

Children's Rights: A Second Chance



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Save the Children

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Introduction

The past decade began with genuine optimism for the world's children. With the adoption of the UN Convention on the Rights of the Child (UNCRC) in 1989 and the World Summit for Children in 1990, it appeared that the right of all children to a decent childhood and respect was finally being taken seriously by governments and the international community.

However, a decade on, these commitments to children have not led to significant improvements in the everyday lives of millions of the world's children. The facts speak for themselves. Six hundred million children are living in extreme poverty. Millions of children die each year of preventable diseases. Among the world's primary-age children, 125 million are not in school and another 150 million drop out of school within just four years. Violence against children in families and institutions remains endemic and widely defended. Disabled children in virtually all societies suffer discrimination, violence and abuse, poverty, exclusion and institutionalisation. During the past decade, increasing numbers of children have been affected by conflict, often exploited with brutal and callous contempt as targets of war – between 1993 and 1996, 45% of victims of war were children.¹ To date more than 10 million children in Africa have been orphaned by HIV/AIDS,²

denied opportunities for love, affection, comfort and security. And throughout the world, millions of children are forced into harmful and exploitative forms of work or subjected to sexual abuse, prostitution and trafficking.

Save the Children has fought for over 80 years to get a better deal for children. Over the last couple of years we have documented the developments and failures through two publications, *Children's Rights: Reality or Rhetoric?* (1999), and *Children's Rights: Equal Rights?* (2000).

This publication, *Children's Rights: A Second Chance* not only looks back at the last 12 years since the adoption of the UNCRC but also looks to the future, to the next generation of children. It suggests a pragmatic framework, mapping out achievable steps forward for governments, non-governmental organisations (NGOs) and all others responsible for improving our world, on behalf of, and with children.

Part 1 focuses on poverty, which underlies much of the failure to improve children's lives. In addition, new threats have emerged. Looking in detail at the lives of four children living in different circumstances in different parts of the world, Part 2 examines how global trends – HIV/AIDS,

economic globalisation, discrimination and conflict – impact on the lives of these particular children, and millions of other children throughout the world.

The problems, though not to be underestimated, are not insurmountable. Why, over a decade on from the commitments of governments and the international community to children, has there not been an improvement in the everyday lives of hundreds of millions of children? Part 3 links the failures of this period with the failure to apply the four key principles of the UNCRC – *non-discrimination, the best interests of the child, the right to survival and development, and listening to and taking children seriously*.

Part 4 looks at what each of the main actors – families, communities, civil society organisations, governments at district and national level, international agencies, donors, business – needs to do to make the next decade a better one for children. At the beginning of the 21st century, as the world focuses on children, a fundamental shift is needed – to realise the aspirations of the UNCRC for the rights and welfare of children throughout the world.

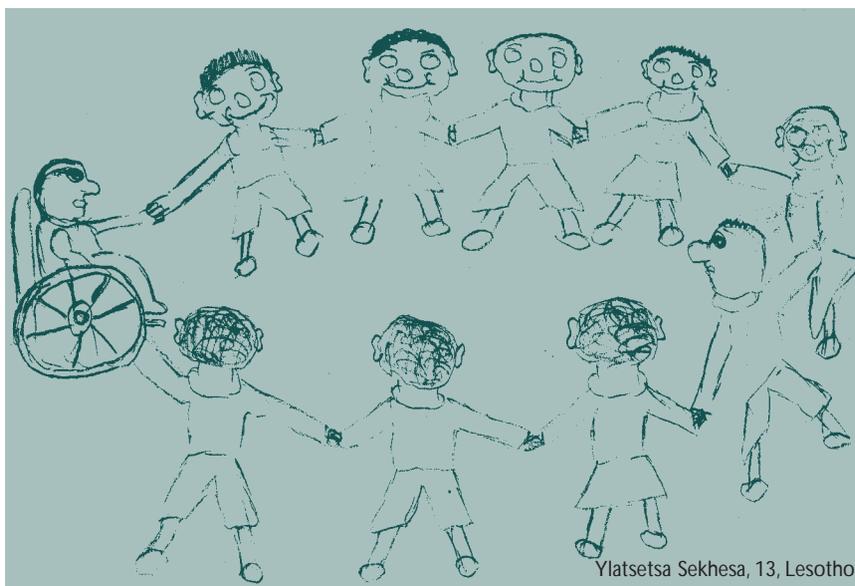
It is not enough that over the past decade the UNCRC has been ratified by nearly every country in

the world. What is now needed is a proper appreciation of the fundamental and wide-ranging changes required to realise these rights. A major shift in attitudes, policies and allocation of resources is required.

In terms of our attitudes towards children, we need to recognise the particular needs of children, and to do this we need to listen to and take seriously what children have to say about their situations. Policy-makers need to apply this learning so that they take greater account of children when formulating policy. And, crucially,

governments and the international community need to take seriously their commitment under the UNCRC to resource 'to the maximum extent available' the realisation of children's economic, social and cultural rights.³

All governments, international institutions, United Nations agencies, global companies, NGOs and local communities must be held to account. They must understand how they have failed children and focus clearly and realistically on what they need to do to put things right.







PART ONE

Background

Pensiero

Penso che per avere un mondo
migliore tutti i bambini devono poter
giocare, divertirsi, sorridere anche i piú
poveri perché la vita é fatta
soprattutto dai bambini!

NAIMA BORGESE, 11, ITALY

Thought

*I think that to have
a better world, all children
must be able to play,
to have fun, smile,
the poorest too
because life is made
especially
by children.*

Chapter 1: What the decade brought

The promises made to children

In 1989 the United Nations General Assembly adopted the Convention on the Rights of the Child (UNCRC). The UNCRC promotes all children's rights to survival, to fulfilment of their potential, to protection from all forms of violence and exploitation, to respect for their dignity and to be listened to and taken seriously. The significance of its adoption and subsequent near universal ratification by governments worldwide cannot be overestimated. In 1990, the World Summit for Children endorsed a global plan of action and adopted the World Declaration on Survival, Protection and Development of Children.

The UNCRC provides a set of universal minimum standards of entitlement for all children, establishes them as subjects of rights and insists on recognition of children as actors in the exercise of these rights. It challenges the traditional perception and status of children as inferior to adults. It renders children more visible as individuals in their own right at international, national and community level. It provides the tools with which to analyse the situation of children, the norms against which law, policy and practice must be measured and an

international body for monitoring implementation.

At national level, many countries have reviewed their legislation against the standards demanded by the Convention, diverted new resources to health, education and social services, recognised the importance of birth registration, established independent ombudsmen or children's rights commissioners and begun to develop opportunities for listening to the views and concerns of children. Some countries have begun to explore a process of disaggregating budgets in order to assess expenditure on children more accurately. Others have started to challenge traditional practices harmful to girls: female genital mutilation, domestic violence and early marriage.

As a result of the adoption and ratification of the UNCRC, the actions or inaction of governments towards children can now be scrutinised publicly by the international community. Violations of children's rights, hidden throughout history, are now being placed on the international agenda. Child labour, commercial sexual exploitation of children, child soldiers and street children are all now recognised as key concerns for national governments and the international community.

"Rich countries,
Poor countries,
There shouldn't be
countries like those.
People should live equally.
We should care more
about others."

SHINGO TANAKA, 11

Growing awareness of the nature and scale of violations of children's rights has resulted in the introduction of further international legal protections and action. The horrifying numbers of children whose childhoods are stolen through recruitment into armed forces and the weakness of Article 38 of the UNCRC led to the drafting and subsequent adoption of the Optional Protocol on the Involvement of Children in Armed Conflict. This was adopted by the UN in May 2000 and has now been signed by 68 states and ratified by three (March 2001).

At the international level, other forms of legal protection have also been established. In 1998 the International Criminal Court made provision for prosecuting those responsible for war crimes against children. The recent International

Labour Organization Convention 182 on the elimination of the worst forms of child labour, drafted to strengthen protection against the economic exploitation of children, came into force in November 1999 and has since been ratified by 57 countries. At a regional level, the African Charter on the Rights and Welfare of the Child was drafted and adopted by the Organisation of African Unity in 1999.

In addition to these legal instruments, the UN has appointed several Special Rapporteurs for children to look at armed conflict, the sale of children, child prostitution and child pornography, and education. The 4th World Conference in Beijing in 1995 produced the Platform for Action, which broke new ground in its distinction between the rights of women and those of girls, with a

specific section devoted to gender/age discrimination against girls. It was signed up to by 186 governments.

The hidden suffering and marginalisation experienced by disabled children – who number as many as one in ten of all children – was acknowledged by the Committee on the Rights of the Child in 1997, leading to the establishment of an international working group, Rights of Disabled Children. Chaired by the UN Special Rapporteur for Disabled People and backed by funding from the Swedish International Development Agency, the group offers a means of focusing international attention on the abuse, neglect, poverty, discrimination and social exclusion faced by disabled children.



14-year-old, Uzbekistan

The decade was also characterised by a series of UN summits at which world leaders set targets for tackling many of the most extreme violations of social and economic rights – halving the number of people living in extreme poverty, provision of universal education, elimination of gender disparity in primary and secondary education, and a two-thirds reduction in death rates for infants and children under five.

These targets are valuable. They have been agreed universally by the Organisation for Economic Co-operation and Development (OECD), World Bank, International Monetary Fund (IMF) and UN. They focus world attention on the scale of poverty and suffering experienced by millions of children in the developing world. They serve as tools for mobilising governments and generating and redistributing resources. And because these targets are attainable and measurable, they promote confidence – among people, governments, UN agencies and the international finance institutions – in the capacity for positive social and economic change in children's lives.

The harsh realities

Despite these signs of progress, the hardships faced by many millions

of children remain. In many parts of the world the situation for children is getting even worse. A number of trends have contributed to this failure:

- neo-liberal economic policies, which have dominated recent economic thinking, have offered few opportunities to alleviate poverty through social redistribution and investment in social welfare.
- demographic patterns show the highest-ever number of children alive on the planet, with a higher ratio of children to adults than at any time previously.
- Exceptionally severe and numerous natural disasters, possibly exacerbated by global warming and environmental degradation, have undermined economic progress in many countries.
- An unprecedented number of conflicts throughout the globe have not only brought havoc to the lives of millions of children, but threatened or destroyed economic and social infrastructures.

These trends have exacerbated the situation of many children. However, they do not explain why more has not been done to improve children's lives, nor do they justify the failure to fulfil many of the

commitments made to children by the world's leaders at the World Summit and through ratification of the UN Convention on the Rights of the Child.

Poverty

Little of any long-lasting effect can be done to improve the lives of children until the international community tackles the causes and consequences of poverty. As the rich get richer, the poor are getting poorer – and they are increasingly unable to break the cycle of poverty.

An adequate standard of living

In 1997, the income gap between the one-fifth of the world population in the richest countries and the one-fifth of the population in the poorest was 74:1 – a dramatic increase on 30:1 in 1960.¹ UNICEF estimates that 1.2 billion people live in extreme poverty; 600 million of those people are children – 40 per cent of all children in developing countries.²

The impact of poverty

For children, poverty is likely to mean fewer educational opportunities, poor health, increased risk of accidents at work or because they have nowhere safe to play, and an increased exposure to drugs, violence, unprotected sex and

"Why pay millions of dollars to see if there is water on the moon when there are people on earth who don't even have clean water?"

SIRI, 11

crime. For most of them, a childhood spent in poverty will lead to adult poverty.

Child mortality is directly linked to poverty. Although the United Nations set a target of reducing the number of child deaths by two-thirds by 2015, this is far from being achieved. The number of children dying is declining at less than half the rate necessary. On current trends, by 2015 more than 10,000 young children will die every day.³

Low levels of investment and, in aid-dependent countries, highly unstable aid flows and conditions attached to aid have affected the stability, efficiency and effectiveness of budgetary allocations to services that have an impact on children, particularly health. As a result, health systems in many of the poorest countries are in a state of collapse. For much of the last decade, cost-recovery policies were promoted by the international financial institutions, the effect of which was to price the poor out of the system. At the same time, debt repayments by poor countries have meant less to invest in adequate health services.

The UNCRC promotes active international co-operation to ensure that children have access to the best possible health and medical services. Despite this, the

United Nations Development Programme estimates that just 2 per cent of annual health-related research and development worldwide goes towards tackling pneumonia, diarrhoeal diseases and tuberculosis – childhood diseases that are killing many thousands of children each year in low income countries.

The recent merger of Glaxo Wellcome and Smithkline Beecham has created a company with sales of £17 billion and 7.5 per cent of the global market. How can they be held to account to ensure that the principle of access to the best possible healthcare for all children underlies the allocation of their research and development budget?

International development targets

The international community set a target to reduce the number of those living in poverty by half by 2015 but this target too is increasingly unlikely to be met. In Africa and Latin America, World Bank projections indicate that the number of people living in poverty will in fact increase by 178 million.³ In South East Asia, the initial growth that lifted considerable numbers out of poverty was seriously affected by the financial crisis in the region in the late 1990s.⁴ At the same time, it should be remembered that such targets

are only part of the solution. They do not guarantee that children will obtain the rights essential to their well-being and development. As the examples in Part 2 show, children's needs, both long-term and short-term, have not been prioritised and incorporated into the targets set by the international community.

Children have the right, as stated in the UNCRC, to a standard of living adequate for their physical, mental, spiritual, moral and social development. This definition of freedom from poverty extends far beyond the basic provision of material needs to include social assets – security, independence and self-respect. Measures to tackle poverty need to reflect this definition, looking not only at income but also at the effects of poverty on other areas of children's development.

As increasing numbers of families are forced to work longer hours to boost household income, other vital aspects of family life get neglected, such as informal child education, so that much of the caring and nurturing function of parenting is lost. As a result, child poverty can increase even as family income increases. Some studies have indicated that children view this lack of emotional support and guidance as even more harmful than inadequate food.⁵ The pressure on parents to work longer hours

Improving the health of children

Progress made and promises yet to keep

The World Summit Declaration and Plan of Action set out ambitious goals and targets for improving the health of children around the world. Four of the major goals and 20 supporting goals adopted by the delegates to the Summit sought to address issues related to health and nutrition.

The Plan of Action established a goal of reducing infant and under-five mortality by one-third. In the 1990s, 60 countries achieved this goal, with an overall reduction in mortality globally of 14 per cent. Despite these dramatic improvements, under-five mortality in 14 countries (including nine in sub-Saharan Africa) increased, and remained static in 11 others. Moreover, the data indicate large and growing disparities – the risk of death to under-fives is twice as high among those in families in the poorest 20 per cent of the population as those in the richest 20 per cent. The HIV/AIDS pandemic is contributing to dramatic increases in under-five mortality in sub-Saharan Africa – projected soon to constitute 50 per cent or more of under-five mortality in some countries. And, while under-five mortality has declined dramatically

in many countries, neonatal mortality has declined much more slowly, and now represents 40 per cent of all deaths to children under five. The list which follows reviews specific health targets.

Immunisations

Following the intense effort to achieve the 1990 goal of universal child immunisation, a number of country programmes have begun to lag, and globally throughout the 1990s immunisation coverage remained virtually static at 75 per cent – versus the 90 per cent World Summit goal. Furthermore, rates in a number of countries – predominantly in sub-Saharan Africa – have actually declined. Globally, 30 million infants are not reached with routine immunisations each year.

While deaths due to measles declined by two-thirds during the 1990s, it remains a major killer of children. There are still over 30 million vaccine-preventable measles cases a year, and coverage is below 50 per cent in 15 countries – far below the 90 per cent coverage needed to stop transmission of the virus.

Deaths due to neonatal tetanus have also declined dramatically – with 104 out of 161 countries

achieving the global target of neonatal tetanus elimination. However, this highly preventable disease still kills over 300,000 infants each year.

Eradication of polio now appears within reach with more than 175 countries reportedly "polio free", and a reduction in reported cases from 350,000 in 1988 to fewer than 3,500 cases in 2000.

Diarrhoea deaths

While the goal of reducing diarrhoea deaths by 50 per cent has reportedly been met, important disparities exist among and within countries and diarrhoea remains a major cause of death in many countries.

Acute Respiratory Infections (ARI)

There is little evidence that the goal of reducing under-five ARI by one-third has been achieved. Poor care-seeking practices and the lack of access to low-cost and effective antibiotic treatment result in two million preventable child deaths each year.

Malaria

While there was no specific Summit goal related to malaria, it has re-emerged as a major child killer. In sub-Saharan Africa alone, it is estimated that 100 million children under age five become ill,

and over one million die of malaria, each year. Most women and children lack access to effective and affordable malaria prophylaxis and/or treatment

Malnutrition

The World Summit established a decade goal of reducing moderate to severe malnutrition by 50 per cent – an underlying cause of as much as 50 per cent of under-five mortality. According to UNICEF, a global decline of only 17 per cent was achieved, and 149 million children under five are still malnourished – two-thirds of them in Asia. In fact, the absolute number of malnourished children living in sub-Saharan Africa actually increased during the decade.

Still, significant progress has been made with increases in exclusive breastfeeding rates; achievements related to micronutrient malnutrition; and dramatic increases in the use of iodized salt to prevent iodine deficiency disorders.

Maternal mortality

While there has been heightened awareness of the causes of maternal mortality rates, there is no evidence that maternal death rates have fallen. Over 500,000 women still die each year during pregnancy and childbirth, and huge disparities continue to exist between countries.

means that children often have to take on extra responsibilities. They may have to look after siblings or take on additional household chores. They may need to work to increase family income, be forced out of the home to relieve the cost of caring for them or removed from school.⁶

Work can and does form an important part of children's social and individual development. However, there is growing evidence that, as livelihoods have become more insecure, children are having to devote increasing numbers of hours to working both inside and outside the home and in a wide range of functions, including street vending, commercial agriculture or working at night in bars and cafes. Their family income may be reaching the levels set by the international community to lift them out of poverty, but the social costs of doing so may be unsustainable and the costs to children, in terms of lost health, education and nurturing, irretrievable.

The impact of globalisation

The process of globalisation, integrating not just economies through the liberalised flow of money and commodities, but culture, technology and governance, cannot be halted but more can be done to ensure that

globalisation brings benefits to poor children and avoids the creation of new risks. Increased trade and investment have benefited the richest countries, while barriers imposed on developing countries have resulted in losses to those countries of up to \$700 billion per annum – 14 times the amount they receive in aid.⁷ Although globalisation is boosting economic growth and creating new employment opportunities, evidence suggests it has also created potential threats to child well being.

Increased inequality within and between countries and increased impoverishment

Inequalities declined in most OECD and developing countries between 1950 and 1975. Since then, however, research suggests that this trend was reversed in 49 countries, accounting for over 80 per cent of the world's population.⁸ International trade and technological changes have reduced the cost of unskilled labour, thereby increasing the gap between high and low incomes. Furthermore, the drive for increased international competitiveness in the labour market associated with globalisation has brought about the erosion of employment protections – minimum wages, trades unions' bargaining power and protective legislation – as well as promoting

greater labour mobility.

There is substantial evidence that inequality is harmful to children's well-being and development. A range of studies reveals that children place a high value on the quality and stability of their social relationships; security, friends and parental care are placed above income. However, pronounced inequalities pose threats to social cohesion and political stability.⁹ Research comparing children's wellbeing across a number of rich nations shows that, on a range of indicators, such as academic attainment, suicide attempts and infant mortality, children living in countries with a high level of inequality fare less well than those living in countries where there is greater equality.¹⁰

In Uganda, as in many sub-Saharan African countries, the economic and social development that independence initially brought was followed by a period of intense vulnerability to the economic pressures of the 1970s, leading to increased indebtedness, declining terms of trade, a loss of market share for exports and widespread recession.¹¹ In 1987, the IMF and the World Bank imposed a structural adjustment programme with the effect that financial support came at the cost of cuts in basic social services. This programme, like many others,

resulted in increased inequalities, the impoverishment of large sections of society, and a sharp deterioration in the welfare of children.¹²

While the adjustment programmes of the late 1990s and the present day pay more attention to distributional issues, the main policy goals – promoting open economies, with the private sector driving growth; the deregulation of trade, investments and labour markets; and reducing the role of the state in the economy – remain largely the same.¹³ And, although some programmes have attempted to protect social expenditure, there has been little impact on improvements to social services for the poor.

Deregulation

International trade and technological changes have contributed to the lowering of the cost of unskilled labour, in particular to maintain competitiveness in international markets. Reducing labour costs has been a primary way of achieving this. Not only does the demand for cheap, unregulated adult labour increase but also children are forced by their family poverty into the labour market unprotected and without the means to take control of their situation. India, for example, began to relax state regulation of industry

"I think all homeless children
in the world should have
somewhere to live and as
much food as they need.
And that all homeless and
rich and poor people should
have warm clothes so
they're not cold"

MADELEINE, 9

in the early 1990s in order to boost international trade and investment. Encouraged by the World Bank, it cut government expenditure, removed economic controls and opened India up to multinational companies. Global trade means longer and more complex supply chains involving contractors paying child and adult workers by the piece. Both children and adults are faced with productivity targets that are unrealistic and cannot provide them with a living wage. Moreover they have no unemployment insurance, no sick leave and no trade unions to help them negotiate better terms and conditions.

Reduced options for raising revenue by states

Liberalisation measures associated with the global market have meant that states are facing increasing restrictions in their capacity to collect taxes. There has also been a move away from payroll and customs taxes towards indirect taxation so that companies are not disadvantaged. In addition, transnational companies have shown themselves to be adept at avoiding paying tax.

Crisis of accountability

While national governments signed up to the UNCRC and associated obligations, their economic policies are increasingly being determined directly by international finance

institutions and indirectly by multinational companies. These bodies have no accountability or responsibilities to children under international law. For example, the IMF assesses how much budget deficit in a particular country is acceptable and conditions its support accordingly. Throughout much of the past decade, it pressurised poorer governments to introduce charges for primary education under structural adjustment programmes. This contravenes Article 28 of the UNCRC, which states that such education should be freely available to all children.

Economic collapse in Eastern Europe and the former Soviet Union

The collapse of the economies in Central and Eastern Europe and the former Soviet Union led to a sharp deterioration in the wellbeing of children. It is now estimated that poverty in the region increased over tenfold in the past decade, with as many as 40 per cent of people living in poverty. At least 50 million are children.

There are dramatic differences between countries. In Poland, Latvia and Belarus, for example, it is estimated that around 20 per cent of the population are living in poverty. However, in Kazakhstan and Molova, it is over 60 per cent and in Kyrgyzstan, 88 per cent.¹⁴

Different studies in the region show that children are the biggest single group at risk from poverty.¹⁵ The implications for children in countries which are managing difficult economic transitions have been profound. Welfare benefits are extremely low, though profoundly important to some poor families, state support for looking after small children has been much reduced, education has deteriorated, tuberculosis, diphtheria and other illnesses have increased markedly, as have suicide rates and the incidence of homelessness, and the inability of families to care for their children has led to an increase in institutional care in many countries.¹⁶ This crushing social and economic environment has long-term implications for the development of these children.

The demographic crisis

Although fertility is declining globally, and life expectancy is increasing, there is currently a huge increase in numbers among the younger age groups. Nearly 40 per cent of the world's population is aged under 20. In some of the world's poorest countries the proportion of children aged under 15 is higher than 40 per cent. Many of these young people are about to start having children of their own and nearly 98 per cent of this youth 'bulge' will occur in the South. Even where governments meet economic growth targets and increase social expenditure they will struggle to keep up with the growth in numbers of those entitled to health and education.

This is not just a budget crisis. Much attention is currently given to the 'ageing' of industrialised societies and the problem of increasing numbers of the elderly being dependent on falling numbers of economically active adults. But the fact that there are presently far more children dependent on each adult is much less discussed, despite having profound effects. The most deprived children are those who are not cared for, played with, nurtured by, informed, and taught by adults. In circumstances where children are deprived of adult care and attention they find it more difficult to connect socially; there is more evidence of risk-taking and depressive behaviour; more likelihood of drug-taking or violent behaviour.



Myanmar (Burma)

Failure to invest in basic social services

The obligations of governments

In many countries, provision of essential services for children such as health, education and social welfare, are far from universal. Only a very few are meeting the UN target of 20 per cent of national budget spent on basic social services. A 1998 analysis of regional expenditure on basic social services in sub-Saharan Africa, Latin America and the Caribbean and Asia revealed an average of less than 15 per cent.¹⁷

The reasons for this underinvestment in children are wide-ranging. To some extent, it is a matter of political will. Despite economic and international pressures, the governments of developing countries do have choices and too many have failed to prioritise children. In India, Pakistan and many African countries, for example, more is spent on the military than on primary health. Many countries have failed to address adequately social inequalities and discrimination facing women and girls, minority groups, rural children and disabled children. Until discrimination against these children is effectively tackled, these groups will continue to have limited access to basic resources and services. Often the poorest – and most

marginalised – groups have little or no access to resources and services paid for by social sector spending.

Nevertheless, many developing countries have made considerable progress in provision of essential services for children. For example, Bangladesh, Kenya, Malawi, and Vietnam have rates of enrolment in primary education of over 80 per cent, about 20 per cent higher than the expected rate for countries at their income level (per capita GNP of below \$300). By comparison, however, Haiti, Ethiopia, Mali and Niger, which are all at a similar level of per capita GNP, enrol less than 30 per cent of children. Zimbabwe, with a per capita GNP of \$540, achieves a rate of 90 per cent enrolment to primary education, compared with Guinea which has the same GNP but enrolls less than 30 per cent.¹⁸ The southern Indian state of Kerala has achieved universal literacy.¹⁹ Given the necessary commitment, it is possible even in the poorest countries to invest significantly in basic education.

Limitations on governments – the debt burden

While governments in some developing countries are making progress in providing basic services for children, they do so in spite of huge fiscal constraints. First, many are faced with crippling debt

burdens. Some countries spend three to five times as much on paying external debt as on basic social services. Debt payments can absorb a third or more of the national budget. Sub-Saharan Africa is servicing a \$200 billion debt, far more than it spends on the health and education of its 306 million children.²⁰

The Heavily Indebted Poor Countries (HIPC) Initiative, the first comprehensive attempt to address the debt issue, represents an opportunity to relieve these burdens and release money to be spent on realising children's social and economic rights. Uganda, for example, which was the first country to obtain relief, is spending most of it on primary education, extending access to an additional two million children.²¹ However, progress with the HIPC Initiative is slow. Countries have to fulfil tough criteria for eligibility that may lead to deeper poverty and wider inequality. In addition, there is not enough available funding for the HIPC Initiative. Meanwhile, debt continues to deprive children of their fundamental human rights and to place intolerable burdens on their parents. It is these parents who are left struggling to deal with the negative consequences of policies designed at national and international level. The failure of decision-makers to assess the impact of these

policies on children amounts to a failure of shared responsibility.

Another key problem is the inadequate levels of overseas developmental aid (ODA) since the early 1980s. Despite a UN target of 0.7 per cent of national income, in 1997 the combined ODA of the OECD countries reached its lowest level ever – 0.22 per cent of GNP.²² In real terms, the current shortfall represents around \$100 billion per year, enough to cover the current deficit in guaranteeing universal access to basic social services in all developing countries.²³

During the last decade, aid has been decreasingly focused on the poorest countries and the welfare of the poorest children. The share of overseas aid allocated to basic services has not increased to the UN target of 20 per cent of the total. UNICEF estimates that it stands at half that level.

Issues relating to charging for services

Faced with obligations to provide an ever-expanding range of services, government budgets came under increasing pressure. Encouraged by the international financial institutions (IFIs), governments explored ways in which the costs of these services could be shared or recovered, outside the tax system. The

underlying rationale was that additional resources would become available, over and above what was provided directly through public expenditures, and that with those additional resources services could be improved and expanded.

However, there is a mounting body of evidence that fees and user charges for social services have not augmented total resources. Moreover, shifting the burden of cost on to the consumer permitted governments to avoid reform in their public finances.²⁴ There were many adverse effects of cost recovery and sharing policies. The most notable of these were: regressive taxation as the poor paid a larger proportion of their resources into financing the services they received; stagnant school enrolment ratios; and partial or non-utilisation of health services.

Although there is a greater realisation of the adverse impact of fees and charges for basic services, there remains a strong pressure for the expansion of private provision of services. That pressure comes from the IFIs as well as from those who are willing and able to pay. It is not clear where this will lead. However, given the disastrous consequences for children in some countries resulting from the introduction of fees and charges, proposals to expand private

provision further need to be thoroughly assessed in terms of the likely effects on children and, if implemented, need to be closely monitored.

The case for investment

The failure to protect children's social and economic rights – a failure of both national governments and international institutions, which have tremendous influence over how governments act – is not only morally unacceptable, it also makes no economic sense. Investment in quality education, primary health care, adequate food and safe drinking water is one of the most efficient and effective means of reducing poverty.

Without a decent level of basic services, children are trapped in a constant struggle against destitution and the economy remains incapable of progress. In a climate of external debt, failed promises of ODA and lack of political commitment it is beyond the means of individual parents to ensure their children receive all their basic rights. Governments cannot afford not to make this investment in basic service provision. The resources necessary represent less than one-third of 1 per cent of the global annual income.²⁵

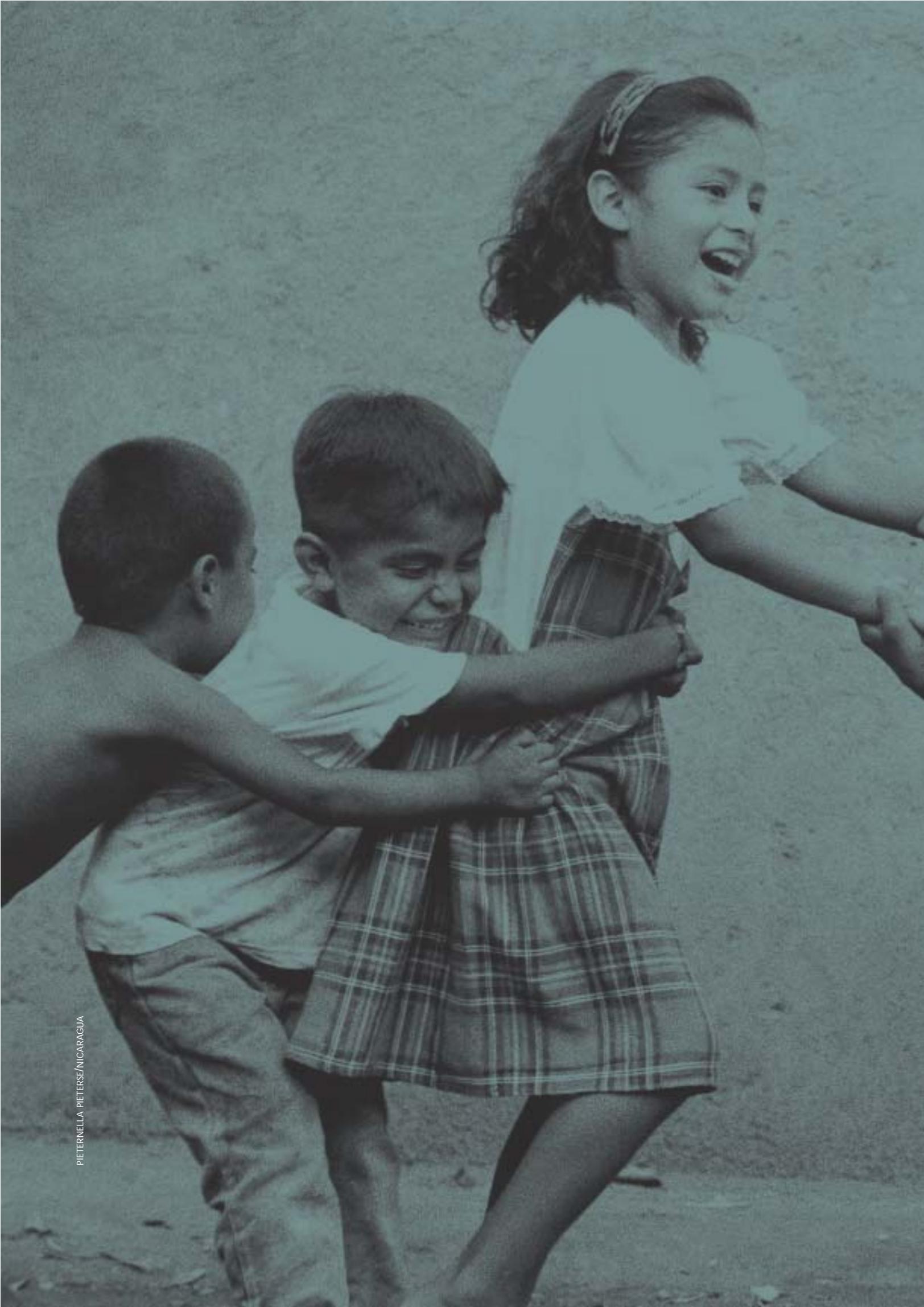
Assez, Assez

Assez la faim qui ronge
Assez la misère qui nous humilie
Assez les enfants dans la rue
Assez le sang qui coule
Assez le chômage de nos parents.
Assez la déscolarisation de nos cadets
Assez les enfants de la guerre
Assez les déplacés de guerre
Assez les accords de paix
qui ne sont pas respectés
Assez des mauvais dirigeants
Assez, Assez, Assez

PEDRO MADILU, 16,
DEMOCRATIC REPUBLIC OF CONGO

Enough, Enough

*Enough of the gnawing hunger
Enough of the humiliating misery
Enough of the children in the streets
Enough of the blood that is shed
Enough of our parents' unemployment.
Enough of our juniors with no schooling
Enough of the children of war
Enough of all the people displaced by war
Enough of the peace treaties
which are not respected
Enough of bad leaders
Enough, Enough, Enough*





PART TWO

Children of the decade

Amico di tutti

Io sono tuo amico
e il tuo amico é anche il mio,
e l'amico del tuo amico,
sará anche il mio.
Allora saró amico di tutti,
non guarderó la differenza della pelle,
non guarderó se é povero o no,
ma guarderó la immensa gioia
che prova per ognuno,
e se ognuno la proverá,
si potrà dire che la vita
é fatta solo per amarsi
non per fare la guerra.

FRANCESCA RAMONA BENAMATI, 11, ITALY

Everybody's friend

*I am your friend
and yours is also mine
and your friend's friend
will be mine too.
So I'll be everybody's friend,
I won't look at the difference of the skin,
I won't look if he is poor or not,
instead I'll look at the immense joy
that he feels for everybody
and if everybody will feel it
than we could say that life
is only made for loving each other
and not for making war.*

Part 2: Children of the decade

The last decade began optimistically with the ratification of the United Nations Convention on the Rights of the Child (UNCRC) and the 1990 World Summit on children. But at the end of the decade, the situation facing millions of children is desperate, as the previous chapter showed.

This chapter focuses on four individual children and examines the extent to which global issues – macroeconomics, war, discrimination, HIV/AIDS – determine their opportunities, conditions and expectations. As these stories testify, children are being pushed into exploitative labour; forced to flee their families and homes because of war; left to cope on their own with the devastating effects of HIV/AIDS on their families; and discriminated against and excluded because they are girls, disabled, poor or from an ethnic minority.

These are children of the decade. Having lived most of their lives in the decade that world leaders promised would be different, their lives demonstrate where policies are failing and – as world leaders draw up plans for the next decade – what needs to change.

“I think it’s a good idea to tell other children about AIDS because then they can tell other children about it.”

LIBERIA, 11, UGANDA

“I had problems when I started school. The principal said he’d never dealt with anyone like me and that it would be difficult for him. I told him to see it as a challenge.”

JORGE, 15, HONDURAS

“I have to work and share my money with my father. But I want to help him. I don’t want to see him so tense.”

NANCY, 14, INDIA

“I think young refugees and asylum-seekers should have more representation, so they get the chance to improve things.”

MUSTAJAB, 17, UK

Chapter 2: HIV/AIDS – making up for loss

The impact of HIV/AIDS

Liberia's experience

"We don't have enough food because there's no one who can help us with money."

An estimated 820,000 Ugandans are HIV-positive and AIDS is the leading cause of death among adults. Around 1.7 million children under 15 have lost one or both parents to AIDS.

Uganda was one of the first countries in Africa to openly acknowledge the issue of AIDS. The government launched a massive public education campaign back in 1987 that helped lead to an estimated 50 per cent drop in HIV-positive cases during the 1990s. It was not enough to save Liberia's parents. Today the rate of HIV infection is not declining as fast as it was.

Liberia's life has changed completely since her parents died. Her uncle took the house her parents left for her so, for the time being, she and her sister live with their elderly grandmother. There is little money, little food and it looks increasingly unlikely that Liberia will be able to stay at school.

The wider picture

Although HIV/AIDS has been a major problem across the world, it

is predominantly a disease of poverty: 90 per cent of those affected live in developing countries. UNAIDS and WHO estimate that 36.1 million people were living with HIV or AIDS at the end of the year 2000. HIV is infecting and affecting children and young people at an alarming rate:¹

- Around 600,000 children under 15 were infected with HIV in 2000.
- 1.4 million children are living with HIV/AIDS.
- Almost a third of all people living with HIV/AIDS are between 15 and 24 years old – an estimated 10 million young people.
- 500,000 children died of AIDS in 2000.
- Girls and young women are 50 per cent more likely to contract HIV than boys and young men.
- Every minute, six young people under the age of 25 become infected.
- In many countries where AIDS is an epidemic, nearly half the sexually active girls believe they face no risk of contracting the disease.
- Surveys in more than 17 countries reveal that over half the

adolescents were unable to name a single method of protecting themselves.

HIV/AIDS has spread with most devastating impact in sub-Saharan Africa. Here, an estimated 25 million people are infected with HIV – 1.1 million of them children² – and 83 per cent of all AIDS deaths have taken place in this region.³

Today, however, there is disturbing evidence that HIV/AIDS is spreading in a similar way in other parts of the world. In 2000, more new HIV infections were registered in the Russian Federation than in all previous years of the epidemic combined. And in parts of north-east India, it is feared that widespread intravenous drug use will lead to an increase in rates of HIV infection. Girls, who are often unable to negotiate safe sex, are particularly vulnerable. In South Africa, for example, rape is often a young woman's first sexual experience.

An HIV-infected woman who has inadequate access to health services has up to a 40 per cent chance of passing on the virus to her baby either in the womb, during delivery or through breast feeding. With a good standard of health care, the risk drops dramatically to a less than 18 per cent chance. Infected babies who do not receive adequate



TIM HETHERINGTON

Liberia's story

"When my mum and dad were dying I felt like dying before them, so that they wouldn't leave me here.

"When my dad died we stayed in the house he built for us. But when my mum died, we moved to my grandmother's place. My mum and dad wanted us to have the house, but my uncle took it and gave it to someone to rent, and he takes the money for himself. We don't have enough food because there's no one who can help us with money. We normally have supper but we only eat lunch once in a while.

"When my grandmother sells fruit, she gives us some money and we buy groundnuts. We fry them and pack them in plastic, and then we sell them by the roadside.

"I'm supposed to go back to school next term with 1,000 shillings but I don't think I'll be able to pay the fees. We can't get money from anywhere... I want to study because I want to learn more, especially about the good things in this world. It makes me wish that my dad didn't die. If my dad was still alive, I think he'd pay my fees."

Eleven-year-old Liberia lives in the district of Arua, north-west Uganda. Her father died of an AIDS-related illness when she was just two. Her mother died four years later. Liberia and her 14-year-old sister now live with their grandmother, who scrapes together a living by selling fruit and working as a casual labourer. Liberia helps her grandmother with domestic work and makes a little extra money selling groundnuts. She has just finished her fifth year at primary school.

healthcare are likely to die in their first year. Those who survive are likely to lose their mother to AIDS and so find themselves at risk. As Liberia's story shows, the death of parents often means children miss out on schooling, either because remaining relatives cannot afford school fees or because the child may have to work to ensure the family's survival.

Children infected or affected by AIDS frequently live in greater poverty than their peers; they are often forced to take on adult responsibilities, particularly if they lose both parents, while being

denied the caring they themselves need.⁴ UNICEF estimated that 10.4 million children in Africa under the age of 15 had been orphaned by the disease by 2000.⁵

Nor is the loss of parents the only danger. Over 860,000 children in sub-Saharan Africa lost their teachers to AIDS in 1999 alone. Swaziland estimates that they will have to train twice as many teachers over the next 17 years just to keep services at 1999 levels, and this in a country already struggling to introduce universal primary education.⁶ In the longer term, there are real fears that this

generation of young people, unschooled, disaffected and lacking in social engagement, will pose a serious threat to the development of stable, equitable and sustainable societies.

Yet, in too many countries, there has been a clear lack of action. Whether through a reluctance to address issues of sexual health, superstition, taboo or a sheer refusal to accept the evidence, leaders have ignored the urgent need for action.⁷

This is all the more tragic because it is possible to prevent the

"I want to study because I want to learn more, especially about the good things in this world."

LIBERIA, 11



TIM HETHERINGTON

escalation of HIV/AIDS. In Uganda, for example, high-level government action to introduce an intensive public education campaign, encourage condom distribution, introduce voluntary HIV testing, provide counselling and support and promote an honest and public debate on the issues has brought positive results. Many young people are now delaying their first sexual experience, having fewer partners and using condoms. The rate of new infections has dropped dramatically, including a 40 per cent drop in HIV prevalence among pregnant women.⁸

In order to combat HIV/AIDS, measures like those introduced in Uganda – which also include young people as partners in challenging prejudice and ignorance and in raising awareness of safe sexual behaviour – need to be adopted universally.

Children living without parents

Liberia's experience

"When my mum and dad were dying I felt like dying before them, so that they wouldn't leave me here."

Liberia misses her parents – at the age of 11, all she has is the advice they gave her and a photograph. Luckily, her grandmother is able to

care for Liberia and her sister, but Liberia's grandmother was already surviving on limited resources before Liberia and her sister came to live with her.

Liberia also knows that her father would have found some way of paying her school fees. Without his protection, she faces an increasingly uncertain future. There is no money for the fees next term and little chance of finding it. Her only hope is to turn up at school as usual until the teacher finds out she has not paid and sends her home.

The wider picture

The UNCRC requires governments to recognise and support every child's right to a family life. Yet, for many children, this right is being denied. The last ten years have seen a dramatic increase in the number of children living without or apart from their parents. Children are living in large institutions, on the streets of large cities and in refugee camps. They may be child soldiers, working as domestic servants, often far from home, or alone in a safer country seeking asylum. They may be heading a household, caring for younger siblings after their parents have died of an AIDS-related illness, or dependent on extended families already over-burdened and in poverty.

"Grown-ups should... give medicine to those who need it. And food and clothing so that no one needs to be hungry and cold."

LINNEA, 6

"I wonder why there is so much ignorance around us. Why do people not find a bit of understanding and why can they not make a small effort to aid someone in need?"

ANCA, 14

There are many reasons for the breakdown of family structures. Key factors are economic pressures, demographic patterns, the HIV/AIDS pandemic and the increasing number of civil wars.

The collapse of the economies of the Eastern European countries has led to a massive reduction in family support services. In Russia, for example, medical staff routinely pressure parents into abandoning a 'defective' newborn baby. These children are being deprived of the right to family life and, in all probability, condemned to a life in institutions.⁹ Financial pressures, too, have led many families to rely on institutional care for those children they can no longer care for. Tragically, the conditions for children in these institutions are often no better and may be even worse than in their families.¹⁰

In many parts of Africa, economic pressures, conflict and the HIV/AIDS pandemic have placed an increasing strain on society. Family safety nets have broken down and families are increasingly unable to care for their children. In western Tanzania, for example, pressures on families hosting children orphaned by HIV/AIDS are such that relatives are refusing to take in more children, or are unable to provide for them if they do. The number of street children and child-headed households has

risen significantly.¹¹

Many children seeking asylum are also separated from their families. The right to family life is not being given the priority it deserves. While the UNCRC requires that all states make urgent efforts to reunite unaccompanied children with their families, these obligations are widely ignored. Governments are failing to provide the resources, support and legislation needed to allow parents to fulfil their obligations to their children. Increasing numbers of states are introducing more restrictions for family reunion.

Attitudes towards these children also vary considerably depending both on why a child is separated from his or her family and how distant the problem is. The international community, for example, expresses concern for children on the streets but their countries often regard them as delinquents and a threat to public safety. Images of refugee children fleeing violence, torture and rape prompt international outcry, but the arrival of those same refugees within a host country is often met with racism, bigotry and accusations of dishonest asylum claims. Similarly, the plight of children abandoned in Eastern Europe triggered a sharp increase in international adoption applications. However, applications to allow these children to come

into the host country with their parents are likely to be rejected.

The impact of growing up alone

All children uprooted from their families risk being deprived of the love and nurturing essential to their wellbeing, self-esteem and healthy development. They have no one to protect and value them. As a result, they may be even more affected by psychosocial problems than by physical vulnerability. For example, the psychological health of child domestic workers in Kenya living away from their families was found to be far worse than for children in other occupations who remained with their family.¹² Among separated child domestic workers, bedwetting, insomnia, withdrawal and depression were common. These children's sense of inferiority and low self-esteem, deriving from their low-status employment, was exacerbated by their loss of the loving support of their parents.

Not enough is yet known about the immediate or long-term impact on children of being left to fend for themselves. However, as the

research with child domestic workers in Kenya shows, the imposition of adult responsibilities on children and separation from their parents are very damaging to children's well-being. Their rights to education, to adequate health care, to protection from violence, abuse and exploitation, and to family life are all placed in jeopardy. And, although the social and economic role they play is an adult one, when it comes to civil and political rights and recognition they are still treated as children.

Liberia and Save the Children working together

Today, Liberia is a member of a children's club supported by Save the Children, through which she is teaching other children about HIV/AIDS and how to avoid it. Until she joined the club, she knew nothing about HIV/AIDS or how it is caused. Liberia doesn't like to talk too much about her parents' illness because of things other people might say. This is despite the fact that 10 per cent of her

schoolmates have lost parents to the disease. The stigma of HIV/AIDS is persistent. Only increased understanding of HIV/AIDS – through activities like those Liberia is engaged in with the children's club – will change this.

"I like going to the children's club. We normally visit other schools and give songs and poems to other children. We try to tell them how to avoid AIDS by not going to discos at night and that kind of thing. When you go to discos and you meet a girl or boy, that's when you can get infected. We tell them that girls and boys don't have to get into immoral behaviour. "The other children who hear our songs and poems feel that they are really being taught how to behave properly and how they can protect themselves. I think it's a good idea to tell other children about AIDS because then they can tell other children about it.

"We feel that AIDS has become a serious problem. It kills people and it makes people miserable. We think that God should decide when you leave this world, not AIDS."

Chapter 3: A disabling environment

What it means to be disabled

Jorge's experience

"It's difficult to change people's attitudes. But I'd like to make them feel that we are equal, that the only difference is a limitation and that we still have the same abilities to do things, to feel good and to live together in society."

Jorge certainly has faced prejudice because he is blind. It makes him seem different and might well have limited his opportunities.

Part of the problem is ignorance about disability. In his town, there are two other blind children. Together they are learning Braille through lessons held every other Saturday. They play sports together and Jorge has run a marathon for the last two years. He believes that joining in and showing others what you can do will change attitudes.

The wider picture

Causes of disability

For many millions of children, their disability has been caused by poverty – inadequate diet, sanitation and healthcare leading to otherwise preventable disease. Many more are harmed by war or environmental pollution, others by physical or psychological abuse and traditional practices such as female genital mutilation. For those

children there is nothing inevitable about their impairment or disability. These children attract little interest or attention, yet they are subjected to immense suffering and abuse.

Recognition of disability as a human rights issue

The United Nations Convention on the Rights of the Child (UNCRC) includes a specific provision on the rights of disabled children. For the first time in international human rights law, it also includes disability as a ground for protection against discrimination (Articles 23 and 2). The exclusion and discrimination faced by disabled children are therefore recognised as a human rights issue.

However, there is inadequate research in this field and a subsequent lack of comprehensive data – an indication of the lack of interest in disabled children. However, it is clear from their reports to the Committee on the Rights of the Child that many governments are not only failing to fulfil their obligations to disabled children, but, more fundamentally, are not sufficiently aware of the numbers of disabled children and the situation they face to know what action is required.¹³

In many countries, disabled children are forced to live in

institutions where, without independent inspection, there is a lack of protection from physical, sexual and emotional abuse, and from punishment, humiliation and neglect. In the 1980s, the suffering of disabled children in institutions in Romania horrified the world. However, the problem is not unique to Romania, nor to children in the poorest countries. Few countries offer children in institutions access to advocacy, independent appeals against rights violations, or even access to basic information about their rights. These children are literally hidden from view and as a result their neglect is unseen and unheard.

Education is still denied to disabled children in many countries.¹⁴ In Egypt, for example, just 1 per cent of disabled children are in school – even less than the estimated 2 per cent in most developing countries. Of 80 countries providing information for a 1996 survey on educational provision for disabled people, the Special Rapporteur for Disabled People found that ten gave no guarantees in law to education for disabled children. Although many developing countries have recognised children's right to education, in many cases this has not been applied to disabled children.¹⁵

These findings are confirmed in a UNESCO review of 65 countries.



Jorge's story

"I started at the radio station in April 2000 after winning a contest. I've wanted to work in radio since I was little – to make people feel good, because they are the ones you're working for. It feels good to make things come alive for people – it's something very beautiful. I take telephone calls, play music and think about how to tell people that I'm there with them, keeping them company when they feel a little stressed and telling them not to feel lonely.

"I think the most important thing for a young person is to say how they feel, to express themselves...

"People's attitudes have changed a little – they've started to notice that we're all equal. I prefer people to reject me rather than look at me with pity because that makes me feel small. We all have a right to life and to opportunities.

"In the beginning it was as if I were a strange alien. The other children didn't know how to be with me. But bit by bit, seeing my skills, they got to know me better. I am never down, I'm always taking part and it's good to belong to the group. It's like a radio programme – you have to find out how to get through to people."

Fifteen-year-old Jorge lives in El Progreso, the fourth largest city in Honduras. He lives with his mother, step-father, older sister and younger brother. Every Saturday morning, Jorge hosts a national radio broadcast called 'Change Your Life' as well as taking part in the daily Children's Corner programme on the same radio station. Jorge is totally blind.

"All children wish some things had never happened.

I wish there was no hunger, no discrimination and especially that there was no evil inside us. Every day we make people suffer, we make bad things even without meaning to. We hurt, we hit, we curse. All that could be avoided if we had enough strength and will to control ourselves."

VALENTIN, 14

Only 44 reported that general legislation applied to children with special educational needs. Thirty-four countries reported that children with severe disabilities were excluded from education, 18 of which actually had laws precluding disabled children from the public education system. The Special Rapporteur has concluded that most disabled children are still educated in segregated institutions and that the rates of enrolment are very low in many countries.

Action to promote the rights of disabled children

The World Conference on Special Needs Education in 1994 produced the Salamanca Statement, signed up to by 92 countries. This stressed that children with special educational needs must have access to regular schools. It urged all governments to give the highest policy and budgetary priority to improve their education system to include all children regardless of individual difficulties.¹⁶

The Committee on the Rights of the Child has underlined the importance of finding ways to ensure that disabled children are included in mainstream schools. In 1997, the Committee devoted its General Discussion day to the rights of disabled children, focusing on the child's right to inclusion and participation, with a particular

emphasis on education.¹⁷ Several factors that prevent disabled children from accessing mainstream education were identified:

- a deep-seated prejudice and fear of disability, which is often viewed as a curse, stigma or punishment. The isolation of disabled children perpetuates such myths
- a lack of understanding about the potential of all children to develop if provided with a responsive environment
- the prevalence of discriminatory laws which fail to provide equal rights of access to disabled children
- the persistence of the medical model of disability in which the disabled person is defined as the problem. This contrasts with the social model, where a child is perceived as having an impairment, but is disabled by attitudes and their environment
- the failure to recognise the potential economic and social benefits of inclusive education for society as a whole.¹⁸

These obstacles represent a formidable challenge. The Special Rapporteur for Disabled People is committed to pursuing the principle of inclusion in all forms of development co-operation.¹⁹ UNESCO, in collaboration with



“I think the most important thing for a young person is to say how they feel, to express themselves...”

JORGE, 15

STUART FREEDMAN

OECD and the European Commission, has carried out a study on disability to develop mechanisms for collecting data on education that would help define indicators and serve as a resource for the Committee on the Rights of the Child.²⁰ At national level, initiatives in many countries to promote inclusive education are being developed and these can be shared as models of good practice. This is only a start. Governments and the international community need to do much more to break down the barriers of prejudice and ignorance surrounding disability.

Human rights in schools

Jorge's experience

"I had problems when I started school. The principal said he'd never dealt with anyone like me and that it would be difficult for him. I told him to see it as a challenge."

Jorge is the only child with a disability at his school. The initial attitude of the principal shows how the fact that Jorge is blind was perceived to be a problem. However, Jorge is strong and confident enough to face prejudice head-on.

The prejudice and exclusion Jorge experienced did not only come from adults. Sometimes, when other boys go to play, they won't let him join in purely because he

cannot see. Jorge says he knows that he will come across prejudice repeatedly in life – there will always be people who think he can't do the same activities as them.

The wider picture

The UNCRC states not only that children have equal rights to free education but also that this education must respect and promote the rights of children who receive it (Article 29). Thus, education must be child-centred, child-friendly and empowering. Furthermore, the Committee on the Rights of the Child has stressed that: 'Children do not lose their human rights by virtue of passing through the school gates. Thus, for example, education must be provided in a way that respects the inherent dignity of the child, enables the child to express his or her views freely in accordance with article 12(1) and to participate in school life'.

These obligations are far from being met. In their 1997 reports to the Committee on the Rights of the Child, less than half the countries indicated that their educational systems are dedicated to the fulfilment of children to their optimum potential, and similar figures are reflected in the commitment to teaching respect for human rights. Just one-third indicated their support for the aim

of preparing children for a responsible life of peace, tolerance and freedom.

The Committee on the Rights of the Child consistently urges governments to include human rights education in the school curriculum. Too many are failing to do so. Belgium, Colombia, Finland, Guatemala, Iceland, Italy, Nicaragua, Lebanon, Norway, Portugal, Ukraine and the UK have all been criticised for failing to teach human rights.²¹

For many millions of children, the school curriculum is irrelevant and badly designed; teachers are too often poorly trained and unmotivated; the ethos of the school is violent, repressive, discriminatory and disrespectful. Often the needs of working children who may not be able to attend regular school hours or who may be forced to begin school late or drop out early are ignored. States have often focused exclusively on providing 'access to education' without ensuring the quality of that education. If the education provided to the world's children is to be relevant and valuable, governments must start listening to what children themselves are saying about schooling, and work towards creating education environments that are founded on respect for human rights.

Jorge and Save the Children – working together

Jorge's key meeting with Save the Children occurred in the aftermath of Hurricane Mitch when we financed three radio workshops on risk prevention following a natural disaster. Soon after, his radio programme was being broadcast throughout the country and even in parts of Guatemala.

"I think my audience has learned that disabled people can achieve things. My principal asked me how I manage to be involved in so many different things

at the same time when people like him, who can see, can't manage it. That shows we are useful and that we can do something beneficial for society and that we are a part of it.

"We'd never had any support before so Save the Children helped us to get things off the ground with logistics and materials... We got a computer to write scripts on, seven dictaphones for the 16 children who are involved in the programme and workshops to learn new skills. They have given us knowledge. We also wanted to build on what we had learned from Save the Children to help disadvantaged children."

Chapter 4: Working for equality

Working to support the family

Nancy as a working child

"I have to work and share my money with my father. But I want to help him. I don't want to see him so tense."

Estimates of the number of children working in India range from 14 to 30 million. Whatever the actual figure, India has the largest number of child workers in the world.

Nancy's father was particularly reliant on the tourist trade to make his money as a boatman. Recent border clashes in the region, however, have left him with little option but to rely on Nancy and two of her sisters to help make ends meet. Nancy's family's needs are compounded by her mother's illness – good healthcare is an additional cost for the family budget.

Much as she would like to go to school, Nancy knows just how important her contribution is to the family's survival – and to her younger sister's education and future prospects.

The wider picture

The issue of working children has received a lot of attention in the last ten years. Despite this, there is uncertainty about the nature and

extent of the problem, inconsistency over definitions of child work, and lack of understanding of the role of work in children's lives and the reasons why they work, partly due to the failure to involve working children in discussions. As a result, conflicting solutions to exploitative child work have been put forward.

The International Labour Organization (ILO) estimates that 250 million children are working. However, the lack of a definitive system for collecting and analysing such information raises doubts over the accuracy of this figure. In developing countries, the most common areas of work are unpaid and are in agriculture, in domestic labour – either at home or in service – in small shops, street vending, small construction and other types of informal work.

Millions of children are working in conditions that are extremely damaging – physically, intellectually and emotionally. Examples include: girls working in brothels; children exposed to harmful pesticide sprays, chemicals and dangerous machinery; children in bonded labour, receiving no wages and forced to work excessive hours; girls in domestic service, often working seven days a week and subjected to beatings and sexual abuse. In addition, a high proportion of working children are

also denied access to education, either because of the number of hours they work or because of the inflexibility of education systems that do not acknowledge or accommodate their needs.

Attempts to prevent the economic exploitation of children have focused on the formal employment sector, and the export market, in particular. However, this sector in fact represents only a very small proportion of child workers. Furthermore, proposed interventions to prevent the economic exploitation of these children – normally in the form of new trade laws and consumer boycotts – have often led to far greater hardship for children.

An important step forward in focusing world attention on the scale of the problem and the need to challenge abusive and exploitative practices was taken with the drafting of the ILO Convention 182, adopted by ILO member states in 1999. The Convention is aimed at eliminating the worst forms of child labour, such as prostitution, all forms of slavery, sale and trafficking of children, debt bondage and forced labour.

Listening to working children

Children have been and continue to be left out of key discussions



Nancy's story

"In the beginning I enjoyed the work. Now I feel that I just have to do it. I get headaches and sometimes my arm aches. Sometimes I also prick my fingers and bleed. In summer it's so dry that I have to put oil on my hands so I work quicker.

"Going to school is a dream for me. I was always very eager to go but my father was never in a position to send me. Now my parents are more aware of the importance of education and that's why my brother and younger sister go to school. But I have to work for my family. If I stopped working we wouldn't be able to pay the school fees. I want to work just to make sure they can study.

"At first, my parents said they wouldn't allow my sister to go to school. But I said no, we have to let her go. It's not right that I have to work and that she'll have to do the same. She should study and see the world. My parents didn't understand this at first and it took a long time to persuade them.

"My parents are in a very tight position. My father is a boatman. He doesn't earn much and his expenses are very high. My mother also has to pay regular visits to the doctor. She's had an operation for gall bladder problems and has high blood pressure."

Nancy is 14 years old. She lives near Lake Dal in Srinagar in north-west India. From the age of six, Nancy has worked as an embroiderer, stitching designs onto fabrics for curtains and wall-hangings – many of which are eventually sold in Europe and North America. She works from home for nine hours a day as well as helping her mother with domestic chores. Her work accounts for about a quarter of her family's income.

about both their right to protection from economic exploitation and abuse and their right to education. When children are asked why they work, a complex picture often emerges. For example, while many children – like Nancy – work to help their families and their contribution is essential to the family economy, it is also clear from what working children tell us that they derive a positive sense of personal value within the family unit from their work.

Other children choose to work, even though it is not economically essential for them to do so. Provided the work is not

exploitative, it often makes them feel included and valued, and helps them to learn skills and become more competent and mature. This point was recognised by the ILO when it said that: “Work is an integral part of life. It is an end and important in itself, and a means of participation in the economy and society at large. The same is also true of the work of children.”

Children will have a far more negative experience when their work is harmful, abusive or oppressive. However, listening to working children's views raises the question of whether, rather than attempting to remove children

from the workplace altogether, the emphasis of policy should be on the promotion of safe, less oppressive working conditions that give children the opportunity to defend their survival and promote their own development.

Access to education

Nancy's access to education

“I'm always asking myself why I haven't been to school – why I'm here and not in some classroom.”

Nancy's work is helping to ensure that her sister gets an education. It's a sacrifice she is willing to make

“Going to school is a dream for me.”

NANCY, 14



but it took a long time to persuade her parents just how important it was for her sister to go to school. In her community, education for girls is often seen as a low priority because girls marry early. Across India female literacy rates are only 38 per cent, compared to 66 per cent for males.

Even if she could go to school, the education on offer is of a poor quality. The local schools are ill-equipped and the classrooms are small and overcrowded. The teachers generally have little motivation, punishment is harsh and children learn little of any practical use. School drop-out and exam failure rates are high. And even at government schools there are costs involved – for transport, uniform, books and exam fees. Nevertheless, Nancy understands the importance of going to school. She knows that education can open up more opportunities than she has had or will ever have.

The wider picture

Lack of education is both a consequence and a cause of poverty. The World Conference on Education for All, held in Jomtien in 1990, promised universal access to good quality primary education and equality of access between boys and girls by the year 2000. However, progress has been at a far slower rate than the targets

required. By the year 2000, 130 million children, most of them girls, were out of school. Another 150 million leave school after less than four years. The problem is starkest in sub-Saharan Africa where one-third of the world's children who are out of school are to be found. By 2015, this figure is likely to increase to as much as three-quarters. In Tanzania fewer than 2 per cent of children are reaching adulthood with any form of academic qualification.

The World Forum on Education, held in Dakar in 2000, revised the failed targets established in Jomtien and urged developing countries to draw up national plans for achieving universal access to education by 2015. At the same time, the rich nations pledged that none of these plans would fail through inadequate funding. It is every child's basic right to have an education. Providing education also makes sound economic sense. Less-educated people are denied the skills they need to increase their incomes and are therefore more likely to live in poverty. A World Bank study carried out in 58 countries strongly suggests that education plays a significant part in determining gross domestic product: an increase of one year in the average amount of time children spend in education can lead to a rise of up to 3 per cent in GDP. No country can afford not to

"All children in the world should have the right to go to school."

THEA, 9

"Because I need to work, I do not have time to do my homework and I am the last in my class."

BOGDAN, 12

"I think all children in the world should get more money. Then they would have more food and not have to starve. I think they should get better homes."

MAIA, 6

invest in education, yet, for many, the actual cost is too high. It is estimated that the cost of achieving universal primary education within the next ten years in all developing regions would be an additional \$7–8 billion per year. Oxfam points out this is the equivalent of just four days' worth of global military spending.

The status of girls

Nancy's status

"Boys get more opportunity to study. Girls don't get the same chance and parents don't always let them go outside the home."

Having fought for her sister's right to go to school, Nancy is well aware of the low priority given to girls' education by many of the adults around her. Girls in her community are generally expected to stay at home and not to have contact with males outside the family.

The wider picture

UNICEF has described the past decade as one of 'undeclared war on women and children'. The prejudice, discrimination and cruelty directed against girls take many forms. For example, girls are: subjected to violence and female genital mutilation; widely excluded from education and access to

healthcare; prevented from playing an active role in local communities; brought up in poverty; sold into sexual slavery; made to do a disproportionate number of chores; forced into domestic labour; denied control over their own bodies, and even, in the case of female infanticide, denied life.

Early marriage remains widespread in many parts of the world, particularly in sub-Saharan Africa and South Asia. In Bangladesh, for example, 81 per cent of girls are married before the age of 18. A 1998 survey in Madhya Pradesh found that nearly 14 per cent of girls were married between the ages of 10 and 14, while in Kebbi state in northern Nigeria, the average age of marriage for girls is just over 11 years. Despite being illegal in some countries, the practice continues and rarely is anything done to those who break the law. There is similar disregard of laws against female genital mutilation. The World Health Organization estimates that two million girls are at risk every year.

Equal rights of access to education – arguably the most effective way of lifting girls out of social and economic subservience – are a long way from being realised. In parts of sub-Saharan Africa and South Asia the enrolment rate for girls in primary education has actually fallen recently. Of the 130 million children worldwide without access

to either primary or secondary education, two-thirds are girls. Of the 960 million illiterate people in the world, 700 million are women. For girls who do receive an education, employment opportunities often remain limited to low status jobs.

The Committee on the Rights of the Child has identified a number of factors contributing to the low status of girls: the lack of importance placed on education for girls; the fact that girls are often responsible for most household tasks leaving them little time for full-time education; the shortage of women teachers and the resistance to girls being educated alongside boys. Other factors include: persistent poverty, which means that girls are required to contribute to household survival; the lack of flexibility in education systems, which leaves girls unable to combine school and household tasks; and the distance between school and home, especially in rural areas, which leaves girls vulnerable to molestation and abuse. For those girls who do go to school, the experience is often a negative one. The teachers are often male, the school culture often aggressive and male-dominant, the lessons and textbooks often filled with messages of the superiority of boys.

Making education available to girls is a fundamental human right. It is probably the single most important tool to achieving development and economic progress. Failure to secure girls' right to education not only results in continuing poverty, it undermines development efforts generally.

Nancy and Save the Children – working together

Today, Nancy spends her evenings at informal literacy and numeracy lessons run by a group set up by Save the Children for female embroiderers in the village. Staff here help the girls to buy raw materials such as cotton and yarn and give advice on marketing their work. Profits made by the group are shared by its members and they now have a bank account to help them manage their income.

By joining the group, the embroiderers have dispensed with middlemen in the sales process and can get better prices for their work. Where Nancy used to get eight rupees for each piece of work, her group now sells them for 150 rupees each – an increase of nearly 2,000 per cent.

“I like some things about work – especially now that we are getting better money and more freedom. When the middleman was here, he gave us targets that we had to meet... if we didn't meet them, he would cut our wages by half.

“Before this group was formed, we didn't know anything about marketing our work. Now we know that it sells very well. I was very surprised about the difference in price... thanks to our group, we know the market rate.

“In the classes, we study reading, writing and arithmetic – like how to keep accounts. This helps me a lot. Before, I didn't know anything about what I got or what I should have got; if it was written down, I couldn't read it.

“I'm also glad to be part of the group because I get to share my ideas with Save the Children and they follow those ideas. They don't just see me as a labourer; they listen to what I say and that gives me a lot of confidence.

“I used to think it was a good idea to ban products made by children. But I live in the practical world and I'm very concerned about my family. I know that their finances would be badly affected if I didn't work... if we don't work, our families won't survive.”

Chapter 5: Seeking refuge in a hostile world

Armed conflict and asylum

Mustajab's experience

"Some children smuggled goods and weapons from Taliban places and then sold them. It was dangerous because they had to pass two front lines. Every day, children were killed or injured."

Afghanistan ranks with Angola and Sierra Leone as one of the worst countries in the world to be a child. The country has been caught up in a bitter civil war for the whole of Mustajab's 17 years. The war dominates the lives of the children. Food supplies are disrupted and sometimes cut off altogether. Millions of children are forced into war work, either to support the army or simply as the only way to earn money and survive.

The schools and health centres have been destroyed. In Mustajab's village, the destroyed school was just a place to meet, chat and play with guns.

When Mustajab arrived in the UK, he faced hostility and abuse. Despite having been tortured for five months, he was not given any medical attention or counselling. And, because the UK government persists with a reservation on the UN Convention of the Rights of the Child (UNCRC), asylum-seeking children do not have the same rights as other children. For

Mustajab, and other asylum-seekers like him, his rights to accommodation, social support, education and healthcare are not guaranteed.

The wider picture

The end of the Cold War promised an end to ideological conflicts between the superpowers. Instead, not only have the wars continued either between, or increasingly within, nation states, they have also changed in character, with devastating impact on the lives of children.

The growing numbers of children affected by war

The proportion of war victims who are civilians has leaped dramatically from 5 per cent to over 90 per cent in the past few decades. Between 1993 and 1996, 45 per cent of those killed in conflict were children.²² In response to these horrifying figures, the United Nations commissioned Graca Machel to undertake a study into children in armed conflict. In her report published in 1996, she notes that millions of children are killed by armed conflict, "but three times as many are seriously injured or permanently disabled by it".

According to WHO, armed conflict and political violence are the leading causes of injury, impairment and physical disability. More than four million children

are disabled as a result of armed conflict or political violence. In Afghanistan alone, 100,000 children have war-related disabilities, many of them caused by landmines. The lack of basic services and the destruction of health facilities during armed conflict mean that children living with disabilities get little support.²³

Internally displaced and refugee children

Conflicts have uprooted an estimated 20 million children from their homes, either as refugees or internally displaced.²⁴ These upheavals can be disastrous for children. It plunges them into poverty, places them at risk of malnutrition and poor health, wrecks opportunities for education, denies them security, exposes them to violence, forces them to witness the death of loved ones, steals their childhoods and imposes immeasurable physical hardship and emotional and psychological harm.

Yet, even when children escape and seek asylum in safe countries, their specific needs are often not properly acknowledged in asylum processes. Article 22 of the UNCRC states that children seeking asylum must 'receive appropriate protection and humanitarian assistance in the enjoyment of... (their) rights'. It goes on to insist that, where no



Mustajab's story

"We had rocket attacks and bombs in our village every day. But we were used to it... I didn't really think about getting hurt. Food was a big problem. We were surrounded by the Taliban and traders were not allowed to bring food. People only had wheat and corn but they couldn't sell it to buy salt or oil because they wouldn't have enough to eat.

"Young people had to fight to earn money. My uncle was a commander and when I was with him I helped take weapons to the army... You could earn a lot of money by selling captured soldiers and dead bodies. On the front line both sides killed a lot of soldiers and families wanted to bury them in a religious way so people sold the bodies back to them. A lot of children did this work to support their families.

"Living there was like wasting your life. You just passed time and survived... We were born in war, we grew up in war and we were going to die in war. So what was life for?

"When I got to England, my only hope was to rest somewhere quiet because I wasn't in a good state after being in prison. But it was problem after problem."

Mustajab is 17 years old. He was born in Parwan province in northern Afghanistan, where his family had close ties with one of the opposition groups fighting Taliban forces in the country's civil war. During an offensive by the Taliban near his village in 1999, Mustajab tried to flee to neighbouring Pakistan. He was captured by the Taliban, imprisoned and tortured for five months. After his release, he finally reached Pakistan and then sought asylum in the UK. In April 2000, Mustajab was granted exceptional leave to remain in the UK and now lives in London.

"I think everyone should
stop having wars!"

JACOB, 6

"Adults should stop
fighting wars."

SOFIE, 9

family member is able to care for the child, 'the child shall be accorded the same protection as any other child permanently deprived of his or her family environment'.

When separated children arrive at ports and airports in host countries, their terror and vulnerability is given little or no attention and they are often subjected to the same routines as adults. Children's needs are not the same as those of adults. They need special recognition, such as child-friendly interviewing rooms, adults trained to work with children, age-appropriate information, appointment of guardians who will take responsibility for providing help and care.²⁵ They also need to be provided with care, security and emotional support. Yet, in many countries, they are effectively abandoned once they have passed through the determination processes.

Child soldiers

At any given time, over 300,000 children under the age of 18 are being used as soldiers. Some are recruited by force, some to participate in an ideological struggle, to defend their own ethnic group, to seek protection from violence perpetrated by other soldiers or to support themselves or their families. Commonly, the children most likely to become

soldiers are those from impoverished and marginalised backgrounds and those who have been separated from their families. Children as young as ten years are recruited, some starting in supportive roles as errand boys or girls, porters, cooks or lookouts. However, many are exploited sexually, subjected to the same levels of discipline and punishment as adults or forced to commit terrible acts of violence, including the punishment and execution of other children.²⁶ Not only do children who are exposed to such levels of brutality experience psychological harm, they also lose out on education, family life, links with local communities, customs and healthcare.

Graca Machel appealed for children to be considered 'zones of peace'. In her review of progress published in 2000, she observes that, despite the many commitments made to children, 'humankind has yet to declare childhood inviolate'.²⁷ A major conference on war-affected children held in Winnipeg in 2000, which included young people as active participants, ended with a 14-point action plan to safeguard the rights of such children. It calls on all states to implement measures to aid children affected by war, to hold child rights violators accountable, to assess the effects of sanctions on children and add child protection units to peace-keeping

missions. These recommendations now urgently need to be translated into action.

Unregistered children

Throughout the world, millions of children are not registered at birth – the actual numbers are unknown. The UNCRC insists that every child has the right to be registered at birth (Article 7) because a birth certificate is a ticket to citizenship, without which there is no official recognition that the child exists and no legal access to the privileges and protections of a nation.

Lack of registration may preclude a child from the right to be vaccinated, to be treated in a health centre, to enrol in school or to gain access to a supplementary feeding centre. For some children, born into a refugee camp in a country torn by civil war or into a discriminated-against ethnic minority, it effectively renders them stateless. In the longer term it can deny them the right to get married, to obtain a passport, to own land or open a bank account, all of which rely on a birth certificate to prove identity. Without proof of age, children may be inappropriately recruited into the army or forced into work, or

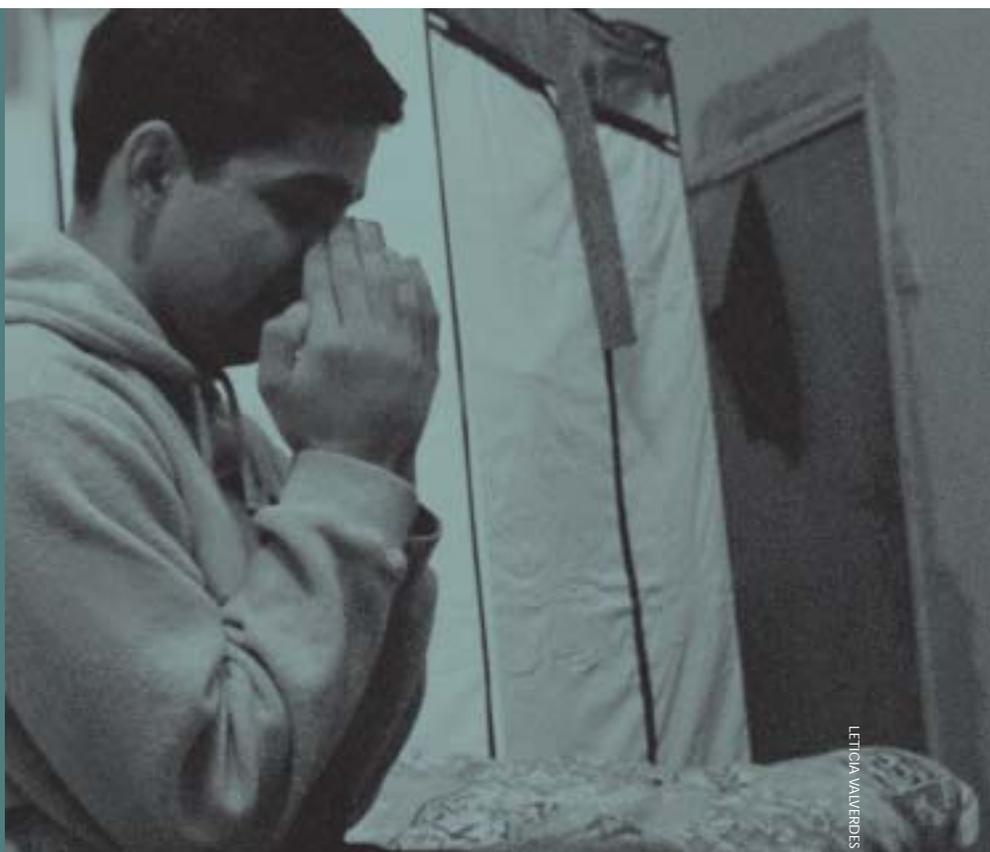
may be at risk from sex traffickers able to exploit the vulnerability of a child without papers.²⁸

At a national level, too, the failure to register children has profound consequences. If the numbers of children and their birth dates are not known, a government has no way of knowing, for example, the infant mortality rate, the school enrolment figures or the levels of vaccinations needed to protect its children.

Registering all births is a challenge for many poor or rural governments which lack trained

“Living there was like wasting your life.”

MUSTAJAB, 17



"I think people should stop war and never teach children to lie."

EMILIE, 7

personnel, have inadequate administrative systems and have to overcome reluctance from families to co-operate. However, many poor countries have made significant progress. For example, despite a per capita GNP of less than \$800 a year, Armenia, Azerbaijan, Sri Lanka and Mongolia register at least 90 per cent of all births.²⁹

Racism and xenophobia

Mustajab's experience

"I'll never forget that on my second or third day, one of the security guards came up and said: 'Why did you come here? You should go to France to eat frogs' legs.' I thought, why is he saying that? It's not my fault I'm here."

Mustajab's arrival in the UK in January 2000 coincided with a peak in hostility towards asylum-seekers. Press campaigns against 'bogus asylum-seekers' whipped up public anger against what many saw as 'scroungers'. Nor was Mustajab's treatment by those who are supposed to 'protect' him any better. In fact, so hostile and abusive was his first encounter with the UK in the reception centre that he escaped to London.

The wider picture

Most countries in the world are now becoming more ethnically diverse through increased

migration. This does not mean, however, that multi-ethnic communities have yet learned to co-exist peacefully. On the contrary, the late 20th century was witness to growing ethnic conflict motivated by a combination of religious, historical, linguistic, social or racial causes compounded by economic and territorial factors. Whatever the reason for their minority status – immigrant or refugee populations, indigenous or tribal people – ethnic or cultural minority groups are vulnerable to poverty, racial violence, direct and indirect discrimination, and social exclusion.³⁰ The carnage of Rwanda and Bosnia in the last decade was an extreme example of the force of such discrimination. Elsewhere, racism is a daily feature of life, for example, for black children in the United States, Roma throughout Europe, Arabs in Israel, Kurds in Iraq and Turkey.

Racism and xenophobia represent a fundamental assault on human rights. Any child living with it is unlikely to fully access their social, economic, civil and political rights. At the same time, they are more vulnerable to the violation of their rights to protection from violence, abuse and exploitation.

The UNCRC insists that all the rights it contains apply without discrimination to all children and obliges governments to 'respect and

ensure the rights set forth in... the Convention' (Article 2). States are therefore required both to ensure that their own actions do not discriminate against any group of children and also to protect children against discrimination by other groups or individuals.

What research evidence exists reveals that ethnic minority children often face substantial difficulties in trying to reconcile living between two cultures. Their experience of discrimination and consequent low social status invariably places them at high risk of poorer educational outcomes, ethnic violence, health problems, higher mortality and morbidity rates and criminal activity. Perhaps even more corrosive is the impact on children's self-esteem and self

confidence, the internalising of negative attitudes which diminish their capacity to challenge, or even acknowledge, the abuse they experience. They then transmit and reinforce these attitudes through the generations.³¹

Mustajab and Save the Children – working together

After 11 difficult days in the reception centre, Mustajab caught a train to London, where he managed to find a bedsit, got a solicitor to handle his asylum case and eventually enrolled in college. Today, Mustajab runs a project to provide young asylum-seekers and refugees with advice and information about their rights and

entitlements. He also helps them to meet with officials from local authorities and other agencies to tell them about the problems they are facing and to campaign for improvements in services.

As well as supporting the project, Save the Children also supports Mustajab to help him recover from the physical and psychological effects of his imprisonment in Afghanistan.

"I think young refugees and asylum-seekers should have more representation, so they get the chance to improve things. This project has completely changed my life. I've got the opportunity to speak out about things that affect young people like me, and I can tell officials to stop doing things that aren't good for us."

Chapter 6: Breaking the silence

Sexual exploitation and abuse

Millions of children are raped and sexually assaulted within their own families and communities. Large numbers of children are sold and sexually exploited on a commercial basis. Their powerlessness and low status has meant that their suffering is invisible and unheard, and that their abuse is surrounded by stigma and shame for the child rather than the perpetrator.

The UN Convention of the Rights of the Child (UNCRC) specifically obliges states to protect their children from sexual exploitation. There are also obligations on states to promote the best interests of children, to protect them from trafficking and abduction and all forms of violence and to listen to and take their views seriously. Growing awareness of the prevalence of child sexual abuse and exploitation led to the first ever World Congress on the sexual exploitation of children in Stockholm in 1996. It was the first major attempt by the international community to address this previously hidden phenomenon.

The growing level of sexual exploitation

The past decade also saw a significant rise in the extent of child sexual abuse and exploitation.

There are many contributing factors:

- The collapse of eastern European economies, leading to widespread unemployment and poverty, led to the growth of criminal rackets that ensnared large numbers of girls and young women into sexual slavery through the promise of opportunities in the West.
- Children orphaned by HIV/AIDS, particularly in sub-Saharan Africa, often have little option but to live on the streets. Many are forced to turn to prostitution simply to survive.
- The increasing number of armed conflicts has left millions of children uprooted, many having lost their parents, their security and their homes. These children are often forced into prostitution in order to survive. Many others are coerced by armed forces into providing sexual services.
- Unaccompanied refugee children are at high risk of being abused through prostitution. They are often taken from their place of destination and trafficked to other countries.

The sexual exploitation of children is becoming increasingly professional, commercial and global.³² Selling children is a lucrative business. New technology has led

to a world market in child pornography. Younger children are being exploited, due in part to the mistaken belief that the younger the child the lower the risk of contracting a sexually transmitted illness. These young children have a high risk of becoming infected. The UN estimates that four million people are being trafficked every year, a significant number of whom are children. Traffickers target poor families with promises of a better life for their children. In reality they are sexually exploited for commercial gain.

Sexual abuse within families

The sexual abuse of children within families by those with responsibility for their care is also widespread. Recent research indicates, for example, that in the South and Central American region, between 20 per cent and 40 per cent of children report being sexually abused. This figure stands at 30 per cent in Zimbabwe, and at between 7 per cent and 20 per cent for girls and 3 per cent and 10 per cent for boys in Europe.³³

There are no reliable global statistics on the scale of child sexual abuse within families. This is partly because of the hidden nature of this type of abuse and partly because there is no international agreement on the definition of abuse or the legal definition of a

child. While the UNCRC defines a child as a person under 18, in many countries the age of sexual consent and marriage is younger. However, although poverty makes a child more vulnerable to sexual abuse and exploitation, the problem is not confined solely to either the poorest countries or the poorest children within countries. It exists in all cultures and all socio-economic groups and affects many millions of children.

Physical violence against children

Every day, millions of children are hit, kicked, beaten, punched and slapped by adults. This violence is legitimate in many countries in the world where parents, teachers and staff in residential penal institutions are allowed to use corporal punishment against children. Arguments of 'reasonable chastisement' and 'lawful correction' are used to justify adults' use of violence on children. Violence against children is in clear breach of children's rights in the UNCRC to protection from all forms of violence, to respect for physical integrity and to respect for their dignity.

Incidence of violence against children

Until recently governments, non-governmental organisations, profes-

sional bodies and international institutions have consistently failed to take violence against children seriously as a human rights issue. Governments are not only reluctant to interfere in family life but refuse to acknowledge the extent and severity of punishment to which children are widely subjected. However, over the past decade, there has been disturbing evidence of the scale and severity of the treatment of children by adults. A large-scale study of children aged between 10 and 20 in Alexandria, Egypt, found that over a third were disciplined by beatings with hands, sticks, belts and shoes. A quarter of these children reported that this had resulted in physical injuries, including fractures, loss of consciousness and permanent disability. A related study focusing on corporal punishment involving more than 2,000 students in Alexandrian schools found that 79 per cent of boys and 61 per cent of girls had experienced corporal punishment involving hands, sticks, straps, shoes and kicks, despite a ban on such punishment nearly 30 years previously. A significant proportion sustained injuries.³⁴

These examples are not exceptional. Evidence from children in Sudan, the Philippines, USA, Ethiopia and Bangladesh, reveals children being subjected to violence, threats, public humiliation and torture by teachers on a daily basis. Reported

"I wonder why..
our opinion is never given
attention
...nobody asks for our
opinion, at least for things
that concern us."

OANA, 12



"I know a girl... She was physically abused by her father. She was sexually abused by a stranger. Is this what a regular girl is supposed to be faced with? I don't know, you tell me."

12-YEAR-OLD GIRL, CANADA

acts of violence include pinching, beating, tying children up, forcing them to stand or bend in unnatural positions, sexual abuse, and even threats of exposure to wild animals.³⁵

There is evidence to show that the situation is even worse for disabled children. A recent study of over 40,000 children reveals that disabled children experienced more regular and wide-ranging abuse than their non-disabled peers. They were nearly four times more likely to be neglected and physically abused and over three times more likely to be emotionally abused. While all disabled children faced an increased risk of abuse, those with speech and language disorders or behaviour disorders were seven times more likely to be emotionally abused than non-disabled children.³⁶ Girls are also disproportionately vulnerable to violence, with the incidence in

some countries of female infanticide, incest and dowry deaths.

Challenging violence

There has been only limited progress in the last decade in challenging violence against children. Eight European countries have explicitly banned all forms of physical punishment against children. Others, including Germany, Spain and Ireland, have proposals to do so. The Supreme Courts of Italy and Israel have outlawed it. Increasing numbers of countries, including Namibia, South Africa, Ethiopia, Korea, New Zealand and Uganda, have banned it in schools and care institutions. However, enacting legislation does not automatically lead to its enforcement, as the previously mentioned research with children in Alexandria demonstrates.

No country is entirely free of child abuse and the Committee on the Rights of the Child has consistently urged governments to fulfil their responsibilities to protect children by introducing legislation to make it illegal to subject children to physical violence.³⁷ When the government of Yemen claimed that child abuse was not a problem in that country, one Committee member stated that this might owe more to the failure to show concern for the issue and the lack of remedies for abused children than to an absence of abuse itself.³⁸

In 2000, the Committee held a General Discussion day on violence in state institutions. The need for zero tolerance of physical violence was emphasised as the necessary guiding principle to achieve change.³⁹





PART THREE

The way forward

"I hope...

...life will provide better things for all of us

...tomorrow will be a better day

...someone hears my words

...eventually someone will listen to what
children have to say about the planet's future

...we will learn to help each other

...we will learn to make wise things"

MARIA, 14

Part 3: The way forward

Developing a rights perspective to children's lives

At the heart of the repeated patterns of failure highlighted in Parts One and Two is that the importance of applying the principles of the United Nations Convention on the Rights of the Child (UNCRC) has been ignored. These principles are not being reflected in policies and practice that influence the daily lives of children throughout the world.

The duty to promote the best interests of children, to implement the UNCRC rights and to understand the implications of the holistic nature of the UNCRC is not yet sufficiently incorporated into the thinking of those in powerful international institutions whose decisions reverberate down to family level. Too many

governments, national and local institutions, non-governmental organisations (NGOs) and professionals working with children also disregard this duty.

It is essential that all future policies, strategies and programmes are based on a clear recognition of children as subjects of rights, as participants and social actors – as part of the solution not merely their object – with clear associated obligations on the adult world to fulfil, respect and protect those rights. And, while it is governments that ratify international human rights treaties, other actors must also take responsibility and be held accountable for the consequences of their actions on children – from multinational companies and international financial institutions to families, communities and NGOs.

The prerequisites for change

The UN Committee on the Rights of the Child has identified four general principles in the UNCRC as integral to the implementation of all other rights:

- non-discrimination (Article 2)
- best interests (Article 3)
- life, survival and development (Article 6)
- listening to children (Article 12).

The most dramatic transformation in the situation of children in the coming decade would be achieved by the consistent consideration of these principles, standards and obligations in all actions affecting children. If this happens, we will not only see different results but we would also use different approaches to seeking solutions – more democratic, more just, more humane and ultimately better, not only for children but for societies as a whole.

Chapter 7: Children's right to non-discrimination

All children are entitled to respect for all their rights without discrimination on any grounds. (For the full text of Article 2 of the UN Convention on the Rights of the Child (UNCRC), see Appendix 1)

Disregard for Article 2

Discrimination against and between children

Discrimination against children remains widespread in most countries. Children continue to be treated in a way that would be unacceptable if they were adults – corporal punishment, forced institutionalisation, lack of access to the courts. Real changes to the quality of children's lives will only come about when those in power are committed to respecting the dignity of children, as required by

the UNCRC. They must understand that children are not merely recipients of adult wisdom and protection but people deserving of equal respect.

At the same time, too many children continue to be discriminated against because of their gender, disability, ethnicity or other factors. Governments must be proactive in putting in place measures to challenge such discrimination. Unless they do, many millions of children will continue to suffer violations of their rights.

How discrimination affects children

Legislation

In many societies, legislation *directly* discriminates not only against children as a group but also

against particular groups of children: many disabled children are excluded from the right to education; some minority communities are denied the right to use their language in school; non-marital children may be denied the right to inherit the nationality of their father; the age of marriage and sexual consent is often lower for girls than boys, despite the fact that, although girls may reach puberty earlier than boys, emotionally and psychologically they are no better prepared for marriage and sexual activity.¹

Legislation can also *indirectly* discriminate against particular groups of children. For example, laws that require children to wear school uniform, bring books to school and attend for particular hours and numbers of weeks may



Maria Tricommi, 9, Italy.

discriminate against poorer children whose parents lack the resources to provide the necessary equipment or need their children to work in the harvests at key periods in the year.

Institutionalised discrimination

Discrimination is often based on prejudices that are embedded in society. It is often rooted in fear – fear of an unfamiliar people who look different, have a different language, culture, religion and social behaviour; fear that one ethnic group threatens the security, land or jobs of another. It can have its origins in superstition or religious and cultural taboos – for example, beliefs that a child's disability derives from a curse or that the rituals practised by one ethnic group threaten other communities. Discrimination against particular ethnic groups is often linked to a fear that they will weaken the cultural identity or religion of the majority population.

Attitudes learned in childhood and passed through generations can mean certain groups of children are seen as inferior. Disabled children are often assumed to be unlikely to benefit from education and best cared for in institutions. Similarly, poor children are deemed less able, street children dishonest and untrustworthy and girls lacking in intellect, rationality and competence. Such generalised stereotyping means that the unique

identity of each individual child is ignored. As a result, they face wide-ranging discrimination that has a devastating impact on their immediate lives and long-term futures.

The media

The media often promotes discrimination. Children are consistently portrayed either as innocent victims or as demons. Disabled children and those from other minority groups are simply not represented. These children have no role models to aspire to or enhance their self-esteem, and the wider population has no positive images of these minority groups. Demeaning and degrading images of girls perpetuate negative stereotypes of gender.

Yet, if a particular group of children is seen to pose a threat to the social order, they are suddenly highly visible in the media and portrayed as objects of prejudice.² At its most extreme, the media can be responsible for orchestrated campaigns to mobilise hatred and de-humanise particular groups. The devastating consequences of this were witnessed in Rwanda and Yugoslavia in the 1990s.

Government neglect, inaction or persecution

Discrimination against children is often the result of the failure of

“Everyone should stop bullying and fighting. And give free food to poor countries.”

KARIN, 7



Yabuta, 10, Japan

governments to protect the rights of particular groups. The most dramatic example of this can be seen in the attitude to poverty and the right to life. In the United States, for example, over 22 per cent of children are living in poverty.³ Baby boys born in Harlem stand an initial probability of survival worse than a Bangladeshi child.⁴

Race discrimination both leads to and compounds the prevalence of poverty, which then denies these children their fundamental human rights to survival. There is consistent evidence from countries throughout the world that government neglect or inaction is denying ethnic minority groups their social and economic rights. Despite near universal enrolment in primary schools in the Philippines, for example, the Manobos people in the highland regions have less than one-third of children in school. Nor is this an isolated case – similar patterns are evident in China, Vietnam and many Latin American countries.⁵

In many other cases, while legislation for equal treatment exists, it is not effectively implemented. Many countries have now legislated against female genital mutilation but cultural traditions outweigh the law and every year millions of girls are subjected to this brutal and

damaging assault. Honour killings of girls continue in Pakistan and Jordan despite the fact that both countries have prohibited the murder of children.⁶ And, while the rights of Gypsy and Traveller children to education, healthcare and access to sites are protected in most European countries, local interpretation of the law is so arbitrary that many children continue to face hardship and unequal treatment.⁷

Children's experience of discrimination

For millions of children, the discrimination they face simply because they are young is compounded by additional prejudices that they will continue to face into adulthood. To be born a girl, disabled, into poverty, into an ethnic minority community or homeless can mean a life of disadvantage. This has a profound impact on life chances – these groups have lower school enrolment, higher drop-out rates, poorer diet, more burdensome imposition of household chores, earlier marriage, lack of control over their sexuality and greater exposure to sexual and physical violence. Equally important is the impact of discrimination on children's self-esteem and self-confidence, to the extent that their capacity to challenge or even acknowledge the abuse is diminished.

■ Save the Children: promoting children's rights

■ In Swaziland, as in many other countries, children infected by HIV/AIDS face discrimination, isolation and fear. Children left orphaned when their parents die of an AIDS-related illness often find their inheritance rights ignored, with their family home and livelihoods taken from them by unscrupulous adults.

Save the Children's HIV/AIDS awareness campaign in Swaziland aims to draw attention to the core issues affecting children. Community leaders, community development officers, community-based organisations, rural health workers, police, nurses, teachers and children themselves are targeted. The campaign aims to ensure that the key people within a community have the information they need to ensure both that children at risk are quickly identified and that solutions to the difficulties they face are generated within and by their community. As part of this, community leaders are encouraged to ensure the inheritance rights of orphaned and vulnerable children.

With increased awareness comes a shared responsibility to ensuring a happy, healthy life for children, protected and guided by those around them.

■ When the UK government signed up to the UNCRC, it included a reservation on refugee children. Asylum-seeking children arriving in the country are given less protection than other children. They often have minimal access to basic services and there is no one to defend their rights. Asylum-seeking children who arrive alone in the UK, as nearly 4,000 did in 1999, are particularly affected.

The financial support offered to asylum-seeking families is less than the minimum standards approved for other families. They have little say in where they are sent to live, often ending up isolated from people of their own communities. Education services frequently lack the capacity to deal with their special needs and there is little funding for essential services like language support. There is widespread hostility to refugees and asylum-seekers, fuelled by media reporting. As a result, refugee and asylum-seeking children face discrimination and isolation.

Save the Children has run a high-profile campaign on behalf of refugee children in the UK, based on the experiences and feelings of the children themselves. We are calling on the Government to ensure refugee and asylum-seeking children the same rights as all other children in the UK.

Save the Children also worked with the United Nations High Commissioner for Refugees to launch a Separated Children in Europe Statement of Good Practice. This sets out a common policy and commitment to allow these children a decent childhood, adolescence and future.

Challenging discrimination

Discrimination is a complex, deep-seated phenomenon, impacting as it does on so many groups of children in the exercise of so many rights. If discrimination is to be challenged effectively, the legal framework, power structures, the attitudes of those who discriminate, the physical environment and the balance of resources that perpetuate injustices must be changed. At the same time, all legislation, policies and programmes must be scrutinised to ensure that they do not discriminate against any group of children either directly or indirectly.

If governments are to tackle discrimination effectively and ensure that their actions impact on all levels of society, they must not only pass legislation promoting the equal rights of all children and challenging all forms of discrimination but also ensure these laws are effectively implemented. They need to actively understand the nature of discrimination, fund public education campaigns to challenge prejudice and discrimination, promote human rights education and ensure a commitment to listening to – and taking seriously – the experiences and views of children.

The way forward

All rights apply to all children without discrimination

Discrimination is widely recognised as a violation of human rights and the right of all people to equal protection of the law is a well-established principle in international human rights law.⁸ However, too often, human rights treaties that cover the concept of equality fail to recognise the extent that children as a whole are discriminated against. In many countries, for example, children are not protected from all forms of assault and it is perfectly acceptable for them to be hit by their parents or staff in institutions. Children are often denied access to the courts to challenge injustices. Major decisions can be made about children's lives without them having the right to be consulted or even informed. Because of their youth and vulnerability, they have fewer opportunities than adults to challenge discrimination or abuse.⁹

The UNCRC recognises that children as a whole experience discrimination and need special protection under international law. It also recognises that many children who are deemed different for whatever reason face additional discrimination and places clear obligations on governments to take active measures to prevent it.

Article 2 states that: 'States parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status'. In other words, governments must take measures to ensure that all the rights in the UNCRC apply without discrimination to all children within the jurisdiction of the state.

Discrimination occurs at all levels of society. It can be practised by governments, by adults against children, by one community against another, by one group of children against another. It can result from direct and deliberate action or indirectly through insensitivity, ignorance or indifference. The Committee on the Rights of the Child has identified over 40 different categories of children who have experienced discrimination in one way or another. It has raised issues of discrimination with every country delegation examined.¹⁰ Only when all parties take a serious look at all the ways in which children face discrimination can they begin to fulfil their obligation to ensure children realise their rights.¹¹

Chapter 8: Promoting children's best interests

All actions, policies and practice should be carefully assessed to ensure that they take full account of the best interests of children. Not only do children have special needs, but their interests are often different from those of adults and should not be assumed to be the same. (For the full text of Article 3 of the UNCRC, see Appendix 1)

Disregard for Article 3

Failure to recognise that the needs of children do not always coincide with those of adults

Children's own unique situation and perspectives are often disregarded in the development of policies and programmes, goals and targets. Instead, these are often based on the perspective of adults or families in the mistaken

assumption that policies that are good for adults will necessarily be good for children. However, adults do not always act in children's best interests. Adults often disregard the interests of children in public policy and often abuse their power over children.¹² Equally important, they may not necessarily know what in fact is in children's best interests at all.

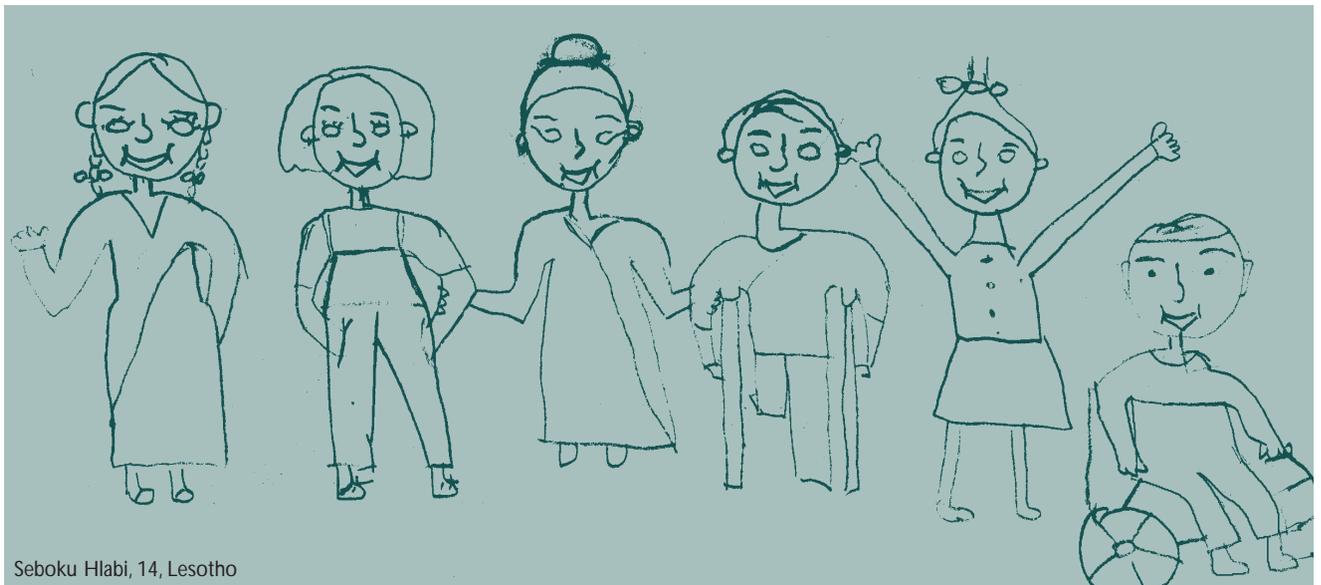
Disagreement about both the problem and the solution

Policy-makers, politicians and international organisations often define problems differently from those who are actually experiencing them. As a result, they fail to adopt a rights-based approach and solutions will often fail to address the real problem. For example, internationally imposed trading sanctions aimed at addressing the

worst forms of exploitative child labour, while well-intentioned, have led to increased hardship for some children who are consequently denied access to any source of income. The codes of conduct governing employment practices focus on excluding children from the labour force rather than improving their working conditions. Effective strategies for promoting change and children's best interests can only be developed through a much higher level of collaboration and communication, grounded in awareness of the rights of children.

Impunity for those who violate or neglect children's rights

In too many countries, adults continue to be able to harm children with impunity. Millions of young girls still suffer female



Seboku Hlabi, 14, Lesotho



Virpi Vaha-Aho, 9, Finland

genital mutilation; children are sold into slavery, into prostitution, into bonded labour. The adults responsible, however, remain free. If positive change is to be brought about, individuals as well as companies must be brought to account.

The effects of failing to focus on children's best interests

As described earlier, the international development targets seeking an end to absolute poverty are based on an income-based definition of poverty. This fails to address the scope of children's needs to an adequate standard of living embodied in Article 27 of the UNCRC. The following examples illustrate the failure to address the specificity of children's lives in policy at all levels.

In situations of emergency

In emergencies, immediate needs are usually assessed from an adult perspective. Clearly, saving lives must be a priority but it is also important that children continue to experience some level of normality. If the continuation of family life, schooling and opportunities for play is supported, children are better able to withstand the impact of the crisis.¹³ So, while the provision of schooling is rarely seen as a priority emergency response,

from the perspective of the child it would bring a sense of normality at a time of massive disruption. Schools, however makeshift, can provide children with the space to fulfil their needs for play, recreation and personal development.

In the environment

Because their respiratory, reproductive and immune systems are still growing, children are more sensitive than adults to dangers in the physical environment. Yet their specific needs are often overlooked. Children, for example, are likely to absorb more harmful substances than adults in relation to their size and body weight given the same exposure¹⁴ and their bodies generally combat toxicants less effectively. At the same time, their behaviours can put them at greater risk: small children spend time crawling in the dirt and putting objects in their mouths; they spend more time outdoors than adults and are more likely to be exposed to air pollutants.¹⁵ Indeed, in 1991, the British Medical Association identified children as a high-risk sub-section of the population 'who experience toxic effects at lower level of exposure than the general population and may require special protective measures'.¹⁶ Cities, too, are designed with a blatant disregard for the needs and interests of children – the car user is prioritised over the pedestrian, increasing the vulnerability of

children to pollution and accidents and reducing their freedom of movement; there is commonly a lack of sufficient safe places for children to play.

There is a real need to take children into account when establishing standards for safe exposure to environmental contaminants, to impose stricter controls on air and water pollution, to improve access to education on risks in the environment, to train all relevant professionals on the hazards facing children and the need for appropriate standards of protection for food, water, sanitation and hygiene. Whenever new developments, towns, housing estates and roads are planned, their impact on children must be carefully analysed to ensure both that they are creating safe places for children to live and that they are actively child-friendly. Additional research is needed to provide more accurate and extensive information on the relationships between the environment, child health, risk and disease. And all these processes need to be informed by the experiences, concerns and ideas of children themselves.

In economic policy

Children make up one-third of the world's population yet they hardly merit a mention in the field of economics. However, not only do children have needs that are

distinct from those of adults but also all economic and social policies designed by adults will impact on their lives. It is therefore vital that the implications of such policies on children are properly taken into account and that children are made visible in economic policy-making. This applies not only to direct legislation, such as health and education, that explicitly targets children. Broader social welfare policies, fiscal and trade policies, as well as development strategies, all filter down to the individual child and impinge on his or her reality.

For example, far from being child-neutral, inflation and unemployment affect countries, social classes and age groups in quite different ways. Moderately inflationary policies tend to have a less negative impact on families with young children who are often indebted. On the other hand, monetary policies that reduce inflation while raising interest rates tend to be harmful for families with young children and are therefore child-hostile. It is unemployment rather than inflation that is most detrimental, economically, socially and psychologically, to the interests of children.¹⁷ Indeed, in poor countries, where the economic margins are very small, unemployment can cause severe economic loss, family disintegration, increased child work, rising school drop-out rates and, at worst, threaten the

"I think adults should be a little more childish so they understand how it is to be a child. I'm going to try to be a little childish even if I'm 100 years old."

MARLENE, 13

"I think adults should stop spraying food so it won't have poison in it."

ARVID, 7

child's right to survival.

None of these outcomes are captured in the economic analyses. Children are affected by levels of budgetary expenditure and revenue, which in turn influence inflation, unemployment, income distribution, foreign debt obligations, taxes and subsidies that impact on families' social and economic situation and on children. Budget decisions impact directly on matters of vital interest for children: food prices and nutrition, child and maternal health, water and sanitation, early childhood development, basic education, social welfare, leisure and cultural activities and child protection measures.¹⁸ Much of the impact of these macro-economic policies is mediated through the family. However, there is very little attempt to analyse how households resolve economic pressures, how they distribute income and the differential impact of these strategies on children.

Furthermore, the contribution of children to local, national and international economies is rarely acknowledged or valued. Instead, they are excluded from the systems which describe economic activity and which establish the scope of the official economy.¹⁹ Despite the huge daily investment of children's time in work – in family businesses, in domestic service, in the family

home, on the streets as vendors and hawkers, caring for younger siblings or sick relatives – it is not generally recognised by those who define and determine policy. Children's work has significant impact not just on family budgets but also on national economies, yet it barely registers on the official record.

The way forward

All actions, policies and practice should be assessed to ensure that they take full account of the best interests of children.

One effect of the UNCRC has been to raise awareness of the specific abuses and violations of children – their sexual exploitation, their ill treatment, their use in war. Yet, problems and their solutions continue to be perceived and defined by adults. Because traditionally children have had no voice and no power within families, local communities, political structures or the international community, their distinctive needs and the specific impact of policies on their lives are rarely articulated. Instead, children's needs are subsumed within a family agenda. We must begin to understand that children have different needs and interests from those of other family members – and that it is their right to have their needs given explicit recognition.

■ Save the Children: promoting children's rights

■ For children who find themselves in court in Romania, as in many other countries, the whole process can be an ordeal. Whether the victim or the perpetrator of crime, a child's special needs must be met if they are to have real justice from what is largely an adult system.

Save the Children worked alongside a wide range of partners – from the police and magistrates to fellow non-governmental organisations and communities – to ensure that national and international standards for the penal system were respected.

Policemen, prosecutors and judges were given training and a whole system of support for the children put in place. As from the beginning of this year, children are interrogated and judged in special rooms with specialist psychologists and social workers on hand to help the children through. In the Counselling Centre for Child and Family, Save the Children also offers free psychological and other services for child victims and their families.

■ In Sanganer, on the outskirts of Jaipur, India, adults and children alike are employed in making paper cones. Apart from the low income, the long hours make it almost impossible for the children to go to school.

The work itself is long and tedious with the children sitting in awkward positions in dark rooms. The finished cones are then dipped in large chemical vats. These have caused skin irritations; the long-term impact is unknown.

Save the Children, working in partnership with the Child Workers Opportunities Project, has set about ensuring these children realise their rights. Over four months, through community events organised in the evenings that were not explicitly about addressing the issues of child work or education, a solid relationship was built up. The result of this partnership is that, today, the child workers can attend non-formal education classes held in the evenings and run by locally-trained youth. Here they learn basic literacy and numeracy skills as well as having a chance to play. Eventually, the children will be enrolled in mainstream school or vocational skills training.

The next step for Save the Children will be to study the health impacts of the chemicals used in the cone production and to put in place a full advocacy programme, aimed at family, local state and national levels. Save the Children will also work with the families to find alternative ways to increase their income so that they are not reliant on the children working.



Marie Harrison, 14, UK

Invisibility of children

This failure to recognise children's particular needs and interests is reflected in the lack of research or knowledge about their lives. Children tend to be defined by a wider unit, such as their family or school. And, while there is an increasing awareness of the need to break down information by gender, it is far less common to do so by age.

Little information is available giving an insight into children's lives and not enough emphasis is given to developing techniques to evaluate the impact of policies on children. Save the Children and a few other NGOs have begun to develop new participatory research techniques involving children. But unless all relevant agencies show a serious commitment to finding out about children's lives, their policies, programmes and projects will not address the real needs of children.

There are only really two areas where we have comprehensive official information about children: under-five morbidity and mortality, and school enrolment and retention.²⁰ What other information exists about specific groups of children tends almost exclusively to focus on them as problems – delinquency rates, unemployment, drug abuse, school exclusions. In other words, the only aspects of children's lives that are known to

social statisticians and policy-makers are those where children are deemed to have failed. Children's positive contributions, their strengths and value to their peers, their families, their schools and their communities are disregarded and effectively denied. Furthermore, what research is undertaken rarely draws on the direct experience of children despite the fact that, when it does, it throws a very different light on the nature of their lives, their relationships and their concerns.²¹

Promoting children's best interests

Global economic and social forces, national legislation and policy-making – for example, war, globalisation, poverty, discriminatory legislation, HIV/AIDS and inadequate education – have huge impact on the lives of children. National and global powers take little account of the impact of their actions and decisions on the lives of children. Without greater recognition of the need to give explicit attention to the best interests of children, adult agendas will continue to prevail with consequential losses for children. Giving greater priority to the best interests of children will not only benefit children themselves but society as a whole.

Chapter 9: Children's right to life, survival and development

Children have the right to life and optimal survival and development. (For the full text of Article 6 of the UNCRC, see Appendix 1)

Disregard for Article 6

Failure to provide adequate support for families in promoting their children's healthy development

The UNCRC emphasises the partnership that must exist between parents and the state in promoting and protecting children's right to healthy development. In too many countries, however, inadequate state investment has left parents unsupported and burdened with levels of responsibility for the health, education and care of their children that are beyond their capabilities. As a result, children

can be denied access to appropriate services to fulfil their right to optimal development. Furthermore, states too often abdicate their responsibilities to protect children in the context of family life, leaving them exposed to potential risks of abuse, violence and neglect.

Failure to build on the strengths and resilience of children

Too often, interventions designed to protect children fail because they focus on the child as a victim and assume that all children will respond in the same way in the same situation. In fact, children's capacities to cope with adversity – whether it is family breakdown, exploitative work, armed conflict or internal displacement – will vary widely depending on their own internal strengths, confidence and

the way they are perceived and supported by those around them. So it is important to have a far greater understanding of what factors enable children to thrive and develop in the most difficult circumstances. Only then can those strengths be nurtured and children helped to acquire them.

The way forward

Every child has the right to life and to fulfil their optimum potential for survival and development

The UNCRC seeks to promote the healthy development of children but also contains, in Article 6, an explicit obligation to respect the right to life of every child and to 'ensure to the maximum extent possible the survival and



“People should be home
with their children a lot.
They should invite people
home often.”

MALIN, 6

development of the child’. Its recognition of children’s physical, cultural, moral, social, spiritual and mental needs as well for respect for their views and evolving capacities represents a holistic understanding of children’s development (Article 27.1). Thus, children’s development is increasingly understood to require attention to issues such as violence and exploitation as well as the more traditional focus on the provision of education and health. It also requires recognition of children themselves as subjects rather than objects of change. Furthermore, their developmental needs, by being incorporated into a human rights treaty, are acknowledged as entitlements which states have obligations to fulfil.

The role of families and the state

The UNCRC emphasises the vital importance of families in promoting the healthy development of children. It also places clear responsibilities on states to support parents in fulfilling that role. The preamble states that ‘the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can assume its responsibilities within the community’. This commitment is

elaborated in a number of articles which address the importance of protecting children’s rights in relation to their families – the recognition of parental rights and responsibilities, and rights of children to know their families, not to be arbitrarily separated from them, to reunification if separated, to the shared responsibilities of both parents and parents’ obligations to promote the best interests of children.

To protect and promote these rights, the state is required to ‘render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for children’ (Article 18). Article 3 imposes an obligation to ensure care and protection for the well-being of children and requires that all services, facilities and institutions for children be of an adequate standard. The UNCRC requires that all children have access to free primary education and that secondary, higher and vocational education be provided. It demands that no child is deprived of the right of access to the highest attainable healthcare services. It also imposes an obligation to recognise the right of children to an adequate standard of living for their proper development.

The UNCRC also goes further. When parents are unable to fulfil their obligations, the state is required to protect the rights of the children. So, for example, the state is responsible for providing special protection or adoption for children who are unable to live with their parents (Articles 20 and 21). It is also required to protect children's rights within the family, such as through the introduction of measures to protect children from all forms of violence while in the care of parents (Article 19).

For many children the family can be a place where human rights are disregarded or violated either through traditional attitudes and practices or because parents may be abusive or neglectful. This is not a private family matter: children's rights do not cease simply because they are within the family home. Nor does their right to the protection of their own culture, contained in Article 30, extend to those practices that are detrimental to their wellbeing or the realisation of other rights (Article 24.3). At the same time, it is not enough to legislate and then fail to implement that legislation.

It is clear, then, that the state has a central role to play both in strengthening the capacity of families to promote their children's healthy development and in protecting that development within

families. The Committee on the Rights of the Child has encouraged all ratifying states to review laws and administrative policies in terms of their impact on children and their families and to develop a comprehensive strategy for implementation.

Such a strategy should include measures to ensure a minimum level of social security for children through access to healthcare, family planning, child safety, shelter, education and basic services. Its aim should be to raise standards of protection and respect for children within families.²² And it should review budget allocations to ensure that available resources are allocated 'to the maximum extent' (Article 4) for the realisation of children's rights. However, in many countries, children are the responsibility of the weakest and most under-resourced ministries. Furthermore, the growing privatisation of basic social services, documented earlier in this report, represents a backwards step, with the state retreating from, rather than extending, its partnership with parents.

Children's own contribution towards their development

There is a widely held perception that childhood is a staged process in which the child progresses from babyhood towards the goal of

"I think mummies and daddies should stop working so much. I think mummies and daddies should have more time for their children and help them build treehouses."

EMIL, 5

maturity, competence and adulthood. Implicit in this view is the image of children as 'lesser' beings until they become adults. Although the child plays a part in this process, it is biological maturation, education delivered by adults and socialisation by parents and the community that are regarded as the main factors contributing to the child's development. Childhood then becomes a rehearsal for adult life: adults are experts, rational, responsible and competent; children are weak, irresponsible, ignorant recipients of adult expertise and care. Childhood is a period of rapid and massive acquisition of skills and knowledge, much of which is acquired from adults. Yet, as a framework for understanding children and their situation, this perception of

childhood is inadequate and, indeed, is challenged by much of the evidence we have about children's lives.

Conflicting understandings of development

Understanding of what constitutes healthy development varies between cultures. Western societies place greater emphasis on the individual while many other cultures focus on the development of the family or community. In Western societies, where children spend longer in formal education, they are increasingly expected to be economically dependent on their parents until their late teens or older. They are protected from the world of work and, indeed, from the outside world, as fears of accidents, abduction and sexual abuse have led to greater controls

on their freedom of movement. Yet, their social and political independence – their ability to think and act for themselves – is encouraged. This approach is a breeding ground for tension, as the children's desire for independence is not matched by their ability to make their own choices or exercise real responsibility.

Almost the reverse is true in developing countries. Many children as young as seven years are making a substantial economic contribution and often take significant levels of responsibility. Yet they are neither expected nor encouraged to exert autonomous influence over their lives, make choices or act independently within the family or community.²³

Consequently, in both Western and



Sarah Amviko, Uganda

■ Save the Children: promoting children's rights

■ Aboriginal children in Canada are marginalised and vulnerable. For many, their early lives are characterised by physical, emotional and sexual abuse. Too often, they end up on the streets, selling their bodies and risking violence, disease and early death. In some communities, as many as 90 per cent of young people involved in the sex trade are of Aboriginal descent.

For five months, two Aboriginal women working for Save the Children travelled to 22 communities talking to the children themselves and unearthing the true extent of the problem. The resulting report, *Sacred Lives*, is the first study to involve the voices and first-hand experiences of Aboriginal youth. It has also given the young people themselves the chance to fight for a better life.

As a result, the federal government and Canadian Aboriginal leaders are supporting a national strategy to tackle the issue at its roots. Consultations are taking place between community members and young people to address local, regional and national needs. Save the Children will ensure that young people are actively involved, their voices listened to and their recommendations acted upon.

■ Nepal's maternal and infant mortality rates are among the highest in the world: 1,500 women die for every 100,000 deliveries and over 50,000 infants die in the first year of life.

Over 90 per cent of births take place in homes, often in unhygienic conditions. Mothers are assisted during labour by untrained traditional birth attendants, family members or, sometimes, no one at all. Most give birth on old mats, straw or the bare floor. The newborn baby's umbilical cord is often cut on wood, with ash, dried cow dung or spider webs applied to the cord stump. Bacterial infections are common in infants and new mothers.

With funding from UNICEF, the United Nations Population Fund and the Program for Appropriate Technology in Health (an NGO), Save the Children has developed a Clean Home Delivery Kit to reduce the chance of infection. Produced locally and sold for use during home births, the kit contains a plastic sheet, a razor blade, string ties, a plastic disc for cutting and string for tying the umbilical cord and a simple instruction sheet. The cost per kit is just US\$0.40. To date, over a quarter of a million have been sold through health centres, traditional birth attendants and small shops.

The kits themselves are assembled, distributed and marketed by a private, women-owned micro-enterprise in Kathmandu.

"I think grown-ups should hug and kiss their children more."

SOFI, 4

"I want you to tell the UN that grown-ups should play more with children."

JULIA, 3

"I think grown-ups should stop working and play with their children instead. Then the world would be a better place for grown-ups and children."

ANDREA, 7

developing countries, there remains a resistance to acknowledging and respecting children's active agency consistent with their development and competence. At the risk of over-simplification, adults in the West expect children to develop their own ideas, views and beliefs but deny them any real opportunity to put them into practice. In developing countries, adults expect children to undertake significant levels of economic and social responsibility but deny them the opportunity to influence the nature of their participation.

Promoting children's healthy development

Two key messages arise. First, the universal right to development embodied in the UNCRC does not imply a single definition of childhood. Developing within the collective to which the family belongs and the pursuit of independence are both equally valid goals for children, provided that they are embedded in respect for the principles of the UNCRC. Where conflicts do arise, they should be resolved in the best interests of the child.

Second, governments must start actively looking at the importance of children's development in all social, economic and political actions, both directly and indirectly. Such an approach will

benefit not only individual children but also society at large.

- Direct action – specific investment in basic social services – based on the principles of non-discrimination and the provision of practical support to families – must be prioritised, in order to fulfil obligations under Article 4 of the UNCRC. Governments also need to legislate to protect the wellbeing of children within families – for example, zero tolerance of violence; parental education to promote non-violent child-rearing; and effective implementation of legislation to end female genital mutilation.

- Indirect action – governments need to understand that many of their policies impact indirectly on children – not only environmental and macro-economic policies as argued above, but also those relating to transport, defence, trade, employment and immigration. They must remember that children are disproportionately vulnerable to the impact of government policy. Unless their needs are specifically taken into account, children, as a silent and powerless group, are at risk. Urgent action is needed now to give children a higher political priority in order to meet the guarantees to healthy development made under the UNCRC.

Chapter 10: Listening to children

Children have a right to be listened to and have their views taken seriously in accordance with their age and maturity. They are social actors in their own right, making their own important social, economic and cultural contributions to their societies. (For the full text of Article 12 of the UNCRC, see Appendix 1)

Disregard for Article 12

Insufficient knowledge about the realities of children's lives to develop effective programmes to protect and promote their rights

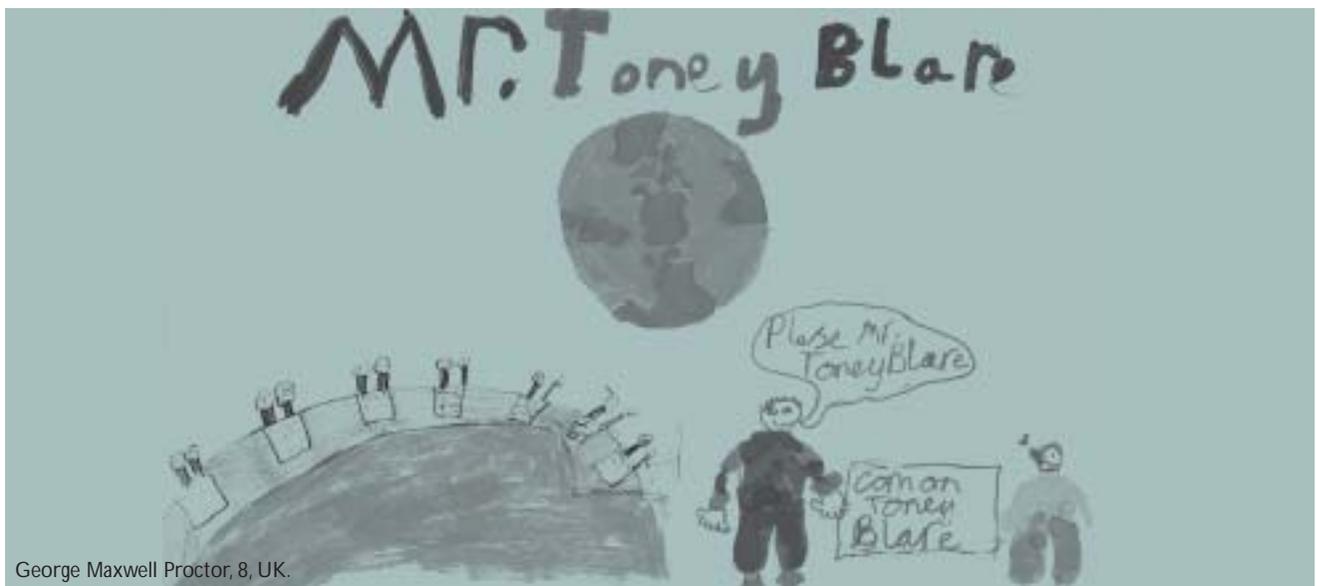
With children often seen as subordinate in societies, their lives have become invisible. At the same time, childhood is often seen as passive and dependent, a time in which children make no real

contribution to the outcomes that impact on their development. So the complexities of the situation of children can only be fully understood if those adults responsible for intervening in their lives accept the need to listen to children themselves before doing so. It also means accepting the dynamic contribution made by children within families, communities and the fields of work and education. If children are not given the chance to give their perspectives, any action or intervention on the part of adults will be based on what will often be inaccurate assumptions about what is happening to children, the nature of the difficulties they face and the strategies that are likely to be effective in bringing about change for children.

Effects of failing to recognise children as active participants

Limited understanding of children's lives and abilities

Children are not passive recipients of adult wisdom, protection and care. Rather, they are active contributors to their own development. They influence their environment, make choices, carry responsibilities, negotiate and mediate conflict and provide care and nurturing within families and friendships. Yet, all too often these qualities and skills are disregarded and undervalued in favour of a model of child dependency and weakness. Such models fail to acknowledge the crucial importance of building on children's strengths in those policies and programmes designed to support and help them.



George Maxwell Proctor, 8, UK.

Inadequate policy responses and poorer outcomes

A large proportion of international, regional, national and local policy impacts directly or indirectly on children's present and future well-being. Yet it is mostly developed and delivered without reference to children themselves. Effective policies, programmes and projects need the best available information and this can only be found by talking to those directly affected by them.

A recent OECD report emphasised that: 'Empowerment gives people dignity, a sense of inclusion and the moral strength to help themselves economically. Providing a voice in decision-making means pursuing the involvement of poor people and society at large in policy-making, programme design and implementation. Indeed, responsible and accountable governance has often been found to be the missing link between anti-poverty efforts and anti-poverty reduction'.²⁴ Exactly the same principle applies to children. Consulting children and drawing on their perceptions, knowledge and ideas are essential to the development of effective public policy.

Nowhere is the failure to listen to children, and the adverse consequences of this, more marked than in the field of education.

Policy-makers need to listen to children about, for example, what teaching methods work, whether the curriculum is relevant, what factors contribute to school drop-out rates and truancy, how to improve attendance rates, what is needed to promote better inclusion of girls, and how to enhance good behaviour and promote effective discipline.

Most children desperately want an education but they do not want much of what is currently available. Indeed, far from being a means of attracting children away from work, standards in many schools are so low that they actually drive children into the workforce.²⁵ It is imperative that, instead of driving the education agenda exclusively from the top down with global targets, the development and expansion of access is planned in collaboration with and informed by children themselves.

There is a significant amount of evidence that those schools that do involve children and introduce more democratic structures are likely to be more harmonious, have better staff/pupil relationships and be a more effective learning environment.²⁶ If children feel valued, they believe in the systems for dealing with injustices; those who are consulted over the development of school policies are far more likely to respect the school

environment. If the devastating drop-out rate of pupils in so many countries is to be stemmed, schools must become places where children want to be, where they are respected and their concerns listened to. If they are to feel some ownership of the school and a sense of commitment and responsibility towards it, then they need to be involved in the decisions, policies and structures of the school that affect them on a daily basis.

Disguising the differences between children

If children are not listened to, it is impossible to understand just how much their individual experience and situation affect their competence, potential and aspirations. There are many factors that influence children's lives, including gender, class, race, ethnicity, ability or disability and place of birth. All of these influence how they are perceived by society, how they are treated, expectations of them and the limits imposed on their activities and behaviour. Few nine-year-olds in European societies, still in full-time primary education and rarely left without adult supervision, would demonstrate the competence and resilience shown by their peers in developing countries, who might already have been working for a number of years.

Denying children opportunities to understand democracy

In both well-established and newly formed democracies, children need to experience the implications of democratic decision-making. This is particularly important in those countries facing internal conflict and tensions that threaten democracy. Children need opportunities to learn what their rights and duties are. They need to understand how their freedom is limited not only by these rights but also by the freedoms of others and how their actions can affect the rights of others.²⁷ It is through learning to question, to express their views and having their opinions taken seriously that children gain the skills and competence to positively confront the wide range of issues they will face as they approach adulthood. School structures and teaching methods need to be rooted in democratic practice: it is not possible to teach democracy in an undemocratic environment.²⁸

There is worrying evidence that young people in many European countries and North America are increasingly disaffected with the formal political process. This is particularly clear in the low numbers of young people either registering or voting.²⁹ Support and encouragement for their involvement in matters of concern to them allows young people to

learn about and understand political processes as well as developing their interest in and commitment to democracy. And there is evidence that children want a greater say in their lives. If they are cynical about or unwilling to take an active part in existing political structures, this does not necessarily mean they have little interest in political issues. Rather, it can be an expression of concern that their views do not matter, that they cannot influence outcomes and that democracy does not work for them.

Most children cannot vote in elections until they are 18 years old and therefore have no influence on formal representative democratic institutions. Bosnia Herzegovina, Brazil, Croatia, Cuba, Iran, Nicaragua, Philippines, Serbia, Montenegro and Slovenia are the only countries to have reduced the voting age below 18 years. However, democracy can and should be developed in much broader terms as participation in civil society. Many traditionally disadvantaged groups, such as women and disabled people, have used dialogue with politicians at local and national levels to press for greater recognition of their concerns because they have found the instruments of parliamentary democracy insufficient in reflecting their interests. Without access even to the formal democratic processes,

"I do not want...

...to be interrupted when I speak anymore.

...to be told that I am small and I do not know anything anymore.

...to see others suffering anymore.

...to see how hard my parents manage anymore."

MIHAI, 10

children have an even stronger claim for comparable political participation.

Failure to protect children

The most effective way of protecting children from violence, exploitation and poverty, as argued above, is through a partnership between responsible adults and children themselves. Having a say about one's rights is essential to the fulfilment of those rights. It has been argued that giving children rights will place them outside adult protection – that if their views are taken seriously, they will make decisions and act in ways which put them at risk. This is to misunderstand the nature of the rights embodied in the UNCRC. The UNCRC does not give children full adult rights. Rather, it gives children the right to be heard

and to take increasing responsibility for decisions as their competence develops. For example, the silence surrounding the sexual abuse of children within families has only protected the abuser. Where children are entitled and enabled to challenge what is happening to them, such abuse and violations of rights are far more easily exposed. By the same token, giving children information and involving them in the development and delivery of programmes to promote sexual health is far more effective than adult-imposed approaches that are often insensitive to the perspectives and experience of young people.

Responses that show no respect for children's views or perspectives will not only be less likely to improve the situation, they may also

inadvertently weaken the protections for children. Much of the suffering and hardship faced by children today, such as poverty, war, famine and environmental destruction, cannot be tackled overnight. Nor is it possible, or always desirable, to remove children from these situations. So, while it is important to tackle the material, social, economic and political environment which impacts on children, it is equally important to work out how to build on children's ability to thrive in the face of adversity. Children's resilience to withstand adversity can vary considerably.³⁰ Factors such as self-esteem, continuity of emotional support by family members, meaningful wider social support networks and the sense of control children feel when faced with difficulties all strengthen their



Maliemun, Uganda

■ Save the Children: promoting children's rights

■ Save the Children and UNICEF recently brought 40 children together from across Swaziland to discuss their rights. Nearly all were born in September 1990. They came from all areas and backgrounds – some were from urban and rural schools, some were disabled, others were out-of-school children, street children or orphans.

As a key part of the workshop, the children broke into seven groups, each of which was tasked to discuss one of the seven goals set in 1990 and based on their own experience look at what their own country had achieved. Here is a selection of their comments and queries:

- The government had not done enough to build health clinics within easy reach or to recruit enough doctors and nurses.
- There should be a law to ensure all children are immunised.
- There should be a law against smoking when pregnant.
- Why had the government stopped issuing food supplements to malnourished children at clinics when children were still at risk?
- A large proportion of the population still have no access to safe drinking water and some health clinics do not have a water supply.
- Not all children, especially the poorest, are getting a free basic education.
- Rural schools, in particular, are poorly furnished and staffed, and many have very limited facilities.

■ Through the national children's network in Mexico, Save the Children is actively encouraging children to speak out about family, school and community issues. They are encouraged to organise themselves into groups of friends and task forces to implement community projects. Save the Children also organises regular workshops and debates to enable the children to share their experiences.

As a key part of the network, Save the Children successfully encouraged the federal election commission to start listening to and working with the children through national consultations. The commission, working with UNICEF and several non-governmental groups, has organised two such consultations so far – one taking place during the second general election for the Presidency.

Eight state forums have also been organised, allowing children to suggest ways to improve their communities. Here, they elect representatives to take their proposals to Congress in Mexico City. Children's voices, opinions and hopes are being heard at every level

"We all have ideas that we would like to put in practice, we have thoughts that we would want to be considered. Our ideas are good and useful if put in practice. We want to be taken seriously even if we are not grown-ups."

MARIUS, 12

ability to protect themselves.³¹ Research undertaken with sick children in the UK showed just how capable very young children were of understanding the implications of complex medical interventions and taking responsibility for life and death decisions if they were provided with appropriate information and supported and valued by the adults around them.³²

Furthermore, adults can only act to protect children if they understand what is happening in children's lives – and this information can often only come from the children themselves. Violence against children in prisons, abuse in institutional care, racism in schools, misrepresentation of children in the media – all these can only be tackled effectively if children themselves can tell their stories to those with the authority to take appropriate action.

However, children are widely denied the opportunity to be heard. For rights to be meaningful and effective, children must be provided with mechanisms through which to challenge abuses. Legislation to which children have no access, however good on paper, is of little value as an expression of rights. Public education to inform children and adults of the law and promote changes in cultural attitudes, giving children the opportunity to take violations of

rights to the courts and proper means of enforcement, are essential elements in strengthening children's opportunities to protect their own rights.

The way forward

Children have the right to be listened to and taken seriously in all matters that affect them.

The UNCRC encourages respect for the dignity and value of children as children. This can be seen in its emphasis on respect for the evolving capacities of children (Articles 5 and 14) and recognition of the right of children to express their views and have them taken seriously (Article 12). Children's active participation is essential if all their rights – concerning education, health, work, family life, play, environment, violence and abuse, juvenile justice, institutional care, armed conflict – are to be realised. Children must not be seen as dependent on adult wisdom and goodwill. Rather, their capabilities must be recognised and their right to contribute to all aspects of their lives emphasised. Such participation rights are important as a means of promoting social inclusion. Equally, they are a vital mechanism through which children exercise other rights and protect themselves from abuse, exploitation and neglect.³³

Implications of recognising children's right to be heard

If children's right to be heard is to be respected throughout the world, a range of measures need to be introduced:

- legislation to establish the principle of participation, both of individual children and children as a whole
- public education to increase understanding about the importance and value of respecting children's right to be heard
- training of professionals to encourage changes in practice towards listening to children
- education that both promotes and practises enhanced democratic participation by children
- promotion of participative democratic structures at local and national level in order to enable children to contribute to political debate and policy-making.

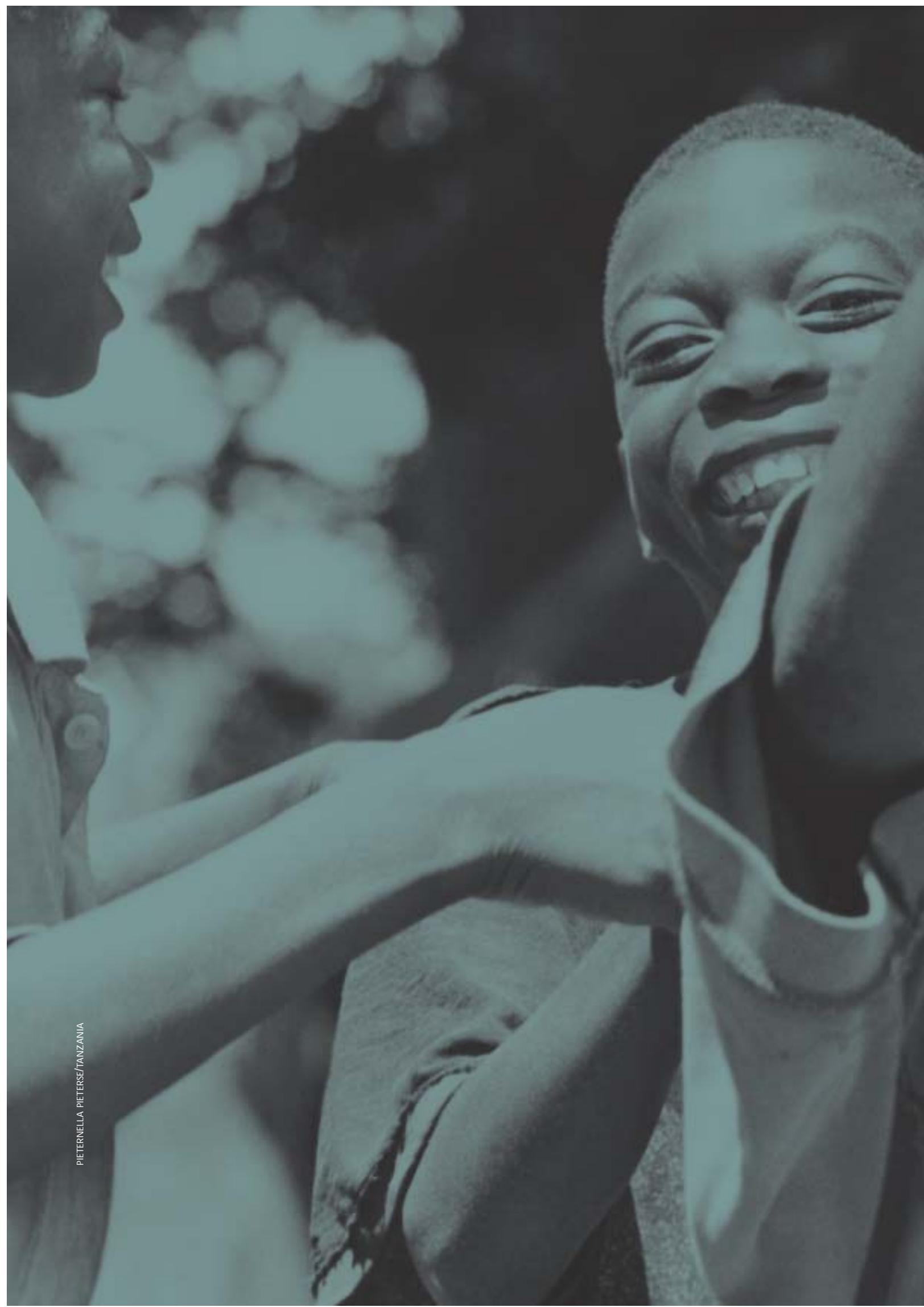
Children can, and indeed are, entitled to participate in matters affecting them in families, schools, care institutions, local communities, national policies and in the international arena. They can be, and in many countries are, involved in genuine policy-making in schools, campaigning for an end to physical punishment of children, tackling environmental

degradation, negotiating for improved working conditions, pressing for more humane treatment in juvenile justice institutions, designing local schemes to improve the environment, organising conferences, providing training on safe sex and HIV/AIDS information and advice programmes, and acting as researchers.³⁴ All governments, NGOs, UN agencies, local communities and professional bodies need to develop a willingness to challenge the persistent 'child-blindness' that currently prevails and recognise children's legitimate claim as stakeholders with both a right to take part and the competence to make a positive difference.

Children want to be more involved – they have views, they feel adults often get it wrong, they want to make things better. But, without a voice, they cannot take part in the debates that adults hold and which too often disregard their agenda. They want and are entitled to social inclusion – access to and the right to resources and information to enable them to make informed choices, secure entitlements and participate in decision-making. The result will be stronger cohesion within societies that will benefit adults and children alike.

"I think grown-ups should listen to what children have to say. Children can say what they want."

EMELI, 8





PART FOUR

Calls for action and conclusion

Some children are homeless
They have no families or friends.
All they have is the sky above.

It's wrong!

Some children have no clothes.
They walk barefoot
Without a map.

It's wrong!

Some children have no doctor
They get no medical treatment.
They are in danger of dying.

It's wrong!

You can make it right for the children!

DANIEL VEALE, 11, UK

Part 4: Calls for action and conclusion

The UN General Assembly Special Session on Children is the first time for ten years that the international community of nations has given its undivided attention to children. In the past ten years, as this report has documented, the world has changed in many ways. The report argues that children's lives are determined by the decisions, policies and practices of not only their own families and communities but also by those of local and national government, multinational companies, the international finance institutions, international agencies and non-governmental organisations (NGOs). Too many of these actors fail to address the profound but distinct impact such decisions have on children's lives; the differences between the needs of children and adults; children's active agency in their own lives; their real and significant contribution to their own communities; their potential for engagement in the creation of future solutions.

The Special Session on Children must be the point at which we agree a framework for new global partnerships for and with children. The *raison d'être* of the partnerships is the goal of providing the children of the world with the opportunities that constitute their basic human rights. There is currently too large a gap between the aspirations of the UN

Convention on the Rights of the Child (UNCRC) and its imperfect realisation. An approach is therefore needed which recognises the combined roles of governments, the private sector, international organisations, including the large financial institutions, as well as the wider civil society, local communities and families, in protecting and promoting children's rights. And underpinning this different approach, a new attitude to children and young people themselves is required, one in which they are respected and acknowledged as key players in their own lives, with a unique and important contribution to make towards the determination of outcomes in their own lives. The challenge is twofold: to persuade those partners of their responsibility for implementing and respecting children's rights; and to be able to hold them to account in discharging those responsibilities.

We are seeking not only to extend responsibilities to a wider group of actors but also to see them responding to the UNCRC in a more radical and creative way. In arguing that "every organ of society" should be held to account for delivering human rights as required by the Universal Declaration of Human Rights we are not seeking to let governments "off the hook". The primary responsibility must continue to rest

with them. However, the role of the State as guarantor that children's rights are met is not just about what the central government itself can do but also about its role in enabling families, the private sector, local authorities, civil society organisations, including NGOs and others to play their part; the resulting mix of activities will necessarily differ between and even within countries. Strengthening the structures of accountability at national, district and regional level is of special importance, particularly in the context of decentralisation.

Making the difference

The promises and commitments made a decade ago were supposed to improve the lives of children like Liberia, Jorge, Nancy and Mustajab.

If, this time, all those who influence children's lives recognise and act upon their responsibilities according to the principles discussed in Part 3, what difference will it make to the children of this coming decade? In the following sections we recommend how all those with responsibilities can act in accordance with the principles of the UNCRC – non-discrimination, acting in the best interests of the child, survival and development, and participation.

Chapter 11: Taking action on HIV/AIDS

The HIV/AIDS pandemic is an urgent global issue and a critical children's issue which requires new and special measures to tackle it. In order to move rapidly to large scale, comprehensive and sustainable programmes covering prevention, care and access to treatments, effective partnerships must be built between all actors – governments, international donors, civil society, including NGOs, communities, including traditional and religious leaders, and private companies. If all of these actors also base their policies and interventions on the four key principles of the UNCRC much more will be achieved.

Recommendations to governments at national and district level

Non-discrimination

We call upon governments at national and district level to:

- increase vulnerable children's access to services, particularly healthcare and education, and increase psychosocial support to children affected and infected by HIV/AIDS
 - increase the capacities of child carers, families and communities to care and support through community mobilisation
 - broaden the base of policy formation and programme development to include not just orphans but also other groups defined as vulnerable by the community
 - develop and enhance existing support systems, such as home care teams, village development committees and community health workers, rather than develop new structures which tend to lead to stigmatisation and a lack of community ownership
 - increase the quality and coverage of sexual and reproductive health services that are sensitive to young people's needs, eg, by removing restrictions on involving young people in training health workers about providing services for adolescents
- support initiatives that help build economic and social empowerment for girls and women
 - ensure that the design and implementation of HIV/AIDS interventions are appropriate and responsive to the age and gender-specific needs and situations of children and young people, especially girls
 - ensure that services in reproductive health and in the prevention of mother-to-child transmission provide the same level of access and quality of support to adolescent girls as they do to older women, given that over 10 per cent of all births throughout the world are to teenage girls¹
 - introduce and enforce legislation to protect girls and boys from sexual exploitation and abuse, for example, raising the age of sexual consent, regulating the portrayal of girls and boys in the media, enacting laws within criminal codes to prohibit sexual exploitation and child pornography
 - develop targeted interventions which acknowledge population diversity.

The best interests of the child

We call upon governments at national and district level to:

- promote innovative ways of introducing medical care into

under-served communities, such as providing incentives for community health workers and community childcare committees

- develop strong policy frameworks to reduce institutionalisation of children affected by HIV/AIDS and to ensure that, where any institutionalisation is necessary, it is only an interim measure while foster families are found
- develop and implement national minimum standards on institutionalisation
- provide both traditional and statutory legal support to women and children to enable them to cope with the impact of HIV/AIDS, particularly after the death of their spouses or parents
- monitor the consumption and expenditure patterns of households

and the impact on livelihoods, given that, as reductions in costs of HIV-related drugs bring them within reach of more people, there is likely to be increased spending by families on HIV-related drugs.

Survival and development

We call upon governments at national and district level to:

- develop national strategic frameworks for HIV/AIDS which incorporate a child focus
- invest in social development and adopt a multi-sectoral approach that allocates clear and accountable divisions of responsibility and leadership to appropriate personnel in different government offices
- prioritise the development of effective and universal health systems based on long-term

investment in infrastructure, services and staff training

- ensure that adults and children living with HIV have access to simple antibiotics, painkillers, clean water and adequate nutrition to assure a minimum standard of quality of life
- ensure co-ordination between international agencies, governments and non-government agencies
- maintain investment in the human capacity and physical infrastructure of the education sector; teachers and schools represent the principle institutional environment for promoting education and protection from HIV infection among young people
- promote cost-effective, school-based preventive information and



Enaku Absolom, Uganda

life-skills programmes for primary and secondary school children, targeting children from age 10

- develop and expand innovative models of non-formal preventive education and training to complement the work of the formal sector
- resource community-based support systems, such as home care teams, village development committees and community health workers, because this is the first line of support for orphans and vulnerable children; plan to increase economic support to these community-based structures as the impact of the pandemic impoverishes communities
- provide adequate support and long-term investment to the processes of decentralisation – involving the devolution of responsibilities for planning, budget management, intersectoral co-ordination and resourcing initiatives to provincial and district levels
- increase the quality and coverage of sexual and reproductive health care services that are appropriate to young people's needs
- increase access to VCT (voluntary counselling and treatment), drugs and interventions to prevent mother-to-child transmission before and during birth and through breastfeeding.

Participation

We call upon governments at national and district level to:

- include children in the design of National Strategic Frameworks on HIV/AIDS and other HIV policies and include a section on children and young people
- involve children in HIV/AIDS programme design, implementation and monitoring and evaluation in order to improve design, relevance and impact
- involve children and young people in the design and implementation of life-skills training.

Recommendations to international agencies, donors and business

Non-discrimination

We call upon international agencies, donors and business to:

- when creating joint public private initiatives (JPPIs), ensure that resource allocation prioritises strengthening health systems to benefit children living in areas with poorly functioning health systems
- avoid short-term or limited offers of donations or price discounts, which distort health sector priorities, leading to programmes which favour particular groups over others.

We call upon companies to:

- provide increased support to AIDS-affected communities in the form of vocational and apprenticeship opportunities for young people
- ensure employment policies do not discriminate and are practical in the communities from which employees come, eg, provision for time for funerals; lump sum payments for people retiring on health grounds (rather than death benefits); modification of duties so that workers can remain in work; and transference of benefits to employees' families.

The best interests of the child

We call upon international agencies, donors and business to:

- consider the limited capacity of under-resourced health delivery systems to manage the administration of complex drug regimens effectively when promoting greater access to HIV-related treatments and therapies.

Survival and development

We call upon international agencies, donors and business to:

- mobilise financial and technical resources on a global scale
- ensure HIV/AIDS policies are mainstreamed in country assistance programmes

- provide long-term support to strengthening existing health delivery systems
- invest in facilities for preventing the development of resistance to anti-retrovirals (ARVs), eg, training staff, diagnostic equipment
- when providing donations of drugs or treatments at preferential prices ensure that all related costs of delivery (transport, distribution, administrative, training of health workers) are also met
- ensure that funding is invested in the strengthening of integrated health systems, rather than to support single drug donations or develop parallel systems of delivery
- ensure that drug donations do not distort the allocation of health system resources or the development of sustainable programmes
- recognise the increasing need for and cost of care, in addition to supporting prevention strategies.

Participation

We call upon international agencies, donors and business to:

- support the participation of children in National Strategic Frameworks on HIV/AIDS and in the design, implementation, monitoring and evaluation of HIV/AIDS programmes in order to improve their design, relevance and impact

Health

Future actions

The decade of the 1990s has clearly shown that significant improvements in child health can be achieved – even in low resource settings and within the context of weak health systems. Strong government leadership and commitment, NGO and community participation, and timely and appropriate external assistance has made a real difference under very difficult circumstances. Moreover, during the past decade, a wealth of experience has been gained that has set the stage for the rapid expansion of affordable, technically feasible interventions that can dramatically reduce illness and death among infants and young children. What is lacking is the will to make it happen.

As stated earlier, there is a large unfinished child health agenda, with that agenda further complicated by the devastating impact of HIV/AIDS. Despite the setbacks caused by the pandemic, we know that there are affordable and effective interventions that can make a real difference in the lives of children. We urge the world community to continue and expand the effort to improve the health of the world's children, and to commit to achieving the recommended goals set forth below:

- Sustained and sustainable increases in early childhood immunisation coverage, with a specific goal of increasing coverage to at least 90 per cent of children under age one, with at least 80 per cent coverage in every district or equivalent administrative unit, and a special focus on measles, tetanus, and the eradication of polio.
- Increased immediate (within one hour of birth) and exclusive breast-feeding up to six months, with an explicit goal that at least 75 per cent of women initiate breast-feeding within one hour of birth.
- Increased access to, and use of, micronutrient supplementation, with a specific goal of reaching at least 80 per cent of the 6–60 month age group with a twice-yearly supplement in countries where vitamin A deficiency is an important underlying cause of blindness and young child illness and death.
- Ensure access for at least 90 per cent of children under age five in all developing countries to basic, yet affordable, diagnosis and treatment of the most common life-threatening diseases, especially malaria, measles, diarrhoea, and pneumonia, and increase appropriate care-seeking and home care practices for these illnesses.

■ Improve maternal and child health by ensuring a cleaner and safer childbirth by:

– Increasing skilled attendance at delivery, from 28 per cent to 60 per cent in the least developed countries, and to at least 80 per cent in all other developing countries

– Reducing the percentage of high-risk pregnancies (high-risk defined as pregnancy to women under 15 years or over 45 years of age, less than two years apart, or parity of four or more) by increasing access to high-quality, voluntary family planning information and services

– Increasing the availability of, and access to, basic essential obstetrical care at local level and effective referral and transport to a source of comprehensive obstetrical care when necessary

– Developing and supporting policies and programmes that seek to improve newborn health and survival – including improved care before, during, and after childbirth, with a special focus on improving household practices, care-seeking, and care of mother and newborn in the immediate postpartum period.

■ promote and support the use of participatory and experiential learning approaches rather than top-down education and information provision

■ support peer education approaches to enable boys and girls to analyse their gender roles.

Recommendations to families, communities and civil society organisations

Non-discrimination

We call on families, communities and civil society organisations including NGOs to:

■ increase discussion on issues of gender and sexuality, demonstrate greater understanding and acceptance of children's sexuality, challenge stereotypes of sexual roles and identities, and acknowledge children's need for information on sexual health and sexuality

■ prevent sexual abuse and violence against girls and boys through awareness-raising

■ identify and encourage protective factors, such as good communication with adults, a supportive school and neighbourhood environment, and peer norms which stress safe behaviours

■ identify vulnerable households according to locally-defined criteria,

rather than necessarily targeting 'AIDS orphans'

- establish home care teams and day centres to monitor the health and welfare of children at risk.

The best interests of the child

We call on families, communities and civil society organisations including NGOs to:

- find ways to assist children who are caring for sick or dying parents by supporting children in what they already do rather than undermining them with adult solutions
- enhance children's roles as stakeholders in order to ensure that individual decisions about inheritance issues, trust funds and savings accounts are taken in the child's interests, and ensure there is mandated community authority to back this up

- share and adapt models for the protection of inheritance and property rights

- consider the rights of children to play, and to receive affection from and have contact with adults, in addition to their physical and material needs

- provide sensitive counselling in order to: enable parents to disclose their HIV status; encourage communication between children and parents, thereby increasing children's emotional security as they grow older; promote succession planning over inheritance, schooling, land and property issues and medical care.

Survival and development

We call on families, communities and civil society organisations including NGOs to:

- help to strengthen the availability and accessibility of healthcare within the community, with particular emphasis on marginalised and excluded children

- target nutritional assistance, within community-based feeding programmes, at younger vulnerable children and especially at those whose breadwinner/parent has died.

Participation

We call on families, communities and civil society organisations including NGOs to:

- involve children in education advocacy and campaigns
- accept and understand the determinants of the sexual behaviour of young people rather than assume that young people can and will change their behaviour in isolation from wider social forces.

Chapter 12: Taking action on disability

Frequently overlooked and hidden from view, disabled children are widely denied their rights in almost every avenue of their lives. The principles contained within the UNCRC apply to all children. However, in order to realise those rights, the physical and cultural barriers which currently impede their realisation must be removed. The built environment, societal attitudes and public services in most countries in the world are designed for non-disabled people, and accordingly serve to exclude disabled children. Respect for the human rights of all children requires a commitment to the creation of inclusive societies in which disabled children can participate on equal terms. Equality cannot be achieved where a child with an impairment is forced to function in a world designed for others. It is also vital that the term 'disability' is taken in its widest possible context to include all children with motor, speech, visual, hearing, hidden intellectual and multiple disabilities.

Recommendations to governments at district and national level

Non-discrimination

We call upon governments at national and district level to:

- ensure all information about child rights is available and widely disseminated in various formats to meet the needs of disabled children, eg, Braille
- launch public education campaigns to challenge prejudice and misinformation, and promote positive images of disabled people
- introduce legislation to ensure the right of all children, including disabled boys and girls, to free, compulsory, basic and inclusive education, backed up by policies and resources to develop inclusive schools and training for teachers
- encourage and support parents of disabled children to care for them at home rather than relying on institutions and special schools
- ensure that all support services for families are accessible to disabled children and their families
- introduce legislation protecting the equal right to life of all children, and the rights of all children to protection from all forms of violence
- carry out research, including

with disabled children, into the incidence, whereabouts, needs, problems and barriers facing children at district and national level to ensure that future legislation, policies, and service provision actively take the needs of disabled children into account

- undertake a review of the built environment, in collaboration with disabled adults and children, to identify changes needed to promote access and inclusion
- introduce legislation which provides protection from discrimination on grounds of disability
- review all current legislation and services to ensure that it does not directly or indirectly discriminate against disabled children.

The best interests of the child

We call upon governments at national and district level to:

- introduce minimum standards for institutional care, including education, health, recreation and protection from violence and establish independent inspections of institutions currently responsible for caring for disabled children
- encourage the inclusion of disabled children living in institutions into society through access to mainstream schooling and social, cultural, recreational and sports activities

- prioritise foster families over institutions for disabled children abandoned by their parents

- establish routes through which disabled children living in institutions can access advocacy and independent appeals against violations of their rights

- ensure that all schools provide appropriate facilities, equipment and support for disabled children based on a local survey of actual, rather than perceived, needs

- encourage disabled children to communicate their views and needs to local health, education and social care providers by creating established platforms for them to do so

- ensure that all facilities, including schools and health centres, are accessible to disabled children, eg,

by providing wheelchair ramps and appropriate transport where necessary

- provide practical training on promoting inclusion and respecting the rights of disabled children in all levels of teacher and health professional training.

Survival and development

We call upon governments at national and district level to:

- encourage all agencies responsible for service delivery for children – health, education, welfare, justice and protection – to work together and co-ordinate their approach

- ensure that disabled children can access all forms of further skills training

- establish clear screening processes in schools and health centres to ensure the early identification of any form of disability

- promote opportunities for disabled children's play and recreation alongside non-disabled children

- ensure free access for disabled children to basic social services.

Participation

We call upon governments at national and district level to:

- actively involve disabled children in focus groups, planning and policy formation

- encourage and support self-help groups of disabled children, adults and parents

- ensure that all disabled children,



Cheryl Marchbank, UK

particularly those with hearing, speech or learning difficulties, have the skills, support and facilities to be able to communicate effectively with others

- develop the platforms necessary for disabled children to express their views and opinions at every level.

Recommendations to international agencies, donors and business

Non-discrimination

We call upon international agencies, donors and business to:

- ensure that support provided to basic services, such as health and education, is based on an acknowledgement of the equal rights of disabled children
- provide all literature in a variety of formats to meet the needs of disabled children, eg, Braille
- review all current programmes to ensure that they do not discriminate against disabled children
- encourage work opportunities for young adults with disabilities
- support and encourage positive representation of disabled children and adults in all media to raise awareness and provide positive role models

- share examples of good practice between and within countries.

The best interests of the child

We call upon international agencies, donors and business to:

- ensure that programmes, particularly those concerned with education, are actively taking the rights of disabled children into account
- ensure that the use of the term 'all children' always includes disabled girls and boys
- encourage formal and informal groups of disabled children and their families to offer mutual support, the sharing of information and the discussion of needs and desires
- promote the employment of disabled adults within the local workforce both to dispel stereotypes and to provide role models
- provide education for parents and families of disabled children to help them better understand the potential and needs of their children
- provide specialist, low-cost aids and equipment to enable disabled children to remain as independent as possible.

Survival and development

We call upon international agencies, donors and business to:

- ensure that all skills training and credit schemes meet the needs of disabled children – this is particularly vital for disabled girls
- encourage national and international networks for information-sharing and promoting the rights of disabled children.

Participation

We call upon international agencies, donors and business to:

- promote a positive view of disabled children and adults to dispel prejudice, challenge perceptions and provide positive proof of their potential.

Recommendations to families, communities and civil society organisations

Non-discrimination

We call upon families, communities and civil society organisations including NGOs to:

- acknowledge that all children, including those with disabilities, have equal rights to appropriate support services to meet their needs
- disseminate accessible and accurate information about the causes of disability, the facts about disability and the rights of the child
- increase awareness of disability

and so prevent abuse and isolation of disabled children

- include disabled adults and children in decision-making processes

- work with organisations of disabled people to develop community-based solutions to promoting inclusion

- establish ways of identifying disabled boys and girls within a community to ensure they and their families are given access to appropriate support services.

The best interests of the child

We call upon families, communities and civil society organisations including NGOs to:

- define disability in such a way as to include all forms – intellectual and physical – and acknowledge the varying needs of children with such disabilities

- set up and support initiatives which enable parents to care for a disabled child in the home

- develop structures to care for, rehabilitate and include disabled children within the community as a whole.

Survival and development

We call upon families, communities and civil society organisations including NGOs to:

- set up self-help groups for both disabled children and their families

- ensure that all community-based support services are accessible to disabled children and actively encourage their participation

- build awareness of disability, emphasising the whole child rather than concentrating on their disability alone

- establish clear systems that will quickly identify a baby or child with any form of disability.

Participation

We call upon families, communities and civil society organisations including NGOs to:

- share information and develop an understanding that all children have the right to participate in society as a whole and in community-based processes

- listen to disabled adults and children to learn about and understand their needs and the barriers preventing them from meeting those needs

- actively involve disabled children in community-based decision-making, policy forming and programme planning

- promote communication skills training for disabled children, such as signing and Braille

- provide support and skills training to parents of disabled children

- encourage the involvement of disabled children at meetings or gatherings for children such as sports events and community celebrations.

Chapter 13: Taking action on education and child work

Any attempt to address issues of education, or of the situation of working children must be based on a broad understanding of children's lives. In very poor and disempowered communities it is impossible to work appropriately on education without taking into account the political and economic conditions that determine children's lives. In this section we link recommendations on education and working children in order to stress the importance of maintaining a holistic understanding of a child's experience.

The Dakar Framework for Action and the UN Special Session on Children present major opportunities for mobilising additional resources for education and for civil society involvement in shaping education strategies in partnership with governments. Education reforms of a bureaucratic/technical nature are unlikely in themselves to make a long-term difference to what disadvantaged children experience in school, unless accompanied by changes in attitudes about the functions of schools and their relation to society.

In Save the Children's experience many groups of children are often excluded from school: girls (although a girl is never 'just a girl', but also a member of a particular class, caste, religious or ethnic group, and she may be pregnant or a teenage mother), children with disabilities, refugee and displaced children, those in minority ethnic and isolated communities and the children of pastoralists.

We would also include among educationally marginalised children those who cannot go to school because they are working to support families; those in rural or slum areas not served with schools; those in poor communities where the quality of education is so low they do not stay long enough to get anything out of it. In some countries the education-ally

"marginalised" may constitute one-third or more of children of school age. The long list of reasons for school non-attendance obscures the fact that the main cause of children being excluded from school is poverty.

If seriously addressed to schools, the key principles of the UNCRC would radically change the way most education systems operate. Incorporating the principles would lead to schooling that would respond to children's needs.

Decisions made by children and their families to prioritise work over education are likely to be based on rational judgements. Although education can help people to access the benefits of development, the greatest gains for many working children may well come through the holistic values of education, rather than the promise of economic advancement.

Therefore all actors must realise that if children are not to be denied these benefits they must be given opportunities to combine earning their livelihoods with an education flexible enough to accommodate their specific needs. However, social protection mechanisms need to be in place to protect children from the worst forms of child labour, which would adversely affect the health, safety and social development of children. All adults in a

position to influence styles of school provisions need to consider what children are experiencing in school and how this relates to what they are facing and will face in later life.

Recommendations to governments at district and national level

Non-discrimination

We call upon governments at national and district level to:

- ensure basic schooling is free and accessible to all
- enshrine the right of marginalised groups to equal treatment within an education system that is responsive to their particular needs in local education policy
- base national education plans

and data collection on a disaggregated analysis of the diverse needs of children in different contexts

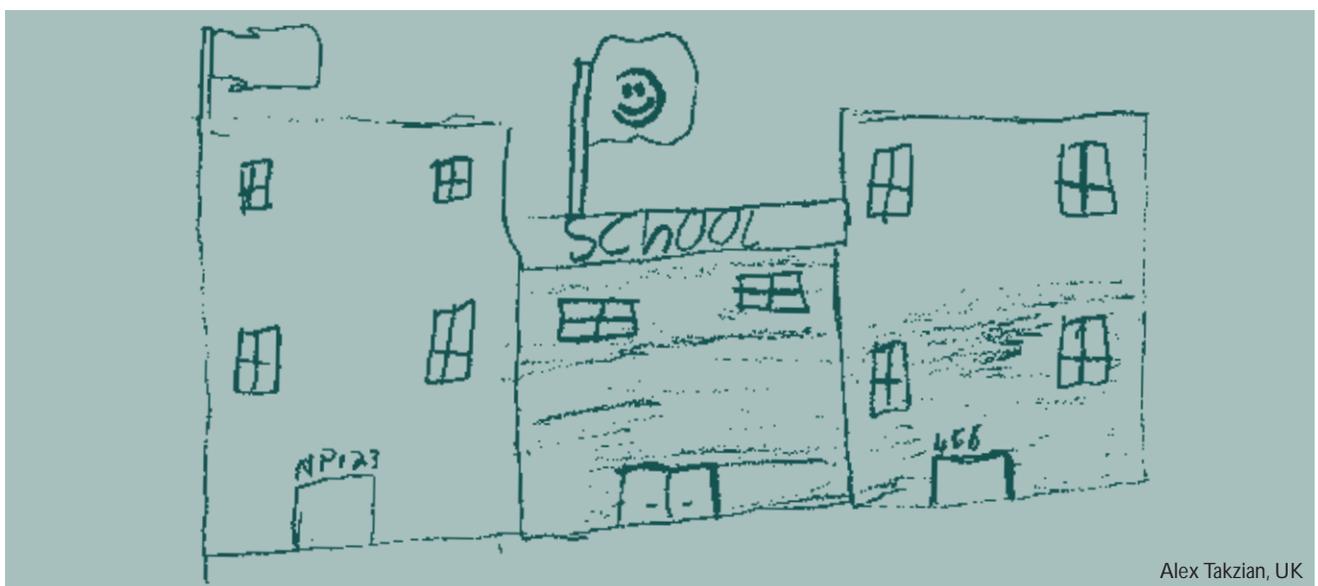
- develop language policies which allow children to learn in their mother-tongue in their early years but do not exclude or penalise these children at later stages
- develop programmes encouraging and supporting the training of female teachers and teachers from minority groups
- address personal safety and sanitary provision in schools, including attention to the distances travelled
- run public education campaigns to challenge discrimination and prejudice, and encourage parents to see the value of educating girls and disabled children

- ensure that National Plans of Action relating to ILO Convention 182 on the worst forms of child labour reflect the needs of the most marginalised children, including those working in the 'hidden' informal sector.

The best interests of the child

We call upon governments at national and district level to:

- enact and enforce legislation against all forms of physical punishment and humiliating and demeaning treatment of children in schools
- introduce flexible timetables and calendars to facilitate educational access for rural and working children
- introduce legislation backed up by policy and guidance to promote



Alex Takzian, UK

democracy in schools

- develop and implement national legislation and social protection measures to protect children from the worst forms of child labour.

Survival and development

We call upon governments at national and district level to:

- increase education spending, in particular allocations to marginal groups
- ensure education spending relies less on cost-sharing measures; estimate the real costs to poor families of sending their children to school; immediately end imposition of user fees
- reduce unproductive expenditure particularly through initiating drives against corruption and

inefficiency in the education system²

- draw up national education plans which demonstrate practical proposals that meet the Dakar goals on both quality and inclusive education
- develop and implement policies which increase the status and remuneration of teachers
- improve the training, support and deployment of teachers
- increase the decentralisation of power, responsibility and resources within the education system and prioritise capacity building in order to make decentralisation work in practice
- develop indicators of the quality and relevance of education; ensure that they are perceived to be as

important as increasing school enrolment

- ensure that all national level poverty reduction strategies, including Poverty Reduction Strategy Papers (PRSPs), and Sector Wide Approaches, address the needs of working children
- ratify ILO Convention 182, and develop and implement a national plan of action
- introduce legislation to regulate working conditions in the formal sector
- develop regulatory mechanisms to monitor and provide protection for children in the informal sector.

Participation

We call upon governments at national and district level to:



Alessandro Segatori, Italy

- involve working children and civil society organisations in the formulation of PRSPs
- introduce systems of monitoring implementation of legislation on education that include the direct involvement of children themselves
- include working children and their families in identifying the worst forms of child labour and drawing up and implementing plans of action to eradicate these forms; ensure they are represented on national and district committees.

Recommendations to international agencies, donors and business

Non-discrimination

We call upon international agencies and donors to:

- include non-discrimination on any grounds as a priority in supporting educational programmes (and ensure that programmes are based on strong social analysis which identifies marginalised groups)
- support moves to end cost-recovery in education, which particularly affects girls.
- provide support over longer time-scales in order to provide for complex change processes to take place.

We call upon business to:

- promote national distance learning education systems, accessible to out-of-school children and contribute to bridging the digital divide
- support education publishing initiatives which are gender sensitive.

The best interests of the child

We call upon international agencies, donors and business to:

- support the development of education strategies that are responsive to particular contexts
- support projects and programmes which are responding to the local context and which are based on an understanding of poverty as experienced by child workers.
- Companies should put policies and practices in place which responsibly phase out harmful child labour in line with ILO Convention 182. Where harmful child labour is found, the interests of children should come first eg, those taken out of work given access to free, quality education and redundancy payments to compensate for loss of earnings.
- ILO, government, business, trades unions and non-governmental organisations to develop sustainable and effective

partnerships, including consulting children during design, implementation and monitoring of programmes.

Survival and development

We call upon international agencies, donors and business to:

- mobilise resources in order to fulfil commitments made at Dakar that “no countries seriously committed to education for all will be thwarted in their achievement of this goal by a lack of resources”
- ensure that spending on basic education is protected in countries undergoing economic reforms
- increase volume and proportion of aid to basic education for governments that have established participatory National Plans of Action for free, equitable education for all
- ensure that PRSPs include an analysis of child poverty and the needs of working children.
- International agencies, such as the ILO, and donors should support the development of high-quality and child-centred education programmes in the informal sector.
- IPEC/ILO projects and programmes should address the root causes of child labour, including poverty.
- Companies discovering child

labour in their supply chains should ensure children are removed from immediate hazard, and ensure that children removed from work receive support in the form of compensation for lost earnings and affordable quality education.

- Companies should address child labour along with other labour standards – the existence of child labour is closely linked to the low pay of adult workers.
- Companies should work with agents and suppliers to develop policies and practices which ensure that children's rights are upheld.

Participation

- The ILO should ensure that key stakeholders, including working children and their families, are involved in drawing up and implementing National Plans of Action on Convention 182.
- Business should provide opportunities for child workers to meet with management to discuss conditions of work and negotiate improvements.

Recommendations to families, communities and civil society organisations

Non-discrimination

We call upon families, communities and civil society

organisations including NGOs to:

- develop whole-community approaches, even where the initial focus is on one group; cross-sections of children will benefit from innovations in methodologies
- identify where change needs to occur and target activities at those officials, teachers, fellow agencies or civil groups, etc
- raise public understanding of the rights of excluded children, for instance refugee children, child domestic workers or migrant children
- where the state has acknowledged the need to improve education for marginalised groups, look for opportunities to influence the direction of change; use the experience at local level to influence developments nationally
- foster local schools which encourage tolerance and train children to listen to the views of others; challenge activities and attitudes which reinforce gender, class, racial or religious divisions.

The best interests of the child

We call upon families, communities and civil society organisations including NGOs to:

- stimulate public debate on the kind of schooling that is responsive to the challenges children are likely to face

- encourage and support children's and parent's involvement on school management committees

- improve the co-ordination and dissemination of good practice
- support working children to develop their confidence and capacity to assert their rights and interests with their employers and government

- prioritise programmes which give access to formal and non-formal education for excluded groups

- raise awareness among consumers of their consumer power and develop practical suggestions as to how they can use their influence to improve core labour standards and encourage greater corporate responsibility.

Survival and development

We call upon families, communities and civil society organisations including NGOs to:

- challenge the conditions of hidden forms of child labour
- campaign for decent adult wages.

Participation

We call upon families, communities and civil society organisations including NGOs to:

- develop and support child-friendly ways of involving children and preparing adults to listen to

what they know and think

- demonstrate the advantages of involving children in the design and evaluation of policies aimed at them
- develop local mechanisms such as village committees which allow children to identify and suggest ways of resolving problems that prevent children from attending school
- support child-centred, participatory analysis of the situation of working children and identify the worst forms of child labour
- develop channels and mechanisms to ensure that working children and their families are listened to by decision-makers in government, the ILO and business.

Chapter 14: Taking action for children affected by conflict

In the last decade an estimated two million children have been killed by armed conflict and twice that number disabled. Mustajab was one of 20 million children uprooted from their homes by war. The UN Special Session on Children must mark a watershed so that in the coming decade governments, non-state armed groups, international organisations and civil society fulfil their obligations to protect children from armed conflict. Priorities for all elements of society for the decade have already been established at the Winnipeg Conference on War-affected Children in 2000. Save the Children endorses the comprehensive set of actions drawn up by participants at the conference. Strong and immediate action is required in all areas covered by the conference in order to launch the “era of application”.³

The following section is concerned with children and young people, who, like Mustajab, have fled conflict.

All states

Non-discrimination

We call upon all states to:

- ensure all children are registered at birth, paying particular attention to children who are refugees or internally displaced or who belong to minority groups.

Survival and development

We call upon all states to:

- ratify and implement the Optional Protocol to the UNCRC on the Involvement of Children in Armed Conflict
- apply pressure on warring parties that violate children's rights by cutting off sources of support, in particular imposing sanctions on the trading of natural resources which come from conflict areas, and by denying recognition to individuals and groups who have committed crimes against children
- ensure that any aid (be it military, economic or political) for, or diplomatic recognition of, a warring party is conditional on respect for children's rights, particularly the non-recruitment and non-deployment of children as soldiers
- hold corporations accountable for their activities in conflict-affected countries, as well as for their indirect support to countries

which violate the rights of children in conflict

- invest in children before, during and after conflict, ensuring their rights to education, health care and other basic services
- ensure that access to education is rapidly restored and supported during and after conflict.

States to which children flee and seek asylum

Non-discrimination

In those states to which children flee and seek asylum, we call upon national governments to:

- meet the standards set out in international law and follow the guidance to ensure the effective protection of separated children seeking asylum, especially the 1951 Convention, the UNCRC and UNHCR Guidelines
- ensure that all children have the right to apply for asylum under national legislation; ensure that children who meet the criteria are given refugee status; and ensure that other separated children in need of protection are given some form of complementary status
- ensure that all professionals likely to come into contact with children seeking asylum, for example, asylum and immigration officials,

lawyers, guardians and care workers, receive training on issues such as cross-cultural awareness, child-specific violations of children's rights and child trafficking and exploitation

- ensure that all officials who interview separated children are adequately trained and undertake interviews in a child-friendly manner
- provide protection to children fleeing compulsory conscription or discriminatory and abusive conditions within the armed forces.

The best interests of the child

In those states to which children flee and seek asylum, we call upon national governments to:

- withdraw all reservations on the UNCRC on immigration and

nationality law which in effect give primacy to national law over the rights of children as afforded in the UNCRC

- implement the UNCRC in respect of all children seeking asylum
- ensure all children are assisted by a guardian or adviser at all stages of the asylum process and when determining the child's future
- not detain children pending a decision on their status
- ensure that the best interests of the child are given priority when programmes of return to the child's country of origin are being planned and implemented
- support children in maintaining and developing contact with family and relatives, and preserving

cultural links with their country of origin

- provide appropriate legal representation so that children receive a fair hearing in asylum and immigration procedures.

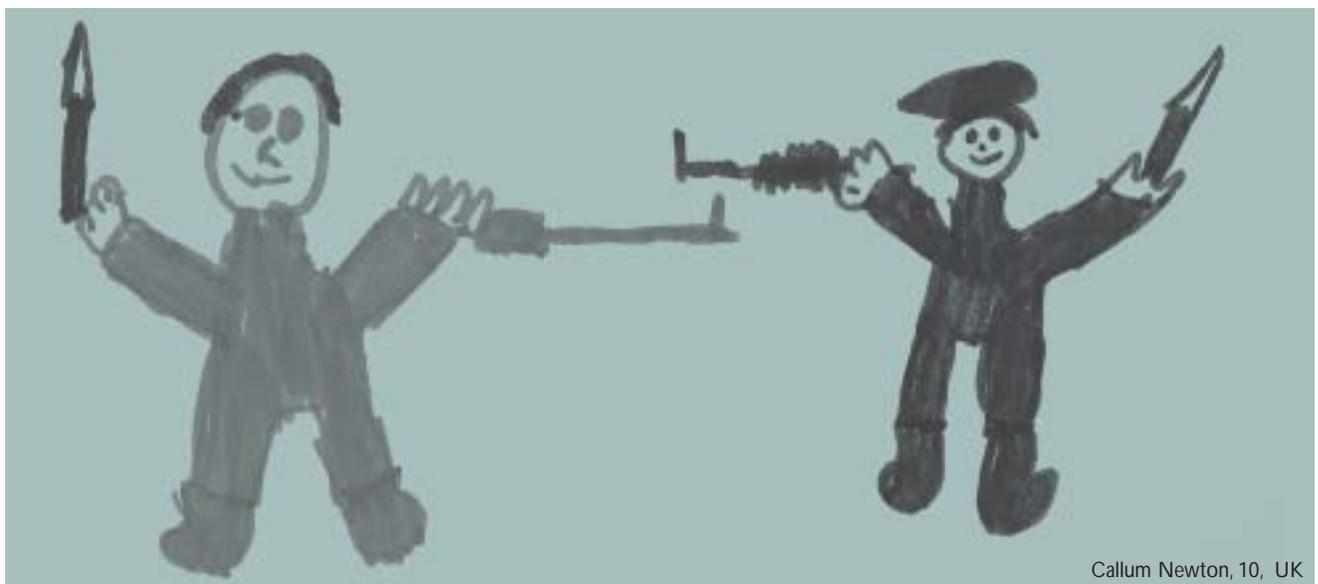
Survival and development

In those states to which children flee and seek asylum, we call upon national governments to:

- ensure all refugee and asylum-seeking children gain access to appropriate services on a non-discriminatory basis and provide programmes and facilities to meet their special needs.

Participation

In those states to which children flee and seek asylum, we call upon national governments to:



Callum Newton, 10, UK

- ensure that all children and young people are consulted about arrangements for their own care
- provide appropriate opportunities for children to be heard at all stages of the asylum process
- ensure that skilled interpreters are available to facilitate children's participation
- develop child-friendly procedures for giving evidence in immigration and asylum processes, based on the evidence and experience of children
- support and create initiatives for young people to suggest improvements to care systems and immigration procedures that affect them.

UN High Commissioner for Refugees and the European Union

Non-discrimination

We call upon the UNHCR to:

- take the lead in producing detailed guidelines on child-specific violations of human rights and on the evidence and criteria to be used when determining a child's asylum application.

We call upon the EU to:

- harmonise asylum policies to ensure that separated children receive full protection under the

1951 Refugee Convention, and that asylum policies and practices reflect specific considerations relating to children.

Civil society organisations

Participation

In those states to which children flee and seek asylum, we call upon civil society organisations to:

- provide opportunities for children and young people to come together to share experiences, network and support each other
- facilitate children and young people affected by war in communicating and building solidarity with each other.

Note: Each International Save the Children Alliance member has produced its own national call for action. For copies, contact childrensrights@save-children-alliance.org or visit www.savethechildren.net

Conclusion

Over the past decade considerable efforts have been made to raise awareness of children's rights. The near-universal adoption of the UN Convention on the Rights of the Child (UNCRC) is a sign of the success that has been achieved. Commitments of this kind are a key potential lever for change. However, if they are to have credibility, we now need to see significant improvements in the everyday lives of the world's children.

Two main themes come through this report. First is the need at every level of society to take children's perspectives into account. Children are affected in particular ways by global issues in their daily lives. We need to be aware of children's active roles as, for example, workers, carers and peer educators. And we also need to acknowledge differences among children and give special consideration to the needs of marginalised children, eg, street children, disabled children, those who are from ethnic minorities.

Taking children's perspectives into account brings a more holistic approach to policy and practice. It also focuses attention on the impact on children of policies and programmes, and the need to involve children in the design, implementation, monitoring and evaluation of interventions.

The other major theme underlying this publication is the basic need to allocate greater resources to children. Taking children seriously means listening to them but also prioritising their needs in terms of resource allocation. Policies of governments and the international community need to take into account children's roles as users of services and as participants and stakeholders in society.

Twelve years have gone by since the UN adopted the Convention on the Rights of the Child. Nancy, Liberia, Mustajab and Jorge have all grown up in a world that should have changed but hasn't. If we don't now begin to tackle the problems children face in their everyday lives, there is a real danger that their situation will get worse.

Following the UN Special Session on Children in September 2001, Save the Children is committed to hold governments and the international community to account over the agreements they make, to remind them of their undertakings and to monitor the impact of their actions on children. After all the promises of the last decade, now is the time for action.

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Part 4

1 In different regions of the world, the percentage of all births to women under age 20 is: 18.1% in southern Africa; 18.6% in South & Central Asia; 16.5% in Latin America and the Caribbean; 13.5% in North America; 14.7% in Eastern Europe (source: UN Population Division 2000 www.unfpa.org/swp/2000/english/figures)

2 In 1996 a government study tracking expenditure in Uganda showed that 30% of resources released by the treasury for schools actually reached their destination; the government adopted measures to address this and when the tracking study was repeated in 2000 it was found that 90% of funds intended for schools did arrive. (Fighting Poverty in Uganda, Ministry of Finance, Kampala, February 2001)

3 *Caught in the Crossfire No More: A framework for commitment to war-affected children*, International Conference on War-Affected Children, September 2000

Appendix 1: UN Convention on the Rights of the Child

Adopted by the United Nations General Assembly on 20 November 1989 and entered into force on 2 September 1990.

Preamble

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality

and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1 – Definition of a child

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless, under the law applicable to the

child, majority is attained earlier.

Article 2 – Non-discrimination

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3 – Best interests of the child

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4 – Implementation of rights

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available

resources and, where needed, within the framework of international co-operation.

Article 5 – Parental guidance and the child's evolving capacities

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 guardian 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 6 – Survival and development

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7 – Name and nationality

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8 – Preservation of identity

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

Article 9 – Separation from parents

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10 – Family reunification

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances, personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11 – Illicit transfer and non-return

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12 – The child's opinion

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 – Freedom of expression

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.

Article 14 – Freedom of thought, conscience and religion

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15 – Freedom of association

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16 – Protection of privacy

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

Article 17 – Access to appropriate information

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18 – Parental responsibilities

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit

from child-care services and facilities for which they are eligible.

Article 19 – Protection from abuse and neglect

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20 – Protection of children without families

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21 – Adoption

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with

applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22 – Refugee children

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or nongovernmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunifi-

cation with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23 – Handicapped children

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international co-operation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24 – Health and health services

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25 – Periodic review of placement

States Parties recognize the right of a child

who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26 – Social security

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27 – Standard of living

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28 – Education

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29 – Aims of education

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the

child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30 – Children of minorities or of indigenous peoples

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31 – Leisure, recreation and cultural activities

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32 – Child labour

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to

interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

- (a) Provide for a minimum age or minimum ages for admission to employment;
- (b) Provide for appropriate regulation of the hours and conditions of employment;
- (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33 – Drug abuse

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34 – Sexual exploitation

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35 – Sale, trafficking and abduction

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36 – Other forms of exploitation

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37 – Torture and deprivation of liberty

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38 – Armed conflicts

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained

the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39 – Rehabilitative care

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40 – Administration of juvenile justice

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

- (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
- (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
 - (i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and

proportionate both to their circumstances and the offence.

Article 41 – Respect of existing standards

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State party; or
- (b) International law in force for that State.

PART I I

Implementation and entry into force

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-

General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General

Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

(a) Within two years of the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international cooperation in the field covered by the Convention:

(a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the

implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open

for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

Appendix 2

International Save the Children Alliance

The International Save the Children Alliance is the world's leading children's rights organisation with Save the Children members in 32 countries and operational programmes in over 100.

Our Vision

Save the Children works for:

- a world which respects and values each child
- a world which listens to children and learns
- a world where all children have hope and opportunity.

Our Mission

Save the Children fights for children's rights. We deliver immediate and lasting improvements to children's lives worldwide.

Providing practical action to help children and their families

Save the Children provides both emergency relief and long-term development assistance, wherever possible working closely with local partners who firmly believe in providing children with the best possible start in life.

Save the Children also runs major programmes of work to secure the rights of children by bringing about sustainable and equitable development. Poverty and inequality are the root causes of many of the obstacles preventing the fulfilment of children's rights, and their eradication is a fundamental aim of Save the Children's programmes.

Over time the Save the Children worldwide movement has grown as organisations from different countries of the world have joined forces to protect and promote children's rights. Save the Children now works in around 120 countries.

Through its programmes Save the Children tackles key children's rights issues including health, education, nutrition and food security, gender discrimination, disability and early childhood development. It also possesses considerable expertise in more specialised fields such as family tracing and reunification (for children separated by war or natural disaster), the rehabilitation of child ex-combatants, alternatives to institutional care and support for working children. In all this work it strives to implement a rights-based approach in its programmes, ensuring that all activities seek to integrate the key principles of the UN Convention

on the Rights of the Child (UNCRC). And in recent years Save the Children has also responded to the emergence of the HIV/AIDS epidemic and has developed a range of innovative programmes designed to increase the protection of children from the virus itself and from the impact of the loss of parents or other carers.

Promoting children's rights to bring about change

Equally importantly, Save the Children focuses on the research and advocacy which brings the lack of recognition of children's rights to the attention of decision-makers, politicians and opinion formers across the world. This work has focused on:

- raising awareness of the UNCRC
- encouraging the practical implementation of the UNCRC
- supporting the monitoring mechanisms established by the UNCRC.

In addition, Save the Children builds local, regional and global partnerships to establish a broader movement to support and implement children's rights. This involves working with international organisations and UN agencies, and includes support to organisations run by children and young people to enable them to champion

their own rights. In many countries Save the Children works with coalitions of children's rights organisations to develop awareness of children's rights. It is also piloting a variety of methods of enabling children to participate more actively in decisions that affect them.

To complement this work, Save the Children has provided training in children's rights for a wide range of key actors, such as governments, community organisations and partner organisations in order to ensure a stronger awareness of children's rights and their realisation in policies and programmes.

In parallel with all of their activities Save the Children plays a critical advocacy role. It lobbies governments, the international community and members of civil society, highlighting failures in public policy and private practice, which represent violations of children's rights. In today's complex international environment, and for organisations such as Save the

Children whose purpose is deeply rooted in children's rights, this role is crucial. Save the Children and other children's agencies must act as the custodians of children's rights, sharing the responsibility to fight for their recognition and defence.

Over a decade ago, the UNCRC inspired renewed commitment to make adults and adult institutions much more accountable for what they do for children, and to address the stark reality that these statistics portray. But clearly, what the Convention has achieved lacks the drama and visibility of immediate success. Only fundamental changes to attitudes, behaviour and overall commitment to children will ultimately protect them from the horrors of wars, poverty, exploitation and abuse. The organisations that make up the International Save the Children Alliance see it as their role to continue the fight to keep this enormous challenge in the hearts and minds of everyone who can bring about benefits in the lives of children.

Appendix 3

The organisations that make up the International Save the Children Alliance are listed below:

Members

Save the Children Australia

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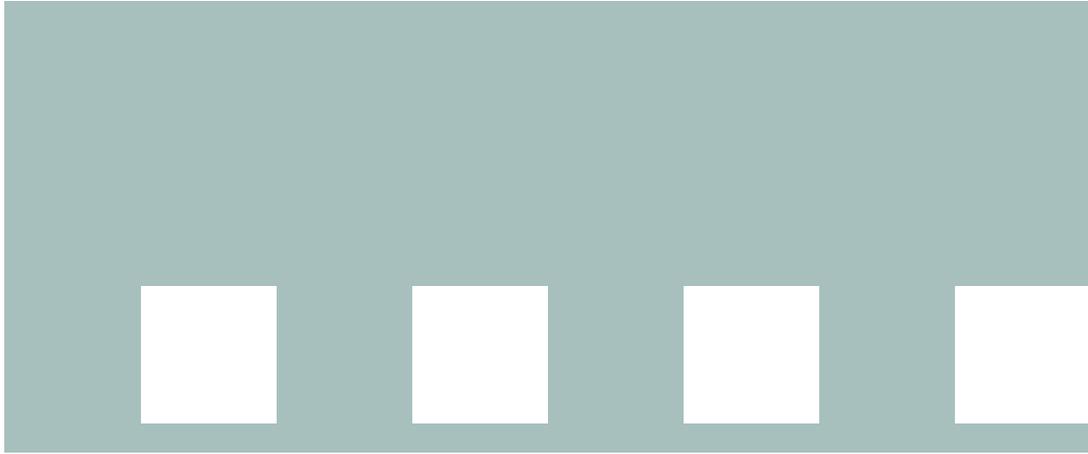
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The past decade began with genuine optimism for the world's children. But what has happened since the adoption of the UN Convention on the Rights of the Child (UNCRC)? What has changed, and what still needs to be done if children are to have the opportunities governments promised when they signed up to the UNCRC?

Children's Rights: A Second Chance looks at the impact that local, national and international policies and practices have had on children over the last decade. As the stories of Liberia, Jorge, Nancy and Mustajab show, the lives of millions of children across the world have barely been touched by the UNCRC. For many the situation has actually got worse.

Yet, as this report demonstrates, the four key principles of the UNCRC – non-discrimination, acting in the best interests of the child, survival and development, and participation – remain key to progress. Save the Children is calling on governments, international organisations, donors and businesses to form new partnerships to address the issues affecting children today, to ensure that all policies and decisions take children into account, to invest in children and, importantly, to involve children in decisions that affect them.

The UN Special Session on Children in September 2001 has provided an opportunity to review what has happened for children over the last decade and to look forward to what needs to be done over the next ten years. We have been given a second chance. This time we should make the most of it.