up as a stand alone programme which leaves out so many important aspects that can be built on such as health care, poverty elimination, quality education, migration and livelihoods etc. As a result, the programme may not provide a meaningful impact in the long term; in some cases it creates problems in the communities. Regarding children, their rights can be more violated, they can become more vulnerable to other types of threats such as the threats of trafficking, abduction, sexual abuse and exploitation, lack of access to education and hunger.

From this course, I learned that there is an urgent need for all humanitarian and development organisations working in emergency and climate change to integrate multi-disciplinary approaches in their programmes, so that children's

rights in emergencies and situations such as the issue of climate change, will be mainstreamed and sustained. The holistic approach and concept of children's rights needs to be addressed throughout the planning, implementation and evaluation of the programme to recheck whether the initiatives are appropriate and benefit the communities in the long term. Multi-disciplinary approaches including the issues of poverty, health, livelihoods, migration and child labour through participatory and bottom-up approaches can bring benefit to children and their communities as a whole. By doing this, an organisation may integrate the mentioned issues in the existing programmes even though children are not the main target group.

In conclusion, I believe children's rights should not be only at the start or the end of discussion, but should be included and reflected in the process of implementation in order to translate theories to practices effectively. The key learning reflected from the course will benefit my work not only for the present position and responsibilities, but also in the long future of my career path in children's rights in emergency, disaster and climate change. It has changed my way of thinking to balance the tension between top-down and bottom-up approaches, as well as between the humanitarian and development thinking. I really hope that children and families in the world who face the most severe disasters can benefit from the work I have done for them not only now but in the future.

Fundamental Challenges Surrounding the Implementation of the Convention on the Rights of the Child

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I have often perceived the hardships of children as the failure of adults. Our inability to come to global consensus and implement change has weakened our efforts to ensure that children's rights are upheld globally. International conferences and agreements are often politicized and softened to ensure maximum ratification. Many governments lack the political will to prioritize children's well-being and children's rights even after ratifying international agreements. The Convention on the Rights of the Child (CRC) is an international agreement that has been ratified by 193 nations. Although the convention was a significant step forward, and a relevant guide and tool to create policy and programming that works for children, it is often not fully understood, nor has its potential been recognized.

My studies have not focused on, nor been directed by, the CRC. I completed a Master degree in Globalization and International Development, for which both my thesis and Humanitarianism paper focused on children: education and child soldiers respectively. I chose to base my thesis on social theory, which better addressed the complexities of education in the Democratic Republic of the Congo. These theories provided flexible definitions of 'child' and 'youth', and looked beyond the 'right to education' to the purpose and use of education by powerful institutions. My paper on child soldiers focused solely on implementation and the inclusion of the girl-child. Although I recognise the convention's importance in these areas, I decided that the CRC was not the appropriate guiding principle for my research. Following this course, I remain hesitant as to whether or not the CRC can form the basis of my future research. An international, interdisciplinary course such as this highlights differences in definition, perspective and method of implementation; I feel that a document with such contested meaning cannot serve as the foundation of my research.

I have also completed advocacy work for UNICEF Canada and taught in Jinja, Uganda. Although UNICEF's campaign briefly addressed children's rights, the CRC did not form the basis of the information presented or discussed. The presentation was geared towards children and attempted to inspire empathy, avoiding rights-based rhetoric. While in Uganda, I did not frame my teachings using the CRC. It was both unfamiliar to the students and problematic in its definitions, especially in our context. Many of the students had been unable to

complete school during their adolescence and were in their twenties. Therefore the CRC technically did not apply to these students. Furthermore, some of the women with whom I worked at the vocational school were women under 18 years old who had to leave high school to begin their families. The CRC defined these women, who were married, had children and supported families, as children. This illustrates one of the debates surrounding the CRC, which ultimately must be addressed so we can begin or continue to utilize the CRC to frame research and projects on the ground.

A significant debate, that I believe this course did not address sufficiently, is the definition of the child. This is not necessarily a failure of the course; when the participants were asked which topics they wanted to address for their group assignment, only two participants, including myself, expressed interest in the "definition of a child". We assume that there is a shared definition of "child". Discussion has illustrated that the definition of child is based on context, personal beliefs and experience, and a myriad of other factors that could have been incorporated into this course through discussion. The legal definition of a child in the CRC, being anyone under 18, is both too broad and too defined. "Child" defined biologically/chronologically limits our understanding of the complexities surrounding childhood and children in different contexts and at different ages. If fixes "child" as an age instead of a state of being. Without achieving consensus among the group as a starting point, our understanding and discussion of the CRC and its implementation was based on an assumption of the definition of child.

The inability to adopt a globally accepted and relevant definition of "child" has led to a proliferation of debates. Many of these debates are centred on a child's competence and ability to make decisions. We ask: at what point can a child decide its own future and participate in the creation and amendment of policy and programming pertaining to the well-being of children? Limitations of children's participation indicate that we have no clear answer to this question. It also creates tension between protection and participation. We tend to frame these two principles as mutually exclusive – a child must either be protected or participate. We rarely recognise the simultaneous capacity and vulnerability of a child. A child who is a victim of violence can also be an advocate for change; they are not "just a victim". I think we must alter our perception of children to include both participation and protection concurrently in discussion. Some of the presenters accomplished this, but many ignored the child's voice, even if promoting participation as a means to design appropriate policy and programming.

Submerged in these debates, the CRC remains a tool and guideline for developing policy. However, I am sceptical that our current methods of implementing the CRC will alleviate some, if not all, of the hardships that children encounter. We have failed to address two necessary levels of response. Much of our discussion in the small group setting focused on people's work in localised programs that respond to a problem within a particular context. These programs are often very effective, but are short-term and reactive. They respond to a violation of

one, or a number of, children's rights. I think these programs are very important, but are only part of a larger picture.

The second level of response must be on a national scale. Francine Mestrum explored how poverty endangered a number of children's rights. She suggested a proactive, long-term solution to the violation of certain children's rights by targeting what she considered to be the root of many of children's rights violations: poverty. While she noted the short comings of many methods of redistribution, she suggested that state social protection, like in Brazil, was an appropriate method of protecting children's rights. Again, this long-term program must be used in conjunction with short-term, localized programs that provide relief to vulnerable populations, including children, and take into account context and culture.

State governments, which sign and ratify the CRC, bear the bulk of the responsibility of implementing the CRC. However, many governments do not have the political will to prioritize children's rights, or human rights in general, in domestic policy. Governments are often deaf to the voice of children, even if they provide children with the opportunity (or children take the opportunity) to speak on a national stage. Non-governmental and inter-governmental organisations often adopt the role of upholder of children's rights when governments fail to do so. Their involvement still does not guarantee the child's voice will be taken into account. This again stems from our failure to represent children as simultaneously vulnerable and competent. When we label children, we create behavioural expectations, and consequently their behaviour reflects our expectations. If we only see children as victims, we condemn them to a future of victimization. Being vulnerable is not equivalent to being a victim.

The Convention on the Rights of the Child has served as an important document that guides domestic policy and programs, but we must recognize it as more than an instruction manual. Despite its flaws, the CRC reaffirms the global commitment to improve the quality of children's lives; it creates global civil society.[1] This global civil society, composed largely of adults, must accept that children have something of value to contribute to the process. They must tell us what being a child means in their current context; they must tell us what they want and need to feel safe and happy; and we must listen. We must relinquish control and create a partnership between these two worlds of "adult" and "child" that we have arbitrarily divided at the age of 18 years. Successful achievement of children's rights will be a result of children's hard work, advocacy, and voice.

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[1] Jonathon Sargeant in workshop discussion.

21 years of the UNCRC: children still marginalised, vulnerable and unheard

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The paper presents some reflections upon my participation in the ICCR Ghent & Antwerp 2010. For the purposes of the discussion I am positioned as a participant from an educational background with a longstanding interest in children rights in education but without any legal background or training. My reflections centre on a single theme, which is the need for a focused discussion on the age and capacities of children as they experience their childhood.

The adult focus and conceptualisations of children and childhood in the early sessions of the course became most apparent when, during general discussion on day six of the course, one participant from Colombia offered the following observation, "children: a huge group of people to put inside one word". Such insightful commentary exposed the almost total absence of formal discussion regarding the contexts, experiences and perspectives held directly by children surrounding their lives. This was evident most particularly during the early multidisciplinary discussions where the focus on the marginalisation and vulnerabilities of childhood, excluded acknowledgment of children's own perspectives. There is a growing body of research outside the legal context such as Harcourt (2009) and Sargeant (2010) that directly reports on children's perspectives and presents the absence of this acknowledgment as an initial indictment on the children's rights movement but also demonstrates that beyond those directly engaging in this mode of work, many advocates for children remain unconvinced of the benefit of including children's voice in the discussion surrounding their lives. This is an error of omission rather than intention.

In discussing the UNCRC, much emphasis is provided to "best interests of the child" (CRC, Art 3.1) yet does not include recognition of children perspectives as a key informant to this process (Art 12 & 13). By excluding even the recognition of children's capacities we continue to selectively ignore the critical, albeit problematic, elements of the UNCRC that focus on active participation i.e. Articles 12 and 13 as cited in full below.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
   (a) For respect of the rights or reputations of others; or
   (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Eckersley (2001) observed that research into children's perspectives of their world continues to present conflicting conclusions. These contradictions emerge due to varying views of childhood and adult's preconceptions of the capacities of children. Studies about the perspectives of pre-adolescent children and youth are often centred on particular causes, for example, threats of war, environmental degradation, or poverty, and offer some insight, but these topics are not generated by the children themselves. While discussion of specific issues such as child labour, armed conflict and poverty are essential in any course that focuses on children's rights, such specificity on the deficit view of children and childhood can result in an increase rather than decrease of their marginalisation. The perspectives, roles and capacities of children not involved in these experiences can create a view that the CRC is only for those in heightened need and has less relevance for children in safe and relatively wealthy communities. Such a focus does little to advance a view of all children as authentic agents of their own and their peer's experience. Children as activists for other children is often ignored due to the overarching view that adults are the only ones capable of enacting the principles of the UNCRC with a priority towards those assessed at the margins of vulnerability. Two decades since most nations ratified the UNCRC, a broad acknowledgment of the child as a capable informant remains unfulfilled. Danby & Farrell (2004) note that, "in reality, children do not have the same rights as adults...childhood cannot be described as a universal experience but one that is constructed within specific times, places and contexts". Further direct attention to how children are conceptualised by those with an interest in children's rights is an essential precursor to any discussion that seeks to assist or advocate for children in the range of contexts of child participation.

The development of services for children has increasingly acknowledged the importance of the child's voice and children's perspectives yet this acknowledgment is yet to take firm hold at the implementation level where organisations,

public, government and NGO in Australia invest heavily in the development and provision of services for children. Despite the mounting evidence of the capacity for modern children to personally deal with, and process confronting information in their everyday lives, this notion remains under appreciated in wider society. It is unfortunate that when afforded the opportunity to access the range of expertise, knowledge and experience of all participants at ICCR (representing over 35 nations), such debate and rich discussion was neither initiated nor facilitated. As with many programs devised for children by adults, such omission in ICCR represents an enormous opportunity lost.

Having considered the above commentary and brief elaborations it is equally important to attend to the lessons and possible applications emerging from the ICCR participation. While at a superficial level it cannot be reasonably argued that issues of child labour, migration or armed conflict are of particular relevance to an Australian context, these focused thematic sessions elicited a number of common elements that do apply to other childhood contexts. In each of these sessions, either the inclusion or absence of children's participation alerted the participants to the multitude of contexts for consideration. Where children's perspectives were presented as key informants to the issue under scrutiny, the perspectives of participants fluctuated as the implication of the personal effect of any decision or strategies came to light. Alternatively, those sessions that presented a predominantly adult orientation to the issue maintained a greater level of objectivity and procedural application; the child was not personally considered. Such demarcations allowed for either a long-term policy orientated discussion (procedural/philosophical) or a short term, person centred (humanistic) expressed viewpoint.

The challenge for future practice is to find a blend of approaches that includes the children's participation and perspective and provides a balance of short and long-term strategic application. The guiding principles of the CRC are relevant to all circumstances that affect children; pitting one against the other according to a contextual and subjective set of criteria is an unhelpful practice. A key challenge I will take from ICCR to inform my own practice in advocating for children's rights in education in Australia is to find an effective communication and advocacy strategy for a universal approach that honours the interplay of all Articles of the Convention on the Rights of the Child. Until then, children will continue to speak, but too few adults will pause to listen.

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A Look at the Work to Combat Child Trafficking From a Children's Rights Perspective

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In the work to combat trafficking in persons, especially children, there is a need to ensure that the trafficking problem is viewed from the perspective of human rights that are violated as a result of the trafficking crime. In the Greater Mekong Sub-region (GMS), which includes Cambodia, China, Laos, Myanmar, Thailand, and Vietnam, many children are trafficked for unpaid or debt-bonded labor in slavery-like conditions in factories, farms, fishing boats, as well as for sexual exploitation. Trafficking takes place within the larger context of widespread undocumented migration because of state migration policies that are highly restrictive and impractical.

Children that are subjected to trafficking are denied the majority of the basic rights stated in the CRC. Moreover, the CRC contains a specific article prohibiting trafficking and an accompanying Optional Protocol against the sale and trafficking of children. It is clear that the rights of children are grossly violated and many trafficking victims never fully recover from the harm inflicted from the trafficking experience.

The responses to the trafficking crime are often referred to as the four P's, namely Prevention, Protection, Prosecution, and Policy. In prevention, all efforts are taken to ensure that the fewest will fall victim to trafficking, which include the equipping of those at risk with relevant information and alternate options to risky migration. In the protection and restoration of victims, it is the duty of the state and the guardians to guide them so that the children can once again exercise their rights in a dignified way. This includes the identification of victims, interim care in shelters, repatriation, and assistance in integration back into society. Prosecution involves the investigation, apprehension, and conviction of traffickers. Policy refers to any work dealing with developing and improvement of policies, laws, and regulations so that children are safer from the trafficking threat.

In the protection and recovery of child victims, ensuring their rights even in the helping process comes into focus on a number of occasions. Child victims have a right to be informed of the helping process, whether it is their stay in a shelter, involvement in the prosecution of the trafficker, or the manner of return to the community. First, there are times when child victims are not provided sufficient information in a language that they can understand because the social

worker may not speak their language. If this happens, the child victim does not understand why she is in a shelter, how long she will stay, and when she will be able to leave or return home. It is in such cases that child victims feel victimized again by the helping agencies and they are being kept in detention against their will. Second, some State Parties are more intent on prosecuting the trafficker and because the main evidence is the testimony of the victim, child victims are often "strongly advised" to be the key witness in the prosecution of the trafficker. This can be doubly traumatizing if the victim has to face her trafficker again in the courtroom. The child victim should have the right to refuse to take part in the prosecution process and still receive assistance and protection. For example, the T-Visa in the US which allows legal temporary stay to trafficking victims in the country was conditional on the part of the willingness of the victim to testify. Finally, despite good intentions, some child victims end up staying in the shelter and are not able to return for long periods of time, with some victims in Thailand being stuck in shelters for more than two years. These are examples when the helping agencies are actually neglecting the rights of the child victim in favor of processes and the greater interests of the state.

A major learning from this course has been to look at the CRC and apply the rights directly to the trafficking issue, both in the violation of rights in the trafficking crime itself and the violation of rights by the state parties or related agencies in the counter-trafficking process.

The CRC is an international legal instrument that provides boundary posts that indicate when children's rights have been infringed upon and how those rights are to be protected. At the same time, it is useful to understand the historical development of the instrument, that it was developed as a negotiation between state parties and finalized as a result of political compromise. In terms of the enforcement and monitoring of the CRC, this course demonstrated that monitoring of the CRC is often weak and compliance to the obligations that the State Parties have committed to cannot usually be enforced. This is a reality that may not sound very promising but, at the same time, it is important to be cognizant of this inherent limitation.

Following are several examples of how various articles in the CRC are routinely not adhered to. Art 9.1 refers to the right of the child not to be separated from his own parents against their will, except when it is deemed in the best interest of the child. This is an important right that is often ignored when other laws tend to come to the fore. For example, for child victims of trafficking identified in Thailand that have parents residing in Thailand as undocumented migrant workers, the Thai government does not allow for those victims to be re-united with their parents because the victim repatriation policy allows for return to the home country only. This technicality is against the principle right expressed in Art 9.1, yet is applied regularly in practice. This is when national security in practice is shown to have greater importance than individual human rights.

Following on Art 9.1, there are also cases where in the name of trafficking "prevention", states can actually limit the right to migration. In Myanmar, there was

a government policy that did not allow for women under the age of 25 to travel within or out of the country alone, but required that they be accompanied by a guardian. This is a naïve attempt at trying to protect women and girls from being trafficked to countries like Thailand. This ill-founded policy has actually helped to exacerbate the problem, with young women and girls often resorting to travel with a broker or trafficker posing as a guardian or family member. Art 10.2 explicitly provides the right of children to leave any country, including their own. Migration policy is highly political and dependent on relationships between State Parties. Depending on how the policy is formulated, the impact can be either positive or negative on trying to stop the continued trafficking of humans.

That the child should be given the right to express views freely in matters affecting the child is a significant area of anti-trafficking work, especially when trying to understand the vulnerabilities and trigger points that can lead to the victimization of children [Art 12.1]. State Parties and other civil society actors that invest resources into prevention programs need to listen to the children if they are to understand the situation children face and their unique perspectives and formulate appropriate strategies to lower risk to trafficking. The same applies to ensuring that child victims are also able to express their views freely about the whole process of returning to community post-victimization and trying to adjust to a new life with family and neighbors.

The child's right to access to information that promotes social, spiritual, and moral well-being, physical and mental health [Art 17] is also important, in the States Parties encouraging mass media [17a], international cooperation to produce information [17b], that is in a language appropriate to children [17d].

For example, with migration policies that are instituted by a state party such as Thailand, information regarding migrant worker registration and conditions for migrant workers and their families needs to be communicated effectively in languages that migrant children can understand and using mass media channels because there is such a huge migrant population that needs to be reached. In late 2009, the Thai government decided to have a new round of registration of migrant workers already in the country and those that had already registered in a previous round. However, because the information was not widely disseminated through mass media in the languages of the migrants, such as Burmese, Khmer, Lao, and Chinese, there was erroneous information circulating such as invitations for new migrants to apply for a work permit or charging exorbitant fees for the processing of the work permit. There were those that were waiting to exploit the situation and the fact that the migrants did not have ready access to the proper information actually raised their risk to being trafficked.

So how can anti-trafficking efforts more faithfully apply children's rights in the way programs are designed and implemented? It is evident that counter-trafficking interventions must be grounded in an understanding of children's rights and how those rights should be provided for or defended will improve the relevance of activities and increase impact. There is a need to start with the principles of upholding children's rights rather than focusing exclusively on the problems and formulating solutions as a reactive measure. There need to be a greater emphasis on the state party as the key duty bearer first of all. Secondly, the participation rights also must be prioritized and applied as much as the provision and protection rights. Whatever activities are designed, there needs to be greater intentional efforts at providing opportunities for children to participate in the design of the activities themselves. For example, should anti-trafficking agencies disseminate information about warnings against trafficking, and to whom? What should be the content of the message? Whether or not adults have good ideas and strategies about what should be done, children should have a say in this as a matter of principle.

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Mr Norbu was selected by the Government to draft the 7th Periodic Report on CEDAW, which he defended at the UN Headquarter in New York in 2009. Consequently he was again selected to draft Bhutan's Periodic Report on Human Rights (UPR), which he presented to the Office of the High Commission on Human Rights, Geneva in 2009. As a legal advisor of the Commission he has drafted the Child Care & Protection Bill, 2010, the Child Adoption Bill, 2010 and the Domestic Violence Bill, 2010. The latter are currently submitted to the Parliament and to the Cabinet for approval.

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PUENTES Adriana

Germany (Colombia) – Freie Universität Berlin

Mrs. Puentes is a lawyer. Currently she is studying the European Master in Children Rights and Childhood education in Berlin. She worked at the Colombian Institute of Anthropology and History in the area of social and cultural law, specific on cases related to cultural heritage. Her main area of interest is non-formal education. She would like to create a project on the latter and on the stimulation of the imagination.

RATANACHENA Sophapan

Thailand – Save The Children

Sophapan graduated a Master Degree of Development Studies from School of Politics and International Studies, University of Leeds, United Kingdom, and a Bachelor Degree of Political Science at Chulalongkorn University, Thailand. Sophapan has joined Save the Children since 2006 in Thailand Tsunami Response programme to support children and families in southern Thailand through psychosocial support activity. She was involved in the production of a Child Safe Organisation training module to support relief organisations in Tsunami affected areas having a child protection policy in place. In 2007 - now, she has become fully involved in the Child-Led Disaster Risk Reduction programme (CLDRR) at Save the Children Sweden through the production of Child-Led DRR manuals for schools and communities, CLDRR programme management and provision of technical assistance to organisations in the region to develop a programme and strategy of children participation in DRR. Sophapan has an expertise in Children Rights, Children Participation, Disaster Risk Reduction and Community Development

RIZWAN Khuzama

Pakistan – Save the Children UK Pakistan Programme

Khuzama Rizwan has been working in the field of Child Protection for six years now as a trainer and psychologist. She is currently working with Save the Child-

ren UK Pakistan Programme as a Child Protection Officer for more than a year. This position has helped her in enhancing her knowledge and experience about the issues of child labour and children without parental care in Pakistan. Earlier, she was working with a local organization Rozan and left after five years as Program Coordinator of the children's program, Aangan, working on the emotional health of children in general and focusing on child sexual abuse in particular. Her key areas of interest remain Child Participation and Inclusive education while Counselling is one area she aspires to specialize in. She also identifies herself as a human rights activist and is a part of a number of human rights networks in Pakistan.

ROMALDI Christa

Canada – Saudi Arabian Embassy, Saudi Arabian Cultural Bureau

As part of her recently completed Master degree in Globalization and International development, she completed a thesis discussing Catholic Church and state-run education in the Democratic Republic of the Congo and its effects on youth identity. In the process of completing her Master degree, she also participated in internships, including teaching English to primary and secondary school students in Uganda and interning at the United Nations Headquarters in the Division for the Advancement of Women. Prior to her Master, she worked for UNICEF Canada as a Campaign Officer and volunteered for numerous organizations, most notably UNICEF Canada and War Child Canada. She currently works for the Saudi Arabian Embassy in Ottawa for the Bureau that manages the scholarship programs.

SAMANYA Sylvia

Uganda – Office of the Prime Minister – Refugee Directorate

Sylvia is a professional Urban Planner and a Protection Assistant by occupation. She is a master student of Peace and Conflict Studies at Makerere University, Kampala. Sylvia has worked with the Directorate of Refugee since 2005. She is also a Refugee Eligibility Officer with the Uganda Refugee Eligibility Committee which is the Committee mandated to access asylum applications in Uganda. She has acquired extensive training in Refugee Law, Human Rights and Forced Migration from Oxford University- UK, International Institute of Humanitarian Law – Sanremo, Italy and the Human Rights Peace Center (HURIPEC), Makerere University. She is currently the Liaison Officer for Urban refugees and the focal person for Child protection at the Directorate. Among her main activities is to handle protection issues which include conducting BID interviews for child protection, rights of refugee children and women, Human Trafficking, Sexual Exploitation and Abuse, Violence against women and the girl Child, Counselling etc. She works directly with the Community Service Unit, partners and NGOs like Inter-aid, Uganda and UNHCR among others to oversee issues of Refugees in relation to equal access to their protection, health care, livelihood, and quality education as community based programmes.

SARGEANT Jonathon

Australia – University of Southern Queensland

Dr. Jonathon Sargeant is a lecturer and researcher in special education and classroom management at the University of Southern Queensland, Australia. His research interests include the use of physical activity to bring about behavioural enhancement and improved social skills in school age children. Jonathon's recent work has focussed on giving children and youth a voice regarding their futures. His experience and research with children, and youth (particularly tweens) priorities for the future provide critical information for educators, parents and policy makers. He is particularly interested in developing enhanced ethical research practices with children.

SERRANO FRATTALI Juan Pablo

Colombia – NGO Liderazgo para la Paz

Juan Pablo Serrano Frattali is the President of the NGO Liderazgo para la Paz in Colombia, studied a Bachelor Degree in Law from la Universidad Santo Tómas in Colombia and a Master in Intercultural Mediation and Citizen Participation with the Universidad of Valencia.

In 2005 he published a book LOS DESPLAZADOS, El Reto Humanitario del Siglo XXI. He has participated in several researches, publications and events about children at both national and international levels, on issues such as: street children, children and forced displacement and working children.

SUSETYO Heru

Indonesia – University of Indonesia

Heru Susetyo has been a faculty member at the Faculty of Law University of Indonesia, Jakarta – Indonesia since 1996 where he is responsible to teach Children Protection Law, Women, Family and Law, Victimology, Social Legislation, and Law and Development courses. Besides, he is also a human rights lawyer at Indonesian Center for Legal and Human Rights Advocacy (PAHAM), a co-founder of the Mom and Baby Center, activist of the Saving Indonesian Children Alliance, and Executive Committee of the World Society of Victimology. He Graduated from the University of Indonesia, Jakarta - Indonesia (Bachelor of Law 1996 and Master of Social Work 2003) and Northwestern Law School, Chicago USA (Master of International Human Rights Law - 2003). He is now pursuing his Ph.D in Human Rights and Peace Studies at Mahidol University, Bangkok- Thailand.

TRIKHA KHULLAR Sonia

India – UNICEF

Sonia graduated from Lady Hardinge Medical College, Delhi University, India in 1991, and pursued MD in Obstetrics and Gynaecology at the same institute. She spent the next 9 – 10 years working as an obstetrician and gynaecologist in both private and public sector hospitals in India. Simultaneously she acquired a rich grass roots experience working with Non-governmental agencies engaged in promoting Maternal, Reproductive, Adolescent Health and HIV/AIDS prevention. Sonia switched over to full time public health work in 2004. She spearheaded the planning and implementation of the National AIDS Control Programme in Chandigarh in the capacity of Project Director of the State AIDS Control Society from 2005 to 07 and worked as National Consultant, Making Pregnancy Safer and Reproductive Health and Research with WHO India Country Office before moving to UNICEF as the Maternal Health officer in 2009. She earned a post-graduate diploma in Health and Hospital Administration last year. Sonia is currently working as HIV specialist in the India Country Office, UNICEF.

WANGDI Ugyen

Bhutan – National Assembly of Bhutan

Mr. Wangdi is a Member of the Parliament of Bhutan. He is chairing the Legislative Committee of the National Assembly of Bhutan. The Committee is responsible for reviewing all the bills introduced in the National Assembly and submits recommendations to the House with amendments. Mr. Wangdi also is a member of the Human Rights Committee of the House mandated to review laws and policies that affect human rights and submit recommendations to the Parliament and Government for necessary action.

YOON John Whan

Laos PDR (South Korea) – World Vision International

John Whan Yoon has worked with World Vision International since 2001, based in several Southeast Asian offices such as Cambodia, Laos, and Thailand. He has managed a series of anti-trafficking projects, beginning with a trafficking prevention project along the Myanmar-Thai border, and then moving to a 5-country regional anti-trafficking project. The project work has included working at the grass-roots level to educate children and youth in source communities about the dangers of trafficking, to provide alternative options to risky migration, and to assist victims of trafficking in the recovery and reintegration back into society. He is South Korean and is currently living and working in Laos.

List of Personal Details Speakers

AYLWIN José

Chili – Universidad Austral de Chile, Observatorio Ciudadano Citizens Watch)

José Aylwin is a human rights lawyer from Chile, specialized in indigenous peoples and citizens' rights in Latin America. He graduated in legal and juridical studies at the Faculty of Law of the University of Chile in Santiago (1981) and obtained a Master in Laws degree at the School of Law of the University of British Columbia, in Vancouver, Canada (1999). He has researched and published for different organizations including the University of La Frontera, Chile, the United Nations (ECLAC), the Inter American Institute for Human Rights, IWGIA (Denmark), and the University of Montana on several topics including indigenous peoples' land rights, Ombudsmanship in Latin America, globalization and human rights in Latin America and human rights in Chile. He currently acts as Co-director of the Observatorio Ciudadano (Citizens' Watch), an NGO for the promotion and protection of human rights in Chile based in Temuco and Santiago, Chile (www.observatorio.cl). He also teaches Indigenous Peoples' Rights at the School of Law of the Universidad Austral de Chile, in Valdivia, Chile.

CERIANI CERNADAS Pablo

Argentina – National University of Lanus

Mr Ceriani Cernadas studies law at the University of Buenos Aires (UBA) and obtained his PhD in Human Rights at the University of Valencia, Spain. He studied a Postgraduate Course on *Legal Expert on International Migration and Transnational Movement* at the European University of Madrid. Mr Ceriani Cernadas is Professor in the *Master on Human Rights* at the University of Lanús, UNLa, Argentina and in the Law School at the University of Buenos Aires, both on Human Rights of Migrants. He is researcher of the Human Rights Center (UNLa), where he coordinates the Program on Migration and Human Rights, which develops several researches for UNICEF (NY, Latin American, and Argentinean office) on Migration, Children and Human Rights at national, regional, and global level. He is a Professor in the *Master on Migration Policies* (UBA) and in the *Interamerican Course on International Migration* (IOM, Mar del Plata). He has co-edited the book *Migration Policies and Human Rights* (2009). Since 2000, he is member of CELS (Centre for Legal and Social Studies), a human rights NGO, where he coordinated the Legal Clinic on Immigrants and Refugees' Rights.

DESMET Ellen

Belgium – Children's Rights Knowledge Centre – Kenniscentrum Kinderrechten (KeKi)

Ellen Desmet studied law and the master programme Cultures and Development Studies (CADES) at the University of Leuven, Belgium, as well as development cooperation at Ghent University. In early 2010 she defended her doctoral thesis on the relationship between nature conservation and the rights of indigenous peoples and local communities, from a human rights and legal anthropological perspective. She remains a research fellow at the Institute for Foreigners Law and Anthropology of Law of the University of Leuven.

DERLUYN Ilse

Belgium – Ghent University

Dr. Ilse Derluyn obtained her PhD in Pedagogical Sciences at Ghent University (2005) with a dissertation on the emotional well-being of unaccompanied refugee minors. As researcher at the Department of Orthopedagogics – Ghent University, she has been involved in several research projects in the field of (forced) migration and social care, and is currently coordinating an interuniversity research centre (UGent, VUB and Leuven University) on the emotional well-being of children in vulnerable situations in Southern countries. She teaches different courses at Ghent University and at the University of Kent at Brussels.

GOODMAN Donna L.

United States of America – Earth Child Institute

Donna Goodman is the Founder and Executive Director of the Earth Child Institute (ECI), an international NGO associated with the United Nations Department of Public Information and the UN Framework Convention on Climate Change. ECI is dedicated to supporting governments, the private sector and UN system partners to develop and build local capacity to implement holistic, rights-based inter-sectoral educational and environmental health solutions for sustainable development. From 2004-2008, she served as Programme Advisor, Climate Change and Environment for UNICEF, initiating development of UNICEF's climate change, children and environmental education resource pack (CCCEERP) for Child Friendly Schools as well as leading research and advocacy efforts to address children's environmental health with the United Nations Environment Programme (UNEP) and World Health Organization (WHO). Ms. Goodman was the lead author of Climate change and children: A human security challenge, and supporting author of Climate change and child health published by the UNICEF Innocenti Research Centre. Other credits include UNICEF Climate Change and Children, UNICEF Water Alert! interactive learning module game, Every Body Counts, Every Drop Matters, United Nations Classroom Resource Guide on Water and United Nations Cyberschoolbus, Pumped Up for Peace.

HANSON Karl

Switzerland – Children's Rights Unit, University Institute Kurt Bösch (IUKB)

Karl Hanson is Associate Professor at the Children's Rights Unit, University Institute Kurt Bösch (IUKB) in Sion, Switzerland, where he teaches in the *Master of Advanced Studies in Children's Rights* (MCR) and in the *Master interdisciplinaire en droits de l'enfant* (MIDE). His publications and main research interests include children's living rights, working children, juvenile justice and interdisciplinarity in children's rights research and higher education

LAMBERT Christophe

Belgium – Vanakam vzw

Mr. Lambert studied economics at the University of Antwerp and obtained two MBA's at the Monterey Institute in California. Christophe Lambert has been working for years in Asia as a journalist. He is responsible for socio-cultural reports for magazines. Especially India is his favourite destination. What fascinates him most in this unpredictable country with its smells and colours, are the people. His first book was published in 1998. 'India, a look in the mirror' is a book of art, telling us the story of people in India. Stories of children, women and saddhus, rickshaws and boatpeople. Witnesses, taken from everyday life, reflecting feeling of joy and sadness. An ode to the Indian people. After all these voyages, Mr. Lambert clearly feels a bond with the Indians. An engagement, reaching further than texts and pictures. That's why he started – fitting in with his book – an own initiative in Tamil Nadu, South India.

Mr. Lambert is the founder of the 'Saint Paul's Home for Children' in Uthani in Tamil Nadu (South India). This project has been enlarged by the building of a field hospital, which will provide 28 surrounding villages with the necessary basis needs. With the net profits of his new book 'Travelling in Asia', Mr. Lambert will be able to provide the field hospital of Mensch Trust with the further financing.

MESTRUM Francine

Belgium – Université Libre de Bruxelles

Francine Mestrum is dr in social sciences, lecturer at the Université Libre de Bruxelles, researcher and international consultant. Her research topics are globalization, development, poverty and gender. She is a member of the International Council of the World Social Forum. More recently, she started an initiative on 'global social justice', in order to link the topics of development and global taxation and to launch a debate on global income redistribution. In her most recent book 'Ontwikkeling en Solidariteit' (Development and Solidarity), EPO, 2010, she proposes to re-think development and development cooperation. See: www.globalsocialjustice.com and www.ontwikkeling-en-solidariteit.blogspot.com

MEZMUR Benyam Dawit

Republic of South Africa – University of the Western Cape
Dr. Benyam Dawit Mezmur is a researcher from Ethiopia currently based at the Community Law Centre, University of the Western Cape (UWC) in Cape Town, South Africa. At present, he is the convener of the LLM module on Children's Rights and the Law at UWC and a Mellon Foundation Research Fellow at the Community Law Centre. Currently he has been elected as a member of the African Committee of Experts on the Rights and Welfare of the Child. He has widely published in children's rights topics.

REYNAERT Didier

Belgium – University College Ghent
Didier Reynaert holds a bachelor in child nursing and a master in special education (orthopedagogics). Previously, he worked for the Flemish Children's Rights Coalition, the Child Legal Centre and as a civil servant at the Ministry of the Flemish Community on child protection. In 2005 he started working at the Children's Rights Centre of the Ghent University on an interdisciplinary research project "Human Rights of Children". Currently, he prepares a Ph.D. in Social Work/Social Pedagogy at the University College Ghent on children's rights education and the children's rights movement.

ROELEN Keetie

United Kingdom – Institute of Development Studies (IDS)
Keetie Roelen is a Research Fellow in the Vulnerability and Poverty Reduction team and member of the Center for Social Protection at the Institute of Development Studies (IDS) in Brighton, UK. She obtained her PhD degree at Maastricht University in the field of child poverty measurement and policy. Her research interests include (child) poverty, poverty reduction policies and social protection policies in the context of both developed and developing countries.

ROOSE Rudi

Belgium – Ghent University and Free University Brussels
Rudi Roose holds a master in educational and psychological sciences, a master in criminology and a Ph.D. in Educational Sciences. He is a senior researcher at the department of Social Welfare Studies, Ghent University and Associate Professor at the department of Criminology, Free University Brussels. His interests are children's rights, youth care, forensic social work and social work theory.

VANDENHOLE Wouter

Belgium – University of Antwerp, Faculty of Law, UNICEF Chair in Children's Rights

Wouter Vandenhole teaches human rights law and holds the UNICEF Chair in Children's Rights at the Law Faculty of the University of Antwerp. His research interests include children's rights, human rights, in particular economic, social and cultural rights, and the relationship between human rights law and development. He is an active member of the European Network of Masters in Children's Rights, and chair of the Flemish Children's Rights Knowledge Centre.

VANOBBERGEN Bruno

Belgium – Commissariat of child and youth rights

Bruno Vanobbergen (1972) obtained a PhD in Educational Sciences (Ghent University, Belgium) with a study on the commodification of childhood. He is especially interested in the grammar of childhood, with a focus on children's rights and processes of educationalisation and medicalisation. He published several articles on these topics in national and international journals. Vanobbergen is Flemish Children's Rights Commissioner and guest professor childhood studies at Ghent University.

VENNAM Uma

India – Sri Padmavati Women's University (SPMVV)

Professor Uma Vennam has an MA in social work specialising in Urban and Rural Community Development from Tata Institute of Social Sciences Bombay, and holds a PhD from the University of East Anglia, Norwich, England. She is currently a professor of social work at SMPVV. She has been involved in various projects dealing with poverty alleviation, rural livelihoods, SLMF, poverty and HIV/AIDS, trafficking in women and children, child labour and Aids Prevention Education Programme (APEP) for school children with international agencies including the World Bank, DFID and UNICEF. Her research interests focus on rural livelihoods, monitoring and evaluation of poverty alleviation project. She is the lead qualitative researcher for Young lives in India.

VINDEVOGEL Sofie

Belgium – Ghent University

After following a master in Educational Sciences from 2002-2007 at Ghent University, Sofie Vindevogel started working at the Department of Orthopedagogics of UGent as scientific staff, where she was performing several small research projects. When the interuniversity Center for Children in Vulnerable Situations was established in 2008, she became involved as a doctoral researcher. Her research handles the psychosocial processes former child soldiers go through and resources that may support these processes after being recruited as a child soldier in an armed faction. In specific, she studies the case of northern Uganda.

VLIEGHE Kathy

Belgium – Children's Rights Knowledge Centre – Kenniscentrum Kinderrechten (KeKi)

Kathy Vlieghe has a master's degree in German philology and a specialization in documentation and literature sciences from Ghent University, Belgium. From 1989 to 2009, she worked as a scientific collaborator at the Centre for the Rights of the Child (Ghent University). Until today, she is associated for 10% at the Department of Social Welfare Studies of Ghent University. She is co-organizer of different national and international training programmes, such as the Post-Academic Training Children's Rights and the International Interdisciplinary Course on Children's Rights. For various years, she was editorial secretary of the Journal on Youth Law and Children's Rights (Tijdschrift voor Jeugdrecht en Kinderrechten).

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